



Contents lists available at ScienceDirect

Child Abuse & Neglect



Editorial

Twenty years of the Convention on the Rights of the Child: Achievements and challenges for child protection

Keywords:

Convention on the Rights of the Child
Child protection
Challenges
Achievements

This year is a landmark year for children. It marks the 20th anniversary of the adoption of a legally binding human rights treaty—the Convention on the Rights of the Child, which was unanimously adopted by the United Nations General Assembly on the 20th of November, 1989, and became enforceable from September 2 of 1990. The Convention on the Rights of the Child (hereafter referred to as CRC) is the first binding instrument in international law to deal with the rights of children. It is the most comprehensive treaty that contains 42 detailed provisions enshrining the rights of children in all areas of their lives, including economic, social and cultural rights, and civil and political rights, providing the highest level of international standards and guidelines for regional and national implementation.

The CRC is the only international human rights treaty that has almost universal ratification. It currently has 193 ratifications, still with the exception of only two States: Somalia and USA. The CRC has been supplemented with two Optional Protocols. As at July 2009, the Optional Protocol on Children in Armed Conflict has 127 ratifications and the Optional Protocol on the sale of children, child prostitution, and child pornography has 131 ratifications.

The CRC and The Committee on the Rights of the Child were instrumental in generating a series of important international activities regarding rights of the child. The Committee holds an annual “Day of General Discussion,” which started in 1992 with the theme of “Children in armed conflict.” The recommendations of this day called on the Committee to request the UN General Assembly to ask the Secretary General to conduct a major study. It was the Graça Machel study “The impact of armed conflict on children” (1996). Subsequently, the Committee devoted 2 days of general discussions for violence against children: in 2000, on State violence against children; and in 2001 on violence against children within the family and in school. The result of these 2 days was another request to the General Assembly requesting the Secretary General to appoint an independent expert to conduct a global study on violence against children. Thus, the UN Study on Violence was conducted by Professor Pinheiro, between 2003 and 2005, and the results were reported in the World Report on Violence Against Children in 2006. It was the first study that examined all forms of violence that children were subjected to, in all settings, and in all regions around the world. What the study revealed was very alarming and called for immediate concrete measures to eliminate and eradicate all forms of violence against children.

After 20 years since the adoption of the CRC, indeed, many achievements have been realized. However, challenges still remain in the area of child protection. In April 2008, ISPCAN launched a Global Summit in Chicago on protecting children from violence, abuse, and neglect, composed of experts working in related fields. The event brought together experts from all over the world to review current work on child protection from violence, abuse, and neglect, as well as a special focus on the implementation of Article 19 of CRC. It was at this meeting, discussion began for a possible special issue devoted for the celebration of 20th anniversary of CRC. This discussion continued on into September of 2008 among experts who gathered for the World Congress of ISPCAN that was held in Hong Kong, and plans for a commemorative special issue were finalized. It was decided then that two issues would be published and we were invited to serve as co-editors for the Special CRC 20th Anniversary issues.

What is unique about these issues is that they seek to bridge the gap between theory and practice by presenting empirical and qualitative research in the field of child maltreatment, bringing to the forefront issues about data collection, and evaluating reporting practices. Child protection practice more generally, and especially as supported by and effectively leveraging children's rights, is, and should be improved through increased global communication and sharing of knowledge. We have identified experts in the field of Children's Rights, child maltreatment research, and child protection from different regions around the world, and invited them to share their work with the international community of those interested and working in the field of child protection.

Ratification of the CRC holds States legally accountable for the full implementation of the Convention. In particular, these special issues seek to address child maltreatment from a rights-based ecological perspective. The entire process of a child protection system is represented: an overview of the CRC and its implications; identification and diagnosis; data collection, reporting and surveillance systems; as well as measurement, and placement decisions for the most vulnerable groups of children.

Professor Jaap Doek leads off this special issue with a comprehensive overview of the CRC 20 years since adoption. Having served 8 years on the Committee on the Rights of the Child, of which he served 6 years as its Chairperson, he provides a summary of the major achievements while highlighting the remaining challenges of the CRC at 20 years. Analysis of the general principles and their relation to implementation at the national level is made, including the importance of General Comments in the implementation of the general principles and other provisions of the CRC.

The impact of the CRC on the international agenda is presented, giving specific and detailed background to several important activities. Background to the Graça Machel Study and the creation of the SRSG on Children and Armed Conflict, with specific information of the impact of these activities are discussed. The creation of the Optional Protocol on the Involvement of Children in Armed Conflict is another one of the important impact of the CRC. Links between specific articles of the CRC, for example article 34, and the issue of sexual exploitation are made, showing its achievements in terms of global initiatives such as the three World Congresses on Sexual Exploitation of Children and the creation of an Optional Protocol to the CRC on the Sale of Children, Child Prostitution, and Child Pornography.

General Measures of Implementation at the national level are discussed in detail, drawing on relevant research and detailed analysis of the impact of relevant national law reform. This article gives examples of the recommendations of the Committee on the Rights of the Child related to implementation, such as independent monitoring and national plans of actions.

The author concludes by highlighting remaining challenges. In spite of major achievements, many children die of preventable diseases, never go to school, are involved in the worst forms of child labor, victims of violence, and live in unacceptable living conditions. Poverty has not been addressed sufficiently, and according to the author, it will be one of the major challenges in the next decade along with the prevention of violence against children. References are made to the ODA commitment and children's budget in relation to poverty reduction strategies. Finally, a call for a global assessment of the impact of poverty is emphasized.

In addition to reviewing compliance to the CRC, the Committee on the Rights of the Child issues General Comments. General Comments are the Committee's interpretation of a particular right or themes enshrined in the Convention. Its aim is to provide guidance to States parties for its implementation. The Committee has issued 12 General Comments so far and is currently working on a few others. One of the General Comments that the Committee foresees issuing in the future is a General Comment on Article 19. Bennett and colleagues present the need for a General Comment to Article 19 of the CRC. The authors give a brief overview of the historical perspective on child protection, leading up to the Convention on the Rights of the Child which opened a new era for children. Detailed description of the Committee on the Rights of the Child and its role and function are provided. Further, a plan for the General Comment, including its challenges and opportunities draw upon previous guidance of the Committee, emphasizing a child rights approach to child protection.

The paucity of research and data on the root causes of child maltreatment and the extent of its prevalence have often been noted by the Committee on the Rights of the Child when reviewing States parties compliance to the CRC. Lack of measurement tools and diagnostic criteria are major obstacles in monitoring and evaluating child maltreatment. The International Statistical Classification of Diseases and Related Health Problems (ICD) is the international recognized standard used to conduct research about child maltreatment in health data systems. Scott and colleagues review existing literature, examining the utility and challenges of using ICD codes in child maltreatment research. The authors discuss the wide use of the ICD codes, but also warn about the limitations of using the code alone, which can result in underestimation of child maltreatment. Quality and consistency of data underpin research, according to the authors, and are crucial for the value of applied research and surveillance of child maltreatment.

In response to the 2006 UN Study on Violence Against Children and the subsequent recognition that information, and the tools to collect information, on violence against children in the home, schools and other institutions were strongly lacking in nearly every country in the world. ICAST instruments and methodology were developed by ISPCAN, working with UNICEF and other partners and professionals around the world. As presented in the "Introduction to the Development of the ISPCAN Child Abuse Screening Tools" by Runyan and colleagues (this issue), the ISPCAN Child Abuse Screening Tools (international model) was developed and has since been adapted and used in several pilot and national studies to increase the understanding of the epidemiology of violence against children, through studies designed for parents, young adults (retrospective) and children, in those countries. This introduction provides a comprehensive review of the generalized research process, outcomes, limitations and potential for research using these instruments, especially given

Download English Version:

<https://daneshyari.com/en/article/345123>

Download Persian Version:

<https://daneshyari.com/article/345123>

[Daneshyari.com](https://daneshyari.com)