

11 June 2012 – Conference 'Taking the Rights Steps'

Children's Rights: Wales and the World



The CRC, children's rights and 18-24 year olds

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Overview

I. Introduction

II. Focus of workshop

III. Conceptual distinctions

Children and young persons

Children's rights (law)

IV. Legal protection

V. Policy

European Union – Council of Europe – United Nations

Flanders

VI. Methodology

KEKI

I. Introduction

- Children's Rights Knowledge Centre
 - In Dutch: Kenniscentrum Kinderrechten, abbreviated as KeKi
 - Interuniversity and interdisciplinary centre
- Strategic objectives
 - Encounter forum between scientists
 - Connection forum between research, policy and practice
 - Policy notes, based on scientific research

KEKI

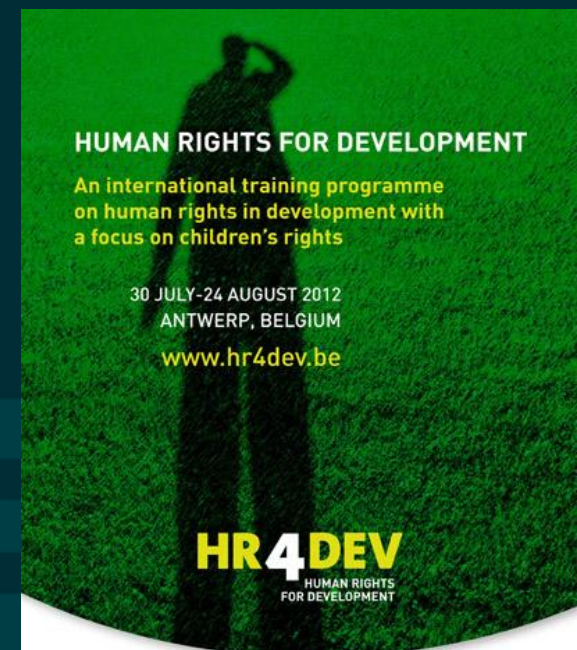
I. Introduction

- Children's rights database
 - Legal instruments database (online)
 - Flemish research database (September 2012)
 - Publications database (2013)

www.kekidatabank.be

- International Course
Human Rights for Development
(HR4DEV)

- Module “human rights and development”
- Module “children's rights in a globalized world”



II. Focus of workshop

- Focus of workshop:
Relation between (rights of) children and (rights of) young people
 - at level of legal protection
 - at level of policy (implementation)

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III. Conceptual distinctions: children and young persons

	Children	Youth
European Union	< 18	15-25 (White paper 2001) 13-30 (EU Strategy 2009)
Council of Europe	< 18	10/12-30
United Nations	< 18	15-24

-> range of overlap: age group of **10/15 until 18 years**

II. Conceptual distinctions: children and young persons

	Children	Youth
Wales	Assembly Government's general policy	
	0-10	11-25
	Rights of Children and Young Persons (Wales) Measure	
	< 18	18-24
Flanders	< 18	0-30 (or a part of this group)

-> relativity of criterion of 'chronological age'

III. Conceptual distinctions: children's rights

- **CR > CR law**
 - CR = 'essentially extralegal' (Donnelly)
 - CR law
 - When incorporated in a legal instrument
 - Result of political negotiations
- **CR law > CRC and its Protocols**
 - Other universal human rights treaties
 - E.g., Art. 13 ICESCR, Art. 7 CRPD, ILO Convention No. 182 etc.
 - Regional human rights instruments
 - Constitutions

IV. Legal protection of rights of young people

Three scenarios

1. Application of part 1 CRC and Protocols

Cf., e.g., Section 7 of the *Rights of Children and Young Persons (Wales) Measure 2011*

2. New legal instrument

E.g., plea for European Convention on the Rights of Young people

3. Application of general human rights framework

-> ***pros and cons?***

-> ***own region / country?***

V. Policy on children's rights and youth

Three scenarios

1. Separate policies, with little or no interaction
E.g., European Union, Council of Europe, United Nations
2. Integrated children's rights and youth policy
E.g., Flanders
3. Separate policies, with strong interaction

-> *pros and cons?*

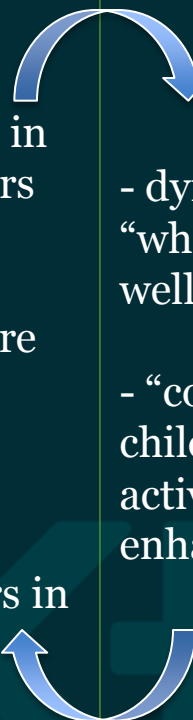
-> *own region / country?*

EU – CoE – UN: instruments

	Children	Youth
European Union	An EU Agenda for the Rights of the Child (2011)	Council resolution on a renewed framework for European cooperation in the youth field (2009)
Council of Europe	Council of Europe Strategy for the Rights of the Child (2012-2015)	Resolution on the youth policy of the Council of Europe (2008)
United Nations	A World Fit for Children (2002)	World Programme of Action for Youth to the Year 2000 and Beyond (1995)

EU – CoE – UN: current links

	Children's rights policies	Youth policies
United Nations	x	x
Council of Europe	<ul style="list-style-type: none"> - the objective of child participation “will be mainstreamed in particular in the Council of Europe sectors working on youth...” - area of work: “sport, culture and other recreational and youth activities” - representatives of youth organizations = key partners in reinforcing CoE capacity 	<ul style="list-style-type: none"> - dynamic youth policy, “which includes children as well as young people” - “co-ordination between child- and youth-related activities should be further enhanced”.



EU – CoE – UN: current links

	Children's rights policies	Youth policies
<p>European Union</p>	<p>Renewed social agenda: 'children and youth'</p>	
	<p>x</p>	<p>"[i]ncluding, where appropriate, a children's policy dimension, having regard to their rights and protection taking into account that the life and future prospects of young people are significantly determined by the opportunities, support and protection received during childhood"</p> 

Flanders: current links

- Different origins and developments (Reynaert 2011)
 - Youth care policy -> children's rights policy
 - Youth work policy -> youth policy
 - A converging movement
 - Governmental organization
 - 1997: coordinating minister of children's rights
 - 1999: minister of 'youth'
 - Policy plans
- 2006: same minister

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Flanders: current links

- Second Flemish Youth Policy Plan 2006-2009
 - Children's rights = legal and ethical frame of reference for youth policy
 - Integration of instruments of children's rights policy and youth policy



2008 Decree on conducting a Flemish policy on youth and children's rights

-> “Integrated children's rights and youth policy”

but still -> Third Flemish Youth Policy Plan 2010-2014

-> Flemish Children's Rights Action Plan 2011-2014

Flanders: current links

- 2012 Decree on a *renewed* youth and children's rights policy
 - Objective: optimisation of choices of 2008
 - In the future: “youth and children's rights policy plan”
 - Entry into force 1/1/2013

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VI. Methodology

- Identify pros and cons in working groups
- Presentation
 - One rapporteur per group
- General discussion

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Thank you

With the support of
the Flemish authorities



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