

2018 Day of General Discussion Background Paper: Protecting and Empowering Children as Human Rights Defenders

Background

The purpose of the Day of General Discussion (DGD) is to foster a deeper understanding of the contents and implications of the United Nations Convention on the Rights of the Child (UNCRC) as they relate to specific topics, to improve its implementation. The DGD is a public one-day meeting to which representatives of States, United Nations and regional human rights bodies and agencies, national human rights institutions, civil society and human rights defenders, the business sector, individual experts and children are invited to take part. More than just a conference in Geneva, this DGD is a long-term project to promote a global movement for children human rights defenders. Such movement will catalyse and strengthen existing initiatives to support children human rights defenders, by connecting them to broader initiatives.

This paper summarizes the submissions, from both children and adults to the United Nations Committee on the Rights of the Child (the Committee) Day of General Discussion 2018 on Protecting and Empowering Children as Human Rights Defenders.

Who are Children Human Rights Defenders?

The definition and actions of children human rights defenders (CHRDs) that most resounded throughout the submissions were that:

- 1) Children human rights defenders work across many issues – such as refugees, environment, bullying, violence and discrimination against children, quality alternative care for children, and education – ranging from civil and political to economic, cultural and social rights.
- 2) CHRDs can be individuals or groups that fight for their's and other's rights around the world. It was highlighted that children can and do act as human rights defenders for everyone, not just children
- 3) They act to prevent, report and stop violations of theirs and others' human rights.
- 4) They advocate in different spaces and contexts at local, national, regional and international levels to prevent human rights violations, and they come from a variety of socio-economic backgrounds varying across age, gender and disability.
- 5) They serve as inspiration and role models for other children to drive change for human rights within their context. Overall, children mentioned that CHRDs usually have empathy for the other, represent the voices of the minorities, have the capacity to listen, understand and take action.

Existing legislation protecting children human rights defenders

International Standards

Children's ability to be active human rights defenders depends on the extent to which their rights to take civic action are realized. In the UNCRC is their right to be heard (Article 12), their right to

“Empowering children to be human rights defenders means inspiring and motivating them to uphold human rights. Becoming a human rights defender should not be forced on them but should be a personal choice.”

- Submission of CRC Asia

freedom of expression and their right to access information (Articles 13 and 17) as well as their rights to freedom of association and peaceful assembly (Article 15).

States' obligations to protect and promote human rights defenders, including children, when they are in danger by virtue of their activities has been recognized at the global level in the **United Nations Declaration on Human Rights Defenders** and at the regional level, for example, within the inter-American system by both the **Inter-American Commission on Human Rights (IACHR)** and the **Inter-American Court of Human Rights (IAC)**.

Some groups of children, such as children with disabilities who act as human rights defenders have specific dispositions that ensure the respect to their views.¹ Article 7 of the Convention on the Rights of

Persons with Disabilities (CRPD) calls upon states to guarantee the rights of children with disabilities, respect their views according to their age and maturity, and to be sensitive towards the issues of gender.²

National Legislation

Some submissions provide practical examples of legislation protecting children human rights Defenders. For example, in Sierra Leone, the Child Rights Act has specific provisions on children's membership on community and national child protection and welfare mechanisms, such as Child Welfare Committees and the National Commission for Children.

In Bolivia, the Child and Adolescent Code, aims to recognize, develop and regulate the exercise of the rights of children by implementing a Comprehensive Plurinational System for the Girl, Boy and Adolescent, for the guarantee of their rights through the co-responsibility of the State at all levels, the family and society.³ In Wales, Section 5 of the Rights of Children and Young Persons Measure 2011 requires that *‘Welsh Ministers must take such steps as are appropriate to promote knowledge and understanding amongst the public (including children) of the Convention and the Protocols’*.⁴

Despite the existence of good practices there are many challenges that need to be overcome when it comes to national legislation on the empowerment and protection of children human rights defenders. Many countries have not yet institutionalised mechanisms to facilitate children's engagement with local and national decision makers of laws and policies and processes, lacking to put in place laws that ensures children's rights to take civic action, including the rights to freedom of expression, association and peaceful assembly.⁵ This includes removing legal and administrative obstacles for children to establish their own organization.

¹ Submission of International Disability Alliance

² Submission of International Disability Alliance

³ Submission of the Plurinational Government of Bolivia.

⁴ Girls Advocacy Alliance (Sierra Leone), the Children and Young People's Commissioner Scotland, Northern Ireland Commissioner for Children and Young People, Children in Wales and Young Wales

⁵ Submission of Save the Children

A submission by Child Rights Connect analyses the Model Law for the Recognition and Protection of Human Rights Defenders, intended to provide a framework for governments to enact laws to protect Human Rights Defenders. It found out that it pursues an adult centred definition, not incorporating the specificities of the protection and empowerment of children as stated in the Convention on the Rights of the Child.

Varying backgrounds, discrimination and vulnerability

Children human rights defenders come from a variety of socio-economic and cultural backgrounds, varying among age, gender and disability. They rise as activists even in the most adverse circumstances, including –in some cases – when they lack clarity on their legal status due to absence or unclear birth registration; or official recognition of guardianship when placed in alternative care. This diversity also affects the degree of challenges they face while acting as children human rights Defenders. Submissions report that children with disabilities face double discrimination in acting as defenders, on the basis of their age and disability, are presumed to be incapable of acting and learning. Girls are also reported to suffer discrimination, as in the case of Ghana, where girls who act as human rights defenders faces severe risks of violence, abuse and stigmatization. ⁶

The context where CHRDs work can also make the actions of children human rights defenders even more dangerous. According to the Nicaraguan Center for Human Rights (CENIDH) from mid-April to mid-June, socio-political conflict in Nicaragua has seen 14 children killed and many injured by police and pro-government forces (age range from 5 months to 17 years of age).⁷ Children’s empowerment can be restricted, and their safety and security at risk when speaking out against human rights

“During a consultation with children in the Za’atari refugee camp in Jordan, CHRDs spoke of the hesitancy people felt in raising rights violations and highlighting issues within the camp of fear of being thrown out the camp and forced back to Syria. Fear of being returned home – or ‘shot back’ as they described it –.

- War Child

violations. In some cases, States lack, the capacity to enforce the rule of law and the lack of political will to enable civil society spaces, represents greater risks for children human rights defenders.

⁶ Submission of Children’s law centre, Save the Children, Girls Advocacy Alliance (Ghana), International Council on Education of People with Visual Impairment, War Child, CRC Asia

⁷ CENIDH- Comunicado #6 (16 Junio 2018) <https://www.cenidh.org/noticias/1071/> in submission of Save the Children

Prevent and report violations and advocate for laws and policies to implement human rights obligations

“Huzaiifa Bukenya, a ten-year-old blind boy, presented a petition at the children’s parliamentary forum asking his government to promote the rights of blind children in Uganda, including their right to inclusive education with access to the curriculum through braille and large print learning materials, as well as properly trained teachers to address the education of children with visual impairments. This has resulted in the formation of an inclusive and special needs education policy to guide the implementation of the education system for blind and partially sighted children in Uganda.”

- International Council on Education

Children Human Right Defenders have reported to engage in campaigning and advocacy for the fulfilment of civil and political rights as well as economic social and cultural rights. They use human rights to make governments enact policies and laws to be more responsive to their needs. Submissions also highlight that children are key for addressing the human rights of other marginalised children, such as girls, children with disabilities, children living in rural areas, indigenous children and from different ethnic and religious backgrounds; as well as children without or at risk of losing parental care. ⁸

Many organizations reported successful cases of children advocating for change in policy. CHRDs in Uganda have advocated with the members of parliament for improving accessibility for blind students in schools.

Prevention

CHRDs are reported to engage in the prevention of human rights violations. They engage in public awareness raising campaigns, participating in school

and community outreach including public marketplaces on different child rights issues. They also organize charity and/or fundraising initiatives to provide educational support to vulnerable children in communities.⁹

Report and denounce violations

The submissions reported numerous cases where children were key to stop violations of human rights in their communities. Several children in Uganda despite feeling intimidated by adults, have reported cases of domestic violence and sexual abuse to the police and managed to get perpetrators arrested and children properly assisted.

Monitor Human Rights obligations

Children human rights defenders help to monitor the implementation of recommendations and standards from international and regional Human Rights Mechanisms. In both Scotland, Wales and Ireland, submissions highlighted successful cases of children pressuring the governments and local authorities to implement the recommendations of the Committee on the Rights of the Child.

⁸ Submission of Marist International Solidarity Foundation, Observatory of Children’s Human Rights, Girls Advocacy Alliance (Ghana), Save the Children, Together (Scottish Alliance for Children’s Right), Joy for Children Uganda, Girls Advocacy Alliance (Sierra-Leone), SOS Children’s Villages International.

⁹ Submission of Marist International Solidarity Foundation, Observatory of Children’s Human Rights, Girls Advocacy Alliance (Ghana), Save the Children, Together (Scottish Alliance for Children’s Right), Joy for Children Uganda, Girls Advocacy Alliance (Sierra-Leone)

Disseminate information on human rights and serve as positive examples for their peers and their communities

Children see themselves as the best suited to disseminate information about human rights and child rights to their peers. Submissions report that children know better how to reach out to other children and how to better communicate and educate them about their rights, giving them tools to better stand up against human rights violations.¹⁰ They use non-conventional communication channels such as drama and theatre to raise awareness in their community about human rights issues affecting them and their peers. Children human rights Defenders identify themselves as catalysers of civil society mobilization, reported to stimulate debates on issues affecting them within civil society, such as organizing roundtables and debates with civil society.¹¹

They are positive examples in their own community, inspiring others to stand up to human rights violations. Some children will be more likely to respond positively to peers when speaking about difficult subjects. They encourage new generations of children to defend human rights in their communities.

Even within the group of children with no or at risk of losing parental care, peer support and advocacy has shown to be more effective in conveying their own needs and demands.

Lucy, a 17-year-old living with a learning disability. She faced significant difficulties at school and was bullied and excluded. She wanted to educate her peers and build a more inclusive school environment. With support from her headteacher and ENABLE Scotland, a Scottish NGO, Lucy gave a presentation to the entire school on what it is like to live with a learning disability.

- Together (Scottish Alliance for Children's Rights)

"Who better than children and adolescents to interact with and motivate children and adolescents? The contact between them provides and generates interest in giving and receiving support." (boy, 17 - Brazil)
- FMSI

What issues are Children Human Rights defenders acting on?

Drawing on a global consultation with children, a report entitled 'The views and perspectives of children around the world' by Child Rights Connect found out that children human rights defenders works across very different human rights topics, such as bullying, discrimination, education, child abuse and many others. This is supported by adult submissions.¹² The focus of the actions of children human rights defenders varies regionally. In Latin America, consultations show a preponderance of children working to tackle child labour and gender violence.

¹⁰ Submission of MOLACNATS, Coordinacional Nacionalde Niños/as y Adolescentes Trabajadores de Paraguay, CRAE

¹¹ Submission of, Girls Advocacy Alliance (Ghana), Together (Scottish Alliance for Children's Rights), Girls Advocacy Alliance (Sierra-Leone), International Council on Education of People with Visual Impairment

¹² CRAE, Girls Advocacy Alliance (Ghana), Together (Scottish Alliance for Children's Right), Girls Advocacy Alliance (Sierra-Leone), International Council on Education of People with Visual Impairment, Joy for Children Uganda, the Children and Young People's Commissioner Scotland, Northern Ireland Commissioner for Children and Young People

members of the community, including those in schools and in governments, still view children as “property”.¹⁶

In different submissions children human rights defenders highlight that society and the media still portray children as not informed and not capable of taking decisions. Children were reported to be discredited according to their age within their community and even in the schools. Children usually do not feel safe to talk in public because cultural practice encourages them to just listen and keep their opinions to themselves.¹⁷ It becomes especially challenging once we consider discrimination on a cross-sectional basis, such as young girls, children with disabilities, children living in rural areas, children in street situations, among others.¹⁸

“we constantly hear in the press about disengaged and politically disaffected young people, but young people are not asked for their views on the EU referendum and the perception instead is that young people are more engaged with football than politics; nobody has reported on our positive news story about a group of committed young people who are campaigning for a democratically elected voice for the young people of Wales and desperately and want all young people to have the opportunity to engage and influence local, national and global politics” – Campaign for the Children and Young People's Assembly for Wales

Difficulty in accessing funds and administrative barriers for setting up child-led organizations

Children face a number of legal and administrative challenges in trying to establish their own organisations, including in relation to registration and opening of bank accounts, as described in Save the Children’s submission. In Pakistan, for example, founding members need a national identity card to register an organisation, which are only issued to citizens above 18 years of age.

Another challenge that was highlighted throughout many submissions was that organizations of and working with Children human rights defenders face significant challenges to access funds for their activities. Without funding those organizations cannot cover the expenses necessary to access and influence international or even national spaces of decision-making. Children human rights defenders often lack the public transportation to reach out to victims of human rights violations in remote villages.¹⁹

Lack of access to information

Many submissions highlighted a difficulty for children and professionals working with them to access information on their own rights as well as on policies, budgets and meetings related to them. Public

¹⁶ Submission of Marist International Solidarity Foundation, CRIC, CRAE, the Children and Young People’s Commissioner Scotland, Northern Ireland Commissioner for Children and Young People, Save the Children, Girls Advocacy Alliance (Ghana), Together (Scottish Alliance for Children’s Right), Child Rights Centre, Marist International Solidarity Foundation (Canada), Children in Wales and Young Wales, CRC Asia

¹⁷ Submission of CRC Asia

¹⁸ Submission of CRIC, CRAE, the Children and Young People’s Commissioner Scotland, Northern Ireland Commissioner for Children and Young People

¹⁹ Submission of Coordinacional Nacionalde Niños/as y Adolescentes Trabajadores de Paraguay, CRAE, Northern Ireland Commissioner for Children and Young People, Observatory for Children’s Human Rights, Save the Children, International Council on Education of People with Visual Impairment, Children in Wales and Young Wales

information is often difficult to obtain, inaccurate, out of date, or presented in a way that is difficult for children to understand.²⁰ The lack of reliable internet connection also hampers children's access to information. Some children do not feel safe when accessing information. Children without access to information are less likely to understand and protect their rights, thus less likely to become human rights defenders. Children human rights Defenders reported the need to learn more about the UNCRC and how it affects their lives.

Access to information is specially challenging for children with disabilities, especially children with visual impairments. Submissions highlight that information is usually not available in an accessible format according to their impairment.²¹ Most of the information regarding human rights, including the roles and obligations of Human Rights Defenders, is in print text that is not accessible to blind and partially sighted Human Rights Defenders. Similarly, girls who want to access information face

“Of 819 children who answered the question ‘have you heard of the UN Convention on the Rights of the Child (UNCRC)?’ 46% told us they had not heard of it and a further 10% were not sure. When asked ‘how much do you know about the UNCRC?’ only 1 in 5 said ‘a lot’. The majority of children (56%) said they only knew ‘a little’”

- Save the Children

resistance in many occasions due to societal norms that prioritize education for boys as reported by submissions from Sierra Leone and Ghana.²²

Lack or inadequate environment and spaces for children human rights defenders to participate and report

The submissions highlighted the importance of creating a safe environment in which children can participate in decision-making. Whether through a school, community group, in the family or in parliament, they value a space which is free from judgement and includes adults who understand the issues they face and have the skills needed to support their participation. Many of their meetings, processes and negotiations lack child-friendly platforms where children can engage with decision-makers in ways that work for them.²³

Another major challenge for children human rights defenders is the absence of safe and child-friendly spaces to receive direct complaints from children, especially within judicial and police bodies. In many testimonies, children who acted as human rights defenders felt fear of going to police stations to report cases of mistreatments or violence simply because they feared they wouldn't be taken seriously or were too afraid of the police. Likewise, adults who deal with those complaints can become gatekeepers, depending on them the decision to take forward the reporting. Existing spaces are not suited for children to report and can be an intimidating and traumatizing experience, hindering children to become more active as human rights defenders.

²⁰ Submission of CRAE, Save the Children, the Children and Young People's Commissioner Scotland, Together (Scottish Alliance for Children's Right), Pratyatek, Children in Wales and Young Wales

²¹ International Council on Education of People with Visual Impairment

²² Girls Advocacy Alliance (Ghana), Girls Advocacy Alliance (Sierra-Leone)

²³ Submission of Coordinacional Nacionalde Niños/as y Adolescentes Trabajadores de Paraguay, Marist International Solidarity Foundation, CRIC and the Children and Young People's Commissioner Scotland, CRAE, Girls Advocacy Alliance (Uganda), Together (Scottish Alliance for Children's Right), Joy for Children Uganda, Children in Wales and Young Wales

Fear of reprisals by the authorities or non-state actors

Children's ability to be active human rights defenders depends on the extent to which their rights to take civic action are realized. Governments in many contexts do not fulfil their obligations to protect and respect those rights. In many cases governments even lead the repression to children human rights defenders, especially when they mobilize protests to demand their rights, criminalizing their work.²⁴

"in 2015, government police officers shot and killed 2 youths in Kabala, north of Sierra Leone when they mobilized themselves and jumped out to the streets to demonstrate for a youth village project that government wanted to move to another district."

- Girls Advocacy Alliance Sierra Leone

Children human rights defenders can be at risk when speaking out about rights violations, especially when they are speaking from personal experiences or when the child is in a vulnerable situation (such as asylum-seeking children and children deprived of liberty). Other

submissions highlight that children human rights defenders fear reprisals from other groups that are not associated with States, such as gangs and paramilitary groups.²⁵

Recommendations on how to better protect and empower CHRDs

Overarching recommendations that should underpin all efforts

Creation of a conducive environment: Although the primary role of protecting and empowering children as human rights defenders rely on States, all actors have a role in creating spaces that are conducive for children's participation. In this sense they should adhere to the Committee's nine basic requirements for effective and ethical child participation.²⁶ Engaging children in decision-making through environments that are child-led is key to developing children's capabilities as human rights defenders. It can be strengthened through a better understanding about their rights and through working collaboratively with adults.²⁷

Child rights education: Children acting as human rights defenders should be empowered to understand their rights and which mechanisms they can use to report and promote human rights. Children and their supporting organizations highlight that access to and understanding of information is vital in supporting children to act as human rights defenders. Education is key and therefore human rights education should be a mandatory component of school curricula. Submissions highlight that

²⁴ Submission of Coordinacional Nacionalde Niños/as y Adolescentes Trabajadores de Paraguay, Northern Ireland Commissioner for Children and Young People, Together (Scottish Alliance for Children's Right), Girls Advocacy Alliance (Sierra-Leone)

²⁵ Submission of Coordinacional Nacionalde Niños/as y Adolescentes Trabajadores de Paraguay, Northern Ireland Commissioner for Children and Young People, Together (Scottish Alliance for Children's Right), Girls Advocacy Alliance (Sierra-Leone)

²⁶ Working methods for the participation of children in the reporting process of the Committee on the Rights of the Child - <https://www.ohchr.org/documents/hrbodies/crc/crc-c-66-2.doc>

²⁷ Submission of the Children and Young People's Commissioner Scotland, Northern Ireland Commissioner for Children and Young People, Observatory on Children's Human Rights, Girls Advocacy Alliance, CRC Asia

child rights education should especially reach children in vulnerable settings, including from precarious socio-economic backgrounds, and be elaborated in accessible formats for children with disabilities.²⁸

Provide special measures of empowerment and protection to excluded and children in vulnerable situations: Special attention should be paid in protecting and empowering children human rights defenders that suffer discrimination due to their socio-economic background, gender, sexual orientation, age and disability. Girls face additional resistance from their parents to engage in empowerment programs due to the belief that it is only meant for boys.²⁹

Children human rights defenders acting in contexts where they face a higher risk of reprisals such as in conflict settings must be safeguarded. Safeguarding for children who are sharing sensitive information which might implicate professionals, members of their community or an institution in which they live is essential and needs to be considered in media coverage and how organisations work to support children. However, despite protection being a primary consideration it must not be used as a justification to restrict CHRDs actions. Likewise, adults should provide the emotional support and help children to analyse and mitigate risks as essential to ensure children can cope with any challenges associated with speaking out.

Protect and empower CHRDs through social media

Children have reported social media as a powerful platform to express their views on a variety of issues.³⁰ Effective use of media is critical to the provision of the information that children need to be human rights defenders. Using media platforms to promote the work of children human rights defenders and celebrate their activities empowers children. However, it is essential to address the risks posed by the media to the safety of child defenders. The UN Special Rapporteur on the situation of human rights defenders emphasises the “holistic security” of defenders which includes digital security and psychosocial wellbeing.³¹

All Intergovernmental bodies, including the UN Human Rights Mechanisms and the Committee on the Rights of the Child

Children human rights defenders have highlighted that they would like to be consulted in all spaces that relate to them at regional and international levels.³² International mechanisms and intergovernmental bodies must put in place child-friendly platforms, processes and accreditation to facilitate children’s engagement – in-person or remotely through virtual engagement - and provide children with access to age-appropriate and timely information in a language and format they can understand.³³

Concerning the Committee on the Rights of the Child, it should clarify State’s international obligations to protect and promote the work of children who act as human rights defenders. They

²⁸ Northern Ireland Commissioner for Children and Young People, Girls Advocacy Alliance (Ghana), Together (Scottish Alliance for Children’s Right), Girls Advocacy Alliance (Sierra Leone), Children in Wales and Young Wales, Save the Children.

²⁹ Submission of CRAE, Children’s Law Centre, CRIC, Northern Ireland Commissioner for Children and Young People, Child Rights Centre, Nineismine/Pratyatek, International Council on Education of People with Visual Impairment, International Disability Alliance

³⁰ Submission of MOLACNATS; Consultation in Argentina, Marist International Solidarity Foundation, Children and Young People’s Commissioner Scotland, CREA

³¹ Submission of MOLACNATS; Consultation in Argentina, Marist International Solidarity Foundation, Children and Young People’s Commissioner Scotland, CREA

³² Submission of Child Rights Connect

³³ Submission of Movimiento Nacional de NATs Organizados del Perú and Children Law Center, Girls Advocacy Alliance, Together (Scottish Alliance for Children’s Right), Children in Wales and Young Wales, Save the Children

have also the role to compile the narratives of children human rights defenders and transform them into concrete recommendations to States. In this sense, the Committee should promote marginalized groups of children as children human rights defenders, ensuring that all initiatives directed to them are accessible to and inclusive to all children. It is important to ensure that children with disabilities are able to express themselves freely and count on disability and age-appropriate assistance and supported decision-making in order to facilitate their active participation in all matters concerning them.³⁴

Children have described that international mechanisms, such as the Committee on the Rights of the Child, should help them to denounce violations. The Committee should meet regularly with child human rights defenders and make additional efforts to ensure that the UNCRC reporting process is accessible to children, especially those from marginalised groups.³⁵

Governments

Create safe and inclusive spaces for Children Human Rights Defenders to monitor, report violations and participate in decision-making

Several submissions highlighted that governments should ensure that all children human rights defenders are empowered and protected by having:

1) **Create and implement laws and policies to the protection and empowerment of CHRDs:**

governments must put in place and implement laws that guarantee children's rights to freedom of expression, association, peaceful assembly and access to information, online and offline. In addition, legal and administrative obstacles to children exercising these rights must be removed, including in relation to registering their organisations and opening bank accounts.³⁶

2) Safe spaces to report: Governments should create channels for children to report safely cases of intimidation and abuse, including in the judicial system. The right to access to justice is a key tool for human rights defenders, as it allows children to protect or strive for the protection and realization of

"The ministry should act promptly when children report abuses, approach the school administration directly and speak publicly and open about banning and punishing any kind of violence against children".

- Child Rights Connect

human rights and fundamental freedoms, at the local, national, regional and international levels. Legal venues allow to prevent violations of rights and to seek legal remedies, including reparation, compensation, sanctioning of perpetrators, among others. As part of these efforts,

governments should provide training of local authorities, especially the police forces, on how to ensure that children can have a safe space, be listened to and taken seriously when reporting a violation.³⁷

Many children expressed the importance of having opportunities in the digital environment to convey views and opinions without recourse to abuse, bullying or harassment.³⁸

³⁴ Submission of International Disability Alliance

³⁵ Submission of Coordinacional Nacionalde Niños/as y Adolescentes Trabajadores de Paraguay, CRAE, Children Law Center, CRC Asia, Child Rights Connect

³⁶ Submission of Save the Children, Girls Advocacy Alliance, Together (Scottish Alliance for Children's Right).

³⁷ Submission of Coordinacional Nacionalde Niños/as y Adolescentes Trabajadores de Paraguay, CRIC, Marist International Solidarity Foundation, the Children and Young People's Commissioner Scotland, Observatory for Children's Human Rights, Girls Advocacy Alliance, Together (Scottish Alliance for Children's Right), International Council on Education of People with Visual Impairment, International Disability Alliance, Children in Wales and Young Wales, CRC Asia

³⁸ Children in Wales and Young Wales, CRC Asia, Together (Scottish Alliance for Children's Right)

3) Be protected against reprisals: One of the recommendations stressed by children and adults is that governments should create laws that protect children that are willing to report violations of human rights against any reprisals that may arise from this action. These child protection mechanisms must be established and supported by the State through its laws, policies, structures, and mechanisms. Having a clear government focal point for children's rights could strengthen the protection of children as human rights defenders.³⁹ In empowering children as human rights defenders, child protection mechanisms must be in place. The principles of informed consent, privacy, and confidentiality must be fulfilled. Since being a human rights defender always entails risks, there should be risk assessment and management all the time.

4) Have access to decision-making spaces: Governments should also institutionalise mechanisms to facilitate children's engagement with local and national law and policy decision making processes , for example, through Children's Assemblies or Parliaments. It should be enacted by law and resourced with public budget. Governments should proactively promote civic space that acknowledges children as key actors within civil society and take urgent action when civic rights are being violated.⁴⁰ They shall closely consult with and actively involve marginalized groups of children, including children with disabilities, through their representative organizations.

Financial and institutional support for child-led organizations to fulfil their right to association

Set up, fund and provide autonomy for groups of children monitoring their rights, particularly at local level. Financial assistance and capacity building should also be provided to parents and duty-bearers to promote and empower children human rights defenders, especially for parents and duty-bearers of children with disabilities.⁴¹

"If children will participate more often, then adults will understand better that children are skilled enough and will take them seriously." (Girl, 17 years)

- Marist International Solidarity Foundation

Governments should support the work of a wide variety of children's organizations, such as children's parliament and children's clubs.⁴² They must be fostered and supported, being representative, inclusive of children with special needs and of different ethnicity and backgrounds.

Foster child rights education at school

In the submissions, governments were asked to continue to improve didactic materials, adapt and revise the curriculum to include human rights education in a language that is accessible for children and easy to understand. Inclusive child rights education is especially important when empowering children human rights defenders from marginalized groups, including children with disabilities, and must be considered a key opportunity to promote awareness raising about the UNCRC and CRPD rights and standards.⁴³ States need to ensure that the education system provides opportunities for

³⁹ Submission of Save the Children.

⁴⁰ Submission of MOLACNATS (Consultation in Argentina), Coordinacional Nacionalde Niños/as y Adolescentes Trabajadores de Paraguay, CRAE, Ekama Foundation, Observatory of Children's Human Rights, Save the Children, Girls Advocacy Alliance, Together (Scottish Alliance for Children's Right), International Council on Education of People with Visual Impairment

⁴¹ Submission of CRAE, Ekama Foundation, Northern Ireland Commissioner for Children and Young People, Observatory of Children's Human Rights, Save the Children, Girls Advocacy Alliance, Together (Scottish Alliance for Children's Right), Child Rights Centre

⁴² Submission of Save the Children.

⁴³ Submission of MOLACNATS (Consultation in Argentina), Coordinacional Nacionalde Niños/as y Adolescentes Trabajadores de Paraguay, CRAE, Ekama Foundation, Observatory of Children's Human Rights, Save the

children to learn about their rights, how to think critically, how to access information as well as to strengthen their communication skills and confidence to speak out.⁴⁴ Human rights education is a right enshrined in the UNCRC in its Article 29, which states that children’s education shall be directed to the “development of respect for human rights and fundamental freedoms.”

Access to child-friendly Information

Submissions have highlighted that governments should provide children with access to information on the different channels and mechanisms they have available to report violations and to participate in decision making.⁴⁵ This information should include a variety of information such as on human rights policies, laws, budget, and should be age appropriate and available in an accessible in all different formats that children can access and understand.

Mainstreaming a positive image of CHRDs

Governments must address negative attitudes towards children, raising awareness of the role of society to support children human rights defenders making the obligations of duty-bearers at all levels to empower children very clear. This includes to train different categories of national and local government and state employees on children’s rights, child participation and how to engage and support children to speak out..

Submissions recommend that governments should promote and create regular opportunities for exchange of experiences between different groups of children who are human rights defenders and adults, in order to break the stereotype of children as incapable of defending human rights. Additional to the consultations, the government should make reference to children's voices when taking decisions and approving laws, especially when those are affecting children directly.⁴⁶

At School

Build and improve channels of participation in the school life

Children human rights defenders around the world have reported school is one of the most important places where they can learn about human rights and have the space to exercise their right to participate, to freedom of expression and assembly.⁴⁷ However, many children report that they also might feel constrained, stigmatized by adult duty bearers and not taken into account whenever they try to suggest improvements or report violations they witness.

In some submissions, children and their supporting organizations have recommended that children should be provided channels at school for meaningful participation in decisions around their well-being. Additionally, children feel that schools should establish safe spaces where they can report violations and follow up measures.⁴⁸

Children, Girls Advocacy Alliance, Together (Scottish Alliance for Children’s Right), International Council on Education of People with Visual Impairment

⁴⁴ Ibid.

⁴⁵ Submission of MOLACNATS (Consultation in Argentina), Coordinacional Nacionalde Niños/as y Adolescentes Trabajadores de Paraguay, CRAE, Ekama Foundation, Observatory of Children’s Human Rights, Save the Children, Girls Advocacy Alliance, Together (Scottish Alliance for Children’s Right), International Council on Education of People with Visual Impairment

⁴⁶ Submission of the Children and Young People’s Commissioner Scotland, Ekama foundation, Children Rights Centre, CRC Asia

⁴⁷ Submission of Child Rights Connect

⁴⁸ Submission of MOLACNATS (Consultation in Argentina), Coordinacional Nacionalde Niños/as y Adolescentes Trabajadores de Paraguay, CRAE, Ekama Foundation, Save the Children, Girls Advocacy Alliance, Together (Scottish Alliance for Children’s Right)

Capacity building and support for CHR D's and their organizations

Some submissions call schools to step up their support to children human rights defenders by fostering the influence of children's organizations. The school must provide an enabling environment for exchanges between students around their experiences as human rights defenders as well as give them the space to perform their activism. It is key to support and stimulate the creation of pupils' councils and children's club with necessary material resources, time and a dedicated teacher coordinator to ensure proper functioning of this structure.⁴⁹

Additionally, this support should not be restricted to the provision of spaces and channels to participate, but also by proactively providing children and their organizations with practical tools to understand their rights and apply them to influence decisions. Schools should develop children's skills in risk analysis, decision-making, advocacy, research and analysis, consultation of their peer's opinion and understanding of laws, building up their confidence and self-esteem.

Civil society, including parents, guardians and other adults

Provide support and safeguard to children who wish to act as Human Right Defenders

"Family is the first environment in which your rights must be respected."
(Girl)

- Child Rights Connect

Submissions from both children and adults highlighted the important role that civil society, especially parents and adults working with children have in empowering and protecting CHR Ds. They should build children's knowledge and capacity to engage as human rights defenders, support them to engage with different actors and claim their rights, including awareness raising of children's rights and the role of children human rights defenders among the public.⁵⁰ As previously stated, parents and other adult

duty-bearers have an important role in the development and protection of children on the path to their adult life. On one side, parents should provide emotional and financial support to children willing to engage in activities that will improve their skills as human rights defenders. They should also encourage discussion and exchange with children on their activities as human rights defenders, helping young children on their daily life to learn time management, develop critical thinking and decision-making abilities and involving them in family decision-making and family budget management.⁵¹

On the other side, parents and adults in direct contact with children should ensure the safeguarding of children's actions as human rights defenders. Children face a number of risks in promoting and defending human rights. Adults supporting children to act have the responsibility to ensure children's safety and security at all times and to address threats. It must be based on clear child-protection strategies and the UNCRC principle on the best interests of the child (Article 3).⁵²

Peer to peer exchange between parents and other adult duty bearers

Sharing with other parents about children's experiences as human rights defenders could help making other parents trust human rights defenders and to encourage them not to forbid their children from participating in human rights defender's activities. One submission recommended that

⁴⁹ Submission of MOLACNATS; Consultation in Argentina, CRAE, Northern Ireland Commissioner for Children and Young People, Marist International Solidarity Foundation (Canada), Joy for Children

⁵⁰ Submission of Save the Children

⁵¹ Submission of MOLACNATS; Consultation in Argentina, Save the Children, Girls Advocacy Alliance, Northern Ireland Commissioner for Children and Young People, Children in Wales and Young Wales, CRC Asia

⁵² Submission of Save the Children, , Northern Ireland Commissioner for Children and Young People, Children in Wales and Young Wales, CRC Asia

parents' associations in the school should support children more,, they should discuss issues that children identify and request from the school administration to solve problems and Organize activities with other parents taking their children suggestions into account.⁵³

Private Sector

Submissions have highlighted that it is important to engage business leaders, media representatives and those actors outside the children's sector to challenge narrow understandings of children's rights across civil political, economic social and cultural life. Such engagement is essential to affect a culture change to support and protect child human rights defenders.⁵⁴

The private sector should integrate child rights monitoring into their operations, institutionalizing policy formulation on child protection policy to guide their operations on child protection issues. In this sense, the private sector should apply the Children's Rights and Business Principles to improve the contribution of business to the rights and well-being of children.⁵⁵ Additionally, they should develop social corporate responsibility programmes to support child protection and empowerment activities, drawing up supply chain plans to ensure that the companies' activities do not impede on the development of children in the countries.⁵⁶

Conclusion

The submissions for the Day of General Discussion have provided substantive information on the actions that children human rights defenders undertake within their communities, at national and international level. Children human rights defenders come from a variety of socio-economic and cultural backgrounds, varying cross-sectionally among age, gender and disability. They act to prevent and report violations, advocate for change in policy and disseminate information on human rights for their peers. They are also key actors within their communities and inspire others to follow the path in upholding human rights.

At the same time, children human rights defenders face particular challenges when it comes to taking action in their own contexts. The persistent stigmatization of children and adolescents by adults – guardians, parents and adults in decision-making positions – as voiceless and disengaged still represent a significant barrier for children who wish to become human rights defenders and to the actions of the ones who already act as human rights defenders. This issue also links to other challenges affecting children such as lack of access to information about their rights, lack of channels to report violations of human rights and inadequate spaces to participate in decision-making.

On a positive note, most submissions provided a path forward to the empowerment and protection of CHRDs. Both children and adults suggested that governments should create safe and inclusive spaces for the participation of children in decision-making, provide financial and institutional support to child-led organisations, include child rights education at the school curriculum and mainstream a positive image of CHRDs. On the international level, the main suggestions highlighted the need for the UN Human Rights mechanisms to have child-friendly platforms, processes and accreditation to facilitate children's engagement – in-person or remotely through virtual engagement. The submissions emphasized the role of the Committee on the Rights of the Child in clarifying States'

⁵³ Submission of Marist International Solidarity Foundation (Canada)

⁵⁴ Submission of the Children and Young People's Commissioner Scotland, Girls Advocacy Alliance

⁵⁵ UNICEF, UN Global Compact and Save the Children, *Children's Rights and Business Principles*

⁵⁶ Submission of the Children and Young People's Commissioner Scotland, Girls Advocacy Alliance

responsibility to protect and empower CHRDs as well as of taking the narratives of children human rights defenders into account and turning them into recommendations to States.