

Statement by Mehr Khan

Transforming the CRC from words to Action for Children

University of Pisa, 7 May, 2000 -

1. I am honoured to be invited to address the closing session of your course on childhood, work and gender roles.
2. The Convention on the Rights of the Child marks a historic and fundamental shift away from the way children have been viewed everywhere for millennia. It moves us from the entrenched notion that children are the property of adults to the concept of children as people with rights. This shift did not occur suddenly nor did it come about in a vacuum. Human rights advocates have campaigned for it over several decades. But the adoption of the Convention by the United Nations General Assembly in 1989 and its swift ratification by nearly all countries, has made it international law with a clearly defined minimum standards below which no ratifying country must fall.
3. No society has yet fully met these obligations. And in some, the gap between commitment and fulfillment is so vast that many people believe it can never be bridged. Today, I would like to review how we can change this situation. But before we do so, let's look at how children fare now.
4. Last month, the Secretary-General of the United Nations, Kofi Annan, issued his Action Plan for the 21st Century* which will be discussed at the United Nations Millennium Summit in New York next September.
5. In his report, the Secretary-General asks us to imagine for a moment that we live in a "global village" with a population of 1,000 individuals.
6. In the village, some 150 people live in a rich area and 780 live in poorer districts. Another 70 live in a neighbourhood in transition. The average annual income in the village is \$6,000 per person. But this is very unevenly distributed. There are more middle income families

now than in the past. But even so just 200 people spend 86 per cent of all the wealth, while nearly half of the villagers live on less than \$2 per day.

The report is entitled : We the Peoples: Millennium Report of the Secretary-General

7. While there are slightly more men in the village, most of the poor are women. While adult literacy has increased, some 220 villagers, again mostly women, are illiterate. Four out of every ten villagers are under 20 years of age, mostly poor and mostly desperate for jobs that do not exist. Less than 60 people own a computer, only 24 have access to the Internet. At least half have never made or received a telephone call.

8. Life expectancy for the rich is nearly 78 years. For the poorest it is only 52 years. Why are poorest so far behind? The Secretary-General explains that this is because in poor neighbourhoods there are more infectious diseases and malnutrition. And there is an acute shortage of safe water, sanitation, health care, adequate housing, education and work.

9. Mr Annan goes on to state that violence in the poorest areas is increasing, there is no effective peacekeeping and the climate is becoming increasingly unpredictable, with more natural disasters than in the past. He points out that water resources are shrinking dramatically and the livelihood of one out of six people is threatened by soil degradation.

10. Then he asks a question. He asks who among us would not wonder how long such a village could survive without ensuring for all villagers freedom from hunger and violence, safe drinking water, clean air and some degree of confidence that the children will have real chances in life.

11. The village represents our real world of 6 billion people and these are some of the questions we must face. We live in a world of massive contradictions and inequities. Spectacular changes in recent decades have created great wealth and technological and communications capacity. Our appreciation of human rights and our commitment to them is also dramatically different. But for most people, the human rights promised in the international treaties remain empty promises. Crushing poverty and lack of freedoms result in a denial of their most fundamental rights.

12. At the beginning of this new Millennium, some 40 per

cent of the world's people are below the age of 20. Many of them have or are about to have children of their own. Nearly 98 per cent of them will be born in the developing world, the part of the global village where the poorest people live today.

13. Will life be any better for them? The answer is yes, it can be. We have the financial and technological means to make it happen. An international consensus on how to do it has been articulated in the declarations and action plans of United Nations conferences of the past decade. It is also forged in human rights treaties including the United Nations Convention on the Rights of the Child, the first legally-binding human rights treaty to cover the full range of civil, political, economic, social and cultural rights. The Convention sets minimum standards which need to be achieved by ratifying states for ALL their children.

14. Since the world moved so swiftly to ratify the Convention why hasn't more action been taken? A major obstacle has been lack of sufficient public understanding and political will. Changing laws is easier than changing minds and attitudes and until that happens no real change will occur.

15. For example, ten years ago, governments committed themselves to putting all children in school by the Year 2000. Yet 130 million primary-school-age children in developing countries are out of school today. More than half live in India, Bangladesh, Pakistan, Nigeria and Ethiopia. Two-thirds of them are girls. We know that lack of education drives poverty and inequality. We also know that educating girls is the best investment that any nation can make. We have seen this happen most recently in East Asia.

16. Countries which lag behind often cite lack of money as a major obstacle. So what would it cost? The United Nations estimates that an additional \$7 billion a year over a ten year period would be needed to put all children in school. This is less than what Americans spend annually on cosmetics and Europeans spend on ice cream. Even the poorest countries could find the money by reallocating government budgets in combination with a reallocation of existing flows of development aid.

16. Let us look at another situation. You have focused on children's work so you know that some 250 million children under 14 years of age now work, often in hazardous or unhealthy conditions. A new International Labour Organization convention on the worst forms of child labour has recently been approved. Now member States must implement it fully.

17. There are many good projects which show us what can

be done. For example, the Pakistani city of Sialkot has made a major breakthrough. Until recently, poor children who were denied school and play worked all day to make soccer balls for export. Media focus and collaboration between the industry and agencies such as UNICEF and ILO have changed all this. The children are now in school and adult family members have replaced them in the factories ensuring that the families do not lose the income they so desperately need. Last month, the Government of Pakistan announced new steps to deal with child labour. Now it must make sure this actually happens.

18. The HIV AIDS epidemic which is devastating the lives of millions of people in developing countries is another example of inaction when appropriate prevention and health care could make a big difference. Some 95 per cent of all the AIDS prevention money is spent in the industrialized countries but 95 per cent of those infected live in developing countries. In most of these countries, treatment is also negligible. In Africa, less than 10 per cent of those infected do not even get an aspirin tablet to deal with the suffering caused by tuberculosis, pneumonia and brain infections which accompany AIDS. New money has been promised by aid donors, but unless the affected countries decide to take serious action now, millions of lives will continue to be ravaged.

19. Let us move on to the question of how the Convention can be converted more rapidly into concrete action for children. First let us see what has happened since the Convention became international law.

20. It is very hard to judge the impact of any treaty, no matter how popular, in such a short period of time, And, of course, the Convention is NOT universally popular now universally well known.

21. No systematic assessment is possible yet of the impact of the Convention on children's lives. Yet, we do see an impact. Remember the case of Sialkot which I mentioned earlier. The involvement of UNICEF and many others actors was generated and guided by the Convention on the Rights of the Child and the ILO conventions. The subsequent decision by the Pakistan Government was also influenced by human rights treaties. In fact it was announced by the Chief Executive of the country at a human rights meeting.

22. Save the Children, Sweden, recently sponsored a six-country impact study on national institutions and actors who have the responsibility and the ability to advance child rights. It also reviewed the role of UNICEF and the International Save the Children Alliance both of which have adopted the Convention as their mandate and also deliver services for children. Another study being carried out this year by Professor Philip

Alston and sponsored by the Innocenti Research Centre, where I work, will also review the role of institutions including the Committee on the Rights of the Child, the World Bank, and development cooperation programmes.

23. The Save the Children sponsored study concluded that there have been some important responses at national and international level during the ten year life of the Convention. In the countries studied it has been used by governments and NGOs as an additional tool with which to push for advances for children. A gradual change of public policy from one based on needs to one based on rights has also begun. Human rights, including child rights, are now more visible in society. In many countries NGO coalitions have been formed to promote and support implementation. UNICEF and Save the Children have revised programme guidelines and begun to train their own staff.

25. On the other side, it concluded that there has been little impact on other international actors and on civil society in general. Outside those who work directly on child rights, government officials and people in general know little about the Convention and find it difficult to accept that children have rights. In addition, endemic poverty and the mal-distribution of resources in many developing countries prevents children from access to health, education and social services. They can also affect other rights such as freedom of expression, and equal opportunities for disabled children.

26. The report states that the notion of the child as a participant which is a radical and key element of the Convention, has not been widely accepted. As a result, children do not yet participate in structures that affect their lives. Over all, widespread ignorance of the Convention and lack of financial resources when combined with deeply entrenched traditional attitudes, result in a devastating denial of rights for such groups as girls and disabled children. And here, I might add, for children in other special situations such as indigenous, refugee and migrant children and children in conflict with the law.

27. It is clear that much more needs to be done. How can we do it?

28. First we must build on the changes which have already begun to occur. For example, here in Italy, among the actions taken, universities like this one teach courses on child rights, often in partnership with the Italian National Committee for UNICEF and other NGOs. The media reports on both violations and successes. At least two national laws have been passed to facilitate implementation and a State Party report has been prepared for the Committee on the Rights of the Child. However, I am sure you will agree that these are still only first steps.

31. Next year, Governments who signed the Declaration and Plan of Action for the 1990 World Summit for Children, will provide a progress report to the United Nations General Assembly on steps taken so far and what needs to be done next.

32. These next steps include:

- Improving public support for the Convention. The dissemination of information and encouragement of discussion through the media and schools will help to change attitudes and build stronger commitment and political will for change. Serious political action is most often taken when there is a public demand for it. It is also important to remember that children, who are unaware of their rights can never claim them. Education about the Convention in schools is essential.
- Integrating the Convention into national law. Debate and discussion in parliament and changes in national laws and systems to accord with the letter and spirit of an international treaty are crucial. Many countries rushed to ratify the Convention and did not undertake parliamentary debate or review national laws. This needs to be done to generate genuine support.
- Providing appropriate institutional support at national and local levels to underpin implementation. This would include the appointment of coordinating bodies to ensure inter-ministerial coordination. The appointment of an independent office of Ombudsperson for children also helps. France has just appointed its first Ombudsperson. Appropriate training at all levels is needed for a wide range of actors who plan
- Monitoring (both at national and international level) needs to be improved. Appropriate indicators must be developed to monitor change. Governments also need to make the preparation of reports for the Committee on the Rights of the Child a serious, inclusive and transparent process. The recommendations of the Committee need to be widely disseminated and implemented. For example, the Save the Children report found that in most countries this is not being done.
- Strengthening development cooperation programmes to ensure that the money goes to health, education and other basic services which will facilitate the implementation of the Convention. In ratifying the Convention all countries have committed themselves to re-allocating national and international cooperation budgets as a means of ensuring child rights in all countries. Too little is being done in this regard.

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Lastly, we must enable children to become more active as participants in the process. Studies in a number of countries have shown that while children are generally unaware of the Convention, many believe that they DO have rights. This is especially so in homes where parents are literate. Until children know their rights and are able to claim them, the Convention will remain a distant promise in their lives. We have a responsibility to ensure that we learn to involve children and allow them to exercise their rights.

33. Our global village CAN be different—and the Convention is one important instrument to make it so. Each of us has a role to play.