

FIRST GLOBAL MEETING OF INDEPENDENT HUMAN RIGHTS INSTITUTIONS FOR CHILDREN

[This document, together with other information on the Special Session on Children, is available on the official site:

<http://www.unicef.org/specialsession>]

“Children should never be an appendix. They should be the starting point. Without Children's rights there are no Human Rights”

Trond Waage

Ombudsperson for Children, Norway

“When the world loves, cherishes and respects its children as much as it hates, disregards and disrespects enemies, true peace will prevail.”

The Honourable Roger McClay

Commissioner for Children, New Zealand

“We should not talk of simply making promises to children. The Convention on the Rights of the Child recognizes the intrinsic and inalienable human rights of the child and actions in their best interest are not a question of favor or generosity.”

Patmalar Ambikapathy,

Commissioner for Children, Tasmania, Australia

This side event facilitated by UNICEF was the first global meeting of Independent Institutions – Children’s Commissioner, Defenseur des Enfants, Ombudspeople for children – established in more than 30 States to promote, protect and monitor the human rights of children. Participants discussed and agreed on how they can strengthen their work through information-sharing and cooperation and encourage the development of similar institutions in all countries.

Each institution spoke briefly about its achievements in promoting children’s rights and its organizational structure. An existing regional network for Independent Institutions was presented as well as other channels used by these institutions to share experience, strategies and information. In the course of the meeting, the Institutions adopted a statement for presentation to the Special Session (*see Box next page*) and presented the conclusions of their meeting at a UN press conference.

COMMITMENTS UNDERTAKEN BY IHRIS FOR CHILDREN

1. To actively promote a doubling in the number of existing IHRIs for children by the end of the decade, both in countries of the north and the south, guided by the 'Paris Principles' (adopted by the UN General Assembly in 1993)
2. To actively promote follow-up to the Special Session on Children, including the dissemination of the outcome document and the monitoring of progress achieved in its implementation at the national and sub-national levels
3. To help develop a global network of IHRIs:
 - Through the development of a website to promote exchange of information and communication between institutions at the global level
 - Building upon existing networks, including regional organizations on children's rights and human rights
 - Meeting in the context of international fora and envisaging opportunities to meet at global level around a thematic agenda (e.g. violence and adolescence).

Institutions pledged to support this process, share their experiences and develop a strong alliance with UNICEF to this effect.

ACHIEVEMENTS

IHRIs identified examples of positive changes for children that would not have occurred or would have been less likely to occur without their involvement. The following were highlighted:

- Promoting child-sensitive legal reform in compliance with the Convention on the Rights of the Child
- Monitoring action of parliament to ensure that laws are compatible with the CRC
- Acting as a channel to ensure government listen to children's views at all levels
- Developing materials and programmes to increase awareness of children's rights among adults and children
- Preparing alternative reports to be submitted to the CRC Committee
- Challenging violence against children – calling for a clear prohibition of corporal punishment; developing anti-bullying policies and promoting laws that criminalize child sexual exploitation without victimizing children
- Promoting non-discrimination and protection of the rights of particularly vulnerable children, including refugee children, children deprived of liberty, children living or working on the streets and children with disabilities

- Promoting juvenile justice systems that comply with the Convention and UN standards, including by challenging the placement of children in prisons; intervening to prevent executions of juveniles for crimes committed before the age of 18.

CHALLENGES AHEAD

The Institutions identified a range of challenges to their development and work. In particular they stressed:

- Lack of adequate resources
 - Shortages of staff and lack of specialized training
 - Lack of respect for achieving children's views in government's policies for children
- Lack of public awareness and knowledge of human rights among the public generally.

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Statement to United Nations General Assembly Special Session on Children

The first global meeting of independent human rights institutions for children – children's rights commissioners and children's ombudspersons – was held in New York on the eve of the Special Session, 7 May 2002. The meeting agreed the following statement for presentation to the Special Session:

“It's time to deliver!

“We cannot tolerate another decade of non compliance with the Convention on the Rights of the Child. We will continue to work hard within our States to make sure that governments honor their obligations under the Convention. After decades of international standard-setting activities and ratifying human rights treaties, governments must now focus on their full implementation. Having rights on paper means little or nothing when they are not known about or cannot be enforced.

“We commit ourselves to working with children, with governments and parliaments, with child-led groups, with other international human rights organizations and with non-governmental organizations to hold international agencies and governments accountable for their obligations under international law.

“We call on governments and the United Nations system to:

- do nothing that undermines the Convention on the Rights of the Child;
- fully implement the Convention;
- mainstream and give priority to children's rights;
- establish effective independent human rights institutions for children, compliant with the Paris Principles;

- place the rights and best interests of children at the core of national legislation and international decision-making;
- develop laws and procedures which enable children themselves to secure effective remedies for breaches of their rights.

“We reaffirm that all rights recognized by the Convention on the Rights of the Child are the rights of all children and should be guaranteed without any discrimination whatsoever. To guarantee respect for the rights of children in Somalia and the US, we strongly urge them to join the 191 other states which have ratified the Convention on the Rights of the Child. We call on governments to ensure that they honor their obligations towards children under all other international treaties.

“We believe that children in each country need an independent human rights institution to promote, protect and monitor their human rights. More than 30 states have established these institutions, either free-standing commissioners or ombudspersons for children, or focal points within national human rights institutions or general ombudsman offices. Our institutions have demonstrated an ability to ensure a children’s perspective in law and policy development and to increase respect for children and their views.

“The importance of these institutions has been endorsed by the Committee on the Rights of the Child, which has also recognized the valuable contribution we can make to the implementation of the Convention and its reporting process. Similarly, in the coming period we will promote and monitor progress in our countries towards meeting the goals set following the Special Session on Children.

“The UN Secretary-General, in his review of the follow-up to the World Summit on Children held in 1990, notes how far states are from meeting their obligations under the Convention and fulfilling the promises made at the World Summit. The report – *We the Children* – also notes progress in establishing independent human rights institutions for children. It suggests that existing institutions should be assessed “to shed light on the difference they can make to children’s lives and to inform the establishment of new ones”. We strongly support the Secretary-General’s proposal that standards for these institutions be developed, building on the standards for national human rights institutions that were adopted by the UN General Assembly in 1993.

“Making children’s rights and best interests a primary consideration, as the Convention on the Rights of the Child requires, means that international agencies and governments must carefully consider the impact of all their actions and inactions which may affect children. States need to develop a culture of respect for children’s rights, as well as to review law and procedures to fulfil the rights of the child and address effectively any breaches of these rights.

“A key role for independent human rights institutions for children is to develop respect for the views of children. Our offices maintain close contact with children and we are able to demonstrate to government and others ways of consulting and working with children. We act as a channel for children’s views. These institutions are not only working reactively on children’s rights violations; we also work proactively towards more child-friendly societies, in which children’s rights can pass from rhetoric to reality.

“The aim of our first Global Meeting, held on the eve of the Special Session, has been to consider how we can be actively engaged in the follow-up to the Special Session for Children. We have discussed how we can help to ensure that children in every state have access to an independent human rights institution and promote the development of standards for these institutions, building on the Paris Principles on the status of national human rights institutions which were adopted by the UN General Assembly in 1993. We also discussed how institutions in states across the globe can share information and strategies to ensure we are effective watchdogs with and for children and can provide a collective voice in favor of children’s rights.

“Finally, we call on the UN system to give formal recognition to independent human rights institutions to enable them to be active participants in all UN proceedings.”

New York, 7 May 2002