

Why are children's rights invisible?

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'Donors and governments must invest more resources in the monitoring and implementation of children's rights, if these rights are to become visible'

The idea of children as individuals who have their own rights has a long history. Eglantyne Jebb, the founder of Save the Children, drafted a declaration of children's rights as early as 1923 in response to the stark vulnerability of children after the First World War. It was to be another 65 years, however, before the UN Convention on the Rights of the Child was adopted in 1989.

All but two countries have ratified the Convention, but what does this apparent consensus really signify? On a public relations front, no country wants to be seen as opposed to the well-being of children, and ratifying the Convention appeared to be uncontroversial. However, it is our contention that governments need to do more than simply 'acknowledge' their obligations. There is an all too common tendency for governments to blame violations of children's rights, such as trafficking, commercial sexual exploitation and hazardous forms of child labour, on problems inherited from neighbouring countries, as happened when the use of child labour in Ghana's cocoa plantations first hit the headlines in 1999.

The swift ratification of the Convention could suggest that childhood is not seen as a serious political issue. There were few objections to this Convention, in contrast to the ratification process around the Convention on the Elimination of all Forms of Discrimination Against Women, which sparked heated debates in both developed and developing countries.

Yet there are two exceptions: the USA and Somalia have not ratified the Convention on the Rights of the Child. The latter, without a fully functional government, is unable to do so. The lack of US ratification, however, is a tacit acknowledgement of the political nature of the Convention and the fact that its implementation would require shifts in existing power relations. There are serious concerns in the USA around the rights of children to special protection in the justice system, the belief that parental authority could be undermined by child rights, and the fact that the USA has a tradition of recognising civil and political rights, but not economic, social and cultural rights.

Perceptions of children

The history of the Convention highlights the broader politics of childhood that reinforces the invisibility of children's rights. This invisibility is exacerbated by the perception that children are 'owned' by their elders, or indeed the nation itself, and that they are 'adults in the making', waiting to be shaped by society into future resources.

Such ideas are reflected in the importance placed on childhood in relation to nation-building. Population policies, for example, are intertwined with national identities. In Japan, with its expanding elderly population and shrinking birth rate, policy-makers speak fearfully of the risk of the 'extinction of the Japanese race'. In other countries, such as those in the former Soviet Union, mothers who bore multiple children were once heralded as 'national heroes', and similar sentiments have been promoted elsewhere, including France, Italy and Singapore. Children are also seen as critical for the reproduction of the workforce and, as such, are viewed as important sources of human 'capital'.

These perceptions of children as assets, chattels or partial beings, are exemplified in the widespread practice of child marriage in parts of sub-Saharan Africa and South Asia. UNICEF estimates that over 42% of women in Africa were married before the age of 18, the internationally recognised age of adulthood, with some married as early as seven years. The recent plea for divorce from a nine-year old Yemeni girl, sold by her father into marriage, reveals the lack of human rights for girls and the failure of State institutions to make genuine progress on the Convention.

A voiceless generation

Children, more than any other socially-excluded group, face a particular depth of voicelessness. When compared to other rights bearers, they are, in effect, silenced by their legally dependent status and their lack of political enfranchisement. And this voicelessness runs deep – in the family, the community and the broader political arena. They are, for example,

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recruited in their thousands as child combatants, porters and camp girls during conflicts such as that now waging in East Congo and are often subject to harrowing abuse and violence. Yet they are often the last to be enrolled in disarmament, demobilisation and reintegration programmes (Jones, 2008).

It is true that the Millennium Development Goals and the Education for All Campaign have helped to ensure that children's rights to survival (health and nutrition) and development (education) are more prominent on the international policy agenda and reflected, to some extent, in national budget allocations through Poverty Reduction Strategy Papers.

However, the rights of every child to participation – to have a voice, to be heard – and to protection from violence and neglect, remain largely invisible. This is seen, for instance, in the failure of donors to include holistic assessments of the fulfilment of children's rights in the country situation analyses that underpin their country assistance strategies.

Similarly, while governments provide regular progress reports on their implementation of the Convention to the Committee on the Rights of the Child, more effort is needed to ensure that the Committee's responses are taken on board, to inform policies and programmes for children.

Financing child protection

It is only when society is confronted with the worst cases of harm or abuse that alarm bells ring about the child's right to protection. When faced with such tragedies as the death of Baby P, the London child who died after repeated physical abuse at the hands of his carers, or the gross neglect of Khyra Ishaq, the seven year old girl who died from starvation in Birmingham in May 2008, society calls for action.

But if we look at the funding allocated to raise awareness and to social services that can help prevent and redress child protection violations, investments in this basic children's right remain woefully low. In the developing world, the Asian Development Bank estimates that just 4% of social protection budget allocations (already low) are reserved for child protection programmes in East Asia. In India, UNICEF estimates that a minuscule 0.035% of the total Union budget is invested in child protection. It often falls to international agencies and NGOs to fill in the gaps, but their services are too often fragmented and small-scale.

While individual violators bear the main respon-

sibility for the infringement of children's rights and should be held to account, it is important that public debates focus on the responsibility of society to address such abuse. There needs to be a collective recognition that failure to tackle abuse at a systemic level is tantamount to perpetuating a culture that fails to recognise children as autonomous rights holders, underpinning the potential for exploitation and abuse.

What needs to be done?

What can be done to ensure that the realisation of the vision of the Convention will not take another 65 years? In our view, there are six key elements:

- encourage all governments – north and south – to establish well-resourced units that address children's rights in a coordinated way across ministries, reflecting the multiple dimensions of child poverty and vulnerability;
- tackle the relative invisibility of child protection issues, particularly in the developing world, by investing in research on what it is that drives children's vulnerability to violence, abuse, and neglect, and collect data on the prevalences of such violations to better monitor progress, or the lack of it, in fulfilling rights to protection;
- ensure that children's rights conventions and legislation are backed by adequate funding to implement a transformative agenda that could re-shape relationships between children and adults in all spheres of life. Supporting child-sensitive budget analysis and monitoring initiatives, as part of broader public finance reform, such as those of the Institute for Democracy (IDASA) in South Africa and the Haq Institute in New Delhi, India, is one way to promote and track increased investment;
- provide incentives to promote the use of the recommendations of the Committee on the Rights of the Child on progress by governments and donors on the implementation of the Convention;
- forge alliances with those lobbying for the rights of other groups, especially women, to wield greater influence in the political arena;
- consider integrating programmes to address children's vulnerability to violence, abuse and neglects – often exacerbated by poverty – into broader social protection systems.

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Links:

- Child marriage: http://news.bbc.co.uk/1/hi/world/middle_east/7711554.stm
- UK child abuse cases: http://news.bbc.co.uk/2/hi/uk_news/england/london/7730939.stm
- Funding for child protection programmes in East Asia: <http://www.adb.org/Documents/NPRIS/REG/TA6120-vol2.pdf>
- Funding for child protection programmes in India: http://www.unicef.org/worldfitforchildren/files/India_WFFC5_Report.pdf

Reference:

- Jones, N. 2008. Child protection and linkages to broader social protection systems in West and Central Africa. A regional report commissioned by UNICEF West and Central Africa Office.