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*Workshop UNICEF UK, Wales Observatory on Human Rights of
Children and Young People, Save the Children Wales*

Extending the CRC to 18-24 years old

Experience of Flanders (Belgium)

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Definition

	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'

Flanders: overall approach

Policy

- Integrated youth and children's rights **policy** (0-30 years)
-> compare Welsh policy approach (0-25 years old)

But no 'extension' of CRC to young persons

Legal basis/protection

- Children -> CRC and general human rights
- Young adults (18-30) -> general human rights

Policy

- 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



Policy

- 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 youth and children's rights policy”**
 - > Concern: diminished attention for minors?

Policy

- 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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Consequences of integrated policy?

- CR should function as a framework, not only for youth policy, but for all policies having an impact on children
-> approach youth policy as a categorical policy
- “CR = general framework” -> less attention to CR in actual objectives and actions of youth policy plan
Cf. advice Children’s Rights Commissioner
- Research?
 - Cf. children’s rights database: www.kekidatabank.be

Experience of child and youth impact report (JoKER)

Personal scope

- Persons under the age of 25
 - <-> Sweden: children
 - <-> Scotland (SCCYP): children “as well as young people up to the age of 21 if they have, at any time, been in the care of, or looked after by, a local authority”
- Evaluation
 - Strength: attention for young adults (age 18-25) and transition to adulthood
 - Weakness: attention detracted from needs of minors?

Experience of JoKER

Change personal scope?

- Limit to under 18s?
 - Cf. weaker legal position of minors
 - But: not endorsed by CR and youth actors focus group
- Extend to 30 years?
 - Cf. integration of CR policies and youth policies
 - But: considerably different lifeworlds + increased workload

-> No consensus

-> But: high demand for differentiation *within* JoKER

Experience of JoKER

Diversity

- JoKER manual: make distinction between minors and 18-24 years old
- Sufficient distinction?
 - *Electronic survey*: divergent opinions
 - *Focus group of youth and children's rights actors*: differentiate more (« also to maintain link with CRC »)
 - Document analysis

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Experience of JoKER

Number of JoKERs (11 final JoKERs)	Distinction?	Evaluation?
3	No distinction bcs focus on minors	Probably ok
3	Distinction	ok
1	Child effects	negative
4	No distinction	???

-> risk of overlooking differences in effect on children and young persons

Some general pros and cons

	PROs	CONs
From perspective of young people		
Biological	Prefrontal cortex only developed at age of 25	<-> empirical support for causal relationship is lacking (Johnson et al 2009)
Psychological / social	<p>More support needed</p> <p>Social moratorium</p>	<p><-> YP = separate demographic group (cf. Arnett 2000: 'emerging adulthood')</p> <p><-> risk of infantilisation of YP (cf. Abrahamson 1996)</p> <p><-> 'patronising' (Mahidi 2010)</p> <p><-> few YP 'recognize' themselves in CRC (VJR)</p>

Some general pros and cons

	PROs	CONs
From perspective of children		
	Less abrupt end of CR protection	<p>Might divert attention away from children</p> <p>Cf. lack of attention to adolescents in implementation of CRC</p>

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Some general pros and cons

	PROs	CONs
From perspective of CRC		
Scope		Drafting process: arguments in favour of lower age limit
Text of CRC	Emphasis on protection	<-> too much focused on protection (EYF 2010)
	Non-discrimination provision	Outdated (e.g. HIV/AIDS, drugs) (Veerman 2010)

Final considerations

- Cost?
- Increasing the 'breach' between children's rights and 'general' human rights? (cf. Cantwell 2011)
- Separating (rights of) young people from (those of) adults?
- What about: “applying due regard to human rights obligations in relation to 18 to 24 years old”?

-> *No clear-cut answers*

-> *Importance of sensitivity to (internal) diversity*

Thank you

With the support of
the Flemish authorities



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