

Children's reports to the CRC Committee

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Ringvorlesung im WS 2013-14

Kinderrechte verwirklichen – Making Children's Rights Real Advocacy, Monitoring, Selbstorganisation

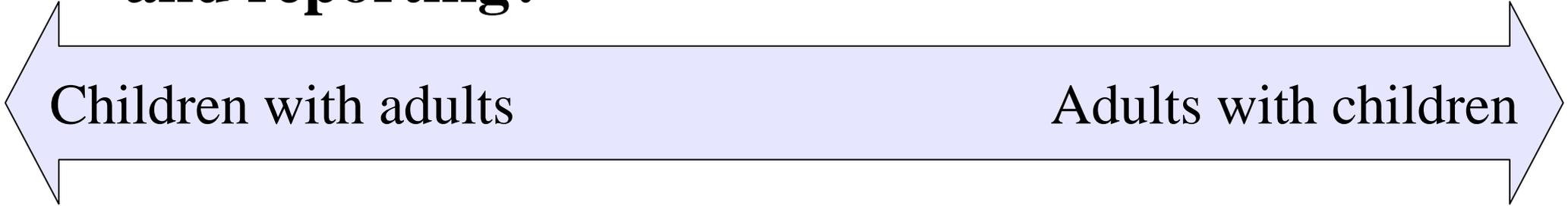
Die Ringvorlesung wird organisiert vom Master of Arts in Childhood Studies and Children's Rights (MACR) und dem Arbeitsbereich Sozialpädagogik an der Freien Universität Berlin – in Zusammenarbeit mit dem Deutschen Institut für Menschenrechte (DIMR) und dem Institut für Internationale Studien zu Kindheit und Jugend (ISCY) an der Internationalen Akademie für innovative Pädagogik, Psychologie und Ökonomie (INA gGmbH), mit Unterstützung der Deutschen Gesellschaft für internationale Zusammenarbeit (giz)

Children's reports to the CRC Committee

- **Content?**

- children's perspective on the situation of their rights

- **Who participated & led the process of monitoring and reporting?**



Children with adults

Adults with children

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Who led the process of monitoring and reporting?

- Who decided on (sub)topics?
- Who decided on how the topics would be dealt with (research method, participants, presentation)?

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Adults with children, an example

SANDBÆK & EINARSSON (2008) *Children and young people report to the UN on their rights. Annex to Norway's fourth report on the Convention on the Rights of the Child*. Norwegian Social Research.

Actors & Roles:

- Ministry of Children and Equality / initiator; set the main topics;
- Norwegian Social Research / overall support (design and analysis)
- 8 municipalities / added topics; decided on research methods;
- Children (different ages, ethnic backgrounds, asylum seekers) / research participants, "*given the opportunity to add their own topics*" (p:9)

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Adults with children, an example: SANDBÆK & EINARSSON, 2008

Main topics:

- awareness of the CRC
- schooling,
- leisure and
- health/welfare.

Cross cutting topics:

- ethnic minorities
- children with disabilities
- gender equality

Method:

- qualitative interviews with various groups (2 municipalities);
- questionnaire surveys (6 municipalities);
- qualitative interviews in addition to questionnaires (3 municipalities).

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Adults with children, an example

Save the Children New Zealand* (2010) *Hear Our Voices We Entreat. New Zealand's Child Participation Report to the UN Committee on the Rights of the Child.*

*prepared by Dr. Fiona Beals (Global Focus Aotearoa) and Anna Zam (Youth Participant)

Actors and Roles:

- Save the Children NZ / initiator, organizer;
- Office of the Children's Commissioner (Young People's Reference Group) / ideas, support and sampling the digital story method;
- Researchers / research design, facilitating focus groups, supporting children in developing & presenting their ideas/messages;
- Children and young people (e.g. young mothers, alternative care,) / research participants; topics; presentation

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Adults with children, an example: Save the Children New Zealand (2010)

Actors and Roles:

- governmental and non-governmental organization (eg. UNCRC Advisory Group) / guidance and advice on ethics, reporting processes, website, review and editing of the report;
- Unicef & Ministry of Social Development / financial support;
- organization, schools, families and youth workers / support;

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Adults with children, an example: Save the Children New Zealand (2010)

Overall topic:

- what young people know and feel about their rights

Method:

Series of focus groups held with 199 children and young people throughout Aotearoa/New Zealand from May 2009 to April 2010.

- Digital story telling;
- Focus groups (Workshops);
- Plenary / introductory discussions: on the CRC, last CO;
- Small groups work: what is hot (good) and what is not (bad), formulating the main message and story.

Children's reports to the CRC Committee

Children with adults

- Who are the children submitting reports to the UN Committee?
- How they organize their work on the report?
- How children understand their role?
- How others (the CRC Committee, government, NGOs, etc.) respond to children's reports?

Children's reports to the CRC Committee

Actors & Roles:

Children and young people's associations:

- Organizations led by children and young people,
- Children's sections of adult-led organizations,
- Loose groups of children / project based reports.

Children's reports to the CRC Committee

Children and young people's associations:

- Aims and activities?
- Constituency and representation?
- Origins?
- Organizational structure?

Children's reports to the CRC Committee

Aims and activities of children and young people's associations:

Although most organisations have gone through a certain number of changes, their mission and main objectives have remained the same. All aim to strengthen children's position in society by

- building awareness,
- researching,
- disseminating information,
- lobbying,
- providing advice and other services to its members,
- establishing opportunities for children and young people to participate in decision-making processes.

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Constituency and representation of children and young people's associations:

- Children and young people ... of different ages and gender, from different localities;
- Some organizations have established structures for participation/representation of typically excluded/underrepresented groups of children (Article 12 in Scotland: network of diverse groups of children, e.g. children in alternative care, asylum seekers, and LGBT youth; Funky Dragon: parliament with specific interest/equality representatives, e.g. young parents, young carers, young farmers);
- Working children's organizations

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Origins of children and young people's associations:

Some working children's organisations date back to the 1970s; most of children and young people's organisation were established more recently, during the first years of the 21st century.

"Working children's organisations are often – directly or indirectly – the products of activities or programmes conducted by NGOs or groups of committed individuals who work at grass root level. As such, they share a strong foundation in an activist approach that primarily aims to support empowerment of poor or otherwise marginalised and disadvantaged people." (Miljeteig, 2000:9)

This is also true of other children and young people's organisations. Sometimes, such initiatives were also supported by governmental institutions or representatives.

Children's reports to the CRC Committee

Origins of children and young people's associations:

Once founded, children and young people's associations usually go through a number of changes.

- Some do not last long. *Article 12* and *Young People's Rights Network*, both from the UK, no longer exist.
- Other organisations have grown. Some groups of young people from different youth forums merged and developed into a national organisation, *Funky Dragon (Children and Young People's Assembly for Wales)*.
- *Children's Council Working Committee*, an organisation of children from Hong Kong became *Kid's Dream* in 2006, distancing itself from the adult-led organisations which assisted in its foundation.

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Organizational structures of children and young people's associations:

- Some are organised as parliaments or councils (as traditionally suggested for children's participation).
- Others, while resorting to certain representational mechanisms, stay organised around a particular group of children or a topic (e.g. working children's organisations; *Article 12* member organisations; Unicef Belgium, 2005; CRIC Moldova initiative 2011-2013).
- Some are also organised in national and international networks.

In their reports to the CRC Committee, children and young people often reflect on the structures traditionally intended for their participation. (See Funky Dragon, 2008 and Article 12 in Scotland 2008 for two exemplary, typical and different positions on this matter.)

Children's reports to the CRC Committee

*"The **core group** was primarily responsible for*

- the collection of data from the children and for*
- dissemination of information received during the course of meetings with the other core groups. [...]*

*Thus each organisation had one core group, one **support group** and one/two activists who acted as **facilitators**. Since the primary actors were children, the role of the adult facilitators was to provide protection, conduct training and act as contact points for communication.*

One of the responsibilities of the NGOs was to introduce children to a wide range of information-gathering methodologies, so that they could select research techniques and activities that were both reliable and enjoyable." (Concerned for Working Children, 1998:3)

Children's reports to the CRC Committee

*"[A]ll members of the Funky Dragon Grand Council were invited to be part of a **steering group** to take this project forward. In total 19 members took up the challenge to **develop and lead the project, reporting back to the Grand Council on a regular basis.** [...]*

The steering group

- *recruited the staff for the project,*
- *wrote the questions for the survey,*
- *designed the activities for the workshops,*
- *analyzed the findings and*
- *decided on the content of the report.*

*The **role of the staff** within this project has been to support, inform and give the young people on the steering group the necessary skills to carry out their work. They have also delivered the national survey and workshops in accordance with the young people's directions and most importantly reported back to the steering group." (Funky Dragon, 2008:2-3)*

Children's reports to the CRC Committee

topics, RESEARCH METHODS / APPROACH, aims and presentation

- In some recent reports children combined quantitative and qualitative methods (see CFN, 2006:3-4; CRAE, 2008:5; Funky Dragon, 2008:9). Sometimes, however, children resorted to either one or the other (in the case of quantitative methods, usually a combination of different surveys, like in the reports from Serbia (2008) and Hong Kong (2005)).
- Other reports refer to consultations and discussions with children (e.g. some of the UK reports from 2002 and slides below).
- Some reports, however, do not give much detail on the way the presented information was gathered.

Children's reports to the CRC Committee

"At our 9th NMWC meeting (February, 2003) we prepared the following framework for information collection for our Alternate Report:

- Our present situation in the context of the realisation of our rights with regard to our Protection, the Provision of services and infrastructure and our right to Participation.*
- Our own initiatives that have helped us to improve our lives and to realise our rights.*
- Our review of the GOI Report.*
- Our suggestions for what needs to be done for the realisation of our Rights.*

Our members carried out detailed discussions in their respective organisations based on the above framework. The outcome of these discussions formed the organisational inputs of the member organisations to the Alternate Report." (NMWC, 2003:4)

Children's reports to the CRC Committee

"Perhaps we should start by introducing ourselves. We are a group of around 40 children and young people. [...] Together, we form the "What Do You Think?" project steering group, and we contribute to deciding where the project is going and how this report should look.

[...]

But above all, where would we get all the ideas of children and young people? Of course, it was not the intention that only the ideas of our group should appear in the report.

We tried to recruit new young people to the steering group, but that was not always easy. We are still looking for new young people, because our attitude is the more the merrier. And above all, the more different ideas we have to discuss, the more lively the discussion will be.

Finally, we attempted to find as many different ideas from children and young people as possible. Via our site, via the Averbode newspapers. And naturally, via The March, on which we all collaborated actively." (What do you think, 2002:10-11)

Children's reports to the CRC Committee

TOPICS, research methods/approach, aims and presentation

- Critical assessment of the CRC implementation; the main point of their criticism is the lack of recognition for their participation rights, both by their governments and other state institutions as well as by their societies in general.
- Thematic report(s) (e.g., on participation, education, etc.); critical review of governmental report;
- Structure:
 - Introduction (about the process, main actors);
 - Main part (groups of rights (similar to governmental and NGO reports), article by article; recommendations)

Children's reports to the CRC Committee

Topics, research methods/approach, **AIMS** and presentation

Children participate in the monitoring process in order to provide

- the Committee,
- Governments,
- specialised agencies and other competent bodies

with an insight into their situation in general and the implementation of the CRC in their country in particular.

Moreover, they wish to influence further implementation of the CRC in their countries. Being aware that their report is but one factor, they nevertheless expect to see their recommendations reflected in the Concluding Observations (CO).

Children's reports to the CRC Committee

Topics, research methods/approach, **AIMS** and presentation

Some children hope that their reports will also be read by other adults having contact with children:

- *“We are hoping that all Article 12 members will read the report as well as many other people such as: the Government, teachers, young people, parents, social workers, councillors, lawyers, youth workers, foster carers, children’s rights organisations in fact, everyone (even the grumpiest of adults!).”* (Article 12, 1999:7)
- *“Finally, the call for greater solidarity between children and adults also runs as a guiding theme through the whole report. Adults must get to know our world better, and we must collaborate more in tackling problems.”* (“What Do You Think?” children and young people, 2002:89)

Children's reports to the CRC Committee

Topics, research methods, **AIMS** and presentation

*“We hope that this report will be debated and used by decision makers, practitioners and **young people** to inform their work. But mostly we hope that the work we have done will bring about change for young people in Wales.” (Funky Dragon, 2008:107)*

*“We hope that our research will help **young people** know their rights and express their views.” (Article 12, 1999:7)*

*“With this report we want to give the Committee on the Rights of the Child the opinion of **children** on the implementation of the Convention of the rights of the Child in Sierra Leone. [...] We sincerely hope that this report will be used when adopting child-friendly policies. We also hope that this report will be distributed and read by the adults and children in Sierra Leone.” (CFN, 2006:56)*

Children's reports to the CRC Committee

Topics, research methods, aims and **PRESENTATION**

- Some reports are concise; focus on a few selected issues or priorities, and provide arguments in favour of children's requirements, e.g. pointing out contradictions in the treatment of children, responding to the arguments of the opponents (e.g. the UK reports (2002), Peru (2006)).
- Carefully choosing a small number of priorities, these groups put their effort into getting particular topics on the agenda of the Committee and, directly or indirectly, on the agenda of their government and civil society.

Children's reports to the CRC Committee

Topics, research methods, aims and **PRESENTATION**

- Reports from Belgium (2001) and Japan (2004) identify the general lack of social knowledge on children and childhood as a reason for the poor recognition given to children's rights, especially participation rights. Accordingly, the objective of these reports is to help adults to understand the authors' childhoods and to initiate dialogue and cooperation.
- They therefore go into more detail in their effort to present their perspectives, and resort to forms better able to communicate them: the Japanese report is a selection of personal stories (based on research findings), and the Belgian report is a collection of children's statements, opinions and suggestions, clustered under a common title.

Children's reports to the CRC Committee

"WHY WE DECIDED TO PREPARE AN ALTERNATE REPORT:

- 1. We working children can and should participate in solving the problems affecting us. We have a right to contribute to the improvement of our situation. So we should submit our own report.*
- 2. We know our situation well. If we send our report to the Committee, our situation will be clearly depicted.*
- 3. The CRC has placed obligations on our Government that are not being fulfilled. Our Report can highlight these lapses.*
- 4. Our report will help us to draw the attention of our Government to our problems and to the solutions we propose.*

...

Children's reports to the CRC Committee

"WHY WE DECIDED TO PREPARE AN ALTERNATE REPORT:

- 5. Our Government did not consult us when they prepared their report. So we have to send an Alternate Report to ensure that our views are heard.*
- 6. Our report will enable our direct participation in the reporting process to the Committee on the Rights of the Child.*
- 7. Our Alternate Report will take our struggle for Children's Rights and our Right to Participation forward.*
- 8. We, the NMWC can gain recognition as a federation that represents working children of India through our Alternate Report. (NMWC, 2003:23)*

Children's reports to the CRC Committee

Children are competent

"Nobody knows better the situation of children in Sierra Leone than us, the children. We see this report as an important source of information. Whereas the government report is only written by adults, this report gives you the situation of children in Sierra Leone from a different angle."
(CFN, 2006:6)

The Dutch National Youth Council (DNYC) believes that the rights of young people are appropriately implemented only if young people themselves feel that this is indeed the case. *"Therefore the Coalition decided to add a youth supplement to the NGO report."* (DNYC, 2007:3)

Children's reports to the CRC Committee

Children are entitled... and their rights are at stake

*"The right to participation is one of the main pillars of the Convention on the Rights of the Child. Nevertheless, in the Netherlands, it is also one of the most undervalued and most regularly denied rights. When asked which rights they ever had to stand up for, young people cited the right to express their own opinion more than any other. The Convention states that young people's opinions should not only be heard, but should also be taken into account in all matters that affect them. **Only very few matters touch the core of young people's interests as strongly as the observance of their fundamental rights.** It is therefore **crucial** to allow them to participate in the processes that aim at ensuring the fulfilment of these rights." (DNYC, 2007:3)*

Children's reports to the CRC Committee

Demanding recognition and support

“2.4 Hong Kong’s first Children’s Council was established in 2003. Five groups of Child Councilors discussed five child related topics in the Hong Kong Legislative Council Building. The motions from various groups of children in the council were sent to relative government departments after the Council Meeting. Disappointedly, little feedback was given to us by various government departments concerning the issues addressed in the reports. To a certain extent, we as children feel that our views have been overlooked and our efforts unappreciated.

We truly hope that proper respect and attention can be given to children’s views in the near future.” (Children's Council Working Committee, 2005:4)

See also: NMWC, 2003:15; DNYC, 2007:18; Article12, 2008:79; Funky Dragon, 2008:71-77

Children's reports to the CRC Committee

Respond of the Committee:

- Commitment to explore means of enhancing children's participation in its own work, particularly in the pre-session country briefings (Committee on the CRC, 2006:9).
- *“The Committee welcomes written reports and additional oral information submitted by child organizations and children’s representatives in the monitoring process of child rights implementation by States parties, and encourages States parties and NGOs to support children to present their views to the Committee.”* (Committee on the CRC, 2009:29)

Children's reports to the CRC Committee

Respond of the Committee: Concluding Observation

- Heesterman, 2005:
 - Committee's approach to children's reports is not easy to understand from the outside (see, p:356 or 371-372).
 - Two issues raised by children that rarely if at all appeared in the Concluding Observations were age-based discrimination and play (see p: 356; 374).
- The majority of children and young people who have participated in an initiative of the NGO Group for the CRC felt that “*the issues they had raised with the Committee were reflected in the Concluding Observations*” (Dimmock, 2009:16).

Children's reports to the CRC Committee

Respond from civil society (NGOs, academia):

NGO Group for the CRC: maximizing children's participation in the CRC monitoring and reporting process;

- a group of children met with the Committee in order to discuss possible changes in the official monitoring procedures, so that children can participate more easily and fully (see Dimmock, 2009:12-14 and p:22-24)
- guidelines for children's participation in reporting to the Committee (see NGO Group, 2011 and 2011a).

Children's involvement in the CRC monitoring and reporting process draws also more attention of the academia.

Children's reports to the CRC Committee

„The most significant objections to much current practice under the banner of children’s participation thus appear to fall under these two heads –

- first, that it does not give real power to children, and*
- second, that it fails to include certain groups of children, including those who are already disadvantaged.“ (Thomas, 2007:204)*

"Children have very little of the social or cultural capital that might enable them to be taken seriously, or to take themselves seriously, as political players. It may be that one of the aims of participatory practice is to enable them, individually and collectively, to build up that kind of capital." (ibid., p:2012)

Children's reports to the CRC Committee

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