



World Organization of the Scout Movement  
Organisation Mondiale du Mouvement Scout



## I've got rights too!

Exploring children's rights

**THEME:** Taking the "Convention on the Rights of the Child" as a background, this workshop aims to contrast the provisions of the Convention with the sad reality millions of children experience in their daily lives and to find out what action can be taken at individual and collective level, within and outside Scouting, to improve the situation of less-privileged children.

**DURATION:** 2 hours (up to 2 1/2 hours)

**NUMBER OF PARTICIPANTS:** up to 40

**STAFF REQUIRED:** 1 leader and 3 facilitators, one for each one of the project groups.

### BACKGROUND

The United Nations Universal Declaration on Human Rights adopted by the General Assembly in 1948 has set standards for the observance of human rights throughout the world. In 1959, however, it was felt that a more specific initiative was necessary for children. The situation was not ripe for envisaging a Convention and therefore only a Declaration on the Rights of the Child was adopted. Human rights activists and many NGOs worked patiently with their respective governments and public opinions to prepare the ground and, as a result, the "Convention on the Rights of the Child" was adopted by the General Assembly of the United Nations on 20 November 1989.

The international community has continued its work in this field. Three cases in point are the recently approved documents:





- The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts (General Assembly Resolution A/RES/54/263 of 25 May 2000)
- The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (General Assembly Resolution A/RES/54/263 of 25 May 2000)
- Convention 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labour adopted by the International Labour Conference at its 87<sup>th</sup> Session, Geneva, 17 June 1999.

The three documents have been sent to National Scout Organizations with Circular No. 4/2002 in view of their importance for our Movement, since they reinforce the protection of children and youth.

Experience has shown that there is a long way between the legal adoption of a convention, its ratification by governments, and its translation into a practical reality. For this to happen, not only is the will of the governments (which cannot always be taken for granted) necessary, but also a genuine commitment on the part of civil society. NGOs and community-based organisations must continue their day-to-day work and, at the same time, see to it that governments live up to their pledges.

Much has been done in this respect and great achievements have been registered in many countries. But there is still a long and painful way to go. A sustained effort and perseverance are required, and what could be better placed than the Scout Movement to mobilise all of us? After all, it is an issue that concerns the Movement directly, since it is a question of the well-being of children and young people.

This workshop examines the subject from three different angles: First, from the angle of the family and those who have no family or have lost their family, i.e. street children; secondly, children who are deprived of school education for various reasons; and thirdly, child labour.



### CROSS-REFERENCE

This workshop is directly connected with the treasure of peace "Respect for Human Rights" but it also relates to other treasures such as democracy, gender equality and refusing violence.

### KEY MESSAGES

- "Mankind owes to the child the best it has to give."
- Children are unprotected unless we protect them. They need our commitment and our support to ensure that their well-being is guaranteed and their rights respected.
- Therefore, children's rights are adults' responsibilities!

### PURPOSE/AIMS/OBJECTIVES

- To help the participants realise that children have needs that have to be met if they are going to live happy and decent lives, and that those needs have been defined in the "Convention on the Rights of the Child".
- To help them understand that, while those rights might be respected in certain countries (or in certain geographical areas of certain countries) and/or for certain categories of children, other categories might lack the protection of their rights.
- To create or reinforce an attitude of commitment, to ensure that those fundamental rights are respected everywhere for all categories of children.



## METHOD AND DEVELOPMENT OF THE WORKSHOP

### Preparation

The poem by Gabriela Mistral (see Implementation, point 1.) may be presented on overhead projector or flipchart and/or distributed to the participants.

Before the beginning of the session, leaders may display a few pieces of "good news" on work being done with the three categories of under-privileged children. This will not only be useful for inspiration but also help any of the project groups find examples of activities (see Implementation, point 5.).

The three cards for the project groups should be ready. If they can be photocopied in advance, to give a copy to each participant, so much the better!

## Implementation

### Plenary Session

#### 1. Welcome and introduction

The leader welcomes the participants and invites them to concentrate their attention on the subject of the workshop: children's rights.

As an inspirational thought, a volunteer may read an excerpt of a poem by the famous Latin American poetess Gabriela Mistral on our responsibility towards children:

*"We are guilty of many errors and many faults,  
but our worst crime is abandoning the children,  
neglecting the fountain of life.  
Many of the things we need can wait.  
The Child cannot.  
Right now is the time his bones are being formed,  
his blood is being made  
and his senses are being developed.  
To him we cannot answer "Tomorrow".  
His name is "Today"!"*

*Gabriela Mistral  
Nobel Prize-winning poet from Chile*

## 2. Presentation of case-study (three categories of under-privileged children)

The leader then explains that the participants are going to concentrate their attention on three categories of under-privileged children who need special commitment: street children, those who lack school education (or those who cannot attend school), and those who are forced to work.

After a brief presentation of each project group, the participants are invited to select one of them and, accompanied by a facilitator, go to their respective working places.

### Work in project groups

### 3. Case-study: the problem

The dynamics in each project group is the same:

- At the beginning of the project group, a volunteer reads out the description which concerns the specific subject (see below).

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#### Card for project group on street children

*Specialists sometimes distinguish between children on the street, children of the street and abandoned children. For the purpose of our workshop, we will group under this heading those who share the following characteristics:*

- they live in the streets, in the widest sense of the term, including unoccupied buildings, under bridges, in railway and subway stations, etc.;*
- they find a way to make a living out of the street (either legally or illegally);*
- they are not protected or guided by responsible adults.*

*Street children perform all kinds of unskilled jobs to survive: selling flowers, cigarettes, chewing gum, collecting paper, cardboard, clothing material and other refuse; guarding or cleaning cars, and sometimes begging or stealing small items here and there.*

*"Life on the streets has major negative consequences for children they rarely attend school, are likely to be victims of violence and exploited by adults and other children, are often ill, may abuse drugs, may be forced into sex for pay and lack support from adults." (ref. 1.)*

*In spite of all the dangers, many of them show incredible resilience, as they have to face deep-seated hostility and prejudices from the police, shopkeepers, and sometimes public opinion (example of prejudice: they are all thieves!).*

*Conservative estimates indicate that the number of street children is today well above the 100 million mark. Governments and NGOs in many countries have created a number of programmes to get in touch with them and help them in their process of re-integration into normal social life, which sometimes include a residential period in an institution, finding a foster family, going back to school or learning a job through apprenticeship, etc.*

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#### Card for project group on school education

##### **The education challenge**

*A decade ago, the world agreed on a new vision for quality education for all children. However, millions of children still never go to school and millions more drop out early.*

- *More than 20% of primary school age children in developing countries – about 130 million – are not in school.*
- *Only half of secondary school age children in developing countries – 55% of boys and 46% of girls – are enrolled in school.*

Progress. *Since 1990, primary school enrolment in developing countries has increased by 50 million children, more than half of them are girls.*

#### Girls' education

*Girls are often denied their right to education for mixed reasons, including concerns about safety and families placing higher value on domestic work than on education. In school, girls' learning and self-esteem may be undermined by curricula, textbooks and teaching approaches that devalue girls and women.*

*The gap between girls' and boys' primary school enrolment rates is widest in South Asia, where boys' enrolment is 65% while girls' is 50%. (ref. 2)*

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#### Card for project group on child labour

By “child labour” we mean any activity which entails income for the child or the person who benefits from his or her labour and which interferes significantly with the child’s development. The age limit which establishes “child” labour varies from one country to another, but generally it is set at the top age for normal compulsory primary education, that is around 12 or 14 years of age.

Child labour is both a cause and a result of poverty. Due to lack of resources, poor families send their children to work, taking them out of school. Later, adults who have lost the opportunity to have an education only have access to badly paid jobs, and so will probably send their children to work prematurely... and the cycle of poverty continues.

The use of child labour holds back the economic and social development of a country, and constitutes a serious violation of a child’s fundamental human rights. Child workers risk their lives: exposed to making efforts too severe for their stage of development, in miserable living conditions and with a deficient diet, their developmental conditions do not even come close to those of children who do not work. Not to speak to the psychological consequences suffered by children who are deprived of the normal activities which every child has a right to during all through childhood. Girls are particularly at risk, very often victims of sexual abuse or forced to work as prostitutes.

According to figures from the International Labour Organization (ILO), the world-wide figure for economically active children from the ages of 5 to 14 is approximately 78.6 million. However, the ILO itself acknowledges that this figure is an underestimate, since it is thought that about 20% of the children in the world who ought to be in primary education – about 128 million – are not, presumably since they are carrying out some kind of activity in the labour market. (ref. 3)

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#### **4. Case-study: rights violated**

Group discussion – We have heard the description. What right is affected by this situation?

In order to enrich their discussion, the participants turn to the RIGHTS CARDS and identify as many rights as possible that are being violated or put at risk. There will be 40 of them, since Article 1 is simply a definition of the term “child” and Article 42 onwards concerns the “Implementation and entry into force”, which is why they are not used, since they are not “substantial” rights.

The RIGHTS CARDS appear as an Annex.



### 5. The good news

The group tries to answer this question: To your knowledge, what is being done right now to solve this problem? (Facilitators should help the group to find examples, for instance, in their Scout group, in other groups, in their national associations, at world level, in other NGOs, governments, international organisations, etc.)

NB: As suggested above (see Preparation), perhaps before the beginning of the session, leaders should have posted up a few items of "good news" on work being done. If the group is unable to come up with examples, the facilitator may suggest that they visit the main plenary session (tent) again and read some of the news.

### 6. My personal role and the role of Scouting

First individually (for 10 minutes) and then collectively in the group, the participants should try to answer the combined question: What can I do? What can my Scout unit, group, district, region, national Scout association do?

### Plenary session

### 7. Reports

The different project groups present their reports. The emphasis should be on the fourth part of the activity, namely, the answers that we can provide individually and collectively (as Scout units, groups, districts, etc.).

### 8. Conclusion

Conclusion of the session. The leader reminds everyone that "Mankind owes to the child the best it has to give". (This was the central theme of the Declaration on the Rights of the Child adopted by the United Nations General Assembly in 1959.)





#### REMARKS TO LEADERS

It is important to stress that in the discussion on “What right is affected by this situation?”, the groups should be helped to identify the interconnections between the rights violated. For example, if I am alone on the street, obviously I do not have a family, but I am also deprived of school education, and so on.

#### SUGGESTED FOLLOW-UP

- The essential elements of this workshop may be reproduced at regional or national levels. It is, however, important to focus the attention of the participants on special categories of under-privileged children in their social context. In this way, the workshop may function as a catalyst for further action in a particular field.
- The matter of children's rights is very rich and, in the workshop, we are able only to scratch the surface. Why not get hold of a complete version of the “Convention on the Rights of the Child” and read it with your Scout unit/group? A very simple exercise would be to read one or two articles every meeting and then ask: Are these rights really respected in our country? For all children? If this is the case, well done! Otherwise, what can we do to improve the situation? No doubt if the Scouts are motivated, a quick brainstorming will result in plenty of ideas. Then, it will be up to your unit/group to decide what to do in concrete terms.



### SOURCES

The excerpt from Gabriela Mistral's poem "His name is Today" has been taken from: ©David Morley and Hermione Lovel, "My name is Today", Macmillan Publishers Ltd., London and Basingstoke, UK 1986.

The "good news" that may be posted up around the walls before the beginning of the session can be obtained from [www.scout.org/wso/snews](http://www.scout.org/wso/snews) and from specialised publications of NGOs working in this field.

### REFERENCES

1. David Levinson and Karen Christensen "The Global Village Companion", ABC-CLIO, California, Colorado and England, © 1996, item: Street children, pp. 297-298.
2. "UNICEF Facts & Figures 2000" quoted in "Asia Pacific Scouting", June 2001.
3. Workshop "Against Child Labour" held as part of the Global Development Village, 19<sup>th</sup> World Scout Jamboree, Chile, December 1998-January 1999.



## Rights of the child



*For educational reasons, we have used the simplest term (as highlighted in bold in the unofficial summary of the main provisions of the Convention made by Defence for Children International, and distributed by that organisation and UNICEF).*

### **Non-discrimination**

*The principle that all rights apply to all children without exception, and the State's obligation to protect children from any form of discrimination. The State must not violate any right, and must take positive action to promote them all.*

### **Best interests of the child**

*All actions concerning the child should take full account of his or her best interests. The State is to provide adequate care when parents or others responsible fail to do so.*

**Implementation of rights** *The State's obligation to translate the rights in the Convention into reality.*

**Survival and development** *The inherent right to life, and the State's obligation to ensure the child's survival and development.*

**Name and nationality**

*The right to have a name from birth and to be granted a nationality.*

**Preservation of identity**

*The State's obligation to protect and, if necessary, re-establish the basic aspects of a child's identity (name, nationality and family ties).*

**Parental guidance and the child's evolving capacities**

*The State's duty to respect the rights and responsibilities of parents and the wider family to provide guidance appropriate to the child's evolving capacities.*

**Separation from parents**

*The child's rights to live with his/her parents unless this is deemed incompatible with his/her best interests; the right to maintain contact with both parents if separated from one or both; the duties of States in cases where such separation results from State action.*

**Family reunification**

*The right of children and their parents to leave any country and to enter their own in order to be reunited or to maintain the child-parent relationship.*

**Illicit transfer and non-return**

*The State's obligation to try to prevent and remedy the kidnapping or retention of children abroad by a parent or third party.*

**Freedom of thought, conscience and religion**

*The child's right to freedom of thought, conscience and religion, subject to appropriate parental guidance and national law.*

**Freedom of association**

*The right of children to meet with others and to join or set up associations, unless the fact of doing so violates the rights of others.*

**The child's opinion**

*The child's right to express an opinion, and to have that opinion taken into account, in any matter or procedure affecting the child.*

**Freedom of expression**

*The child's right to obtain and make known information, and to express his or her views, unless this would violate the rights of others.*

**Protection of privacy**

*The right to protection from interference with privacy, family, home and correspondence, and from libel/slander.*

**Access to appropriate information**

*The role of the media in disseminating information to children that is consistent with moral well-being and knowledge and understanding among peoples, and respects the child's cultural background. The State is to take measures to encourage this and to protect children from harmful materials.*

**Parental responsibilities**

*The principle that both parents have joint primary responsibility for bringing up their children, and that the State should support them in this task.*

**Refugee children**

*Special protection to be granted to children who are refugees or seeking refugee status, and the State's obligation to co-operate with competent organizations providing such protection and assistance.*

**Protection from abuse and neglect**

*The State's obligation to protect children from all forms of maltreatment perpetrated by parents or other responsible for their care, and to undertake preventive and treatment programmes in this regard.*





**Protection of children without families**

*The State's obligation to provide special protection for children deprived of their family environment and to ensure that appropriate alternative family care or institutional placement is made available to them, taking into account the child's cultural background.*

**Adoption**

*In countries where adoption is recognized and/or allowed, it shall only be carried out in the best interests of the child, with all necessary safeguards for a given child and authorization by the competent authorities.*

**Handicapped children**

*The right of handicapped children to special care, education and training designed to help them to achieve greatest possible self-reliance and to lead a full and active life in society.*

**Health and health services**

*The right to the highest level of health possible and to access to health and medical services, with special emphasis on primary and preventive health care, public health education and the diminution of infant mortality. The State's obligation to work towards the abolition of harmful traditional practices. Emphasis is laid on the need for international co-operation to ensure this right.*

**Periodic review of placement**

*The right of children placed by the State for reasons of care, protection or treatment to have all aspects of that placement evaluated regularly.*

**Social security**

*The right of children to benefit from social security.*

**Standard of living**

*The right of children to benefit from an adequate standard of living, the primary responsibility of parents to provide this, and the State's duty to ensure that this responsibility is first fulfillable and then fulfilled, where necessary through the recovery of maintenance.*



### **Education**

*The child's right to education, and the State's duty to ensure that primary education at least is made free and compulsory. Administration of school discipline is to reflect the child's human dignity. Emphasis is laid on the need for international co-operation to ensure this right.*

### **Children of minorities or indigenous populations**

*The right of children of minority communities and indigenous populations to enjoy their own culture and to practice their own religion and language.*

### **Leisure, recreation and cultural activities**

*The right of children to leisure, play and participation in cultural and artistic activities.*

### **Child labour**

*The State's obligation to protect children from engaging in work that constitutes a threat to their health, education or development, to set minimum ages for employment, and to regulate conditions of employment.*

### **Aims of education**

*The State's recognition that education should be directed at developing the child's personality and talents, preparing the child for active life as an adult, fostering respect for basic human rights and developing respect for the child's own cultural and national values and those of others.*

### **Drug abuse**

*The child's right to protection from the use of narcotic and psychotropic drugs and from being involved in their production or distribution.*

### **Sexual exploitation**

*The child's right to protection from sexual exploitation and abuse, including prostitution and involvement in pornography.*

### **Sale, trafficking and abduction**

*The State's obligation to make every effort to prevent the sale, trafficking and abduction of children.*

**Other forms of exploitation**

*The child's right to protection from all other forms of exploitation not covered in articles 32, 33, 34 and 35.*

**Torture and deprivation of liberty**

*The prohibition of torture, cruel treatment or punishment, capital punishment, life imprisonment, and unlawful arrest or deprivation of liberty. The principles of appropriate treatment, separation from detained adults, contact with family and access to legal and other assistance.*

**Armed conflicts**

*The Obligation of States to respect and ensure respect for humanitarian law as it applies to children. The principle that no child under 15 take a direct part in hostilities or be recruited into the armed forces, and that all children affected by armed conflict benefit from protection and care.*

**Rehabilitative care**

*The State's obligation to ensure that child victims of armed conflicts, torture, neglect, maltreatment or exploitation, receive appropriate treatment for their recovery and social re-integration.*

**Administration of juvenile justice**

*The right of children alleged or recognized as having committed an offence to respect for their human rights and, in particular, to benefit from all aspects of the due process of law, including legal or other assistance in preparing and presenting their defence. The principle that recourse to judicial proceedings and institutional placements should be avoided wherever possible and appropriate.*

**Respect for existing standards**

*The principle that, if any standards set in national law or other applicable international instruments are higher than those of this Convention, it is the higher standard that applies.*