



European Network of Masters on Children's Rights

CRnews 13

Children's Rights Newsletter
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Dear Network Members and Network Interested,

In this edition of CRnews you will read about the stakeholder workshop ENMCR facilitated on September 28, 2006 at the University of Amsterdam, as well as about new members who have joined the network. A report on the General Day of Discussion of the UN Committee on the Rights of the Child is also included, as well as information on an international conference. We have omitted the usual compilation of news from various other Children's Rights sources and also the hints for funding. We will provide this information again in issue Nr.14, 2006.

For comments and feedback on our newsletter, and/or our forum suggestions for improvement, or news you would like to have included please write to info@enmcr.net

Sincerely,

Rebecca Budde (Editor)



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General News Internal

Stakeholder Workshop: Towards a professional academic qualification on Children's Rights: *an opportunity for networking, discussion and contributing to the design of a new European Master programme*

On September 28th ENMCR facilitated a stakeholder workshop at the University of Amsterdam in the frame of its Curriculum Development project, in order to engage in an exchange with various different stakeholders in the Masters program the participating universities are developing at the moment.

Len de Kleerk, Faculty of Social and Behavioural Sciences , University of Amsterdam opened up the workshop and spoke about disturbing circumstances children around the world confront: e.g.

- children being still sent to prison around the world,
- the precarious situation of children who do not have a legal status, refugees

that require a consequent implementation of children's rights. He feels that the development of this European Master Study Program come at just the right time, as there is a great demand to learn about children's rights and wished us a fruitful workshop.

Virginia Morrow, Institute of Education, University of London, presented the Curriculum Development project (see presentation on www.enmcr.net) and introduced the term of the 'majority' world, instead of speaking of the Third world, the South or extra-European countries. This was to stay in discussion throughout the day.

René Unda, University of Quito, Ecuador, very briefly presented benchmark data of the Latin American Network of Masters ENMCR cooperates with, which is a lot more flexible in its organization, because they are not, unlike the EU countries, constrained by processes such as the Bologna process the Higher Education Institutions in Europe are undergoing at the moment. The Latin American Network started up in 2000 with three countries involved: Peru, Columbia and Ecuador. In the years 2001 -2003 the network managed to establish 7 Masters programs in 6 countries. The last one to be incorporated was the Universidad de Columbia in Paraguay. (see also: www.redmaestriasinfancia.net)

Manfred Liebel, International Academy at the Free University Berlin, took the floor and presented some results of the survey ENMCR had sent out to different stakeholders prior to the meeting.

The most obvious result was that stakeholders perceive a need for a close linking of theory and practice. A holistic and interdisciplinary approach is needed in order to do children's rights justice. A profound knowledge of the UNCRC was given high priority and the ability to network with other stakeholders in the field of children's rights. Lobbying and advocacy skills were rated high in most countries participating in the survey, whereas interestingly in Spain, where many public agencies answered the survey, not many found this to be too important.

An interesting fact was that there were no answers of organizations working purely on an European level. Graduates of our program could fill such a position, if they finish there MA in Romania, Iasi, where one of the modules has a special focus on European policies on children's rights.

Students are interested in the subject. Answers to the question on what kind of careers such a MA should lead to, were all embracing. Answers ranged from social work, law, education to health, basically anything in which children are somehow involved.

After these introductory presentations, the floor was given to stakeholders from different fields who gave their views on what the usefulness and importance of a European Master on Children's Rights can be, what possible careers the MA can lead to, what specific tasks and fields graduates of the MA can work in, the expected professional qualities of graduates and the role of stakeholders in the MA.

Stan Meuwese, Defence for Children International -Dutch section, as NGO representative, took the floor first. He emphasised the need to know the UNCRC as good as your favourite book- it is vitally important to read the CRC very often and from all different perspectives: What does it imply for 2 year olds, what for 14year olds, what for sisters, brothers, orphans etc. in order to grasp its full potential and power.

What NGOs expect from their staff is commitment and expertise. Stan Meuwese believes that the MA program's task is to create the expertise. What is also needed in a good and trustworthy NGO is reliable information, which is also something the MA can provide. NGOs set agendas which the academics should take up and investigate on.

He also mentioned the three dimensions of the CRC: it is used as a juridical tool, as an educational message and as a basis for social policy. Each one of these tasks has to be fulfilled by different actors: lawyers and judges, practitioners and policy-makers.

He raised the question whether the social sciences are actually stealing the term 'rights' for this master from law. He believes that for the social sciences especially Article 3, 'the best interest of the child', is of interest. The social circumstances, the situation and circumstances children live in, is vital to be able to know the best interest of the child. He also sees the social dimension in Article 12, 'the child's right to be heard', and in 'the evolving capacities' referred to in Art.5. Nonetheless Stan Meuwese put strong emphasis on the legal dimension of the CRC and the need to foster children's rights in the Laws Faculties.

The requirements of a MA would therefore be to impart an in depth understanding of the CRC, to be able to translate international standards to national legislation and policy. Experience in a Child Rights Based Approach in order to be able to produce reliable studies on the situation children live in is also vitally important and to make the results of the studies available to children in a way accessible and understandable for them.

Next, **Marjan Kloosterboer and Anne Duijsings, Youth Board of Plan Nederland** took the floor. The two young ladies gave a very well prepared, sophisticated presentation. They had undergone a preparatory brainstorming weekend with Jacobijn Olthoff, UvA, and had spoken about the MA program with other members of the youth board.

They feel that most important is to keep in mind that children are equal and to understand, accept and respect that they themselves know what they want and need. It is important to work with children's environment and to take children seriously at all times.

Cultural differences have to be understood when interpreting the UNCRC, and children have to be enlightened about their rights. The two young ladies emphasised the importance to look at children's rights in the North (or 'minority' world), as there is much news on children's rights in the 'majority' world, that children's situation in the North is sometimes forgotten. Their cultures should also be taught. They would like the MA program to cover the history and development of different human rights and child rights organisations in order to better comprehend the situation today. Last but not least it is important that students get a chance to take action, instead of only talking- this holds true for everybody.

As last stakeholder, **Ruth Farrugia from the Faculty of Laws at the University of Malta** presented an academic view on the planned MA. She gave answers to the questions set out for the stakeholders and emphasised the asset of the program being European, to be able to meet the demands for child rights realization on a European level and to increase mobility between students and staff from different universities in order to learn in different contexts and attain flexibility. Graduates of the MA should be able to listen to children and work in any field concerning children: *with* them and *for* them.

The participants engaged in a lively discussion after the presentations and emphasised the need that student be directly involved in the activities and in the design of the MA. They have to be seen and treated as participants and not mere receivers in the course.

In the afternoon, the participants split into three working groups.

Working group 1 discussed possibilities of cooperation between the MA and the professional world.

As mainly NGOs were present at the workshop, the issue was raised that cooperation with public agencies has to be sought also, as NGOs cannot fill the space of practice in children's rights alone. Often, students themselves engage in work with organisations, it is less common for universities to cooperate with NGOs directly.

Concerning graduates' qualification it was noted that NGO staff need a competent qualification and comparable skills as civil servant agents and politicians they are going to lobby.

Some questions stayed open, such as what does the really MA qualify you to do? What do you become with the MA? What is the profile of the MA graduate?

As there is no specific profession for children's rights experts, it is expected that new fields will be opened up by the graduates. The notion of mainstreaming children's rights in all areas has yet to be started. The graduates of the European Master in Children's Rights will play a vital role in this endeavour.

The third issue discussed was on contracting possibilities between the MA and stakeholders. The idea to have private enterprises co- funding the MA was raised, yet acceptance of this idea was not very widespread- this was not seen as being very realistic and some ethical considerations on what the task of a university education entails, may want you to argue against such a financing in order to be free, independent and critically aware of circumstances and situations.

One possibility for contracting could be to offer the networks expertise and knowledge as pool NGOs and public agencies can call upon for information and as resource for trainings and workshops.

Working group 2 focused on children's participation- what does it mean, how can it be achieved?

Three differing notions of participation were at the centre of discussion:

- Child's perspective
- Children's perspective
- Child Rights perspective

The question was raised what does participation imply, where does participation start?

Participation starts when you feel you have certain competencies and qualities and society acknowledge you as having these competencies, as interaction is more than a one way process.

It was agreed that it is important to ensure student participation in the MA, the student as a participant. In this role it is important to model participative practice and to evaluate opportunities of good as well as bad participation models.

It is important to know what is holding back people from feeling they can implement the CRC. Why is it not working? What are the barriers? An imbalance of power is perceived, which needs to be shifted. Learning from mistakes and acquiring good lobbying skills were named as crucial for the MA. What is needed in order to ensure participation is to publish the CRC and explanations on behalf of children.

To encounter the problems in effectively including participation in the implementation of the CRC, professional tools are needed. One tool could be role plays, which could be utilized in the MA.

It was also agreed that there is a need to have a clear understanding of the words associated to children's rights, as often the meaning is vague and requires definition and clarity, this is especially important for decision-making processes, in order to combat possible manipulation of the CRC. The CRC has been given a very broad terminology also to do the differing realities of children around the

world justice, this must be taken into account, and definitions of children's rights vocabulary have to be found individually in different cases, no all encompassing definition can be found, at least not in all the cases, where the CRC is not entirely clear. Therefore we have to acknowledge and respect that children's views are different. In order to understand their views, we have to listen to them.

Working group 3 focused on Children's Rights in the EU and Children's Rights as an International Responsibility. The participants discussed the different policies and guidelines on children's rights in the EU and discussed why there is a need for the EU to include children's rights in its agenda, even though all EU member states have ratified the CRC and are bound by it. This led the discussion to what entities are or are not bound to the CRC and what role they play in implementing or undermining children's rights. It is important for the MA to impart knowledge on the constraints especially 'majority' world states face in implementing children's rights due to international entities not bound by the CRC, such as the USA, the EU, the Worldbank, the IMF, WTO.

The working group also discussed the need for distinction and understanding of customary law and the CRC in order to do justice to the differing contexts children live in. Key competencies are needed to assess differing contexts to be able to understand changing dynamics of UNCRC interpretations and applications. These are needed to campaign and lobby effectively against those entities bound by the UNCRC and to advocate for children's rights with those entities not (yet?) bound.

In between the sessions there was space for individual discussions and networking amongst each other, which was used extensively.

ENMCR would like to thank all stakeholders who came to the workshop, you all gave us valuable perspectives and ideas to consider in the further development of the MA.

Further information: The program, all presentations and results of the working groups can be downloaded from ENMCR's website at www.enmcr.net (under "Info")

New members in the network:

Following the stakeholder workshop ENMCR held an internal meeting, in which two new members were admitted:

- Laws Faculty, Union University in Belgrade, Serbia
- Faculty of Laws University of Malta.

The Laws Faculty at the Union University in Belgrade, Serbia will start to implement the new Higher Education Act which is based on principles embedded in the Bologna Declaration.

Within this process the Faculty is for the first time introducing a one year master programme, which was until now organised as a postgraduate course of two years.

In this sense, the Faculty is ready and fully capable of organising master studies in the field of children's rights in the fifth year. Since it is foreseen to organise from this academic year master studies that are in compliance with the new law on higher education, namely with Bologna Declaration, the Faculty is prepared to organise a new option in the field of children's rights from the academic year 2007/2008. The Faculty closely cooperates with the Child Rights Centre in Belgrade, which has been dedicated to the Rights of the Child in the region since the mid 1990s.

For further information on the Laws Faculty, please visit: www.fpp.edu.yu

The Faculty of Laws, University of Malta offers Child Law as a taught component credit to students at postgraduate level in the LL.D. and M.A. Human Rights and Democratisation courses and Child Law is also offered as a multidisciplinary credit to students from the Faculty of Education and Theology and the departments of Social Work and Psychology. It also provides supervision to students undertaking theses on Children's Rights in both these courses as well in the M.A. (European Law), M.A. Diplomatic Studies, Magister Juris and Ph.D. degrees.

The University of Malta is experienced in providing teaching and support to international students who currently make up +10% of the student population. The teaching language of the University is English, which may also contribute to our rising popularity amongst Erasmus students and the M.A. Human Rights & Democratisation which is taught by an international Faculty and attracts students from all over Europe and North Africa. The University's membership in ENMCR will give the network a Mediterranean dimension and provide students with experienced and innovative teaching as well as support in an excellent milieu for researching and writing a thesis.

The faculty voiced its interest in forming part of ENMCR because past experience has shown that Maltese students, researchers and academics benefit from the opportunity to participate in shared projects. It is also seen as an encouragement to develop the present programme into an M.A in Children's Rights. It will also have beneficial effect on civil society at diverse levels and particularly in the contribution to raising awareness of Children's Rights and promoting them.

For further information on the Faculty of Laws, please visit: <http://home.um.edu.mt/laws/>

ENMCR welcomes both new members. A fruitful and engaging cooperation lies ahead!

News from members and associated members:

Special issue Childhoods: *Refractions of Children's Rights in Development Practice A view from Anthropology*
Introduction by: Pamela Reynolds, Hopkins University, Olga Nieuwenhuys, University of Amsterdam and Karl Hanson, Institut Universitaire Kurt Bösch

From the introduction: "This special issue brings together contributions from researchers concerned with how children's rights impact on their lifeworlds in developing countries. Taking an anthropological approach that focuses on lives of vulnerable children in a variety of contexts across the globe, the authors tease out the complex ways in which rights-based policies mesh with the practice of doing development and in the process can become entangled, welded together or clash with children's ideas of right and wrong.(.....) Our point of departure in this special issue is a non-essentialist approach to children's rights. Rather than asking ourselves whether the CRC is correctly applied or whether children's rights are compatible with local cultural values we contend that they can be made to carry many, even contradictory meanings. We suggest that anthropology can help map changes in children's lives as concepts are formulated, theories built and interventions made. Our hope is that by closely examining children's experiences and our theoretical understandings of rights, devilmnt *and* childhood itself, we can begin to unravel the tangle that has developed out of the world's professed concern for children."

The special issue can be ordered from www.sagepublications.com. The introduction can be downloaded from ENMCR's website: www.enmcr.net (under news)

International Conference "Challenges in Children's Rights"

Date: Saturday 18 November 2006, Location: Sion, Switzerland

As a closing event for the 2005-2006 cycle of the *Master of Advanced Studies in Children's Rights* (MCR) at the Institut Universitaire Kurt Bösch, an International Conference "Challenges in Children's Rights" is being organized.

The Conference aims at comparing ideas and facilitating an exchange of information between researchers, professionals, staff and students from diverse children's rights programmes on the future directions and challenges in the interdisciplinary study of children's rights, as well as on recent developments in the international legal and social arenas pertaining to children's rights.

As part of the conference programme, graduate students who participated in the MCR Programme will address challenges in children's rights via the discussion of their research findings. Therefore, the conference offers an excellent opportunity for lecturers and students from other academic children's rights programmes to meet and exchange experiences on studying children's rights.

For more information, please contact:

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General News External

General Day of Discussion of the UN Committee on the Rights of the Child

In the frame of its 43rd session, the UN Committee on the Rights of the Child held its General Day of Discussion on September 15, 2006. Approximately 250 participants were invited to discuss Art. 12 of the UNCRC, the child's rights to be heard. For the first time, children were invited to participate in the GDD, whose outcome are recommendations for all states parties bound to the CRC as well as the draft of a General Comment on the Right of the Child to be heard.

30 Children from 25 countries were prepared by child rights experts in a two day workshop previous to the event and actively participated in the discussion.

The expectation was, that the children were so well prepared through adults that their participation would end in being another so often experienced token participation, a lip service to the Article discussed. It was even more amazing, that this was not the case.

Jaap van Doek, Chair of the Committee, opened the day and **Moushira Khattab (UN Committee)** as well as **Victor Karunan (UNICEF)** gave introductory statements, referring to the three main fields, in which children, according to Art. 12 of the UNCRC have a right to participate in: The Family, School and Community. V. Karunan said "we must seriously engage in treating children as partners". ... "It is not possible for children to grow up in an autocratic or paternalistic system for 18 years and then all of a sudden be able to act in a democratic way, therefore it is necessary to create child friendly spaces for participation in the fields named before".

One participant raised the issue that even though Art. 12 does not name the child's rights to decide, the Committee and the participants of the GDD should aim at incl. this notion when drafting the General Comment.

One 6th grade girl from Bangladesh said that in coming to Geneva she had met children from around the world to discuss the issues they face and realised that children everywhere face similar problems. She therefore asked the Committee to consider the following requests from the group of young people, including:

- the need to have child-friendly environments so that we are not afraid of adults;
- adults should treat us as children and also respect us as children and value our opinions equally;
- we need a complete separate child-friendly juvenile system and courts;
- there should be a child member on the UN Committee and if this is not feasible to have a child and advisory committee working in parallel to ensure the Committee is made aware of children's issues and monitor the work of the Committee at regular intervals.

Following the introductory plenary, participants divided into two working groups. The first one looking at the child's right to be heard in judicial and administrative procedures. Such proceedings could relate to civil and criminal law, family and alternative care, protection, health, immigration status and schooling. The second working group was to discuss children as active participants in society, including the child's right to express views in various settings such as the family, school, associations and politics, and become active participants in decision making processes in these settings.

The presence of the children at the Day of General Discussion brought the debate to a level of understanding, which was refreshing.

The UN Committee promised them to publish the General Comment also in a child-friendly way, for them to be able to argue for Art. 12 with their government representatives.

In the meantime, the 43rd session of the Un Committee has closed and **Recommendations** have been issued on the Child's Right to be heard, they can be downloaded from the CRIN website:

<http://www.crin.org/resources/infodetail.asp?id=10427>

The request for **training of adults**, for them to acquire the skills o really listen o children and to create spaces for them, was raised and emphasized throughout the day.

This is what the European Network of Masters on Children's rights, with its focus on children's participation in the study programs associated in the network is aiming at, therefore **Prof. Jaap E.Doek**, stated:

The UN Committee on the Rights of the Child systematically recommends States parties to the CRC to organize and/or support training of professionals on the content and the implementation of the Convention on the Rights of the Child. A European Masters Programme on Children's Rights will be an important contribution to this training. The Committee encourages the European States parties to the CRC to provide the necessary support for the establishment of and the participation to this Masters Programme. Such support would be a significant contribution to the recently adopted EU strategy on the Rights of the Child (Brussels 4.7.2006, COM (2006) 367 final).

We see this statement as a great encouragement to continue our endeavour!

Upcoming Dates

October 16th, 2006: Deadline submission of contributions to Public Consultation on Youth Protection in the use of Mobile Phones

October 23rd-26th, 2006: 3rd Annual World Conference on Children without Parental Care

October 24th -25th, 2006: Juvenile Justice in Europe International Conference

October 31st, 2006: Deadline for submission of information to the Special Rapporteur on Trafficking on Forced Marriages

November 1st, 2006: Deadline Pre-call Erasmus Thematic Network Project

November 14th -16th, 2006: European Conference: Policy and Practice for social inclusion of children and young people - The role of non-formal & informal learning, Logenhaus Berlin, Germany

November 18th, 2006: International Conference "Challenges in Children's Rights", Sion Switzerland

November 30th, 2006: Deadline submission full papers European Conference: Focus on Children in Migration

December 1st-2nd, 2006: Conference: Science Policies meet reality: Gender, Women and Youth in Science in CEE (Prague)

December 15th, 2006: Deadline Tempus Applications (GEPs)

March 20th-21st, 2007: European Conference: Focus on Children in Migration, Warsaw, Poland