

# THE YEAR IN CHILDREN'S RIGHTS



## About CRIN

Children have human rights too, not because they are “the future” or “the adults of tomorrow”, but because they are human beings today.

### **Our organisation**

Child Rights International Network - CRIN is a global research, policy and advocacy organisation. Our work is grounded in the UN Convention on the Rights of the Child.

### **Our goal**

A world where children’s rights are recognised, respected and enforced, and where every rights violation has a remedy.

### **Our beliefs**

*All work is based on five core beliefs:*

- We believe in rights, not charity;
- We are stronger when we work together;
- Information is power and it should be free and accessible;
- Societies, organisations and institutions should be open, transparent and accountable; and
- We believe in promoting children’s rights, not ourselves.

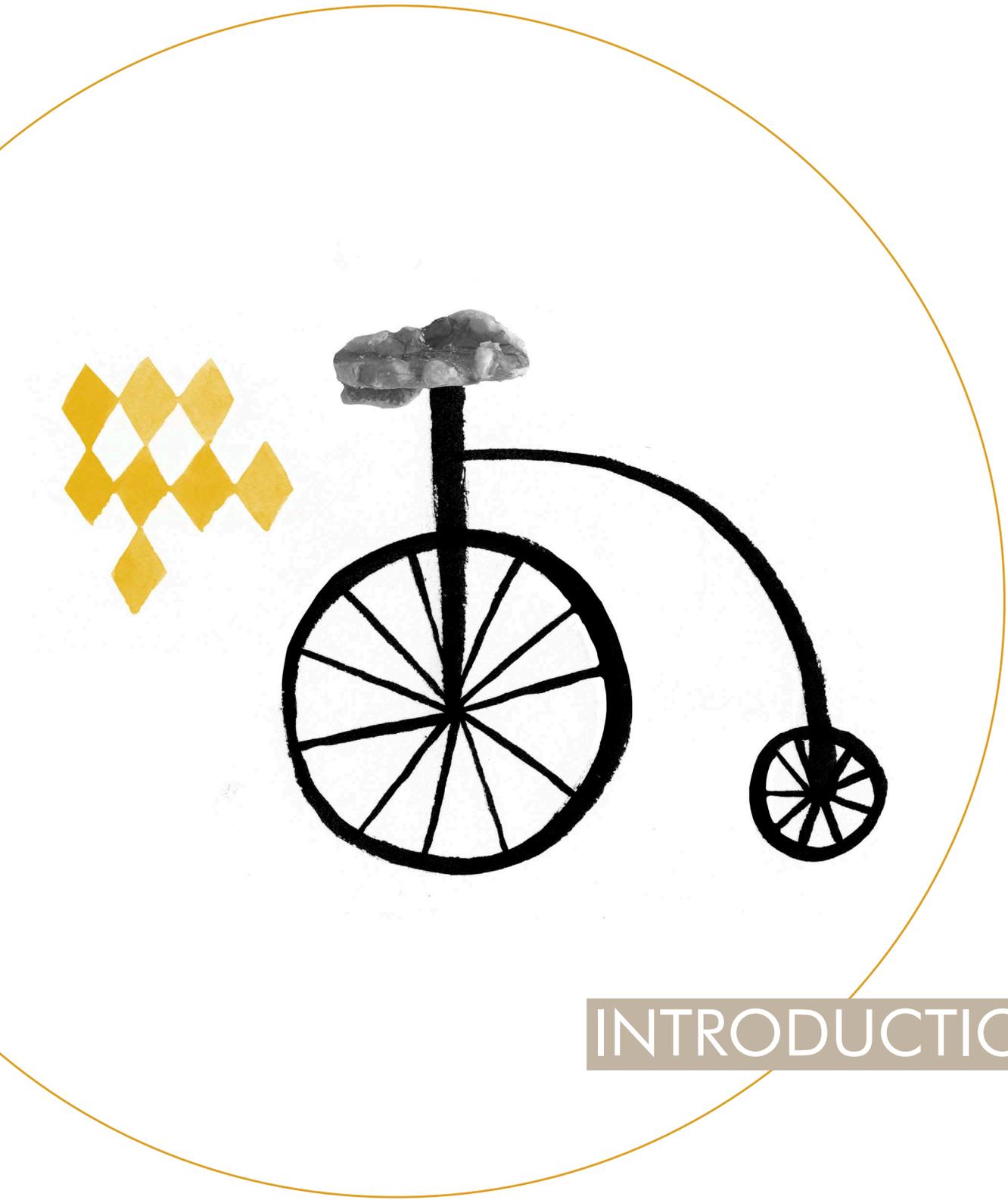
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Cover: CRIN artwork on Israel’s separation wall, West Bank.

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INTRODUCTION

**In April 2015, the world learned that French, Chadian, and Equatorial Guinean peacekeepers had sexually abused children at a displaced persons camp in Central African Republic (CAR). The revelations detailed the rape and sodomy of starving and homeless young boys by the very people who were supposed to protect them. The release of internal UN documents and correspondence that followed exposed a shocking pattern of inaction, including at the UN's highest reaches, raising questions about the organisation's handling of the case and attempts to keep it out of the public domain. A welter of similar allegations ensued against peacekeepers based in other countries.**

This case is emblematic of children's low status in society, in this instance heightened by their origin from a country unknown to or forgotten by many. It is also a reflection of the politics and opacity that govern the international community's response to serious violations of children's rights.

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**We have frequently voiced anger that respect for children's rights lags behind respect for everyone else's, and impatience at the apathy that stares back.**

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The same truth emerged just two months later when news broke that the UN Secretary-General (SG) Ban Ki-moon had chosen to omit the Israeli Defence Forces and Palestinian armed groups from his annual list of shame highlighting parties to armed conflict who commit abuses against children. The SG reportedly made his decision in response to pressure from Israel and its allies, disregarding a recommendation by his own adviser and UN-documented evidence of violations, including attacks on schools and hospitals, during Operation Protective Edge on Gaza last year. This is just one of many cases in which political considerations have overridden the objective and impartial gathering of evidence in monitoring and reporting violations of children's rights in armed conflict.

The rebuke that lurks in these stories is that our resting pulse towards violations of children's rights is indifference, when it should be outrage. This is evident in our customary response as advocates to call for more training for individuals to refrain from sexually abusing children, instead of demanding justice, accountability and redress for the victims. And it applies not only to extreme cases in humanitarian crises, but also to routine violations that children face: in adults making life-changing decisions about their bodies without their consent; in wrestling discrimination - on whatever ground - exacerbated by their age; and in education systems which prioritise profit over children's development. Whether out of concern that we will re-traumatise a child (a concern that could also apply to adults), or a sign that we don't regard children as human beings on the same level as everyone else, this has to change.

There are some positive examples which buck the trend: the International Criminal Court this year upheld the sentence against Thomas Lubanga Dyilo, leader of Congolese rebel group, Union of Congolese Patriots, for conscripting and enlisting children under 15 into his ranks and using them to participate actively in hostilities. Malta became the first country to ban gender 'corrective' surgery on intersex children before they are able to consent. And Egypt secured its first ever convictions for female genital mutilation (FGM). Nevertheless, these cases remain the exception rather than the rule. As advocates, we are a long way from exploring the full range of strategies for pursuing children's rights - collective complaints, the use of universal jurisdiction and regional human rights mechanisms are a few.

We have frequently voiced anger that respect for children's rights lags behind respect for everyone else's, and impatience at the apathy that stares back. But through our global mapping of access to justice for children, we now have the evidence to demonstrate this, and ideas to change the status quo. A second research project identifies areas of children's rights that are neglected both in our work as advocates and that of the UN, such as freedom of religion and the right to privacy. Our insistence on access to justice could start here.

Now that we have at least some of the answers, we need to act on them - collectively. This year's annual report wastes no time regurgitating blurb about who we are and what we do (you can find all that on our website, and we suspect that is the bit you gloss over anyway), instead it presents a global call to action - a manifesto for children's rights.

**The CRIN Team**

## About the year in children's rights

CRIN's annual report aims to convey a sense of children's rights globally and stir up action to address the structural failures which allow violations to continue. The report is based on information gathered throughout the year as part of our work to monitor what is happening in the news, at the UN and in law reform around the world. We believe that information is a powerful and necessary tool for advocacy. It gives us an authoritative platform to highlight gaps both to bolster advocacy efforts by others and to establish the foundation for our own research, policy and advocacy work. Where we recognise a pattern of violations or a gap in children's rights advocacy, we determine whether to take action, for instance, by conducting further research, provoking debate with a policy or discussion paper, or starting a campaign. Sometimes this work tackles the conditions needed to fulfil children's rights, at others it addresses specific issues. We always aim to work collectively and support other campaigns around the world. The ultimate goal is to make sure all children's rights are covered - and eventually fulfilled.

What follows is a round-up of some of the events that unfolded between September 2014 and August 2015 - many enmeshed in the context of conflict - and how we responded to them. You will notice that many of the stories this year come from the Middle East and North Africa; this is in part because of the news stories reaching us from the region, but also because our first regional office opened in Bethlehem in December 2014, and is supplying a much-needed children's rights perspective from the ground.





# CHAPTER 1

# A GLOBAL PICTURE OF CHILDREN'S RIGHTS



## Sexual violence in conflict: appearances can be deceptive

In 2015, the UN's mishandling of allegations of sexual abuse by peacekeepers took on unimaginable proportions. In April *The Guardian* [revealed](#) that peacekeepers had sexually abused children at a camp for displaced persons in Central African Republic (CAR). This report built on the work of the [Code Blue campaign](#) which released documents exposing the extent of UN inertia and the suspension of Anders Kompass, a career human rights official who was investigated by the UN for his role in relaying details of the abuse to French investigators.

In the wake of the revelations, CRIN, together with other civil society organisations, [wrote](#) to the UN Secretary-General (SG) calling for UN transparency in the handling of child sexual abuse by peacekeepers in CAR. We then launched a [timeline of events](#), detailing who knew what and did nothing.

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As part of our transparency campaign, we are demanding justice and accountability for sexual violence in closed institutions, wherever it occurs

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The SG has now set up an independent review panel to investigate the abuses in CAR and assess the efficacy of reporting procedures. The panel, to which CRIN has submitted information, will also advise the UN on how to respond to similar allegations in the future.

Since the revelations in CAR first surfaced, further accusations against UN peacekeepers have [come to light](#), including in CAR and Burkina Faso. These allegations add to the recent history of sexual abuse cases involving peacekeepers in Democratic Republic of Congo (DRC), Haiti, Burundi, Liberia, Kosovo and Bosnia. UN officials have also come under scrutiny for who they do business with, having spent [over \\$500 million on contracts with a Russian aviation company](#) despite discovering that one of its helicopter crew members drugged and raped a teenage girl in DRC.

Peacekeepers and UN contractors are not the only protectors-turned-perpetrators. Reports also [emerged](#) of sexual abuse of women and girls by US soldiers and civilian defence contractors in Colombia. A report commissioned by the Colombian government and Revolutionary Armed Forces of Colombia (FARC) detailed claims that some 53 women and girls were sexually assaulted between 2003 and 2007. The report states that despite abundant evidence, "bilateral agreements and diplomatic immunity granted to officials of the United States" allowed the alleged perpetrators to escape with impunity.

As part of our transparency campaign, we are demanding justice and accountability for sexual violence in closed institutions, wherever it occurs. Read more on page 20.

## Monitoring violations in armed conflict: the lack of transparency theme plays on

In the year of its tenth anniversary, the credibility of the Security Council's process for monitoring and reporting parties which commit grave violations of children's rights during armed conflict was called into question.

The breaking point came in April when the Secretary-General (SG) Ban Ki-moon omitted the Israeli Defence Forces and Palestinian armed groups from his annual list of shame highlighting such parties. The SG's decision was reportedly made in response to pressure from Israel and its allies, and in spite of a recommendation by his own Special Representative on children and armed conflict, UN-documented evidence of grave violations in Gaza in the summer of 2014, and [testimony](#) from 60 Israeli soldiers which revealed they were told to view "anything inside Gaza" as a threat".

Parties which feature on the SG's list are scrutinised through the Security Council's monitoring and reporting mechanism (MRM). But if the listing (and delisting) process is to remain effective, it must rely on independent and impartial evidence gathering and assessment, and shun politics. All too often, however, parties to conflict who should be monitored, named and held to account, are let off the hook.

This recent case is just the latest example of political interference with the process. We documented others in a [joint analysis](#) with Child Soldiers International, accompanied by an [op-ed](#) published by openDemocracy, examining how the MRM is being undermined and what needs to change.

## International justice: courting children's rights

In the face of mounting violence across the world, from [South Sudan](#), [Yemen](#), and [Ukraine](#), to the continued onslaught in [Nigeria](#) by Boko Haram and in [Syria](#), [Iraq](#) and elsewhere by the so-called Islamic State, the international justice system pushed back, issuing several strategic rulings.

In March the Appeals Chamber of the International Criminal Court (ICC) [upheld](#) the conviction and sentence of Congolese militia leader Thomas Lubanga Dyilo. Lubanga, leader of the Union of Congolese Patriots and commander of its military wing, was convicted by the ICC after becoming the first person to be found guilty of conscripting and enlisting children under the age of 15, and using them to participate actively in hostilities in 2002-2003.

In another first, former child soldier and commander in the Lord's Resistance Army in Uganda, Dominic Ongwen, [surrendered](#) to the ICC. The case is significant because Ongwen is the only former child soldier to face charges before the ICC and, even though Ongwen committed the crimes he is charged with as an adult, it raises questions around how to hold to account a defendant who was himself a child soldier.

Justice elsewhere remains elusive. Four years on from the eruption of conflict in Syria, atrocities continue with impunity. In this context CRIN's Middle East and North Africa office published an article (in [Arabic](#) and [English](#)) about efforts around the world to hold to account perpetrators responsible for human rights violations committed during the conflict, and opportunities for accessing justice which have yet to be extinguished. This investigation found that in certain cases, the national courts of other States have jurisdiction over crimes committed in Syria. It may also be possible to hold non-citizens to account under 'universal jurisdiction'. This allows prosecutors to pursue individuals who are alleged to have committed grave international crimes in other countries - even if neither the victim nor accused is a national of the prosecuting State.

## Extremist measures

To mark the 25th anniversary of the Convention on the Rights of the Child (CRC) in November 2014, we published a [special CRINmail](#) to look at neglected areas of children's rights in conflict situations and serve as an agenda for action. Many of the areas highlighted concern civil and political rights.

One of these is "military justice". In some States military courts have jurisdiction to try civilians charged with committing offences on military property or with crimes against state security. Such cases have taken new turns this year. In January, for example, news broke that a 14-year-old girl from Ramallah had been sentenced to two months in prison and fined \$1,528 by an Israeli military court for throwing stones. The fact that the case uncommonly concerned a girl drew attention to a system that routinely runs roughshod over children's rights, but has long ceased to make news internationally - a fact highlighted in an [analysis](#) by our regional office.

In Egypt, cases of children being tried in military courts have [ratcheted up](#) since President Abdel Fattah Al-Sisi passed a decree in late 2014 expanding the scope of these courts to try civilians charged with attacking "public and vital" property, such as electricity facilities. This includes the case of a nine-year-old child facing trial before a military court alongside his father for allegedly attacking security forces and burning electricity transformers in protests following the ousting of President Morsi in 2013.

Free expression was also suppressed in Russia, where a 14-year-old girl from the city of Saratov was [summoned for questioning](#) in March by security services for wearing ribbons the colours of the Ukrainian flag in her hair during a rally marking the annexation of Crimea from Ukraine.

Western nations meanwhile panicked while children [as young as 14](#) packed their bags and made their way to Syria to support IS. Whatever their motivation: disillusionment with life at home, or in search of a more meaningful identity, their individuality is soon stripped away by the group's murderous ideology. Those who [regret](#) their decision to join are often unable to return home and some remain as unwilling fighters or brides to avoid being made stateless or being marked as terrorists by the governments of their home countries.

Unsure of how to respond to the exodus, States sought to protect democracy by undermining the values which underpin it. Some schools in the United Kingdom and United States installed software to collect and retain data on their

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students, including “anti-radicalisation” software which flags up certain trigger words such as “jihadi bride” and “YODO” (short for you only die once), and the British prime minister announced plans to give parents the power to cancel their child’s passport. More measured voices called for schools to engage in critical discussion with children about questions of identity and their own freedom of religion (rather than the freedom of parents and the State to dictate this) as a more effective means of dissolving support for extremism. In another development, the UK has recently seen the first case of a girl being removed from her home because the judge concluded she was radicalised by her parents.

These news stories neglect to mention the hundreds of children being recruited in the region, in Syria in particular, where schools were temporarily shut in 2014 and reopened with an Islamic State curriculum and reportedly run as recruitment centres.

We enjoyed the story from Chechnya, however, where three teenage girls defrauded IS of some £2,000. They set up fake Facebook accounts to solicit funds from the group on the pretext that they would travel to Syria to marry IS fighters, then shut them down. The girls are however now under house arrest and face up to six years in prison - an ironic situation given their decision to stay home and eschew IS.

## Freedom of religion: schooling intolerance

An armed attack by extremists on the office of French satirical magazine *Charlie Hebdo* and a kosher supermarket in Paris, put tensions between freedom of expression and freedom of religion front and centre of international concerns, including for children. In the wake of the attacks, French police arrested 54 people including four children, for verbally supporting and inciting terrorist acts. Those arrested were charged with “glorifying” or “defending” terrorism. The four children and several others were swiftly convicted under special measures for immediate sentencing, according to the Associated Press.

These tensions also played out in school clothing when a 15-year-old Muslim girl was suspended from school in northern France for wearing a long black skirt, which she denied had any religious significance, but which her headteacher deemed to be a religious symbol. She was allowed to return in her usual clothes after a show of support on Twitter under the hashtag #JePorteMaJupeCommeJeVeux (I wear my skirt as I please). A similar case was reported from Belgium, where 30 Muslim schoolgirls were denied entry to their school for wearing long skirts, as the headteacher considered them a “symbol of religiosity”. Wearing religious symbols has been banned in classrooms in Belgium since 2010 and in France since 2004. Meanwhile in the United States, the Supreme Court ruled that the clothing company Abercrombie & Fitch discriminated against a 17-year-old applicant after it refused to employ her because of her headscarf, which the retailer argued violated its “Look Policy” for sales staff. The company has since reversed its policy on headscarves.

Long-standing debates about religious education were resolved by courts elsewhere. The Constitutional Court of Romania established an “opt-in” system for parents who want their child to take religious education classes. Parents who wished to remove their children from these classes have, for the last 20 years, had to opt out by submitting a request to the school. And Turkey’s Council of State ruled that the formal name of a controversial mandatory class in Turkish schools, “religious culture and moral knowledge”, is actually general religious education, and should therefore not be compulsory.

Religious education and the wearing of religious symbols in schools are often sources of contention, but yoga classes are a new entry to the fray. In April, a court in California upheld the decision of a lower court that school yoga classes do not violate students' or their parents' right to freedom of religion. Families of children attending school in the Encinitas Union School District in California had brought a lawsuit claiming that yoga classes provide a gateway to Hinduism and stifle Christianity. But representatives of the district affirmed that yoga is taught in a way that sets it apart from religion.

### Freedom of expression: unequal adversaries

The right to freedom of expression also chafed against religious sensibilities in Singapore, where a teenage blogger was convicted of obscenity and insulting Christianity, after he posted a video criticising the late leader Lee Kuan Yew. Sixteen-year-old Amos Lee was sentenced to four weeks in prison, and had already been detained in a mental health institute for four weeks, but was released immediately as the sentence was backdated to the day of his arrest.

Meanwhile in Egypt, 52 teenagers were detained and reportedly tortured and sexually abused during anti-government protests. In Venezuela, a 14-year-old boy was shot dead by a police officer during a protest in the western city of San Cristobal. President Nicolas Maduro condemned the killing, but the government had recently issued a policy change allowing security forces to open fire and use deadly force to control protests in the face of growing dissatisfaction with the administration, chronic shortages of basic foods, high inflation, and one of the highest rates of violent crime in the world.

To round off a summary of disproportionate responses, Kenyan police fired tear gas at schoolchildren protesting against plans to demolish their school's playground located on a disputed patch of land in Nairobi. At least 10 students from Langata Road Primary School were taken to hospital with injuries, including for exposure to tear-gas. The plot had been owned by the school since 1972, but was allegedly acquired by a "group of professional land grabbers" representing a senior politician. Twitter users protested with the hashtag #OccupyPlayGround.

### The slow death of inhuman sentencing

#### *The death penalty*

The year 2014-15 saw all forms of state violence intensify, as the number of States in which the death penalty is lawful or imposed in practice for child offenders increased. Pakistan lifted a moratorium on capital punishment following a massacre of schoolchildren by the Taliban in Peshawar in December 2014. It has since executed at least three men for crimes they committed as children. CRIN worked with Reprieve and Justice Project Pakistan to intercede with the Ministry of Interior and the President of Pakistan in support of juveniles on death row. This includes the case of Shafqat Hussain, a death row prisoner who was convicted as a juvenile and on the basis of a 'confession' extracted under torture. Shafqat was nevertheless executed on 4 August despite having previously been granted three stays of execution in a torturous call and response.

Figures released this year indicate that as many as 800 child offenders may currently be on Pakistan's death row. Staving off executions is just a first step; challenging the reforms that are triggering these individual cases is the next.

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Children's discontent with their country's authorities was pervasive in 2014-15. Students played a major part in protests in Hong Kong when the Chinese government declared its intention to restrict who can run in Hong Kong's next leadership election in 2017. Seventeen-year-old student Joshua Wong spearheaded the use of a mobile phone app to counter attempts to stifle pro-democracy protesters through state-imposed communications restrictions. The Firechat app allows smartphone users to communicate where no mobile signal or internet access is available, by using Bluetooth and Wi-Fi, and is particularly effective when used among large groups of people. After Wong's appeals, the app attracted 100,000 new users in Hong Kong in 24 hours.

CRIN also joined a coalition of human rights organisations calling on Saudi Arabia's Minister of Justice to immediately halt the pending execution of two young men who were sentenced to death for offences they allegedly committed as children. Ali Mohammed al-Nimer and Dawood Hussain al-Marhoon, who received death sentences in May and October 2014, have reportedly suffered violence and ill-treatment during their questioning and detention, and were coerced into confessing.

In other news, the number of executions carried out in Iran significantly increased, and Egypt sentenced children to death in mass trials despite the fact that the practice remains illegal under national law. In a statement, CRIN challenged a member of the country's children's rights community for calling for the reintroduction of the death penalty for offences committed while under the age of 18: children's rights advocates may disagree about how best to address children's rights in the justice system, but the abolition of the death penalty for children is non-negotiable. As human rights advocates we strongly believe in the abolition of the death penalty full stop. We cannot pick and choose which human rights to uphold and must therefore oppose advocates who support this sentence for anyone, including a person who has been convicted of a serious crime against a child.

On a more positive note, but not before time, prosecutors in Nigeria dropped murder charges against a 15-year-old former child bride accused of killing her husband who was more than twice her age. Wasila Tasi'u, who was 14 when she was forced to marry the 35-year-old man, was accused of lacing food prepared for a post-wedding celebration with rat poison, which resulted in the death of her husband and three other guests. The prosecution had been seeking the death penalty. In April, the High Court in Gezawa in northern Kano State, rejected a motion to have charges against Wasila dismissed because she is a minor. But the Kano State attorney general has since announced the case would be dropped because the accused is a minor and the victim's family has forgiven her. CRIN documented the story behind Wasila's case as part of our case studies project (read more in chapter 2).

Advocacy against the death penalty must not relent, but as we highlighted in our submission to the UN Secretary-General's 2015 annual report on the death penalty, abolition for child offenders is just one step towards establishing a rights-compliant juvenile justice system - we also need to look at what comes next.

### *Life imprisonment*

All too often when capital punishment is abolished, its replacement is life imprisonment. For instance, the Supreme Court of Bangladesh just last month commuted the death sentence of a child offender to "life imprisonment until natural death" also known as 'the other death penalty'.

In March 2015, we published a global report on life imprisonment which found that such sentences are still permitted in 73 countries. The report reviews the laws permitting life imprisonment in every country around the world; relevant human rights standards; how legal systems define life imprisonment; at what ages children can be subjected to such punishment; and, where life imprisonment has been abolished, what forms of sentencing replaced the practice.

In the same month, a report published by the UN Special Rapporteur on torture became the first major UN report to recognise that life imprisonment and lengthy detention sentences violate the prohibition on cruel, inhuman or degrading treatment when imposed on children.

This comes at a time of controversy around the issue in the US, where an Illinois man was resentenced to life in prison without the possibility of parole for his apparent involvement in a double murder when he was 14 years old. After reviewing Adolfo Davis' case, the Illinois Supreme Court in 2014 granted new sentencing hearings for dozens serving life without parole for crimes committed as children, but to no avail in Davis' case.

The case attracted attention from across the country as it follows a 2012 US Supreme Court ruling which found that sentencing children to life without parole was cruel and unusual punishment, but did not address whether this ruling could be applied retroactively.

Now the US Supreme Court has agreed to hear an appeal against a sentence of mandatory juvenile life without parole and decide whether its previous ruling in *Miller v. Alabama* that such sentences are unconstitutional can be applied retroactively, settling the question once and for all. The case, known as *Montgomery v. Louisiana*, is due to be heard later this year.

Country profiles setting out the relevant legislation on life imprisonment in every country and a series of summaries of legal cases in which sentences of life imprisonment have been challenged in courts around the world are available on our website.

Now that we have comprehensive research on the issue, we are exploring opportunities for bringing a strategic case on life sentences.

### *Corporal punishment*

In January the High Court of Zimbabwe abolished corporal punishment as a sentence for juvenile offenders, saying the practice is unconstitutional. The ruling was made while reviewing the case of a 15-year-old boy who was sentenced to be caned for raping a 14-year-old girl under the Criminal Procedure and Evidence Act, which legalises corporal punishment of male juvenile offenders. However, the decision was made on the condition of the Constitutional Court's approval. In June the Constitutional Court said it could not make a pronouncement on the matter because all of the parties present were arguing in favour of the practice, and there is a need to hear at least some opposing arguments. Zimbabwe's former finance minister (we're struggling to see the relevance, too), Tendai Biti, who was present in court on another matter, volunteered to file such opposing arguments. In the meantime, the caning of children as a sentence will continue.

As part of our campaign against inhuman sentencing, we will continue to submit information to the UN on the death penalty, life imprisonment and judicial corporal punishment in law and practice.

### **The criminal justice system: age of retribution**

The death penalty, life imprisonment and corporal punishment are extreme forms of sentencing, but the fact that countless children are locked up every day, and others are treated as adults, highlights a broader failure to develop justice systems based on rehabilitation, rather than retribution.

In July Brazil's House of Representatives approved a bill to lower the minimum age of criminal majority from 18 to 16 for certain crimes, just 24 hours after rejecting another proposal to try 16- and 17-year-olds as adults for offences including drug trafficking, torture, genocide, armed robbery, and serious physical injury. The approved bill seeks to lower the age at which children can be tried in the adult justice system for committing murder or physical injury leading to death. The Bill is now set to move to the Senate. We signed a joint statement opposing the proposal.

Similarly in India, a bill that would permit children aged 16 or older to be tried as adults for serious crimes and reintroduce life imprisonment for children has been passed in the lower house of the country's Parliament. The bill will now be considered by the upper house. The bill was first introduced in August 2014, but was referred to a standing committee which recommended retaining the definition of a juvenile as anyone below 18 years of age. However, the government bypassed the committee's recommendations for cases in which 16 to 18-year-olds are involved in a serious crime.

Good news came from Malawi, however, where a legal provision allowing children aged 16 years or over to be tried as adults was declared invalid in a case decided by the High Court in February. The case concerned a 16-year-old boy who was tried as an adult and sentenced to four years in prison for burglary. Section 2 of the Child Care Justice and Protection Act, which had the effect of limiting the jurisdiction of the Child Justice Courts to only those cases in which the defendant is under the age of 16, was found to contradict the Constitution, which sets the age of majority at 18 years old. Following the ruling, the High Court ordered the review of over 400 cases of 16 and 17-year-olds sentenced as adults since 2010.

And in a referendum, Uruguayans rejected a call to lower the minimum age of criminal responsibility from 18 to 16 years.

At CRIN, we don't believe there can be any justification for locking up a child except when they have been assessed as posing a serious risk to others' or their own safety and that risk cannot be reduced to an acceptable level without their detention, and certainly never in a penal setting. But regressive laws in many States show we have a lot of convincing to do. We took up the challenge of shifting the world's focus from punishment to rehabilitation at the World Congress on Juvenile Justice together with Professor Paulo Pinheiro. In this connection we also made a submission to the UN High Commissioner for Human Rights' report on the implications of over-incarceration and overcrowding of prisons.

Now we hope the proposed Global Study on the Deprivation of Liberty, which was approved in the 2014 General Assembly draft resolution on the rights of the child, will further open up this possibility. The study is however only likely to be authoritative if it is led by an independent expert. Two previous studies relating to children's rights (on violence against children and children in armed conflict) were led in this way. For this reason, in a joint letter, the NGO panel for a Global Study on Children Deprived of Liberty is calling on the General Assembly to reinsert the request for an Independent Expert into the text of its annual resolution on children. We are awaiting a decision by the SG.

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### Captive on land and at sea

The reach and force of the law where offences committed by children are concerned contrasts sharply with the lawlessness of the high seas where indentured child labour, slavery and risk of death on fishing vessels are commonplace. When a rights violation occurs within a country's territory, accountability and redress can be pursued within that territory. But when abuses are perpetrated in areas of ill-defined or disputed borders, such as in international waters, whose jurisdiction does this fall under?

This is particularly relevant in light of the unprecedented scale of waterborne migration across the world. Trafficking gangs are using children to capitalise on the scramble for refuge in Europe. In Egypt and Libya they evaded justice by recruiting children to drive boats of people to Italy. Some children were given a free or discounted passage to Europe, others said they were threatened, kidnapped, or promised work as fishermen. On arrival, however, the Italian authorities treated them as smugglers and charged them accordingly, with sentences of up to 15 years in prison.

In May, around 800 people, including some 100 children, drowned in the Mediterranean Sea when their boat crashed into a vessel answering a distress call. Italian prosecutors believe that around 200 people, including many children, were locked in the hold of the ship by the crew, their exit blocked. A further 200 died at sea in August. The International Organisation for Migration puts the death toll so far for 2015 at 2,000.

In Eritrea, from where the second largest number of refugees to the EU hails, reports emerged of a "shoot to kill" policy targeting young people who attempt to cross the border.

Elsewhere, passed from pillar to post, as many as 8,000 Bangladeshi migrants and Rohingya refugees from Myanmar, including many children, were left adrift in the Andaman Sea and Malacca Straits after smugglers abandoned their vessels and neighbouring countries turned the boats away from their shores.

On dry land, meanwhile, Australia's incarceration programme of people seeking asylum reached new lows, with attacks on those who seek to expose abuse spiralling. In the run-up to the publication of a damning national inquiry into the effects of immigration detention on children, the Children's Commissioner facéd intimidation and harassment. Just months later, the government announced that whistleblowers could be imprisoned under a new law if they disclose, without the authorisation of the immigration department, abuse of asylum seekers held in detention centres. In an open letter, 40 current and former workers at Australia's detention centres on Nauru and Manus Island have challenged the government to prosecute them under the new secrecy law.

In the United States, a federal judge has said the government's policy of detaining migrant children and their mothers violates a longstanding ruling which found that such mass detention is against US law. The judge found that two family detention centres opened in Texas last year to respond to the increasing number of Central American migrants arriving in the country failed to meet minimum legal requirements for facilities for housing children. The ruling was based on an 18-year-old court decision, which requires unaccompanied migrant children detained at the border to be released to a parent or close relative, or alternatively be placed in nonsecure facilities run by agencies licensed for child care.

## Taking refuge off the grid

Stories covering African nations hosting large numbers of refugees are few and far between in western media, but this year were thrown into sharp relief as the Kenyan government insisted that the UN close Dadaab refugee camp - the largest in Africa - or it will do so itself. The statement followed an attack by masked gunmen on Garissa University on 2 April which left 148 people dead. The attack was claimed by Al Shabaab Islamist militants as retribution for Kenya sending troops into Somalia to fight the group alongside other African Union peacekeepers.

To bookend these bleak stories, an innovative ruling emerged from South Africa where a court has ruled that any child who enters the country with a relative who is allowed to apply for asylum will be regarded as a dependent of that caregiver, in the same way as a biological child. The case was brought by a 16-year-old orphan together with other children who had also been separated from their biological parents but were in the care of relatives when they fled armed conflict. In each case the relative was unable to apply for a temporary asylum permit for the child as they were not their biological parent nor recognised as their guardian. This meant that the child was not documented, and therefore effectively an illegal immigrant. In its ruling, the North Gauteng High Court recognised that it is in the best interests of separated children that they be documented on arrival, accompanied by their adult caregivers

## In 2014, a grand jury in Ferguson, Missouri, announced that a white police officer who had shot dead 18-year-old Michael Brown would face no indictment

Countries in the Commonwealth of Independent States (CIS) are also left off the map in news about unaccompanied children, so our Central Asia and Eastern Europe desk highlighted how the law treats unaccompanied children in these States as criminals instead of children in need of protection. The report *In whose interests? How the law treats unaccompanied children in CIS countries*, which is meant as an advocacy guide to secure legal reform, focuses in particular on the shortcomings of the Chisinau Agreement, which serves as a dubious model for dealing with unaccompanied children in the region. We launched the report and related campaign at a conference in Kiev organised by Women's Consortium of Ukraine. We later used this research to alert the UN Committee on Migrant Workers and their Families to the situation of unaccompanied children in its review of Kyrgyzstan.

## Violent role models slapped down

Of course, violence is not the sole preserve of the State. This year Andorra, Argentina, Benin, Cabo Verde, Estonia, Nicaragua, and San Marino joined the ranks of those countries which have banned corporal punishment in all settings, including the home. The two new Latin American members of this club prompted us to commission an editorial from the Global Initiative to End All Corporal Punishment of Children hypothesising that Latin America could become the first region to abolish the practice altogether.

Then, in response to a series of collective complaints, the European Committee of Social Rights ruled that Ireland, Slovenia, Belgium, the Czech Republic and France are failing to protect children from violence because their laws do not ban corporal punishment of children in certain settings.

Elsewhere, however, the practice continues unabated and unchallenged. A 12-year-old boy died in Cairo, Egypt in March after being severely beaten by his teacher because he didn't do his homework. The National Council for Childhood and Motherhood reported that attacks on children had increased by 55 percent compared with the average over the previous three years, highlighting that 50 percent of cases of violence against children were registered in schools. The Ministry of Education said it has launched an 'urgent inquiry' into the circumstances of the boy's death and the teacher involved has been suspended.

Violence in schools was however challenged by Mexico's top court which ordered a school and teacher to compensate a 7-year-old student for [their role in bullying the child](#). The Supreme Court ruled that the teacher had not only encouraged the abuse by the other children but also participated in it, and that the private school, known as the Universal Truth and Science Institute, knew about the abuse and failed to prevent it.

### Along racial lines of attack

Social media this year shoved scene after scene of police violence against African Americans in the US into the open. Racial tensions have intensified since 2013 when George Zimmerman, a neighbourhood watch volunteer in Florida who shot dead 17-year-old Trayvon Martin when he was returning unarmed from a convenience store, walked free from court. Then, in 2014, a grand jury in Ferguson, Missouri, announced that a white police officer who had shot dead 18-year-old Michael Brown would face no indictment.

Now, an [investigation](#) by *The Guardian* has found that black Americans, including children, are more than twice as likely to be unarmed when killed during encounters with police as white people. Through an interactive database monitoring all police killings in the US, *The Counted* also reveals that the three youngest people to have died at the hands of the police this year were all 16 years old. In addition, a [YouTube video](#) of a pool party in Texas, which surfaced in June, showed a white police officer throwing a teenage girl to the ground and drawing a gun on two teenage boys. Incidents of police brutality along racial lines are nothing new, but activists are now using social media, such as the Twitter hashtags #IfTheyGunnedMeDown and #BlackLivesMatter, to sew together disparate incidents and demonstrate a pattern of violations.

Racial divisions are also bleeding into the US education system, where the rate for black high-school dropouts is 47 percent (the comparable rate for white high-school dropouts is 26 percent), and teachers respond differently to children's behaviour depending on their race. [Research released](#) in the journal *Sociology of Education* suggests black students who "misbehave" are more likely to be suspended, expelled or referred to law enforcement; whereas white students are more often pushed into special education services or receive medical and psychological treatment for their perceived misbehaviours.

In this context, African Americans are increasingly turning to homeschooling their children. A [study](#) of 74 homeschooling families, while not large enough to be representative, hints that the reasons behind this decision relate to the Eurocentric curriculum and teachers' attitudes. African Americans now make up 10 percent of all children schooled in this way.

Elsewhere in the Americas, racial tensions tautened in the Dominican Republic which [withdrew](#) its membership from the Inter-American Court of Human Rights (IACHR) after the Court ruled that the country discriminated against its residents of Haitian descent and denied them certain human rights.

A court in Italy also slammed [state-sanctioned](#) discrimination by ruling that "nomadic camps" are a form of segregation and discrimination based on ethnic grounds, marking the [first time](#) in Europe that a national court has reached this decision. The ruling came in response to a 2012 complaint by a group of organisations against the City of Rome for its construction of a Roma-only "village". Children in these camps find it difficult to [access education](#) as a result of inadequate housing conditions, low security of tenure, and fear of forced evictions

### Coming out in support of LGBT rights

Challenging discrimination against lesbian, gay, bisexual, transgender, questioning or intersex (LGBTQI) people saw some big wins across the world in 2015. Mozambique decriminalised homosexuality, Malta granted transgender people the right to have their gender changed in the records of the Public Register, the US Supreme Court ruled to legalise gay marriage, and Ireland reached the same conclusion in June, becoming the first country to do so by asking its citizens in a referendum.

The rights of LGBTQI children had their own day in the sun as the focus of the [International Day Against Homophobia and Transphobia \(IDAHOT\)](#). To mark the day, we issued a [special CRINmail](#) highlighting campaigns and resources from around the world concerning the rights of children who identify as LGBTQ. This complemented a special edition [Children in Court CRINmail](#) highlighting legal cases and legislative developments concerning LGBTQI persons and the impact of these developments on children's rights.

Legislative updates however were mixed. Kyrgyzstan's parliament voted almost unanimously to approve an anti-gay bill said to be tougher than Russia's "gay propaganda" law. The bill has been criticised for its vaguely defined offences, such as forming a "positive attitude toward nontraditional sexual relations". Since it was drafted last year, violence against people who are actually or are perceived to be LGBT, has increased, including at the hands of police, even though the country decriminalised homosexuality in 1998. Russia's Constitutional Court confirmed the legality of a provision that imposes administrative sanctions on anyone who distributes information about "non-traditional sexual orientation" to children. And in Uganda, a draft new law imposing criminal sanctions for the promotion of "unnatural sexual practices" was leaked. The proposed law provides that anyone "promoting" homosexuality could be sentenced to seven years' imprisonment. It could also be used to shut down LGBTQ rights organisations. It is unclear when the bill is due to be discussed.

Conversely in May, the Constitutional Court of Kazakhstan struck down an anti-gay law that would have banned "propaganda" of homosexuality to children, with some commentators positing that the motivation was the country's bid for the 2022 Winter Olympic Games.

At the global level, a group of States revived a draft UN resolution on the 'protection of the family' to serve their own ideological projects, i.e. to enforce a heteronormative definition of the family and limit the rights of individuals, mainly women and children, within the family. States behind the resolution - which was first introduced in 2014 to mark the 20th anniversary of the international year of the family - seek to establish the family unit as a rights holder in itself, rather than focusing on the rights of individuals within the family. The resolution fails to consider abuses that occur within the family setting, such as child abuse; institutionalises gender inequality, such as through property or inheritance legislation; fails to recognise the diversity of families, focusing on a heteronormative definition of family; and is plagued with procedural concerns, including its lack of referencing or citations and the fact that States were given little time to make amendments to the draft text.

## Make poverty history

The strategy of redefining problems to make them disappear was also adopted by the British government in its recent decision to redefine child poverty rather than tackle it head-on. Child poverty used to be defined as those who live in a household with an income of below 60 percent of the national average; now it will be ascribed indicators with an implied moral judgement, such as family breakdown, level of debt, and drug and alcohol dependency. This system defies a rights-based approach to tackling poverty which aims to address the structural causes of poverty, and instead blames individuals for their predicament.

The subject of investment in children garnered widespread attention this year as the theme of the UN Human Rights Council's 2015 annual day on the rights of child. In a submission, we stressed that investment in rights, and the mechanisms to guarantee these, must be anchored in state obligations under the UN Convention on the Rights of the Child. On the day, our coverage highlighted children's disproportionate vulnerability to poverty because of their low status, lack of income and their exclusion from the legal and democratic processes crucial for claiming their rights. This point was borne out by ever-slackening social protection systems in Greece and elsewhere as the economic crisis sharpened.

In addition, the World Bank released the first draft of its proposed safeguarding policies - which are designed to identify and prevent the negative impacts of World Bank-funded projects. We signed a joint civil society letter calling on the financial institution to strengthen its child rights protections. The Bank also came under fire for funding projects in Uzbekistan, where local groups claim that schoolchildren are still being forced to pick cotton. The Bank, along with the International Labour Organization (ILO), deployed experts to assist national monitoring groups in recording instances of child labour in the country, but said it had found no evidence of the practice.

Child labour has been a subject of debate, with austerity pushing more children into work, and the award of the Nobel Peace Prize in 2014 to Kailash Satyarthi who campaigns for the abolition of child labour. But on the International Day against Child Labour in June we highlighted alternative angles on this issue in a special CRINmail: what happens when children want to work or it is a given that they will work and the conditions which push children to work in the first place are expected to last? Is a blanket ban the best option for upholding children's interests? We looked at how States can reduce the risk of abuse and exploitation of

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working children, and the benefits of formalising and regulating children's labour activities, using Bolivia and India as case studies.

### Business and children's rights: an unsettling relationship

In the context of austerity, the tentacles of privatisation are increasingly groping their way into children's services, especially education. The Committee on the Rights of the Child denounced the growth of private schools in Ghana, which it said worsened disparities in communities, and that instead of monitoring the role of the private sector in education, the government is encouraging the growth of these schools to fill a gap in its provision. Concerns about the commercialisation of education, in particular the emergence of large-scale for-profit private school chains which target poor families in developing countries, were echoed in a resolution adopted by the UN Human Rights Council. The resolution insists that States adopt minimum norms and standards for monitoring private education providers.

Business and children's rights were also at the forefront of the work of the UN Special Rapporteur in the field of cultural rights. In her 2014 annual report to the UN General Assembly, Farida Shaheed voiced concern about the impact of commercial advertising and marketing practices on children. In particular, she drew attention to the increasingly hazy line between commercial advertising and other content, such as recreation and education, and the disproportionate presence of commercial advertising and marketing in public spaces. The report also addresses how advertising can contribute to the promotion of detrimental behaviours, attitudes and stereotypes, including the impact that images of women as sex symbols have on the health of young girls. She recommended a ban on commercial advertising and marketing in public and private schools.

The Committee on the Rights of the Child's General Comment 16 has drawn attention to State obligations regarding the impact of the business sector on children's rights. At CRIN, we are preparing a practical guide with the International Commission of Jurists (ICJ) on how civil society can use the general comment, for instance for corporate social responsibility activism or strategic litigation against corporations.

In the meantime, our monitoring of case law is also prompting questions about what access to justice in this context should look like. For instance this year a Canadian-based company agreed to compensate a group of tribal girls and women in Papua New Guinea who were allegedly assaulted and raped by police and security guards at the Porgera gold mine. But the agreement came only after Barrick Gold Corporation, the world's largest gold mining company, had made an earlier offer of compensation, which was refused by the 11 victims, as it was not deemed adequate to remedy the multiple and continuing traumas they had suffered. The company had previously compensated 137 women and girls under a "remedy framework" set up by the company as an alternative to the local judicial system.

This case raises questions about how best children can access justice for corporate abuses of their rights. Should we promote companies' own grievance mechanisms? If so, what features should these have? Do they detract from judicial channels of redress, and how do they equate with other mechanisms, for instance complaints to ombudspersons? These are just some of the issues our research on business and children's rights cases, including civil, criminal, constitutional and administrative cases around the world, will cover. The aim of this project, the results of which will be published next year, is to encourage children's rights advocates to consider bringing complaints to challenge corporate abuses of children's rights.

### Closing off institutional sexual violence

Litigation against perpetrators of sexual abuse in religious institutions continued to gather momentum, but is not without obstacles. The trial of the first high-ranking Vatican official to be charged with sexually abusing children was due to unfold at a criminal court in the Holy See in July but was delayed because of the defendant's ailing health, and aborted with his subsequent death. The trial of the former nuncio Józef Wesolowski from Poland marked the first time that the Church used the criminal justice system established by Pope Francis to handle cases in which bishops have failed to protect children and vulnerable adults from sexual abuse by clerics. Last year, the Vatican stripped Wesolowski of his diplomatic immunity in response to allegations that he had paid teenage boys to masturbate while he was the Vatican's ambassador to the Dominican Republic.

In addition to new fora for complaints, new arguments strengthened survivors' armoury against abusers. Lawsuits brought in the US states of Chicago and Minnesota against the cities' archdiocese contended that the Church had created a "public nuisance" by shielding priests convicted of sexual abuse of children and allowing them to live freely in the community. The public disclosure of information was also sought in both cases.

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## A three-year investigation found almost 2,000 people who had abused children, including 914 sexually, in the Methodist Church in the UK stretching back to the 1950s and including recent years

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Other religious institutions did not escape unscathed. A court in the US ordered the organisation that oversees Jehovah's Witnesses churches to pay \$13.5 million to a man who was abused as a child by his bible study teacher. According to the lawsuit against the Watch Tower Bible and Tract Society of New York, Jose Lopez, now 35, was one of eight children who have accused teacher Gonzalo Campos of sexually abusing them between 1982 and 1995. The lawsuit accuses the Watch Tower of covering up the abuse for years and harbouring an abuser. It also notes that the organisation refused to produce documents showing the scale of sexual abuse within congregations across the US.

Meanwhile, a three-year investigation found almost 2,000 people who had abused children, including 914 sexually, in the Methodist Church in the UK stretching back to the 1950s and including recent years. The investigation was commissioned by the Church which said that it wanted to be open and develop stronger safeguarding practices. The revelations have so far led to six police investigations into abuse.

Also in the UK, thousands of survivors of child sexual abuse are being invited to testify across England and Wales, as the long-awaited independent inquiry into criminality and corruption by public and private institutions opens. The British Home Secretary had to turn to a New Zealand High Court judge to serve as the chair of the inquiry into historical child sex abuse, which was sparked by claims of a paedophile ring operating in Westminster in the 1980s, after several abortive attempts to find a qualified candidate on home turf without links to the British establishment. The inquiry, which will have statutory powers, will investigate whether "public bodies and other non-state institutions have taken seriously their duty of care to protect children from sexual abuse."

### Policing sexuality: extracting the morals from the story

Judges and legislators are also under scrutiny for exposing children to sexual violence. In Argentina, two judges were forced to resign for reducing the sentence of a man who raped a 6-year-old because the victim "displayed a homosexual orientation and was accustomed to being sexually abused". In a similar case in South Africa, child rights activists criticised the decision of two judges to reduce the prison sentence of a man convicted of rape because it could not be "considered as falling at the most heinous end of the scale" as there were no physical injuries.

Nigerian legislators have approved an anti-rape bill that appears to lower the age of sexual consent from 18 to 11. On 4 June, the upper house of the National Assembly hurriedly passed the Sexual Offences Bill (2015) - which prescribes prison terms for rapists and those who have sex with children under the age of 11 - alongside an unprecedented 45 other draft laws, all in the space of 10 minutes.

Meanwhile, courts in Zimbabwe are increasingly treating 12 as the age of sexual consent in rulings on cases of alleged child sexual abuse, activists say. Sentences were lowered for a number of defendants who argued that the child consented to sex. In June, for example, two men were acquitted of the alleged rape of a 15-year-old girl because she "did not scream" and "knew what she wanted".

However while sexual consent laws should protect children, they should never seek to control their sexuality. The consequences of overstepping this balance were laid bare when a 15-year-old girl committed suicide in the Indian state of Karnataka after being suspended from school for hugging a boy.

Other moves in this direction include two draft laws in Iran aimed at boosting the country's population, which seriously undermine women and girls' access to contraception, according to a [report](#) by Amnesty International. The first outlaws voluntary sterilisation, said to be the second most common method of contraception in the country, and blocks access to information about contraception. The second makes it harder for women without babies to get a job. The bill was passed in parliament in August 2014 and is undergoing amendments recommended by the Guardian Council, which needs to approve it before it can become law.

The impetus for these moves could have been a [General Comment on harmful practices](#) issued by the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination Against Women. This sets out their position on the subject, considering child marriage (where at least one or both parties is under 18 years of age) a form of forced marriage because one or both parties have not expressed their full, free and informed consent. It also recognises children's autonomy by stating that in exceptional circumstances a mature and capable child over the age of 16 may marry "provided that such decisions are made by a judge based on legitimate exceptional grounds defined by law and on the evidence of maturity without deference to cultures and traditions." In this way it focuses on forced marriage as the problem rather than marriage per se.

## While sexual consent laws should protect children, they should never seek to control their sexuality

A more balanced, but less-than-perfect approach emerged in Europe, where the morning-after pill ellaOne was officially [licensed](#) for girls of reproductive age by the European medicines agency. In the United Kingdom, a girl seeking to buy ellaOne will be asked by the pharmacist about her use of contraception, if she is willing to tell her parents, and questions to ascertain if she understands the consequences of taking the morning-after pill. She will also have to pay £34.95 for the pill. In other words, [factors](#) such as cost, lack of access and embarrassment faced when buying emergency contraception remain untackled.

Forced marriage also came under scrutiny before the courts. A man in South Africa appealed a 22-year sentence for rape, assault and human trafficking after he had abducted a 14-year-old girl with her family's consent. He claimed the traditional custom of 'ukuthwala' - which is the traditional practice of abducting girls for the purpose of marriage - as a defence. The Court decided that ukuthwala was abused to justify patently offensive behaviour such as rape, violence and similar criminal conduct under the guise of tradition.

### Marriage: a 'protected status'?

The minimum age of marriage was also under discussion, with a number of States passing or considering laws to raise the age to 18. In Zimbabwe two women married to their husbands as children [launched](#) a constitutional challenge seeking to raise the minimum age of marriage for girls from 16 to 18, on a par with that for boys. [Malawi](#) raised its minimum age for consenting to marriage from 16 (or 15 with parental consent) to 18 years of age. But Indonesia's Constitutional Court [rejected](#) a petition to raise the legal age for girls to marry from 16 to 18. [Spain](#) meanwhile raised its minimum age from 14 to 16.

Turkey's Constitutional Court sparked debate when it [legalised](#) the right to be religiously married without obtaining a civil marriage, sparking concern that this could lead to unofficial marriages of children.

The African Committee of Experts on the Rights and Welfare of the Child also turned its attention to the issue, [appointing](#) a Special Rapporteur on Child Marriage.

### Sexual and reproductive health laws: aborting reason

Authorities in a number of Latin American countries, backed by the Catholic Church, cemented their reputation as arch violators of sexual and reproductive rights. An 11-year-old rape victim [gave](#) birth in Paraguay after being [denied](#) an abortion. The girl, who was sexually abused by her stepfather, only discovered she was pregnant when she went to hospital complaining of stomach pains. Abortion law in Paraguay authorises abortion only when the life of a woman or girl is at serious risk. Yet according to the World Health Organization, child pregnancies [do present such a risk](#), and are the second cause of death among

15-19-year-old girls globally, figures which don't even countenance those among 11-year-olds. Latin American countries which retain an absolute ban on abortion are El Salvador, Dominican Republic, Nicaragua, Honduras, Haiti and Suriname.

The similar situation of a 14-year-old rape survivor was met with more clemency in India, where the Supreme Court allowed a medical panel to determine whether she should have an abortion if it endangered her life, despite having passed the 20-week maximum period, which the panel said it did.

Countering the trend, however, a draft law in Chile seeks to ease the country's complete ban on abortion. The bill would allow for abortion when the pregnancy poses a risk to the mother's life, the foetus will not survive the pregnancy, or in cases of rape. If approved, girls aged 14 to 18 will be able to seek abortion provided they have told their parents, while under-14s would need parental consent. Abortions would be permitted within the first 12 weeks of pregnancy, except in the cases of children under 14 when the limit is extended to 18 weeks in recognition of the fact that young girls may take longer to realise they are pregnant.

Back to the bad news, groups in the United States which are awarded government funding contracts are allegedly restricting unaccompanied child migrants and refugees' access to reproductive health services, such as abortion and contraception, in some cases on the ground of religion. The American Civil Liberties Union (ACLU) has initiated a lawsuit against the federal government to obtain documents that reveal the scope of this problem after a freedom of information request was ignored by the Administration for Children and Families.

The ACLU has also brought a federal court challenge to an Alabama law that effectively puts children on trial for seeking an abortion. According to the complaint, as part of the 'judicial bypass procedure', which applies to girls aged under 18 years who cannot obtain parental consent for an abortion, the court may appoint a guardian for the minor's foetus, allow the girl to be cross-examined by a district attorney or the girl's parents, and, in breach of confidentiality, allow the girl's teachers, employers, friends and other persons to be informed of the proceedings and called to testify. Thirty-eight US states have a 'judicial bypass procedure' in their laws, but according to the ACLU, Alabama's is the strictest in the country.

Russia also sought to limit minors' right to independently access sexual and reproductive health services, with a bill seeking to introduce a requirement for parental notification in cases of abortion performed on girls aged 15 and above.

In this context, CRIN joined the Center for Reproductive Rights and others in calling on the UN Human Rights Committee to reaffirm that the right to life begins at birth.

### Bodily integrity: children's bodies, children's rights

In other areas, 2014-15 saw control over children's bodies gradually slip from the grasp of parental, medical and state hands, as States and national courts increasingly conceded that children, like adults, have the right to autonomy and self-determination over their own body. Malta became the first country in the world to ban gender 'corrective' surgeries on intersex children before they are able to consent - or refuse consent - themselves. The move seeks to ensure any surgery or medical interventions that do take place are medically necessary and not "driven by social factors without the consent of the minor". The same cannot be said, however, of Colombia, where surgical sterilisation of children with learning disabilities is legal, with surgeries performed in the hundreds each year. Critics say that the high level of sterilisations represents a general ignorance about learning disabilities, with misconceptions that people with learning difficulties are devoid of sexual feelings or the ability to have a relationship or children.

This year also saw Egypt's first-ever conviction for female genital mutilation (FGM), in this case concerning a 13-year-old girl who died as a result of the procedure. Africa's most populous country, Nigeria, became the latest State to ban FGM. Yet campaigners caution that, in a country in which a quarter of women are estimated to have undergone FGM, the elimination of the practice must be backed up by strong enforcement and efforts to change attitudes. In a less positive case, a mother in the United States was, according to advocates, "bullied" by a judge into consenting to her son's circumcision, being told she must sign a consent form or face indefinite jail time. The judge's rationale was based on the perceived requirement to adhere to a former parental agreement to have the boy circumcised, despite the mother later objecting to the procedure. In a similar case in Israel last year, the High Court voided a ruling by a rabbinical court that ordered a mother to allow her one-year-old son to be circumcised at the father's

behest, saying the court had not sufficiently examined what was in the child's best interests.

Our [research](#) on unaccompanied children in the Commonwealth of Independent States exposed the practice of conducting virginity tests on unaccompanied girls in Tajikistan. Where a girl's hymen is not intact, she is kept in a special centre so as not to "spoil other girls" and a criminal investigation is initiated. To make matters worse, the test is carried out by a male doctor as women are not recognised as medical "experts" under Tajikistan's administrative and criminal code. We have raised this practice with the UN Special Rapporteur on health, and an NGO based in the country will conduct a fact finding visit to the centre in September 2015.

Discussions around children's right to make decisions about their own bodies in health-related matters also addressed the denial of medical treatment and children's right to die. In [Canada](#) a court allowed an 11-year-old First Nations girl with leukaemia to pull out of chemotherapy, which she did not want. On the other hand in the [United States](#), a court ruling forced a 17-year-old girl with cancer to undergo chemotherapy despite her objection to the procedure, because she was deemed to lack competence to make the decision.

Meanwhile in the [Netherlands](#), the Dutch Paediatric Association criticised euthanasia laws that discriminate against children purely because of their age. Euthanasia is permitted in the country for adult patients; but an arbitrary age limit on the practice means that child patients under the age of 12 who are terminally ill and suffering extreme and untreatable pain are not permitted to request euthanasia - despite the fact that as human beings, they suffer extreme physical pain just as adults and older children do. There is also increasing recognition in countries such as [Canada](#) and [Germany](#) of the fact that blanket bans and restrictions on euthanasia are a breach of human dignity when they cause suffering by forcing a person to continue living despite untreatable pain and an express wish to die.

## Assisted reproduction & bioethics: sharing resources

Adults' access to assisted reproductive technologies and the implications for the rights of children born as a result have been the subject of a surge of court cases in recent months. We summarised those relating to surrogacy in a [special CRINmail](#).

But other news stories hinted at questions about the bioethics of children's right to independently access assisted reproductive technologies - whether as survivors of conditions leading to reduced fertility, as donors for relatives or others, or even to use in their own right.

A woman in Belgium [became](#) the first in the world to give birth to a baby using ovarian tissue transplanted when she was still a child. The woman had an ovary removed at age 13, before she began aggressive treatment for sickle-cell anaemia.

Meanwhile, schoolgirls in China were reported to be among those paid to [donate eggs](#) to infertile couples on the black market. The fact that the dose of injections can cause different levels of damage to the ovaries, including bleeding, necrosis, and infertility if administered in large doses, and that the package covers the cost of an abortion if the foetus is a girl, are just some concerns.

Members of Parliament (MPs) in the UK [voted](#) on another bioethics debate, allowing the creation of babies with DNA from three people - the first country to do so. The technique, which uses a modified version of IVF and involves swapping a fraction of the mother's DNA with that of an anonymous donor, aims to stop mitochondrial disease, a serious genetic disease that is passed from mother to child. MPs determined that mitochondrial DNA makes up 0.054 percent of a person's overall DNA and none of the nuclear DNA that determine personal characteristics and traits.

But advances in technology must also be weighed against other concerns such as privacy. The American Society of Human Genetics has warned that [genetically screening children](#) could lead to stigma, discrimination or an adverse effect on a child's psychological well-being. It recommends that such tests only focus on single genes or small groups to avoid children finding out about unrelated genetic conditions. It also notes the difficulties of identifying a child's best interests and the role of parents in making decisions which could follow their children throughout their lives.

One example of how technological advances have already been turned against human rights issued from India's Supreme Court which ruled that a child's DNA can be tested in order to determine the infidelity of his or her mother, violating children's and women's right to privacy.

In a positive decision also from Northern Ireland, children visiting parents in prison will no longer have their photographs and fingerprints taken, following a High Court order citing a violation of children's privacy rights

We highlighted debates around privacy and technology in our coverage of the UN Committee on the Rights of the Child's 2014 day of general discussion, for which we submitted a charter for children's rights in the digital context. On the same day the UN Human Rights Council held a debate on the right to privacy in the digital age. As human rights advocates we need to mount a joint defence, so in a special CRINmail, we compiled a breakdown of pressing digital rights issues, including those that affect the population as a whole - and their relevance to children and their advocates - and those with child-specific dimensions, and how they relate to all of us.

Responding to some of these concerns the UN Human Rights Council in March created the mandate of a Special Rapporteur on the right to privacy for three years.

## Stripped of privacy

Rulings on privacy in the criminal justice system brought mixed results. In the United Kingdom, the Supreme Court ruled that the police are allowed to publish images of children suspected of rioting and causing criminal damage. The case was brought by a 14-year-old who was arrested following rioting in Derry, Northern Ireland in 2010 and whose photograph from CCTV footage was published in a newspaper in an attempt to identify those responsible. Ruling in favour of the police, the Supreme Court found that the publication was justified as it was necessary for the "detection and prevention of crime" and "diversion of young people from criminal activities". The decision by the UK's highest court may now be challenged at the European Court of Human Rights.

In a positive decision also from Northern Ireland, children visiting parents in prison will no longer have their photographs and fingerprints taken, following a High Court order citing a violation of children's privacy rights. Until now, a Prison Service policy required child visitors aged between 12 and 15 to be finger-scanned, while 16- to 18-year-olds were both finger-scanned and photographed.

In Canada, Quebec's Education Minister, Yves Bolduc, gave his approval for students to be strip-searched in high schools where student security is deemed to be at stake. The only proviso is that such searches adhere to "strict" guidelines and are undertaken in a "respectful" manner. The comments follow the case of a 15-year-old girl who was told to strip behind a screen by school officials because they suspected her of selling drugs.

The continued funnelling of children who use drugs into the criminal justice system rather than health services will be a pressing issue at the UN General Assembly's 2016 Special Session on Drugs (UNGASS) which will focus on youth. The theme refers to goals set for 2019 which are based on the UN drug control conventions. But in a joint submission with Open Society Foundations, International Centre on Human Rights and Drug Policy and Harm Reduction International, we argued that these conventions offer an inappropriate framework for children and young people. They prescribe no specific measures for this group, and existing policies cannot be used to evaluate themselves. The submission proposes the CRC as a more effective framework.

### On a different kind of drugs...

Courts in countries including [Czech Republic](#), [Croatia](#), [Slovakia](#), [Turkey](#) and the US state of [California](#), challenged the beliefs of parents who refuse to vaccinate their children, narrowing exemptions for vaccinating children against diseases including measles and whooping cough to exclude religious and philosophical justifications. The decisions responded to parental concerns that vaccinations pose a risk to children's health. However, the rulings concluded that private

A different trend gained traction in Pakistan, as [cases of children contracting polio](#) resurfaced, with the total number of cases of child polio now estimated to be at least 287 - the highest in the world. An anti-polio vaccination campaign in the country has been under constant attack by the Pakistani Taliban which claims that vaccinations are a "western plot". Dozens of nurses have been gunned down in the streets as a result. The Supreme Court of Pakistan is also set to review a [case](#) concerning the availability of polio vaccines for children living in prisons. The case relates to a child who contracted the polio virus while living with her mother in prison. The court has requested reports from all states on the administration of polio drops to children living in prisons.

### States as their own judge and jury

This global picture demonstrates that it is not enough for us as advocates to take positions on children's rights issues; we must also insist that the core structures responsible for overseeing children's rights operate with transparency and competence, and that advocates in all countries are able to operate and speak out freely. Some States are well known for violent crackdowns on civil society, but governments across the board are using more insidious methods to quell those who challenge them, from banning NGOs from accepting foreign funding, passing anti-protest laws and ever-tighter registration requirements, and cutting funding for NGOs, almost half the world's countries [have implemented controls](#) on civil society.

In the UK, for example, the collapse of Kids Company in uncertain circumstances, a high-profile charity delivering services to vulnerable children, drew attention to the fact that children's charities are [bearing a disproportionate share](#) of budget cuts as local and central government end contracts and grants for voluntary groups, according to data supplied to *The Observer* by the National Council for Voluntary Organisations.

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Somalia and South Sudan this year ratified the Convention on the Rights of the Child (CRC), leaving the United States as the only State in the world yet to ratify the Convention.

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concerns do not take precedence over public health, and that only children with serious health issues would qualify for exemptions. The subject drew international attention after an [outbreak](#) of measles at Disneyland in the US, attributed to unvaccinated children, infected more than 100 people. While the rulings mark an important step in eradicating diseases, in some places the way these laws are enforced raises concerns for children's rights, for instance, by [denying](#) children the right to education. The Australian government has even [announced](#) it will cut tax and child care benefits of families who refuse to vaccinate their children from 1 January 2016, under a "no jab, no pay" policy.

In the Philippines, children's rights advocates are among a group that has filed complaints before the Commission on Human Rights over the alleged harassment and surveillance they experienced from suspected members of the military and the police. In May, the two children's rights activists, who document cases and provide services to child victims of human rights violations and who are registered as social workers, were followed from their office by suspected members of the military. They say the incident was a "clear act of harassment and reprisal on our active opposition to government policies and programmes that are not beneficial for Filipino children and their families."

In July civil society organisations in Cambodia urged the king in an open letter not to give his signature to a proposed law which would require 5,000 domestic and international NGOs to report their activities and finances to the government. Failure to do so could result in fines, criminal prosecutions and the break-up of organisations, many of which have played a crucial part in helping the country to recover from the genocidal regime of dictator Pol Pot in the 1970s.

In May Vladimir Putin signed a law to ban foreign NGOs from operating in the country if they are deemed a threat to national security. Russia already has a law, approved by the Russian Federal Council in 2012, requiring NGOs that accept international funding to register as "foreign agents". Europe and Central Asia Director for Human Rights Watch Hugh Williamson said of the law: "there is little doubt that its primary targets are Russian activists and Russian independent organisations." Penalties for individuals working for banned organisations include fines and up to six years in prison, while banned organisations could have their bank accounts frozen. The UN Office of the High Commissioner for Human Rights (OHCHR) has urged a review of similar draft laws in Kyrgyzstan and Tajikistan.

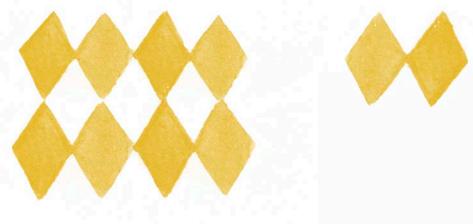
In June UN High Commissioner Zeid Ra'ad Al Hussein expressed concerns to the authorities in Azerbaijan about the shrinking democratic space in the country, as some 35 human rights defenders, journalists and government critics have been detained on bogus charges. The closure of some media outlets and denial of entry to prominent journalists and a major international human rights organisation ahead of the billion-dollar European Games held in Baku in June also provoked outrage. The crackdown on civil society intensified in 2014 when amendments to series of laws brought a de facto ban on foreign funding.

On a global level the UN should lead by example, but this year continued to block NGOs' access to the UN system through its Committee on NGOs which grants accreditation (ECOSOC status) to organisations. CRIN's application was rejected, after a long, drawn-out process, on the spurious ground that we had failed to answer repetitive and irrelevant questions from China - a common way to deny legitimate human rights NGOs full access to the UN system, and a point we highlighted in our campaign "ECOSOC: Less politics, more human rights". These tactics deny access to NGOs critical of governments and enable them to select their own jury at the UN. Without ECOSOC status, organisations are unable to submit questions, attend UN sessions or hold side events in their own name. China did however withdraw a proposal to withhold the names of States that repeatedly defer NGO applications, allowing them to hide behind anonymity and further limiting scrutiny and accountability.

The UN is the best hope we have of securing human rights across the world. But if the UN is to remain fit for purpose, then accountability and confidence in its processes must be guaranteed. Too many of the UN's decisions remain shrouded in secrecy, from appointment processes, to the motivations for limiting NGO access, and internal procedures for handling allegations of abuse.

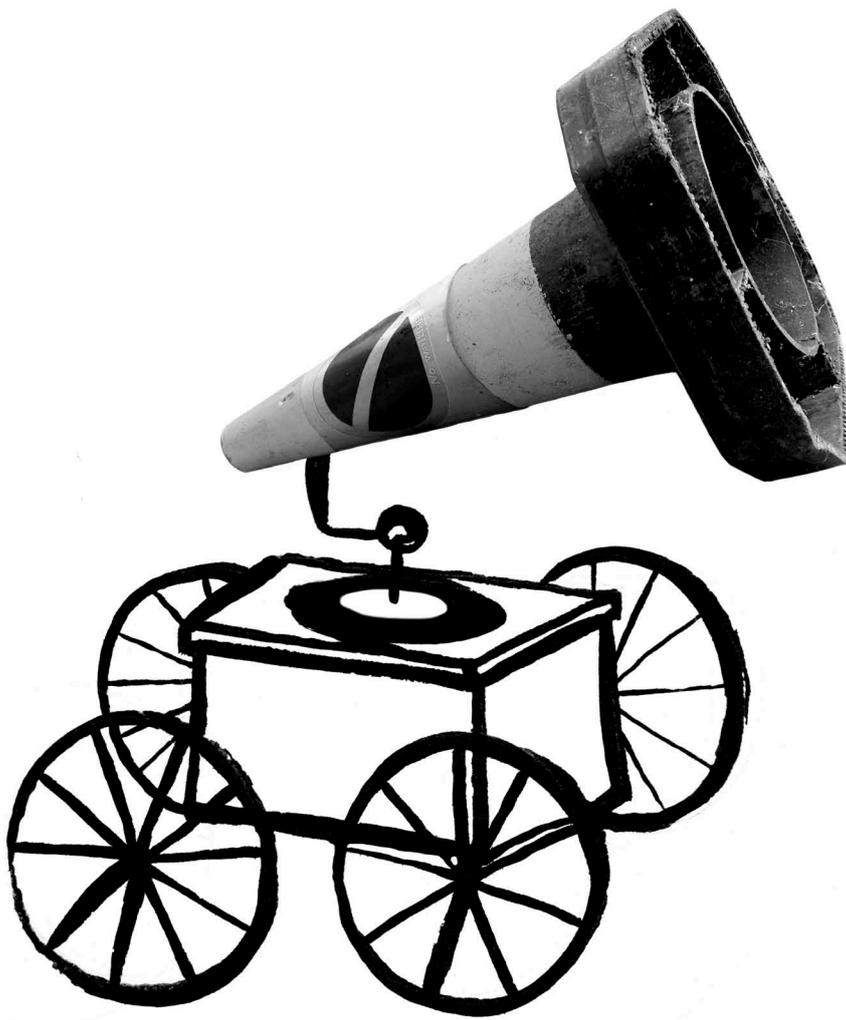
To wrap up the global picture, we leave you with news that Somalia and South Sudan this year ratified the Convention on the Rights of the Child (CRC), leaving the United States as the only State in the world yet to ratify the Convention.

This is just a sample of trends we've observed this year. To read about other new or neglected areas of children's rights, read a special edition of our CRINmail marking the 25th anniversary of the CRC: <https://www.crin.org/en/home/what-we-do/crinmail/crinmail-1404> and skip to page 43 for a preview of what's coming up next year.



# CHAPTER 2

# A GLOBAL CALL TO ACTION



**Every year the process of writing this report prompts us to ask: why is the global picture of violations lengthening? And why do we continue to dilute our response to abuses of children's rights by calling for weaker action, such as the delivery of training, without the demands for justice, accountability and redress that accompany challenges to violations of adults' rights? And what can we do to change this?**

This year we have the evidence to confirm that this situation continues because in the vast majority of States children are unable to pursue remedies as a result of their lack of independence and legal standing. One of the most common barriers children face in accessing justice is that they are prevented by law from bringing court cases by themselves and in their own names, instead being required to have an adult legal representative. They also often need to secure parental consent before proceedings can be brought in the first place; this means a child's pursuit of redress hinges on adults' permission and disposition.

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## Issues like torture and freedom of expression affect children like everyone else – a fact made plain by daily news reports

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Another major roadblock to children's access to justice are statutes of limitations. These place a time limit on initiating legal action after an event has taken place; and once a statute of limitation expires, a claim can no longer be filed. In some cases, time limitations are incredibly restrictive, and begin running before a child has reached adulthood, even if children in a given country lack legal standing to file complaints themselves.

Not only do children face structural barriers in accessing justice; they also come up against our failure as advocates to address the full range of rights concerns. Issues like torture and freedom of expression affect children like everyone else - a fact made plain by daily news reports. But somehow there is a belief even among advocates, that these can't possibly apply to children. This means some violations are not yet recognised, and as such have not even reached the first base of any meaningful challenge.

These are claims we have repeated for many years now - claims that are often met with scepticism, including by human rights groups, donors and the public in general, who believe children's rights are "taken care of". But this year we can back up our claims with evidence gathered through years of research, and propose a strategy for advancing children's rights.

Now, we urge others to take up the baton with the recommendations below.

**Donors:** Focus on rights, not charity. Donors repeatedly say they "don't fund children's rights" because they believe they are "covered" as though it would be acceptable to say they don't fund women's rights, or those of any other group. But in the face of searing cuts and crackdowns on advocacy work, many children's rights NGOs are closing down, abandoning challenges to their government, and adopting aggressive and damaging fundraising tactics. These last include appealing for donations through degrading pictures of starving children, throwing knitted hats at children in Africa, bombarding people in their homes with promotional phone calls, and even encouraging the sponsorship of children through an Amazon-like system in which they are added to the buyer's basket, to whom suggestions of other children "they might like" are made. To close the gap on these dehumanising practices, we must stop targeting individuals with guilt and instead leverage the shame that can whip States into making deep and permanent changes to all children's lives, rather than perpetuate pity for those in certain countries. This is constant, painstaking work and it applies to all children's rights all of the time, rather than swaying with the prevailing wind of the international news agenda or international development goals. Such inconstancy leaves all other rights unattended until the next set of goals sends us running in a different direction. Advocates need support to do this work.

**Governments:** Children's services, from schools to healthcare, are increasingly subject to privatisation because of austerity or conservative leaning governments. Privatisation of education is even being promoted by some States in other countries as part of development aid or to help companies to invest in the growing education business market. These arrangements are seldom regulated properly by the State, leading to the dominance of commercial interests over children's rights. Furthermore, when those who work with children are beholden to the interests of a company, who then acts as children's advocate? It is the obligation of a State to ensure that all private actors who play a role in the provision of

basic services are accountable, and that they meet minimum standards as defined in law. In this connection, being in government means being held to account, and States should therefore welcome NGOs' role in challenging them and holding them to higher standards, instead of using violence, harassment and intimidation to rein them in.

**The UN in general:** To lead by example in promoting transparency in all UN structures and processes. This means developing transparent appointment processes in how all candidates are selected for the top jobs in children's rights, and making sure they have the appropriate skills and experience to fulfill those roles. It means ensuring prompt reporting and investigations into allegations of abuse by anyone affiliated with the UN, and ensuring accountability for the perpetrators and redress for the victims. It means ensuring transparency in granting NGOs ECOSOC status which provides them with a gateway to participating in the UN.

**UN treaty bodies:** To address children's rights violations with the same consistency and rigour as those of adults. It is true that there is a specific UN body tasked with overseeing States' compliance with children's rights in the UN Committee on the Rights of the Child, but children's rights issues should be addressed across the board. We have identified blind spots in the questioning by two UN committees (the Human Rights Committee and the Committee on Economic, Social and Cultural Rights) on children's rights, though, of course this means we also need to do more as advocates to bring these to their attention. We urge these committees to follow up the findings of our analysis set out here: <https://www.crin.org/en/home/what-we-do/research/childrens-rights-and-un-human-rights-mechanisms-analysis>

## Tech Activists

To continue to speak out against human rights violations on social media; develop new tools for protecting human rights online, including those of children; identify areas in which new technologies can facilitate human rights activism; develop open source technologies that are accessible to everyone without charge; support small NGOs with pro bono advice; and finally to encourage us all to be Tech Activists.

## Children's rights advocates and human rights lawyers:

### *Get involved in legal advocacy*

Legal advocacy strikes at the heart of why children continue to face violations of their rights on a massive scale. Use the findings of our global mapping on access to justice to collaborate and think creatively about how to use complaints mechanisms. One way to do this is by holding a legal advocacy workshop: We held our third legal advocacy workshop in Tanzania, with participants from Tanzania, Uganda and Kenya. These workshops bring together campaigners from legal and non-legal backgrounds to develop advocacy strategies for persistent violations of children's rights.

We have produced a basic guide for others on how to organise a legal advocacy workshop: <https://www.crin.org/en/guides/legal/legal-advocacy-workshop-toolkit>

Reports capturing the discussions from ours are available at: <https://www.crin.org/en/home/law/legal-advocacy/legal-advocacy-workshops>

### *Get inspired by the stories behind children's rights cases*

Although legal summaries of strategic litigation cases are often available - including in CRIN's legal database - the stories behind them are rarely reported in detail. [CRIN's collection of case studies](#) illustrates how strategic litigation works in practice by asking the people involved about their experience. By sharing these stories every month we hope to encourage advocates around the world to consider strategic litigation to challenge children's rights violations. Death sentences, citizenship, the criminalisation of consensual sex between minors, and child labour are just some of the topics covered so far.

### *Make use of, or set up your own, legal clinics*

Legal clinics are one means of helping children to navigate the complexities of the law and legal systems to defend their rights and make their voice heard.

Our regional office in the Middle East and North Africa supported local partner Shoruq to establish a legal clinic for refugee children in conflict with the law in Bethlehem. We contributed the research that formed the basis of the project, as well as training, fundraising and evaluation skills. We shared the findings in a joint publication in [Arabic](#) and [English](#). In May, we published a case study on the six-month pilot phase of the project, also in [Arabic](#) and [English](#). Funding has now

been renewed for a year. We are now scoping the possibility of expanding the research to cover the whole of the West Bank and the other parts of the Middle East and North Africa.

We have developed a guide for children and NGOs on how to get advice from a legal professional, including free of charge: <https://www.crin.org/en/guides/legal/legal-assistance-toolkit>

*Find examples and arguments for using the CRC in court through our case law database*

Our CRC in Court database includes both cases that cite the CRC and important decisions for children's rights that don't specifically refer to the CRC. In the past year, we have added 102 new summaries to this database, bringing the total number of cases in the database to more than 450.

With the help of pro bono lawyers, we have identified and summarised cases for those jurisdictions where we lacked, or had few, cases citing the CRC. This enabled us to publish cases from several jurisdictions which were not previously covered in our database (Croatia, Italy, Kiribati, Lesotho and Switzerland). In addition, our access to justice research has led us to identify new judgments in which the CRC has been cited.

We also developed new lists of case summaries for our campaigns on access to information campaign and inhuman sentencing, including on life imprisonment of children and sexual violence in religious institutions.

*Find information in your language*

Effective advocacy is based on access to reliable information. As part of our belief that information should be free and accessible to everyone, we provide information in multiple languages. This year we began working with Translators Without Borders in a quest to make our access to justice reports available in local languages. We also made other tools available in our working languages (Arabic, French, Russian and Spanish). These include guides featuring information for different users to help promote, protect and advocate for children's rights, translations of relevant parts of our UN CRINmail to encourage participation in that system, and in Arabic, a report on juvenile justice by the International Council on Violence against Children. More in Chapter 3. If you translate our information into other languages, please share it with us at [info@crin.org](mailto:info@crin.org)

## What we plan to do as CRIN

First off, on access to justice, we are developing a ranking of all countries based on a set of carefully developed criteria - a naming and shaming exercise but also one that highlights examples to emulate.

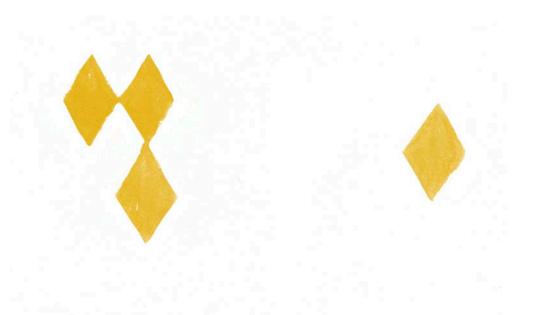
In this connection, we are also compiling positive and innovative approaches from around the world to build a "Eutopian" State.

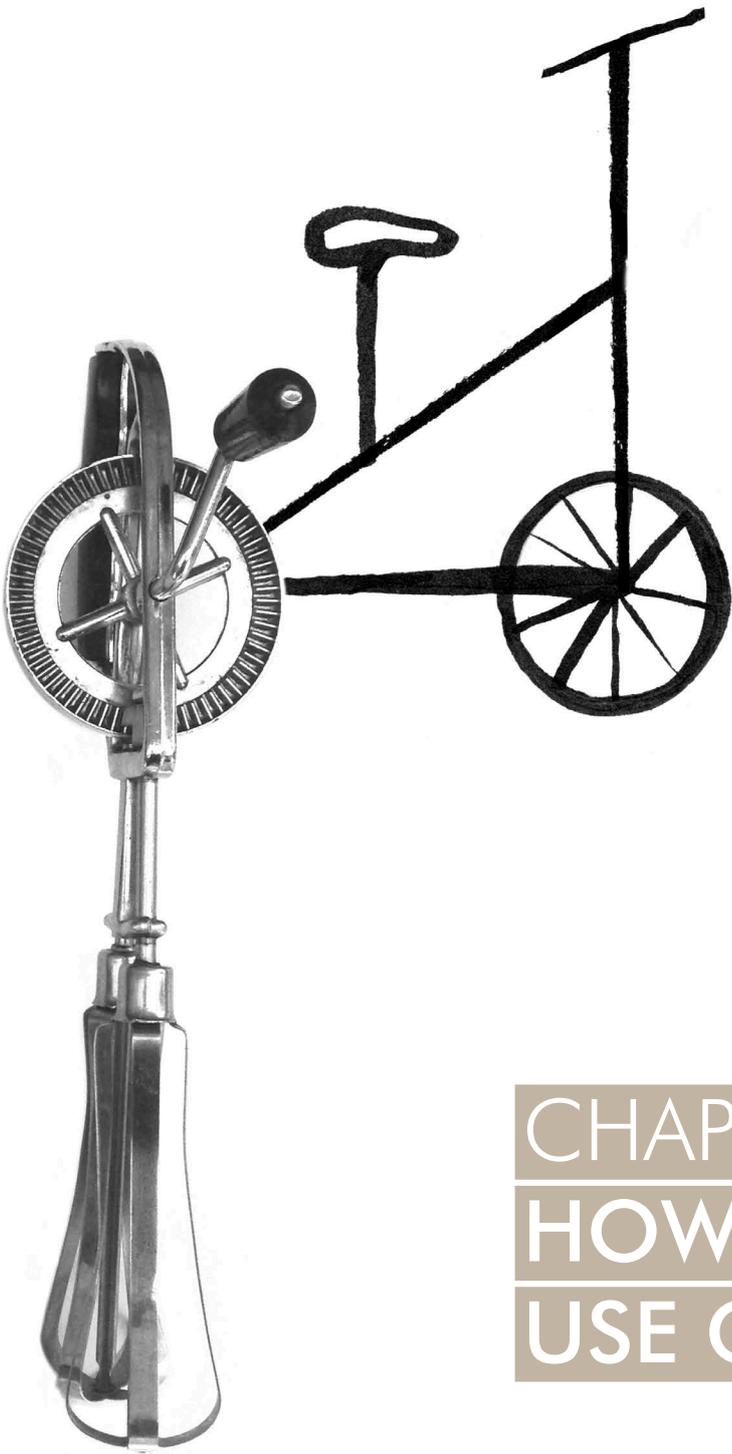
On the UN research, we are meeting with all UN committees to present our findings and press for the permanent presence of children's rights in all these bodies.

Now we plan to develop a full legal strategy for every new campaign we develop, and where possible, a regional angle, whatever the issue, so that legal advocacy permeates our work, along with regional perspectives. There are no departments in CRIN and no ownership of issues, everyone is involved in every aspect of the work. This is how we want to work with others - in a network there can be no bystanders.

We want to work with you to do all this - please join us. We don't believe in living forever. If these ideas are taken up, we won't have to and can start planning our exit strategy!

*The details of the research mentioned above are set out in two projects: our analysis of children's rights in the work of the UN treaty bodies, and our global mapping, which identifies the obstacles children face in accessing justice for violations of their rights, and opportunities for legal reform to address these violations. Much of this is already available online and will be published as a global report in January 2016.*





CHAPTER 3  
HOW YOU CAN  
USE CRIN

**In early 2014 we launched a new website. The site places a stronger focus on advocacy and better supports advocates through accessible guides and other tools. It also features fresh and original content. This includes a campaigns section, which looks at the problem, the solution and how to get involved, for all our existing and new campaigns, and a guides section to make our toolkits more accessible. The website also better explains our work and what we do, and has dedicated spaces for our monitoring, research, policy and advocacy work, as well as a comprehensive news service.**

## Guides

Our **Guides** section features information, guides and toolkits - all written in plain language - to help our different users to promote, protect and advocate for children's rights. They are all free to access, download, use and share. Our various guides may have been difficult to locate, now they have been brought together in one place.

- Under the **Introduction to children's rights** section, users will find answers to basic questions such as: What are children's rights? What rights are unique to children? And how discrimination affects the fulfilment of the Convention on the Rights of the Child.
- The **User guides** section offers a range of guides aimed at particular practitioners, each explaining how children's rights are important for their work. These comprise health professionals, teachers, judges and lawyers, social workers, parliamentarians, journalists and, of course, children.
- In the **Children's rights mechanisms** section, users will be able to read about the mechanisms that promote and protect children's rights at international, regional and national levels. The guide identifies the various mechanisms and explains what they do, what impact they have on children, and how NGOs can engage with them to further children's rights.
- The section on **Children, the law and legal systems** contains information on how to use the law to get children's rights enforced and achieve reform. It also includes advice on how to ensure the legal system itself does not cause violations of children's rights.
- Under the **Campaigns and advocacy toolkits** section, users can read the advocacy

guides attached to CRIN's campaign work, including on ending the inhuman sentencing of children and sexual violence within religious institutions.

- And finally the **Communications and research** section offers users advice on achieving successful advocacy through effective communication. This page includes a guide on NGO communications work, guidelines for journalists, and advice on how cyber activists can stay safe online.

## CRINmail

CRINmail continues to be the flagship publication of our work on children's rights. It is a regular email news and information list, produced in English, French, Spanish, Arabic and Russian, that covers both general children's rights issues as well as four thematic areas of our work (see below). CRINmails offer a selection of news and analysis, events, reports, case law, calls for participation and employment announcements.

In addition to supplying information and support, the CRINmail launches campaigns, highlights neglected or emerging issues, and promotes the work of children's rights advocates and organisations around the world. Across the nine different CRINmails, there are well over 10,000 subscribers. Anyone can subscribe to the list free of charge and submit information for inclusion

## CRINmail lists:

- CRINmail English: This is CRIN's original list. Distributed once a week
- CRINmail Arabic: Distributed every two weeks
- CRINmail French: Distributed monthly
- CRINmail Spanish: Distributed monthly
- CRINmail Russian: Distributed monthly
- CRINmail Children and Armed Conflict: Distributed monthly
- CRINmail Violence against Children: Distributed monthly
- CRINmail Child Rights at the United Nations: Distributed monthly
- CRINmail Children in Court: Covers updates on global developments in strategic litigation for children's rights, including court cases, legal advocacy campaigns, and news and publications. Distributed monthly, with occasional special editions.

## Email information service

CRIN receives about 100 email enquiries per week, mostly involving questions about children's rights and the implementation of the Convention on the Rights of the Child, and questions about CRIN itself. We aim to respond to emails within two days of receipt. About 20 to 30 resources are submitted to CRIN for publication each week, varying from press releases and calls for information to new reports and job adverts.

## Working languages

Ensuring key resources are available in as many languages as possible is central to CRIN's work. As an information hub, it would be discriminatory and contrary to our core values to publish information in just one language.

CRIN's working languages are English, Arabic, French, Russian and Spanish, with additional materials available in Chinese, Japanese, Persian and Portuguese.

Sometimes we translate in-house, for other pieces we rely on a dedicated team of volunteer translators and for longer reports we work with professional translators. For our Spanish services, we have an agreement with the translation departments of the University of Salamanca in Spain which assists with translations and proofreading.

## Events

CRIN continued its coverage of events related to children's rights across the globe in 2014 and 2015. This is intended primarily as an advocacy calendar and includes opportunities for participating in UN events, but also publicises conferences, workshops and academic courses, all of which are listed in our Events page, and advertised in the English CRINmail. Visit our Events page: <https://www.crin.org/en/home/events-calendar>

## Special features

### Jargon of the Week

In 2015, CRIN continued developing its A to Z of Child Rights Jargon, which seeks to promote the use of clear language among child rights advocates. It identifies examples of NGO, UN or other institutional jargon, for which we suggest plain English alternatives. New additions to the list appear in the Jargon of the Week feature in the English CRINmail. Our A to Z of Child Rights Jargon guide can be found at:

<https://www.crin.org/en/guides/communications/media-toolkit/ngo-communications/z-child-rights-jargon>

### Leak of the Week

Another feature of the English CRINmail is the Leak of the Week, in which we reflect on the latest absurd news, proposals and allegations by States around the world.

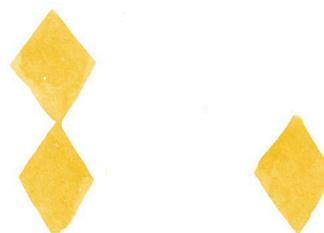
## Social Networking

CRIN continues to engage with social networks to help spread the word about children's rights and expand the reach of our work and advocacy in general. On our Facebook page, we post leading news stories on children's rights issues, which regularly host comments and sparks debates between our 3,190 Facebook friends. Our Twitter account is also updated regularly with news stories, publications and statements, and currently has 5,633 followers.

Connect to CRIN through Facebook on:

<http://www.facebook.com/pages/Child-Rights-International-Network/263654037040618>

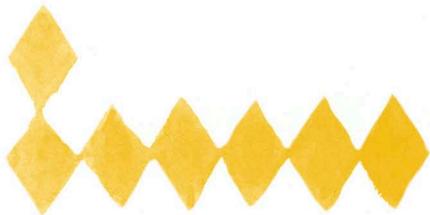
Our twitter page can be found at: [www.twitter.com/crinwire](http://www.twitter.com/crinwire) and you can follow us [@crinwire](https://twitter.com/crinwire).





# CHAPTER 4

# WORKING ETHICALLY



**CRIN strives to work in a way that is consistent with our ethical values and principles. We recognise that our operations have an effect on the local, regional and global environment. As our work is centred around bringing about positive change in society, in communities, in groups and in individuals, we believe we have a responsibility to act in an ethical way and be mindful of our environmental impact.**

CRIN follows the practices set out below to promote transparency, accountability, open communication and respect for the environment in how we work.

## 1. Ethical financial management

CRIN is committed to working with financial companies that are ethically driven. We work with:

**Charities Aid Foundation (CAF) Bank:** The Charities Aid Foundation is a registered charity that works to create greater value for charities and social enterprise. They do this by transforming the way donations are made and the way charitable funds are managed. CAF Bank focuses exclusively on delivering charity banking services.

**The Pensions Trust:** The Pensions Trust is an occupational pension scheme providing pension arrangements solely for employees of organisations involved in social, educational, charitable, voluntary and not-for-profit sectors. The Pensions Trust is a not-for-profit organisation and is not an insurance company.

**The Co-Operative Bank:** Part of the Co-Operative group, the UK's largest consumer co-operative, the Co-Operative Bank promotes ethical investment and business practices. The bank adheres to a strict code of conduct regarding which customers it will accept and which enterprises it will invest in, while promoting sustainability in the social, ethical and environmental aspects of its work.

## 2. Open source & environmentally friendly information technology

One of our core beliefs is that information should be free and accessible. To put this belief into practice, our work follows the principles of the open source movement. "Open source" began life as a technical term used to describe open access to software source code, but its use has since expanded to describe a movement dedicated to open participation and sharing. Some of the ways we practice this in our work is by making all the work we do, and that of others where they agree, freely available on the website. When we conduct legal research, we produce guides on how we do this (e.g. on how to find out what the law is on a particular issue). This includes information on how to locate up-to-date legislation and case law, as well as where to find other useful legal resources on children's rights in each country. We also produce plain language guides on a whole range of subjects, from how to use the UN to how to get legal assistance.

### Information technology

CRIN also operates an open source office, with most of our computers running Ubuntu OS instead of the more common Microsoft Windows. The term "open source" refers to software that can be freely redistributed, analysed and modified by anyone, and that is developed in an open and collaborative environment. Using open source software wherever possible is not only in line with our belief in making information freely available but also helps promote low cost alternatives to expensive and exclusionary proprietary software licences. We also use open source applications wherever possible, for instance, using a Drupal content management system for our website and preferring Jitsi as an alternative to Skype.

### Environmentally friendly web services:

CRIN uses environmentally friendly IT solutions to reduce the environmental impact of our work. Our website and file server are hosted by the cloud-computing services company 1984, which is based in Iceland - a haven from government intrusion on civil rights online. 1984 is entirely powered by hydropower and geothermal energy, not energy credits or carbon offsetting.

### Artwork

In 2014 we made a decision to use artwork over photographs in all our work. This was a conscious move away from the current practice of using images that merely evoke a sense of pity and inspire charity without confronting why children's rights are violated all over the world. Instead, we hired an artist to help us develop original artwork with the aim of opening the viewer's mind to think differently about children and their place in society. See examples on our website at: [www.crin.org](http://www.crin.org).

In October 2014 we held an exhibition of this work at the Southbank Centre in London. It comprised illustrations depicting the rights set out in the 41 articles of the Convention on the Rights of the Child. The exhibition took to the road in July 2015, destination Palestine, where our artist created a mural on the Wall (the front cover to this report) and held workshops with children. Joining us in this venture were hip hop artists aged 13-15 who sing about social and political issues, and a children's dabke dance group, coordinated by our local partner Shoruq.

### 3. Publications

CRIN believes that information is a powerful tool for realising children's rights and that this should not be impeded by restrictive or coercive copyright or licensing.

**Copyrights:** Alongside our support for Open Source software, CRIN has adopted Creative Commons licensing for all our publications. Creative Commons licenses enable authors to publish their content more easily, to have a greater level of control over their distribution and to give others the opportunity to use their works in more creative ways than the traditional "all rights reserved" approach to copyright protection. Creative Commons licensing allows CRIN to ensure that we are credited for the work we have done while guaranteeing free access to our information and encouraging others to build on and develop our materials in creative ways.

### 4. Green policy

CRIN endeavours to contract services that have a green policy or that are eco-friendly.

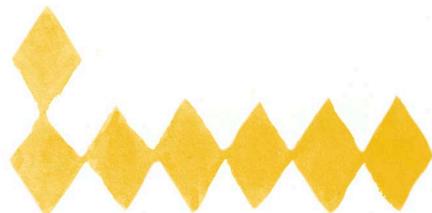
**Green Stationery Supplies:** CRIN purchases recycled stationery supplies. One of CRIN's suppliers is The Green Stationery Company.

**Printing:** CRIN encourages staff to minimise printing by using recycled paper, double sided printing, reusing old paper and envelopes. We do not produce mass print-runs of our publications - instead, we distribute hard copies selectively and usually only to those who would not be able to access them easily via the internet.

**Energy:** In addition to using Green web services, the CRIN office is powered by Green Electricity. We also attempt to minimise unnecessary energy consumption as much as possible by, for instance, ensuring computers are switched off and resisting the use of air conditioning in our office.

### 5. Internships

We believe in supporting interns to develop their skills, but not in exploiting people to undertake core work over the same hours as employees without pay. For this reason, we endeavour to develop internship programmes through universities based on mutual benefit, for instance by offering both office-based and remote internships. In addition, we currently run paid internships in journalism and advocacy.





# CHAPTER 5

## WHO WE ARE



**CRIN is fundamentally about children's rights, less about the individuals. But we need people to make this happen. CRIN has a core team of staff, some based in London, some in the Middle East, and others elsewhere. We are governed by a Board called the CRIN Council. Importantly, much of our work would not happen without the many people who contribute their time and expertise for free.**

## The Team

Elliot Cass, *Journalist*

Jonas Deitert, *Junior Communications Officer (until June 2015)*

Gillian Harrow, *Organisational Development Manager*

Johanna Hortolani, *Legal Researcher (until June 2015)*

Meagan Lee, *Legal Coordinator*

Alia Masood, *Communications and Outreach Officer (until October 2014)*

Denitsa Mladenova, *Junior Legal Researcher*

Ahmed Hegazi, *Legal Research Assistant*

Robin Pollard, *Advocacy Assistant*

Sabine Saliba, *UN and Armed Conflict Advisor*

Victor Sande-Aneiros, *Policy and Communications Officer*

Joe Sandler Clarke, *Journalist (until February 2015)*

Andrew Stylianou, *Finance and Administrative Officer*

Jenny Thomas, *Policy and Communications Manager*

Veronica Yates, *Director*

## Regional People

### Middle East and North Africa

Nasser Atallah, *Regional Director*

Leo Ratledge, *Research and Policy Officer*

Suha Ziyada, *Regional Assistant*

### Eastern Europe and Central Asia

Larisa Abrickaja, *Regional Coordinator*

### French Speaking Countries

Louise de Brisson, *Francophone Countries Consultant*

### Spanish Speaking Countries

Jesica Sotelo, *Communications Officer*

## Artist

Miriam Sugranyes Coca

## Interns

CRIN is also very lucky to benefit from the work of numerous interns from around the world who contribute their time for free; they include:

### Legal Research

Asila Al Hinai

Henrique de Souza

Eloïse Di Gianni

Clara Ferran

Sophie Leaver

Lama Karame

Keti Kukava

Abisola Omotayo

Gayan Samarasinghe

Seday Yegebriel

### UN Research

Sadiyah Ahmed

Isabelle Kolebinov

Kalina Ninova

Carolin Ott

### Regional Programmes

Alexia Cons, *French Communications*

Anne Varloteau, *French Communications*

Farida Mussaeva *Legal Research (Russian language)*

Anastasiya Koroleva, *Legal Research and Communications (Russian language)*

Bruno Barrionuevo, *Spanish Communications*

Maricarmen Cruz Baena, *Spanish Communications*

Hella Schleaf, *Spanish Communications*

## Legal Professionals

A number of law firms have played an important role in CRIN's activities, including by contributing research based on their experience of legal practice within the countries in which they operate.

Pro bono lawyers at White & Case LLP, DLA Piper and Skadden assisted us with preparing reports on access to justice for children worldwide. Legally trained interns who were contacted through the University of Roehampton and King's College London in the UK also supported us with this research.

As part of the ongoing CRC in Court database, pro bono lawyers continued to research cases in which the Convention on the Rights of the Child has been cited, and produced summaries for inclusion in the database. Pro bono lawyers at Skadden contributed to this database, as did legally trained interns. Skadden also provided case summaries related to our access to information campaign and for our broader legal database. Pro bono lawyers at Dechert provided case summaries concerning life imprisonment for our inhuman sentencing campaign.

Various law firms and lawyers provided us with pro bono advice on strategic litigation on children's rights. These included Leigh Day, Hausfeld, International Senior Lawyers Project, Allen & Overy, and James Mehigan of Garden Court Chambers.

In addition, we were a member of the Host Committee for the PILnet European Pro Bono Forum in London.

## Special thanks

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- Janise Stylianou for support with human resources
- Christopher and Stephanie Yates for helping to organise and film our children's rights arts festival in Palestine
- All the staff at Encription for their tireless assistance in supporting us with security for our website.

## Board of Trustees

CRIN is governed by a board of trustees called the CRIN COUNCIL. Trustees serve in their personal capacity. They are:

**Peter Newell**, Global Initiative to End All Corporal Punishment of Children

**Mike Annison**, Change Alliance

**Gema Vicente**, Independent Consultant – *Secretary*

**Sebastian Kohn**, Open Society Initiative – *Chair*

**Knut Haanes**, Deputy Ombudsman Norway

**Eva Geidenmark**, Save the Children Sweden

**Anne Phipps**, Christian Aid – *Treasurer*

**Michele Madden**, nfpSynergy

## Donors

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## COMING UP...

**As always, we leave you with a glimpse of what's in store next year – both at CRIN and in the wider world.**

- A CRIN campaign on domestic workers in the Middle East and North Africa (December 2015)
- A CRIN legal advocacy workshop in West Africa (January 2016)
- The election of a new UN Secretary-General - we will work with the 1 for 7 billion to keep you informed
- The launch of CRIN's case law summaries on business and children's rights
- The UN General Assembly Special Session on drugs, New York, US (April 2016)
- The Committee on the Rights of the Child's Day of General Discussion (the theme will be the right to a healthy environment), Geneva, Switzerland (September 2016)
- The Bi-Annual International Aids Conference, South Africa
- An international conference on children and armed conflict, Nairobi



