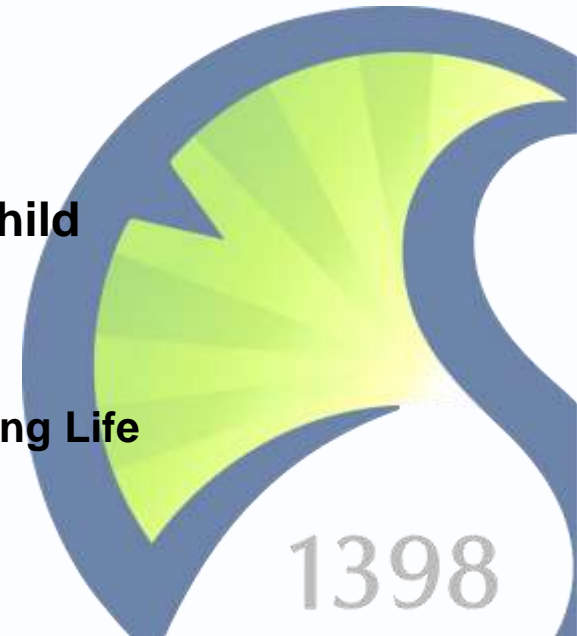


Child Rights and Well-Being

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**The 3rd OECD World Forum
Charting Progress, Building Visions, Improving Life
Busan, Korea
29 October 2009**



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Introduction

- Much written and debated around the topic of the 'Well-Being' during past several decades
- Consensus on 'what' defines the well-being of the child and 'how' to measure yet to be achieved
- Agreement in that well-being is multi-dimensional construct
 - Mental/psychological, material deprivation, physical, social dimensions, subjective feelings about one's quality of life
- Being healthy, free from abuse and exploitation, secure, access to basic needs, growing up in an environment where every child is respected, and generally happy
- Requisite for full and harmonious development of every child



Introduction

- Discord around in the how well-being is measured
- Two divides :
 - The developmental/child rights perspectives
 - The negative/positive measures approaches
- Factors undermining well-being of the child.
 - Such as poverty should be viewed as a human rights issue
- The Convention on the Rights of the Child offers highest international norms and standards for the well-being of the child
- The only human rights treaty that has almost universal ratification



Convention on the Rights of the Child

- On November 20, 1989, the United Nations General Assembly unanimously adopted the Convention on the Rights of the Child
 - Entered into force on September 2 of 1990
- The first binding international legal instrument to address the rights of children
- Provides the highest level of international standards and guidelines for national and regional implementation
- Currently 193 ratifications.
(exception of Somalia & the United States of America)



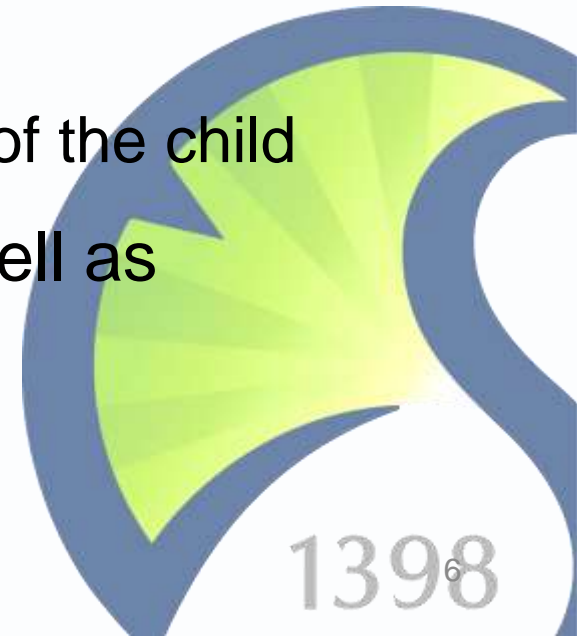
Convention on the Rights of the Child

- The first comprehensive treaty
- Contains forty-two detailed provisions for all persons under the age of eighteen in all areas of their lives
- Includes economic, social and cultural rights, and civil and political rights
- Also includes special protection measures that protect children from abuse and exploitation and in conflict with the law
- Supplemented with two Optional Protocols
 - the Optional Protocol on the sale of children, child prostitution and child pornography(OPSC) has 132 ratifications.
 - the Optional Protocol on the involvement of children in armed conflict(OPAC) has 130 ratifications



Achievements during 20 years of CRC

- Children have become more visible
- Consensus that children are indeed bearers of rights
- Newly amended Constitutions include provisions for children
- Children's right to be heard included in legal, and legislation reforms
 - Taking due account of the best interests of the child
- Coordinating mechanisms set up as well as independent monitoring mechanisms
- Establishment of children's budgets



General Principles of CRC

➤ Non-discrimination (Article 2)

- No child suffers from discrimination so that every child enjoys her or his rights

➤ Best interests of the child (Article 3)

- In decisions that affect children, the best interests of the child must be a primary consideration

➤ Right to life, survival and development (Article 6)

- Includes mental, emotional, cognitive, social and cultural development and adding a qualitative dimension

➤ Respect for the views of the child (Article 12)

- Children have the right to be heard in all settings
- Including judicial or administrative proceedings that affect them
- Due weight given in accordance to age and maturity

General Comments

- Committee's interpretation of a particular theme or right enshrined in the Convention.
- To provide guidance to States parties

General Comment No. 12(2009) on Article 12

- Highlights respecting children's rights to be heard
- Propose basic requirements for appropriate ways to give due weight to children's views in all matters that affect them

General Comment No. 7(2005) on Article 5

- Underscores respecting children's 'evolving capacities'
- Taking into account of their interests and views, is crucial for effective implementation of the CRC in general, and realization of children's rights in particular

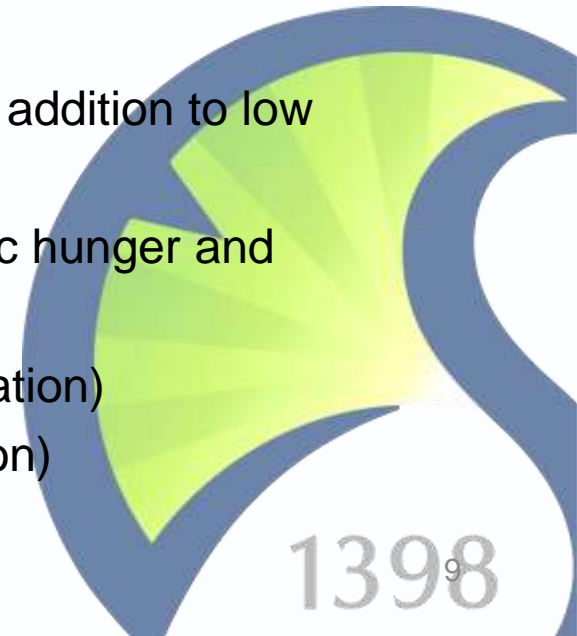
Child Well-Being in the context of Child Rights

➤ World Summit for Children (1990)

- The world pledged universal access to primary education by 2000
- Yet 130 million or more primary school-aged children were not in school by then

➤ Millennium Development Goals (2000)

- The General Assembly adopted the United Nations Millennium Declaration
- 189 nations committed themselves to achieve these development goals by 2015
- Recognize that extreme poverty has many dimensions in addition to low income
- Vulnerability to disease, exclusion from education, chronic hunger and under-nutrition
- Lack of access to basic amenities (clean water and sanitation)
- Environmental degradation (deforestation and land erosion)



Child Well- Being in the context of Child Rights

➤ UNGASS (2002)

- Attended by 69 summit-level participants & 190 high-level national delegations.
- Committed to a time-bound set of specific goals for children and young people
- Also agreed on a basic framework to achieving these goals
- A reflection of and based in the CRC & a confirmation of MDGs

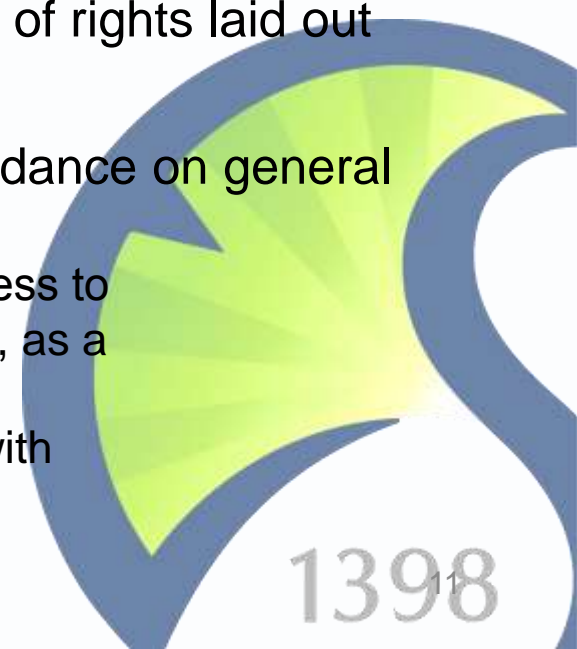
➤ Eradicate of poverty by investment in children as top priority

- Making the best interests of the child a primary consideration
- Plan of Action “A World Fit for Children”



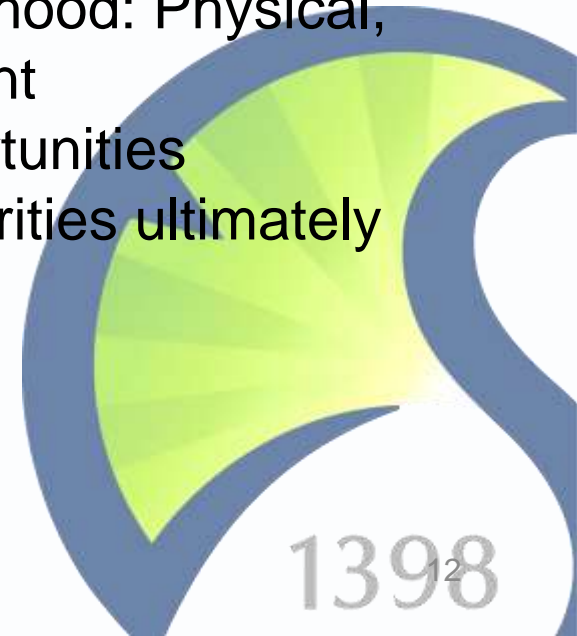
UN Definition of Child Poverty(2006)

- Goes beyond meaning lack of basic goods and money
- Includes deprivation of access to basic services, shelter, education, participation and protection
- Encompasses much more than direct result of deprivation of material goods
- Poverty experienced in childhood deprives children from enjoying their rights, “to reach their full potential and to participate as full members of the society”
- Child poverty must be understood as denial of range of rights laid out in CRC.
- General Comment No. 5 (2003) provides detailed guidance on general measures of implementation of the CRC
 - Endorses aims of 20/20 initiative, to ‘achieve universal access to basic social services of good quality on a sustainable basis, as a shared responsibility of developing and donor States’
 - To assess whether and how States parties are complying with article 4, children must be made visible in budgets



MDG Progress Report (United Nations, 2009)

- 55 million to 90 million more people are living in extreme poverty than anticipated before current economic crisis
- Of extreme concern that majority are children and women
- Existence of a trans-generational aspect to poverty
 - Contributing to negative consequences, including violence, discrimination, exploitation, and disability
- Poverty experienced in childhood different from adult poverty
 - Threatens & undermines all aspects of childhood: Physical, intellectual, and socio-emotional development
 - Prevents children from enjoying equal opportunities
 - Creates social, economic, and gender disparities ultimately contributing vicious cycle of poverty
- Strong gender implication to poverty
 - Girl child multiply affected

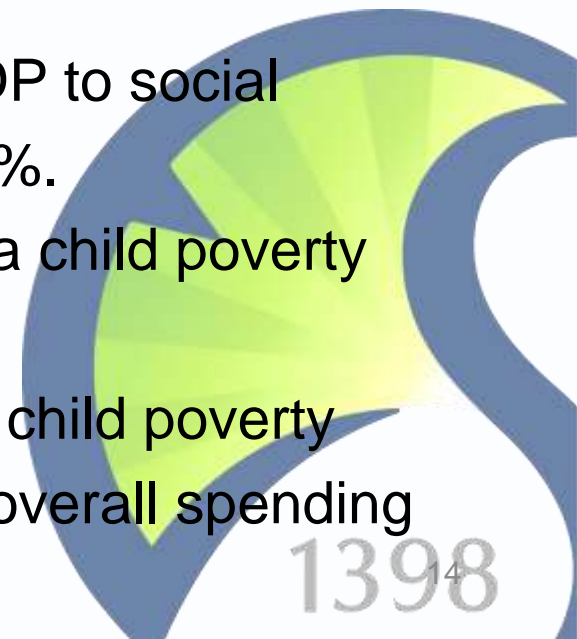


Articles directly/indirectly addressing poverty

- Right to benefit from social security (article 26)
- Right to an adequate standard of living (article 27)
- Right to obligations of states parties to support and assist parents and other caretakers in the performances of their child rearing responsibilities (articles 18, (2) & (3) and a 27 (3) & (4))
- Rights to protection in particular for children with disabilities (article 23)
- Right to the highest attainable standard of health (article 24)
- Right to education, in particular to free primary education (article 28)
- Right to engage in play and recreational activities and to participate in cultural activities and the art (article 31)
- Right to be registered immediately after birth (article 7)

UNICEF'S Report Card No. 6 Child Poverty in Rich Countries (2005)

- Higher government spending on family and social benefits associated with lower child poverty rates
- Poverty rates depend on
 - Level of government support on manner of its dispensation.
 - Priorities governing its allocation
- Child poverty rates ranged from under 3% (Norway, Denmark, and Finland) to more than 20% (USA and Mexico)
- OECD countries spending 10 % or more of GDP to social transfers had child poverty rates lower than 10%.
- Countries spending less than 5% of GDP had a child poverty rate as high as 15% or above
- Many OECD countries had potential to reduce child poverty rate below 10% without significant increase in overall spending



UNICEF'S Report Card No. 7

Child Poverty in perspective:

An overview of child well-being in rich countries (2007)

- Six dimensions for defining and measuring child well-being
- CRC guided the development of the dimensions
 - Taking into account national measures & international measures
- Six dimensions are:

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- Material well-being
 - Health and safety
 - Educational well-being

- Relationships
 - Behaviours and risks
 - Subjective well-being
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- Challenge:
How to measure 'Subjective Well-Being' that captures 'Evolving Capacity'?

Conclusion

- Ensuring the well-being of the child goes beyond moral obligation
- Is a legal obligation
- Human & financial resources allocated for children must not be compromised
- Full compliance to CRC is the only assurance that children are viewed in the context of 'Well-Being' in the present



THANK YOU!

