



Geneva, March 2013

Dear colleagues of DCI,

- ✓ The **HUMAN RIGHTS COUNCIL HELD ITS 22<sup>ND</sup> SESSION (HRC – 22)** from 25 February to 22 March. A general roundup of the session is accessible online: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13181&LangID=E>

**CHILD RIGHTS** featured in a number of **REPORTS**:

- Report of the UN High Commissioner for Human Rights on the right of the child to the enjoyment of the highest attainable standard of health (A/HRC/22/31)
- Activities to support efforts by States to strengthen their judiciary system and administration of justice – Report of the High Commissioner for Human Rights (A/HRC/22/32)
- Report of the Special Representative of the Secretary-General on Violence against Children (A/HRC/22/55)
- Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment – Juan E. Méndez (A/HRC/22/53)
- Report of the Special Rapporteur on the sale of children, child prostitution and child pornography – Najat Maalla M'jid (A/HRC/22/54)
- Report of the Working Group on Arbitrary Detention (A/HRC/22/44)
- Report of the Working Group on Enforced Involuntary Disappearances (A/HRC/22/45)
- Final study of the Advisory Committee on the promotion of HR of the urban poor : strategies and best practices (A/HRC/22/61)
- Report of the Secretary-General on the question of the realization in all countries of economic, social and cultural rights (A/HRC/22/24)

All reports are available online:

<http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session22/Pages/ListReports.aspx>

Children's rights also featured in a number of **RESOLUTIONS** adopted

(all resolutions are available online:

[http://ap.ohchr.org/Documents/dpage\\_e.aspx?b=10&se=136&t=4](http://ap.ohchr.org/Documents/dpage_e.aspx?b=10&se=136&t=4) )

- In a resolution (A/HRC/22/L.27/Rev.1) on **THE RIGHTS OF THE CHILD: THE RIGHT OF THE CHILD TO THE ENJOYMENT OF THE HIGHEST ATTAINABLE STANDARD OF HEALTH**, the Council requests the High Commissioner to prepare a summary of the full-day meeting on the rights of the child before the 23<sup>rd</sup> session (June 2013) of the HRC. *The Council decides to focus its next full-day meeting on access to justice for children*; and invites the Office of the High Commissioner to prepare a report on that issue, to present it to the Council at 25<sup>th</sup> session (March 2014), and to circulate a summary report of the next full-day meeting on the rights of the child. DCI successfully lobbied for the health of juveniles in detention to be included within its provisions (OP21).



- In a resolution ([A/HRC/22/L.14/Rev.1](#)) regarding **BIRTH REGISTRATION AND THE RIGHT OF EVERYONE TO RECOGNITION EVERYWHERE AS A PERSON BEFORE THE LAW**, the Council expresses concern at the high number of persons throughout the world whose birth is not registered and urges States to identify and remove barriers that impede access to registration. The Council requests the Office of the High Commissioner to prepare a report on legal, administrative, economic, physical, and any other barriers to access to universal birth registration and possession of documentary proof of birth, to be submitted to the Council at its 27th session (September 2014).
- In a resolution ([A/HRC/22/L.18](#)) regarding a **PANEL ON THE HUMAN RIGHTS OF CHILDREN OF PARENTS SENTENCED TO THE DEATH PENALTY OR EXECUTED**, the Council decides to convene, at its 24<sup>th</sup> session, a panel discussion on the human rights of children of parents sentenced to the death penalty or executed. The Council requests the Office of the High Commissioner to organize the panel discussion, to prepare a report on the outcome of the panel and to present it to the Council at its 25<sup>th</sup> session (March 2013).
- In a resolution ([A/HRC/22/L.28](#)) regarding a **HIGH-LEVEL PANEL DISCUSSION ON “THE QUESTION OF THE DEATH PENALTY”**, the Council decides to convene, at its 25<sup>th</sup> session (March 2013), a high-level panel discussion on “the question of the death penalty” with the aim of exchanging views on advances, best practices and challenges relating to the abolition of the death penalty.
- In a resolution ([A/HRC/22/L.11/Rev.1](#)) regarding **TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT: REHABILITATION OF TORTURE VICTIMS**, the Council condemns all forms of torture and other cruel, inhuman or degrading treatment or punishment and calls upon all States to implement fully the absolute prohibition. The Council emphasizes that States must take persistent, determined and effective measures to prevent and combat all acts of torture; and requests the Office of the High Commissioner to provide advisory services in cooperation with other relevant United Nations agencies to States on the provision of redress to victims.
- In a resolution ([A/HRC/22/L.43](#)) regarding the **RIGHT OF PALESTINIAN PEOPLE TO SELF-DETERMINATION**, the Council reaffirms the inalienable, permanent and unqualified right of the Palestinian people to self-determination. The Council stresses the need for respect for and preservation of the territorial unity, continuity and integrity of all of the Occupied Palestinian Territory; and urges all Member States and relevant bodies of the United Nations system to support and assist the Palestinian people in the early realization of their right to self-determination.

During the HRC – 22, many key child rights focused **SIDE EVENTS** took place, including:

- **"MENTAL AND PHYSICAL HEALTH IN JUVENILE DETENTION"** - this event was held (07 March) by DCI - International Secretariat in collaboration with the Interagency Panel on Juvenile Justice (IPJJ) and the World Organizations against Torture (OMCT); and sponsored by the Permanent Missions of Denmark and Norway. The event aimed to identify and share experiences on the situation of children in detention and violations of their right to health and to ultimately promote ratification of UN the Optional Protocol to the Convention against
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Torture and other Cruel, Inhuman or Degrading Treatment or Punishment – OPCAT (currently ratified by 72 States), which provides for a system of independent preventive visits to places of detention: audits and reviews are essential to deliver improvement to the system. Key speakers included, Mr. Juan Mendez, UN Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment; Ms. Najat Maalla M'jid, Special Rapporteur on the sale of children, child prostitution and child pornography; Mr. Shekhar SAXENA, World Health Organization (WHO) Mental Health Programme (speaking about the mental health of children in detention); Mr. Philip JAFFE, Professor in psychology and Director of the Children's Rights Teaching and Research Unit of the University Institute Kurt Bösch – Sion, Switzerland; Ms. Veronica Yates, Director of Child Rights International Network (CRIN) and Mr. Cédric Foussard, International Juvenile Justice Observatory (IJJO) as moderator. A brief report is available online (<https://www.defenceforchildren.org/component/seminar/?task=3&cid=5>), and a more extensive report, in collaboration with the IPJJ and OMCT, is to be published.

- **'MENTAL HEALTH OF CHILDREN OF PRISONERS'**, held by the Friends World Committee for Consultation (04 March); among the key recommendations given by the panellists was to set up child-friendly justice systems, the awareness-raising of both the public and the authorities on this issue, the provision of support to family members and care givers and the upkeep of contact between the child and the detained parent. Family members are advised to communicate openly and honestly with the child who then will not have to fill in the gaps with his/her imagination. The panellists concluded on the need for more research and education awareness on the situation of those children, and the importance for the states to ensure the best interest of children of prisoners is always taken into account.
- **"PROTECTING CHILDREN FROM HARMFUL PRACTICES"**, held on 07 March, focused specifically on child marriage and the interrelatedness to sexual and reproductive rights. The event, organised by Plan International and the office of the Special Representative of the Secretary General on violence against children, also saw to launch their joint report: "Protecting children from harmful practices in plural legal systems with a special emphasis on Africa" ([http://www.crin.org/docs/SRSG\\_Plan\\_harmful\\_practices\\_report\\_final-1.pdf](http://www.crin.org/docs/SRSG_Plan_harmful_practices_report_final-1.pdf) ). The event itself aimed to highlight ways in which child marriage violates International Human Rights Conventions (CRC and CEDAW) with special emphasis on the right to health and related issues, and the consequences of child marriage to children's physical, mental and reproductive health. Concluding with a strong emphasis on education. The report by the International NGO Council on Violence against Children on "Violating children's rights: harmful practices based on tradition, culture, religion or superstition" ([http://www.crin.org/docs/InCo\\_Report\\_15Oct.pdf](http://www.crin.org/docs/InCo_Report_15Oct.pdf)) was also launched by panellist Peter Newell.
- **"DOES A HUMAN RIGHTS-BASED APPROACH HAVE AN IMPACT ON WOMEN'S AND CHILDREN'S HEALTH?"**, organised (07 March) by the World Health Organisation (WHO), this event presented the findings of a report,



- “Evidence of Impact of a Human Rights-Based Approach to Women’s and Children’s Health” to be launched in May 2013. The findings demonstrated that applying human rights to women’s and children’s health policies and other interventions, governments not only help to ensure compliance with their binding national and international obligations, but also contribute to health improvements for women and children. For more information: [http://www.who.int/woman\\_child\\_accountability/news/hr\\_rmnc\\_h\\_event\\_7\\_march\\_2013/en/index.html](http://www.who.int/woman_child_accountability/news/hr_rmnc_h_event_7_march_2013/en/index.html)
  - **“UNIVERSAL HEALTH COVERAGE FOR CHILDREN IN THE POST 2015 UN DEVELOPMENT FRAMEWORK”**, a side-event held on 04 March, was organised by Terre des Hommes on the Universal Health Coverage for Children in the post 2015 UN development framework, with a specific focus on children in the context of migration. During this event, Mr. Davide Mosca, Director of the Migration Health Division at the International Organisation for Migrations, emphasised the importance of including migrants’ health in the post-2015 development framework: 1 billion people are currently on the move, comprising international migrants and 740 million internal migrants, 33 million of which are under the age of 20, but no regulation protects the right of those people, he said.
  - **“PROTECTION OF CHILDREN FROM SALE AND SEXUAL EXPLOITATION FOLLOWING HUMANITARIAN CRISIS DUE TO NATURAL DISASTERS: FOR FURTHER ACTION”**, a side-event held on 08 March, by the Special Rapporteur on the sale of children, child prostitution and child pornography, Ms. Najat Maalla M’jid, to which an informal summary has been made available by her office: [http://www.ohchr.org/Documents/Issues/Children/SR/Informal\\_summary\\_side\\_event8.3.12.pdf](http://www.ohchr.org/Documents/Issues/Children/SR/Informal_summary_side_event8.3.12.pdf)
  - **“MOVING FORWARD: IMPLEMENTING THE ‘GUIDELINES FOR THE ALTERNATIVE CARE OF CHILDREN’**”, a side-event held (07 March) to launch “Moving Forward: implementing the Guidelines for the Alternative Care of Children”; since the approval of the guidelines at the United Nations General Assembly in 2009, the continuing challenge has been their implementation. This handbook, “Moving Forward”, was developed to provide further guidance with over forty promising country practices. For more information: <http://www.alternativecareguidelines.org/MovingForward/tabid/2798/language/en-GB/Default.aspx>
  - **“MAKING UNIVERSAL BIRTH REGISTRATION CENTRAL TO HEALTH SYSTEMS: WHAT ARE THE HUMAN RIGHTS IMPLICATIONS?”**, organized by Plan International (March 13), focused on the grave issue of birth registration, in light of their campaign “Count Every Child”: <http://plan-international.org/birthregistration/the-campaign>
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Our movement delivered a number of **STATEMENTS**:

Defence for Children was one of the few NGOs to deliver a statement during this year's **ANNUAL FULL DAY MEETING ON THE RIGHTS OF THE CHILD**.

This year's theme, **THE RIGHT TO THE HIGHEST ATTAINABLE STANDARD OF HEALTH**, brought DCI to point out the issue of mental and physical health in detention, particularly the over medicalization of child detainees and the issues concerning girl detainees. DCI's intervention was highlighted in the UN press release: *"Defence for Children International drew attention to vulnerability and special needs of children in detention and children in conflict with the law, particularly of girls, and underlined that detention of children must be a measure of last resort."*

To see the complete press release on the day, please click here: [http://reliefweb.int/sites/reliefweb.int/files/resources/DisplayNews\\_8.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/DisplayNews_8.pdf)

You may see the delivery of the oral statement via webcast (at minute '2:29): <http://webtv.un.org/watch/panel-discussion-on-right-of-child-to-health-21st-meeting-22nd-regular-session-human-rights-council/2208563065001/>

You will also find the document attached to this email.

Information shared during the day included some interesting facts and figures:

- 6.9 million children around the world died each year before the age of 5 year.
- The risk of a child dying before their fifth birthday in low-income countries is 18 times higher than in high-income countries.
- Children with disabilities, migrant children, and children in institutions were particularly vulnerable. States had an obligation to ensure that children's health was not undermined by discrimination.
- High-Level Dialogue on health in the post-2015 development agenda took place in Botswana at the beginning of March.
- 10% of all pregnancies in the world happened in girls under the age of 18 and 30% all maternal deaths happened in this group.

Some main issues highlighted included:

- Focus must be on the mother, child and reproductive health and financial barriers must be removed immediately. (Terre des Hommes International, Norway)
- This report undermines the role and responsibilities of parents in child's right to health (Syria, Bahrain speaking on behalf of the Arab group).
- Importance of health and sexual education (Switzerland, Estonia, Plan International Bangladesh).
- Focus must be put on the right to health for children in the post-2015 agenda (World Vision International)

The Council decided to focus its (March 2014) **full-day meeting on access to justice** for children - good news for us at DCI!

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Further statements were delivered although a spot on the speakers list was not achieved: DCI – Palestine for the interactive dialogue with the Special Rapporteur on Torture; DCI Switzerland and DCI Benin, with the support of the International Secretariat, delivered written statements for the HRC agenda item on the consideration of UPR reports. Additionally, DCI co-sponsored a joint statement for the prioritization of child rights in the post-2015 framework. During the pre-session to the 16<sup>th</sup> session of the Universal Periodic Review (UPR), DCI delivered a statement on behalf of DCI-Cameroon, as coordinator of Cameroon NGO's Coalition on the Rights of Children (COCADE).

✓ Meeting with **SRSG/VAC**

As convenor of the NGO Group's Working Group on Children and Violence, DCI held a meeting with Ms. Marta Santos Pais, Special Representative to the Secretary General on violence against children (SRSG/VAC). In plan to collaborate in her mandate, the SRSG shared a draft agenda with us in order to organize strategic synergies:

- APRIL: Sao Paulo, Brazil (DCI seminar on mental health & detention) / Strasbourg, Germany (European Parliament for inner hearing)
- MAY: Salvador and India (Day of Prayer)
- Before JUNE: Uruguay (Mercosur); visit also to San Paolo Brazil
- JUNE: Indonesia (restorative justice expert consultation)
- SEPTEMBER: West Africa possibly Benin (Day of African Child; follow-up on the Youth Forum, focus on harmful traditional practices)
- NOVEMBER: New Delhi (Child protection; follow-up to Beijing)

✓ DCI and **CORPORAL PUNISHMENT:**

DCI submitted, with the efforts of its focal point in New York, Ms. Avis Sri-Jayantha, a statement on the elimination of corporal punishment of girls to the Commission on the Status of Women (CSW) in collaboration with the Global Initiative to End All Corporal Punishment of Children, CoNGO Committee on Child Rights, International Humanist & Ethical Union and Ribbon International; furthermore, the International Secretariat disseminated the statement to all Permanent Missions present in Geneva. Please find the statement attached.

✓ **COMMITTEE ON THE RIGHTS OF THE CHILD:**

The last (62<sup>nd</sup>) session of the Committee on the Rights of the Child (CRC), saw the examination of Slovakia, Burkina Faso and the USA – DCI attended the session and provided all information to the respective sections.

The next (63<sup>rd</sup>) session of the CRC will take place from 27 May to the 14 June. Countries to be examined include: Armenia, Guinea-Bissau, Israel, Rwanda, Slovenia, Uzbekistan; Also, during the pre-session, taking place from 17 to 21

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DEFENSE DES ENFANTS INTERNATIONALE DEI  
DEFENCE FOR CHILDREN INTERNATIONAL DCI  
*the worldwide movement for children's rights*

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June, Congo Brazzaville, Germany, Holy See, Portugal, Russian Federation, Yemen will be reviewed. During the 63<sup>rd</sup> session, the new members of the CRC will be active; DCI hopes to organize a meeting with most of them at that time.

You can find the draft calendar for the next sessions of the CRC here: <http://www2.ohchr.org/english/bodies/crc/sessions.htm>

Also new to the official web page are the latest General Comments (<http://www2.ohchr.org/english/bodies/crc/comments.htm> ) and the Rules of Procedure applicable under the Optional Protocol to the CRC on a Communications Procedure (document attached to email). It is strongly encouraged you lobby

on the domestic level for the signing and ratification of this Optional Protocol – Bolivia, Spain and the Maldives should have ratified by the end of the year. For more information visit the official website (<http://www.ratifyop3crc.org/> ) or contact us directly.

Please feel free to contact me if you would like to receive further information on the aforementioned documents and activities – I remain at your disposal.

All the very best from Geneva,

*Anna D. Tomasi*

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