



PROMOTING A SAFE AND EMPOWERING ENVIRONMENT FOR ALL CHILDREN AND YOUTH

Best Practices for Child and Youth Protection
and Participation through Human Rights Education

September 2019

IIMA
Human Rights Office
Istituto Internazionale
Maria Ausiliatrice

IN COLLABORATION WITH



WITH THE SUPPORT OF



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IIMA**Human Rights Office**Istituto Internazionale
Maria Ausiliatrice

IIMA (ISTITUTO INTERNAZIONALE MARIA AUSILIATRICE) or SALESIAN SISTERS OF DON BOSCO, is a religious association born from the principles of St. John Bosco, which require the dedication of oneself to the service of young people and children, in particular, the poorest and those living in difficult situations.

IIMA promotes and defends **HUMAN RIGHTS**, especially those of **CHILDREN, YOUNG PEOPLE** and **WOMEN**.

EDUCATION, UNDERSTOOD AS INTEGRAL DEVELOPMENT, IS AT THE CENTER OF OUR COMMITMENT, and we believe that our total dedication to children and young people is the best gift we can give to humanity.

IIMA **WORKS** in **95 COUNTRIES** on **FIVE CONTINENTS**.

IIMA obtained **SPECIAL CONSULTATIVE STATUS** with the United Nations Economic and Social Council in 2008. It contributes to the work of the Human Rights Council, the Universal Periodic Review, and Treaty Bodies through the IIMA Human Rights Office in Geneva (Switzerland).

A special thank you to **WISEAN CARA** for being always supportive of IIMA's initiatives on the promotion of children and youth rights, especially in its recent side event: "Promoting a Safe and Empowering Environment for All Children and Youth" held on September 25, 2019 at the Palais des Nations, Geneva.

In collaboration with

VIDES INTERNATIONAL (INTERNATIONAL VOLUNTEERISM ORGANIZATION FOR WOMEN EDUCATION AND DEVELOPMENT) is an association of youth volunteers founded by the Salesian Sisters, that works for the promotion and defence of the rights of children, young people and women.

VIDES International **PROMOTES THE EMPOWERMENT AND TRAINING OF YOUNG PEOPLE THROUGH THE EXPERIENCE OF VOLUNTEERING** (locally and internationally), so that they can act as responsible and participative citizens for the construction of a society at the service of the dignity of each person. It is present in **43 COUNTRIES** on **FOUR CONTINENTS**.

VIDES International was granted the **SPECIAL CONSULTATIVE STATUS** with the United Nations Economic and Social Council in 2003. It is also accredited to the International Labour Organization (ILO).



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PROMOTING A SAFE AND EMPOWERING ENVIRONMENT FOR ALL CHILDREN AND YOUTH

Introduction and Objectives

On September 25, 2019, IIMA and VIDES, together with the Permanent Mission of the Philippines, organized a side event titled “Promoting a Safe and Empowering Environment for All Children and Youth” during the 42nd session of the Human Rights Council. Cosponsored by sixteen States, the event panel featured H.E. Evan Garcia, Ambassador, Permanent Mission of the Philippines; Philip Jaffé, Member of the UN Committee on the Rights of the Child; Valerie Philpott, Representative of Misean Cara – Mission Support from Ireland; Mary Josephine Isabella Antony Raj, IIMA Coordinator of Child Participation Program, India; and Guillermo Andrés Gutiérrez Mercado, Education Coordinator of IIMA School, Uruguay. Through a video message, S. Abinaya (14-year old) and Kotteswaran Dhanasekaran (19-year old) from India gave testimonies on how child participation and awareness raising contributed to break the vicious cycle of poverty, discrimination and marginalization.

Ms. Elena Ippoliti, Human Rights Officer, Methodology Education and Training Section, Office of the High Commissioner for Human Rights (OHCHR), moderated the side event.

This side event aimed to:

- Identify best practices carried out at the national level to promote a safe and empowering environment for all children through the mobilization of community-based support for child protection and participation;
- Strengthen global commitment to ensure that child participation is central in all initiatives and decisions affecting children;
- Give visibility to related human rights issues through the testimonies of children, youth and educators;
- Encourage Governments and Civil Society actors to engage in a constructive dialogue to effectively address human rights challenges that prevent the creation of a conducive environment for child and youth participation and protection at all levels.



The empowering role of human rights education cannot be over-emphasized

Ms Elena Ippoliti

WHY A SIDE EVENT ON CHILD AND YOUTH PARTICIPATION AND EMPOWERMENT?

Background

Poverty, class, gender, inter-district and urban-rural disparities as well as low quality education resulting in high drop-out rate and low completion of primary and secondary education are among the main factors of vulnerability for children around the world. As a result, these vulnerable children, also considered “at risk,” are more exposed to multiple human rights violations.

In the contemporary scenario, though school education has become a reality for the very many underprivileged children of our society, it is an undeniable fact that quality educational inputs still elude the vast majority of them. Sustaining interest in education thus becomes a rarity among these children leading to a greater number of dropouts. Those children who do manage to continue their education struggle to cope with the demands of the present day education system against the backdrop of non-existing support and guidance from their family and community. As a result, these children are not empowered to fully participate in society and fail to unlock their potential as rights holders as well as child and youth promoters of positive societal change.

The support of local communities is crucial to organize awareness programs for children and their families particularly in the most remote villages. The creation of a local child safety net is a key factor to ensure, through child rights-based initiatives, a conducive environment for child participation and protection at all levels (in the family, in school and in other social and institutional contexts). Child and youth participation and quality education, including human rights education, are of pivotal importance for effective child protection as well as in harnessing their role as human rights promoters and educators.

Accordingly, in the framework of the celebration of the **30th anniversary of the Convention on the Rights of the Child** adopted on 20 November 1989, the UN Committee on the Rights of Child, in collaboration with the UN Office of the High Commissioner for Human Rights (OHCHR), has organized a series of activities throughout 2019 that aimed to encourage States parties to renew their commitment to the Convention by putting children's rights at the forefront of their national agenda.

Additionally, the **Social Forum** held in Geneva on October 1-2, 2019 focused on “the promotion and protection of the

rights of children and youth through education.”

Finally, at the 42nd session of the HRC (9 - 27 September 2019), the Council adopted the **World Programme for Human Rights Education: Plan of Action for the Fourth Phase (2020-2024)**, which highlights youth empowerment and the role of youth in human rights education and training.

The Panel of the side event “Promoting a Safe and Empowering Environment for All Children and Youth” gathered children and educators from the ground, UN experts and NGO stakeholders engaged in the protection and empowerment of children and youth, especially through education. Special attention was devoted to best practices carried out in India and Uruguay.

As the moderator Ms. Elena Ippoliti highlighted, the training and education of children and youth is important in all levels, including in villages, in families, in schools and in other social and institutional contexts. It is essential to ensure children and youth participation in their communities and societies as agents of positive change.

This brief report provides a summary of the discussions that took place during the side event and aims to provide Permanent Missions and Civil Society stakeholders with insights on education as a vital tool for child and youth empowerment and participation.



Indeed, with greater collaboration and partnership among States, governmental organizations and civil society, the global community can continue moving forward to improve child and youth participation and initiative in decision-making and human rights implementation.

OPENING REMARKS

H.E. EVAN GARCIA, AMBASSADOR OF THE PHILIPPINES

Excellencies, Distinguished Colleagues, Ladies and Gentlemen, and Fellow Advocates for the Promotion and Protection of the Rights of Children and Young People, Good Afternoon!

On behalf of the co-organizers, IIMA and VIDES International, I have the honour to deliver this opening message.

The Philippines is privileged to co-organize this important and timely discussion on children and youth empowerment through human rights education. Our discussion today supports the commemoration of the 30th year of the Convention on the Rights of the Child as well as the draft HRC resolution adopting the Action Plan for the Fourth Phase of the World Program for Human Rights Education, which is focused on youth empowerment and the role of youth in promoting human rights education.

As 40% of the total Philippine population of 110 million are children, and 65% below 35 years old, the Philippine government considers as a top priority the promotion and protection of their rights, including ensuring their meaningful participation.

In the past 10 years, the Philippines enacted at least 30 laws relating to the protection of the rights of the child. The government has progressively and significantly increased the total allocation for child-related budget and child-focused programs at the national level by over 300% from 2010 to 2017. This is consistent with the policy of allocating more resources for child protection services and other child-related programs.

Respect for the views of the child is a key principle to guide efforts on ensuring children's meaningful participation. The Philippines implements a National Framework for Children's Participation. Youth Development Offices in local government units have been created to advance the state objective of encouraging youth involvement in the public and civic affairs of the nation. Local government units are implementing their respective Children's Welfare Code to allow children's voices in the decision-making process in full recognition of their important role as actors of change. In addition, the Philippines supports the Association of Southeast Asian Nations (ASEAN) Children's Forum which complements the work of the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children.

The Philippine Youth Development Plan 2017 to 2022 recognizes the vital role of youth in advancing the peace-building and human rights promotion and protection agenda through education and awareness-raising programs.

Education and training as a platform provide immense opportunities for empowering children and youth as active participants in public and civic affairs. At the same time, we should be mindful that this platform is not insusceptible to misuse by parties who take advantage of, and exploit, children and young people to serve their unscrupulous ends. We should guard against such misuse of the platform.

The World Program for Human Rights Education has the objective of developing a culture of human rights and enhancing partnership and cooperation at all levels. Now on its fourth phase with a focus on youth empowerment, the draft action plan builds on previous phases. The first phase focused on primary and secondary education, the second on higher education, and the third on training of educators in formal and non-formal education. As a main sponsor of this HRC resolution, we highly encourage everyone's support to ensure that this plan translates to concrete actions on the ground.

Our panel of speakers, composed of educators and advocates, will share their experiences and best practices in this regard. May we have a fruitful discussion.

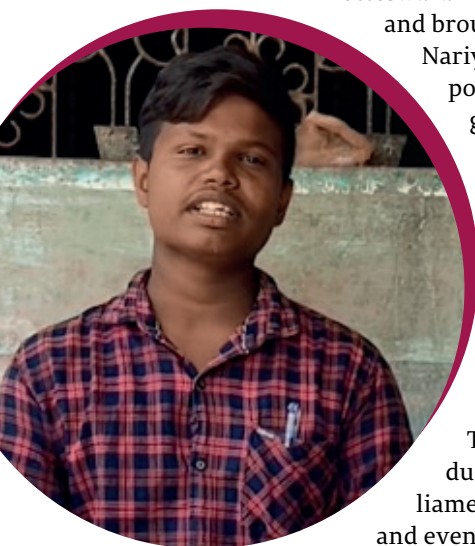
Respect for the views of the child is a key principle to guide efforts on ensuring children's meaningful participation.



VIDEO MESSAGE

CHILDREN AND YOUTH FROM INDIA SPEAK ABOUT THEIR EXPERIENCE IN NEIGHBOURHOOD CHILDREN PARLIAMENTS

KOTTESWARAN DHANASEKARAN



Kotteswaran Dhanasekaran was born and brought up in the village of Nariyambadi, India. Born into a poor family, he had to struggle for his education. Since his village has limited educational facilities, he studied in the evening study centres of the Salesian Sisters from class V to XII. He gained exposure and received training on children's rights there. This same Training Programme introduced him to Children's Parliament whereupon he joined it and eventually became a leader. He

is currently President of the Children's Parliament at the local level and Vice-President at the state level.

I shared with my school friends the knowledge I gained from the Children's Parliament and the rights of the children.

In his village, child labour, child marriage and child abuse has become very common. He dreams of becoming a lawyer in the future in order to promote the realization of human rights in his country and be the voice for the voiceless in society.

S. ABINAYA



S. Abinaya is from the village of Erode, India. She is studying at Lakkapuram Government School in Class X. She is the youngest of three daughters. Her father died two years ago and she counts on her mother as her most important support. She has good class standing and is a role model for her peer group, which is a motivating factor among her classmates. In the evening, Abinaya joins a coaching class centre where she was

motivated to participate in the Children's Parliament. As stressed by one of the volunteer teachers in the coaching centre, learning in these centres is not only one-way, teachers are also learning from the students.

Though their Parliaments, the children have already achieved considerable results, like bringing electrical light into their village streets, setting up and enhancing their village library. Likewise, the children initiated a campaign directed towards local authorities to stop the practice of child labour and child early marriage as they violate children's rights. They advocate as well for the right to education of all children.



THE IMPACT OF A SPECIFIC INTERNATIONAL HUMAN RIGHTS PROJECT AT THE NATIONAL LEVEL – THE CASE OF INDIA



MARY JOSEPHINE ISABELLA ANTONY RAJ



Ms. Antony Raj is the coordinator of the Istituto Internazionale Maria Ausiliatrice (IIMA) for the Child Participation Programme in India. She has also been the director of the National Development Forum for the past six years working with the women, children, and youth from the marginalized sector. She conducts workshops on issues related to children, child labour and child abuse, in partnership with several Non-Governmental Organizations (NGOs). She is also part of the Children Protection Network of NGOs in Tamil Nadu, India.

Dear Friends,

I am Sr. Isabella, representative of IIMA in India where we work in 20 States (out of 28 States), providing formal and informal education. People we serve are women, children and young people from various cultural, religious, caste and class backgrounds. They belong to the most marginalized and vulnerable groups living in slums, on the streets, in rural, semi-urban and tribal areas. Many of the children we reach out to are orphans, semi-orphans, and migrants. The key concerns we have identified among these categories of children are school dropout, child labour, child abuse, and early child marriage.

The main issue we identified among children is school dropout. Many of them come from families where parents are under-educated or illiterate and unable to follow up on their children's education. Secondly, there is a lack of quality teaching and follow up in school. The poor sanitation facilities in the education infrastructures and lack of transportation from the villages to the schools contribute also to the reasons for dropping out of school. Aside from the above reasons, children drop out of school due to the danger of sexual violence on their way to school especially in the tribal and interior villages.

Another related issue is child labour. Many children, due to poverty, are forced to work along with their parents to add to the family income. Bonded labour and child labour

remain a concern despite the efforts of the Government Labour Department and social workers to address and eliminate the problem.

The other issue is child abuse. Many of the children who are left alone at home while their parents are at work end up spending most of their time on the street, while those who are entrusted to the care of their neighbours risk becoming victims of sexual or physical abuse. In fact, 53% of children in India face some form of sexual abuse. According to the National Crime Records Bureau, the cases of rape and murder of children increase every year. The growing complexities of life and the changed socioeconomic conditions have exposed children to new and different forms of abuse. But the sad state of affairs is that such heinous acts are reported less. In some of the most critical areas where we work, especially along the borders, the risk of child abuse is as high as 50%. As young Kotteswaran has mentioned in his video message, early marriage and child abuse are unfortunately a widespread practice. Moreover, children themselves have reported cases of child marriage, child abuse, and trafficking.

To address the above-mentioned issues, in 2014, IIMA drafted a Child Protection Policy at the National level. It was implemented in all of IIMA-India's formal and nonformal education institutions.

It is our strong belief that education is a portal that ensures the protection and empowerment of children and youth. Here educators play a pivotal role in motivating and empowering children and young people.

The empowerment and participation of children through the Children's Parliaments have created an impact in the villages and the places where they live.

In 2015, with the support of VIDES International and Mísean Cara - the Mission support from Ireland, IIMA-India launched the pilot phase of a 3-year project called “Ensuring a child-friendly environment for children”. It was implemented in 20 States and has reached out to around 9000 vulnerable children. The project prioritized a human rights-based approach and educational interventions so as to prevent school dropouts among children, as well as child abuse, and early child marriage, and protect them from child labour. It is our strong belief that education is a portal that ensures the protection and empowerment of children and youth. Here educators play a pivotal role in motivating and empowering children and young people as highlighted by Abinaya in her video message. Thus, the project appointed special educators who were tasked with assisting the children with their regular school assignments, to provide human rights education, and to raise awareness on India's national legal framework for the welfare and protection of children, such as the Juvenile Justice (Care and Protection of Children) Act, 2015 and the Protection of Children from Sexual Offences Act, 2012.

The positive outcome of this safe, educational environment was the creation of the CHILDREN PARLIAMENTS. Through it, the children came to know their rights, especially their right to participation. They were informed of the human rights mechanisms and how to exercise their rights. In their regular meetings, issues affecting their peers and their territories were shared and discussed.

With a greater sense of awareness of their rights, the members of the Children Parliaments have gradually developed a strong sense of social responsibility. Their concrete responses and activities are proof of their engagement and commitment.

- They organized campaigns against child abuse and child marriage. In fact, they have already conducted more than a hundred campaigns across the country.

- They raised awareness against child labour. In 2016, in response to the amendment on The Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, one thousand children signed a petition addressed to the Prime Minister to ensure compulsory education to all children until 18 years of age, and to eradicate child labour.
- The children have also become promoters and protectors of the environment through various campaigns and activities such as: “No to Plastic”, preserving water and electricity, planting trees, etc.
- The remarkable result of Children Parliaments is the empowerment of the vulnerable children, who have become active, engaged citizens in developing their respective territories. Some of their significant initiatives were the fruits of their meetings with the district level authorities and the local government (the so-called “panchayats”), through which they were able to open and furnish a village library, bring streetlights, transportation and road facilities to connect their remote villages to the town proper.
- The children are well informed on the existing mechanisms and make use of them. They use the toll-free child helpline number of the state 1098 and inform of cases of abuse. They have become aware of the reporting procedure regarding abuse.

The empowerment and participation of children through the Children Parliaments have created an impact in the villages and the places where they live.

Thanks to the network with Government organizations, NGOs, other institutions, donors and funding agencies, IIMA India, through education and human rights education, continues to promote a safe and empowering environment for the protection and participation of all children and youth.

Thank you.

BEST PRACTICES IN HUMAN RIGHTS EDUCATION FOR YOUTH – THE CASE OF URUGUAY

GUILLERMO ANDRÉS GUTIÉRREZ MERCADO



Since 2014, Mr. Guillermo Gutiérrez Mercado has been the coordinator of the school administration team for primary and secondary education in a Salesian Sisters' Institution. He coordinates the youth movements and develops volunteer activities that aim at promoting human rights beyond the school curriculum. As a university student, he has been part of a human rights education project with people deprived of liberty, mostly young people under 30 years old.

My name is Guillermo Gutiérrez, I am 30 years old and I live in Las Piedras, Uruguay. I did my primary and secondary education under the schools of the Istituto Internazionale Maria Ausiliatrice (IIMA) and participated in VIDES volunteering. I am a graduate student of historical sciences, with specialization in University Teaching at the “Universidad de la República”.

Under a university extension program, I participated in a Human Rights Education project with people deprived of liberty in the detention unit of “Punta de Rieles” in Montevideo. We had to generate educational proposals due to certain coexistence problems among detainees

and their lack of knowledge of their own rights. We also had to address the rights of others and the need to respect those rights in a holistic manner. This led us to create a non-formal educational project, based on the fact that the right to education is an inalienable right of all, a right that does not depend on the particular situation of the person concerned. Our intervention was centred on Human Rights Education. We worked with a group of 25 people deprived of liberty, most of whom were under 30 years. They voluntarily signed up to participate in the project.

From its very first meeting, the workshops became a place for listening, a space for dialogue, exchange, reflection, and debate, where each of the participants could share his opinion in an atmosphere of respect. The participants took the project as their own, and on more than one occasion they were involved in organizing such a project. As a matter of fact, they became the project's real protagonists. It was an experience we built together. The workshops created the needed space where the participants recognized themselves as rights holders, notwithstanding their particular situation of vulnerability. This experience motivated me to continue to deepen my commitment to Human Rights Education.

I am currently a member of the administration of the educational institution where I studied. I coordinate the youth movement, generating and promoting solidarity and volunteer projects; in line with the promotion of the Common Good, living human rights in everyday life. Through pedagogical tools such as «learning-service»,

creating new spaces for participation to promote active citizenship of young people, involving them in the conception and development of activities ... truly promoting their leadership.



we combine solidarity projects with academic reflection, generating meaningful learning in all dimensions. We empower young people to become proactive agents of society while learning about the reality of other children and young people in vulnerable situations.

The young people who are part of these activities are committed to their training and to the sharing of this educational opportunity with those who need it most. They become the protagonists of this experience as they conceive new projects, help outline project objectives, action plans, and activities. Similarly, they raise funds for the project's implementation.

In this way, we prepare young people to make different interventions in relation to the promotion of human rights in critical socio-economic contexts by targeting children and young people with some unmet basic needs.

These children and young people understand that relationship is not one-sided, where I have to fill what is lacking in the other person. Rather, this opportunity allows all of us involved to have the ability to be humble and have the audacity to move out of being the centre, to move structures. It results in empowered young people who become promoters of human rights, whether in large projects that they decide to undertake or in the ef-

fort of the day to day with each of their actions and attitudes, understanding and recognizing that human rights come alive in everyday life.

Living these experiences, I understand human rights education as an opportunity to find a new meaning to our actions and ways of thinking. This educative experience becomes a life experience, in a very liberating sense as it helps us overcome prejudices.

It is essential to recognize that human rights education projects wherein youth are the real protagonists can generate encounters of communities of young people often unknown to each other. It is an experience of reciprocal recognition that we are equals. It allows us to welcome differences and build bonds of communion, thus, becoming a guarantee of human rights for all and of a culture of peace that allows for a better coexistence.

These days, the Human Rights Council will move to the fourth phase of the World Programme for Human Rights Education by putting young people at the centre. This implies believing and relying on young people as protagonists of human rights education. It is recognising that young people can be true actors of change if their sensitivity to justice and to the common good is developed.





THE ROLE OF DONORS AND DONOR ORGANIZATIONS IN PROMOTING A COMMUNITY-BASED APPROACH FOR ENHANCING CHILD PARTICIPATION



VALERIE PHILPOTT



Ms. Valerie Philpott is a social worker, with extensive experience working with marginalized groups. She has been engaged in child welfare and children's rights, spending some years working for child protection in Australia. Currently, she works as a Safeguarding Advisor for Misesan Cara, a donor organization from Ireland that supports the educative projects of the Salesian Sisters in India.

Good afternoon everyone, I am delighted to be here on behalf of Misesan Cara and would like to extend my sincere gratitude to the Salesian Sisters and the IIMA for the invitation to speak on behalf of a donor organisation about the role of donors in promoting a community-based approach for enhancing child participation.

Misesan Cara is an international and Irish faith-based missionary movement working with some of the most marginalised and vulnerable communities throughout the world. We are made up of 91 member organisations working in over 50 countries in Africa, Latin America and Asia where we work to realise human rights through the delivery of basic services in the areas of education, health, income generation and livelihoods, environmental sustainability and human rights specific projects also.

Misesan Cara is more than a 'donor' organisation, a simple conduit of funding. We recognise the inherent value of missionary organisations and we are moved by the work being done by missionaries with the furthest left behind. We support our members who live and work long-term in communities, developing relationships, building trust and solidarity and creating mechanisms for children to understand and identify their rights, to find their voice and embolden them to claim their rights and seek justice when they are violated. The need for context-specific interventions is fundamental and our members have an embedded understanding of these contexts and communities, of inequality and weak governance structures, spread across the globe; as well as having the oppor-



tunity to work together to advocate and campaign to create a global network for citizen participation and to influence government policy.

The 2030 Agenda for Sustainable Development, grounded in international human rights standards, strives to leave no one behind and elevates the importance of equality and non-discrimination. It encourages us to integrate human rights into global and national policies in developed and developing countries by increasing accountability at national, regional and global levels. We at Misesan Cara seek transformative change by supporting initiatives that address structural issues at local, national and international levels, while also addressing the issues of rights and accountability. This is 'transformation in action' and the Irish Government too recognises this immense and unique contribution with its long-standing and continued support of missionaries which stands at over €200,000,000 since 2004.

We are compelled by a sense of social responsibility; we accompany our members and focus on capacity building to maximise impact and effect greater change whilst also promoting sustainability. Misesan Cara specifically supports child-oriented projects within all sectors and support for children's rights is the biggest single area within our human rights portfolio with funding of €1.1m of the overall €2.8m allocated in 2018 (38%).

We target our resources strategically, supporting work in locations where our members have a strong presence in communities and potential to leverage greater change

and we also support members to take risks and break new ground to address new challenges.

Enhancing child participation so that children can feel empowered and become active agents for change requires a multi-level approach. It requires the buy in and commitment of multiple stakeholders across all levels to tackle not only individual injustices but the structural systems and inequalities that enable these injustices to occur. So, when members propose interventions that acknowledge the inherent value of a community-based approach which aims to engage, educate and mobilise communities to promote child protection and child participation utilising a range of strategies and best practice Misesan Cara is right there with them.

Misesan Cara prioritises projects that are geared towards creating and promoting safer environments for the most vulnerable children and the scope and reach of this project in India cannot be underestimated, and as a social worker having worked with marginalised and vulnerable children for many years I know that this task is a monumental one but Misesan Cara is committed to this approach and over the past 4 years that Misesan Cara has funded the Salesian Sisters project, the results simply speak for themselves, not only has this project changed the day to day lives of the children involved but this sustainable model will continue to produce positive outcomes well into the future as these children grow up to become empowered youth and active and engaged citizens. Also, as a member organisation we can utilise the

Enhancing child participation so that children can feel empowered and become active agents for change requires a multi-level approach.

learning from this project and support shared learning and networking amongst our membership who can then go on to adapt and apply it in a range of other contexts.

The school retention programmes, Child Protection Committees and Children's Parliaments are just some of the child participation initiatives that Misesan Cara strongly support and want to promote and I have no doubt that more great work can be done to enhance children's rights and that Misesan Cara's strong partnership with the Salesian Sisters and the IIMA will continue to effect positive change well into the future.

Thank you.



THE ROLE OF THE UNITED NATIONS COMMITTEE ON THE RIGHTS OF THE CHILD IN SUPPORTING MEMBER STATES FOR MORE EFFECTIVE CHILD PARTICIPATION

DR. PHILIP JAFFÉ



Professor Philip D. Jaffé is a current member of the Committee on the Rights of the Child. He is also a full professor and Director of the Centre for Children's Rights Studies at the University of Geneva, Switzerland since 2008. He is the author of 150+ publications and has conducted 400+ conferences and workshops (both for general public and scholarly) on children's rights in general, child participation, juvenile justice, child abuse, children with disabilities, alternative care, children on the move,

children deprived of liberty, bullying, court evaluations involving children, the right to play, adolescent consent to medical treatment, sustainable development goals, corporal punishment, and history of childhood, among others.

I would like to begin by adopting a very wide panoramic lens and assert that to promote a safe and empowering environment for children and youth, as the title of this event suggests, participation and protection are key words. Fortunately, they are also two fundamental principles of the Convention on the Rights of the Child and I will come back to them. But there is a lot more to reach this objective and, by analogy, it takes a village to raise a child and probably even more. To empower children and young people is a complex task that requires a lot of people and institutions. Who are the main actors? The child obviously, his or her parents and the extended family, the local community as a whole, and the State. In seeking to empower children and youth, each component plays a fundamental role and must rely on the strengths or compensate for the weaknesses of the other components. The child can be more or less resilient, more or less disenfranchised. Families cope in different ways with challenges and downright misfortune. Communities can be more or less organized and attentive and supportive. Communities also face challenges in drawing equitable support and resources from the State which itself can be enlightened, corrupt or chaotic. The Convention on the Rights of the Child is the human rights tool that encourages States to fulfil its obligations to set up the condi-

tions that allow communities and families to operate with sufficient resources to rear and educate children until they are autonomous members of their community. It would thus seem obvious that as a human rights tool the Convention on the Rights of the Child would seek to foster a social climate in which basic human rights principles are not only recognized but become as one of my colleagues has coined them living rights. Living rights that are learned and applied in everyday life to enhance each person experience. Learned and applied. Learned and applied.

How does the Convention and the Committee operate to aim for these lofty objectives? Well it relies strongly on article 29 which calls on State parties to direct education towards, inter alia, the development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations; 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; and also the development of respect for the

It would thus seem obvious that as a human rights tool the Convention on the Rights of the Child would seek to foster a social climate in which basic human rights principles are not only recognized but become living rights.

... human rights education is not sufficiently brought up during the various reporting phases of the States Parties, and if so mostly in general terms, nor does civil society point forcefully to this dimension.

natural environment. By the way, I don't want to joke on the back of the climate crisis, but it could be argued that among children and young people the respect for the environment has reached paroxysmic (sic) levels with the recent complaint addressed to the Committee and this is in my view a good thing.

The Committee has undertaken a number of moves to implement Art 29. These moves can be categorized as guidance, structure, process, and intent. As far as guidance goes it is not by chance that the very first General Comment of the Committee in 2001 outdated as it may, was on the Aims of education. Let me quote: The overall objective of education is to maximize the child's ability and opportunity to participate fully and responsibly in a free society. Another quote: Education must also be aimed at ensuring that essential life skills are learnt by every child and that no child leaves school without being equipped to face the challenges that he or she can expect to be confronted with in life. Basic skills include not only literacy and numeracy but also life skills such as the ability to make well-balanced decisions, to resolve conflicts in a non-violent manner, etc. And by the way, the values embodied in Article 29 (1) are relevant to children living in zones of peace but they are even more important for those living in situations of conflict, emergency or are otherwise disenfranchised.

In terms of process and structure, the Committee could do a lot more in my view. From what I can tell as a new member of the Committee is that human rights education is not sufficiently brought up during the various reporting phases of the States Parties, and if so mostly in general terms, nor does civil society point forcefully to this dimension. Going forward, I think there should be a greater emphasis on this topic. Luckily, the Committee has in recent years urged States Parties and civil society to create and to disseminate child-friendly material. You may have seen UNICEF's recent contribution that was endorsed by the Committee.

But there is intent. At the very least we should stipulate to the fact that understanding and knowledge of human rights must be promoted among children themselves, through the school curriculum and in other ways. That

raising awareness should involve all sectors of society, including children and young people who have the right to participate in raising awareness about their rights to the maximum extent of their evolving capacities. Such education should be participatory and empowering to children, providing them with practical opportunities to exercise their rights and responsibilities in ways adapted to their interests, concerns and evolving capacities. Human rights education of young children should be anchored in everyday issues at home, in childcare centres, in early education programmes, and in other community settings with which young children can identify. For this to occur we need to rethink the role of schools in the community, ensure that they are safe and to open them up, bring in families to interact with teachers and educators, faith-based figures must also be mobilized and avail themselves. But community centres, youth organizations, sports associations must step up their organized and coordinated dissemination of the core values of human rights.

We must recognize that the search for dignity and for justice are one of the great motivators of human activity, alongside many less positive ones, and children and youth are the best ambassadors. We should encourage this, we should support children who are defenders of human rights, we should protect these children and youth because they serve as models for the shortcomings of many adults, professionals, and governmental structures.

To empower children and young people is a complex task that requires a lot of people and institutions.

INTERACTIVE DIALOGUE

The attending States and organisations were afforded the opportunity to comment and ask questions relating to the topic of the event.

The first to take the floor was the Representative of the **Permanent Mission of Montenegro** who acknowledged the insights shared as well as the timeliness of this side event due to its connection with the 30th Anniversary of the Convention on the Rights of the Child. He shared the measures undertaken by the government of Montenegro to improve the national institutional and normative frameworks in order to better protect and promote the rights of children. In partnership with UNICEF, awareness-raising has been carried out for parents and children on the rights of the child. Additional campaigns include the inclusion of children with disabilities in public schools, the care for the education of the youth, and the promotion of youth groups and associations, with a focus on rural and less developed regions of the country. With the Ministry of Education and Ministry of Youth and Sport, the State has adopted the Youth Strategy 2017-2021. In April this year, the Montenegrin Government has also adopted the Law on Youth.

The **Representative of the Permanent Mission of Poland** echoed the aforementioned relevance of this side event and affirmed how their State has always attached primary importance to the rights of the child. Poland was actively involved in the drafting of the Convention of the Rights of the Child forty years ago. The representative cited the presentation of **Isabella Raj** (IIMA India) regarding the importance of children's participation in the life of their communities and in the wider world. She recognised that nowadays there are child delegates to national parliaments, youth delegates to the UN General Assembly, and thousands of young bloggers, writers, and journalists. Children are becoming more and more aware of their rights and are more involved in the decision-making processes affecting them. However, the representative also commented that there are still 262 million children that are out of school, according to UNICEF. "Children's voice must be heard, also in the light of Agenda 2030, since they are often the most affected by poverty, homelessness and neglect, and unequal access to education," she added. Furthermore, she highlighted how the protection of children and their right to a happy childhood is a challenge and a task for all who care for children and their future. She underscored how education, as well as vocational training, are the focal projects

that Poland has implemented through development cooperation with other countries. Accordingly, Poland commits, inter alia, to promote national programs with respect to children's education, malnutrition reduction, and quality education.

In reply to questions regarding their experience of working with children in the context of poverty and discrimination, Isabella Raj acknowledged that changing the mentality, especially of adults, is difficult in a context such as a caste system. Yet at the same time, working with children who have no biases or inhibitions as yet, providing them with Human Rights Education, upholding the values of respect and fraternity make it possible to bridge differences, helping to open up dialogue and interaction with the parents and adults. This was experienced through the project of children's parliaments. It created a forum for the children to express their views, to speak and stand up and importantly for the child to be at the centre.

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In his reply to the same question, **Guillermo Gutiérrez** affirmed that children and young people, the centre of the educative process, are in fact the first ones to knock down prejudices. Accordingly, he underscored, one of the greatest challenges educators have to face is the impossibility of perceiving the immediate results of education. Yet, as educators they are called to sow the seeds, work with children, accompany them, even if they do not see the immediate fruits. Most of the time, he said, the re-

sults would take years and are discovered in re-encounters with former students, by then full-grown adults themselves. From his personal experience, he draws another source of inspiration when he sees the youth in detention grow in self-confidence because they found educators and co-youth who invested time with them, and are there present so as to empower them..

Next to take the floor, was a **representative from Child Rights Connect**, an international network of NGOs that





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youth themselves...*

promote the rights of the child and child participation at the national, regional and international levels. She shared the findings from the previous year's Day of General Discussion of the UN Committee on the Rights of the Child (CRC), that is, children are not only aware of their rights, but they can also act upon these rights and know how to use these rights. It is important that children know what they can do when these rights are breached. Additionally, communities and schools are called to support the child rights initiative.

Dr. Philip Jaffé took the floor to highlight how child participation is making its way upwards through the UN and its structures. It is extremely important that all local initiatives will find their corresponding format in the national and international structures to enhance meaningful child participation. In this, he stressed the role of the States in providing supportive structures. He also mentioned the struggle of international human rights bodies to welcome children because of children's evolving capacities. It requires technical knowledge, be able to listen to them and translate what they are saying into meaningful actions. Even the CRC has to find the appropriate procedures to welcome children not only so that they feel welcomed, but that their voices are heard. He stressed also the important dimension of empowerment. Empowering somebody is not only a process by which one day one wakes up and has power. One has to transfer power to someone. It is not as easy to give up some power for young people and children but if an effective way to proceed is not created in order to truly listen to children and youth, child-led initiatives will falter. Children are meaning-makers; they make meaning in society. They transform the communities they live in, Dr. Jaffé asserted. They change the structure that surrounds them, so it is important to make sure that the child rights culture is meaningful and can empower. He also commended the efforts of Poland and Montenegro in the aspect of protecting and promoting child rights and participation.

In reply to questions regarding commonalities between children in situations of vulnerability from different contexts such as Ireland and India, **Valerie Philpott** said that one could immediately assume that the vulnerabilities are far greater in India than in Ireland or other western States. However, she maintained that children are vulnerable everywhere. Children need to be empowered by all States. On the other hand, the sheer volume of the task is larger because of the higher population of children (40% below 18 years old) in India and notwithstanding the cultural challenges. In Australia, there is also a strong focus on the work for the rights of indigenous people, especially for children in the area of legislation and policy. She concluded that indeed there are inherent challenges in the work for child rights in whatever context. The main benefit of working in a membership organization is the possibility to take the learnings from one context, adapt, and apply them in another.

In reply to a question on the most effective methodologies he had employed in his work with young people in detention, **Guillermo Gutiérrez** explained that they worked through the insertion of university students in situations of youth in vulnerable situations. Through visits and dialogues with the personnel in charge of the detention centres, specifically with the director, the team of students identified the needs of the young people deprived of liberty. With human rights as the centre of the educational intervention, they conducted eight meetings in a period of three months. During each weekly encounter, a human right or a group of related rights was chosen as a theme(s) to be investigated. During this process, there was a dialogue in relation to a certain human right, where the participants identified how they had experienced that right prior to detention, while in detention and how can they acquire skills and knowledge in order to live differently once they are out of detention. The program applied different strategies from group dynamics to the use of art and artistic expression, reading, sharing, etc. As the program advanced, the youth in detention themselves became more actively involved. The University students also participated in some of the events in the detention centre, as well as in its daily activities. The four months of immersion into the life of the centre made the human rights education project truly successful.



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CONCLUDING REMARKS

In their final address to the audience, the panellists reiterated once again the importance of inclusive education in promoting a safe and empowering environment for children and youth.

Human rights education must be translated into the practice of these rights in daily living, stressing the value of believing in children and youth as key actors, and supporting them in their endeavours.

Finally, the 30th Anniversary of the Convention of the Rights of the Child provides an opportunity for everyone and every State Party, to re-commit oneself to the full realisation of children and youth rights worldwide.

Similarly to a journey through diverse experiences and varied contexts, this side event intended to inspire everyone in their respective work for the promotion and the protection of child and youth rights, whether in the governmental sector, in the Nations or in civil society.



ANNEX

In the past few years, IIMA and VIDES have been instrumental in an awareness raising campaign within the United Nations to ensure that the rights of youth are placed high on the list of its priorities.

So far, there has been several progress made in bringing the situation of youth to the attention of the United Nations and its Member States.

June

IIMA Side event "Young Volunteers and Human Rights"

March

IIMA side event "Youth Empowerment: a Human Rights Perspective"

June

Cross-Regional Statement on Youth and Human Rights (26th HRC session)

Sponsored by: Egypt, Italy, Portugal, Tunisia and Uruguay; and supported by 116 States

2011

2013

2014

2015

June

IIMA Side event "Youth Empowerment, Which Strategies?"

July

OHCHR Expert Meeting on the human rights of youth

Recognized that "young people do experience difficulties in the exercise of their rights by virtue of being young and that there are gaps in the protection of the human rights of youth"

December

UN Security Council Resolution 2250

Affirmed "the important role youth can play in the prevention and resolution of conflicts and as a key aspect of the sustainability, inclusiveness and success of peacekeeping and peace building efforts."

Defined youth "as persons of the age of 18-29 years old."

March

Cross-Regional Statement on Youth and Human Rights (31st HRC session)

Sponsored by: Cote d'Ivoire, Egypt El Salvador, Greece, Italy, Morocco, Philippines, Portugal and Tunisia; and supported by 59 States

June

HRC resolution 32/1 "Youth and human rights"

Recognized that "today's generation of youth is the largest the world has ever witnessed, and [...] the ways in which the challenges and the potential of young people are addressed by policy will influence the well-being and livelihood of future generations."

Decided to convene a panel discussion on the topic during the 33rd HRC session

September

Human Rights Council, panel discussion on youth and human rights (33rd HRC session)

Highlighted the role of the Human Rights Council for youth empowerment and the importance of mainstreaming the rights of young people

November

Forum on Human Rights, Democracy and the Rule of Law with the theme "Widening the democratic space: the role of youth in public decision-making"

Called upon States to consider creating mechanisms to ensure effective and meaningful participation of youth in the work of the Human Rights Council

September

Report of the United Nations High Commissioner for Human Rights on Youth and Human Rights (39th HRC session)

Provided an overview of the international and regional human rights framework applicable to young people

Described the challenges and discrimination encountered by that group in gaining access to their rights

Recommended, inter alia, the creation of a special procedure mandate on the topic, under the auspices of the HRC

2016

2017

2018

2019

March

IIMA Side event

"Youth for Human Rights and the Common Good"

June

HRC resolution 41/13 "Youth and human rights" (41st HRC session)

Requested the OHCHR to convene, during the first semester of 2020, a full-day intersessional seminar focused on the challenges and opportunities of young people in the field of human rights, and to submit to the Human Rights Council a report on the seminar prior to its forty-sixth session (March 2021)

September

IIMA Side event "Promoting a Safe and Empowering Environment for All Children and Youth"

HRC resolution 42/7 (42nd HRC session)

Adopted the Plan of Action for the Fourth Phase (2020–2024) of the World Programme for Human Rights

October

Social Forum on "The Promotion and Protection of the Rights of Children and Youth through Education"



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