

## Editorial of special focus: Selected developments in the area of children's rights

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The thirtieth anniversary of the United Nations Convention on the Rights of the Child (CRC) represented an occasion for many in the field to take stock, reflecting on achievements and challenges of children's rights advocacy and engagement with the CRC Committee. It also presented an opportunity to critically reflect on the extent to which the Convention has impacted on children's rights research, including in terms of empirical and conceptual approaches, methodological innovations and gaps. We chose to contribute to the debate generated by the anniversary celebration with this edition of the *Global Campus Human Rights Journal*, which provides insight into selected developments in the area of children's rights in different regions covered by the Global Campus of Human Rights. The articles presented under this special focus address the regional scope and impact of current developments by either examining a key theme in a specific country or region or by exploring a cross-cutting topic in different regional perspectives. In either case, the articles provide observations and lessons that can contribute to our understanding of related practices and challenges in other national and regional contexts. Several of the issues addressed in this special edition are of concern to children worldwide. The contributions are mainly multi-disciplinary in the sense that they combine legal analysis with social, historical, political, economic and other relevant dimensions. Importantly, in considering the CRC, each article provides considerations by which to assess the ongoing impact of the Convention and what it means to adopt a rights-based approach to matters involving children. The authors' consideration of further relevant instruments, such

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as the Third Optional Protocol to the CRC or regional sources, contributes to advancing such assessments. Also, the attention devoted to the work of the CRC Committee as well as other relevant monitoring bodies helps to weigh the impact of the Convention in relation to the selected developments. These concern language-based exclusion and punishment of children in education; health-related rights of children in a humanitarian policy context; children's rights in immigration policies; children's rights to privacy in relation to internet education technologies; children's rights budgeting and the key dimension of child participation in public decision-making; and, finally, the recognition of the *locus standi* in favour of the child and the operational relevance of the communications procedure.

Hurwitz and Kambel address the problem of language-based exclusion and punishment of children, and even their parents, in education. This is not about the right to be educated in and through one's mother tongue, but about the right of students (and their parents) not to be discriminated against, excluded, restricted or punished for using their mother tongue on school grounds, including in the classroom. While the former problem has caught the attention of children's rights advocates, the latter has been rather neglected. An overview of examples of such practice found in different sources and covering various parts of the world is given to show that it is widespread and damaging to the children's development. The human rights implications of such practice are considered by referring to the international instruments in force regarding children's rights in education, with a focus on the European context and its relevant framework. The approach proposed to tackle the issue, namely, the Language Friendly School initiative, can be inspiring for educators in schools worldwide.

Das Gupta, Zaman and Begum tackle a salient and timely issue in the area of children's rights, with a clear short and long-term impact in Southeast Asia. Combining a qualitative research methodology with a child rights-based approach, they discuss the safeguarding of Rohingya children's health-related rights in relation to the healthcare system available in one of the Bangladeshi camps where 54 per cent of the inhabitants are children. The results of the fieldwork conducted in September and October 2019 shed light on factors that impede children's ability to enjoy their rights. In parallel, the children's rights perspective advances the conceptual framework of analysis and, therefore, the understanding of health service accessibility and utilisation by Rohingya children and their families. This positively informs specific public health interventions for real change on the ground within a broader humanitarian policy context. It may also contribute to the evolving debate about measuring capacity in humanitarian response (in Bangladesh as well as in other countries) and how international, national and local stakeholders can harness such capacity and work together in complementarity.

Weizman explores some of the most pressing gaps in Canadian immigration policy in relation to three interconnected issues facing newcomer youths in Canada, namely, status, educational barriers and poverty. In contextualising these policy gaps in reference to an existing best practice, namely, the Real Me programme at the Centre for Newcomers, the author provides policy recommendations. During the last decade the situation of children and young migrants and other children in the context of migration (such as children born to migrant parents in host countries, or those that remain in countries of origin) increasingly has been a subject of attention in public policy discussions at national, regional and global levels. Weizman's article can contribute to these discussions and help to inform public policies in destination countries aiming at improving the conditions of migrants and their families, based on a children's rights approach. Indeed, the three issues chosen by the author are among the main themes to be studied when it comes to assessing integration policies and children/youths in migration-receiving countries. In every host country there will be both similarities with and differences from the Canadian case, but lessons learned from this case could contribute to understanding the realities, gaps, challenges and good practices in other countries.

Cendic presents a case study on the issue of children's rights in relation to internet education technologies. She investigates the right to privacy of children during the extended use of online applications and platforms in Serbia, which were put in place to minimise learning disruptions related to the COVID-19 pandemic. In doing so, she explores key emerging issues concerning online schooling in the country, also taking into account observations related to a lack of transparency and inconsistent security and privacy protection in the industry for applications utilised by many educational institutions worldwide and by children outside the classroom for learning purposes. The article makes a valuable contribution by applying relevant legal frameworks for the protection of a child's privacy and related rights in the digital environment to the Serbian case. It elaborates recommendations that are particularly useful in this context, also highlighting a pressing regional need to further research the issues recently documented.

Lundy, Orr and Marshall provide an interesting description of a consultation that gathered the views of 2 693 children in 71 national contexts across all five UN regions (Africa, Asia-Pacific, Eastern Europe, Latin America and Caribbean, Western Europe and others) and which informed the development of General Comment 19 by the CRC Committee. Special insights are given into how children in very different conditions think about the ways in which governments can and do allocate public funds for them and their families and how this may support or undermine the realisation of their rights. The joint authors identify obstacles to participatory budgeting for children, but challenge assumptions that

children are not capable to be or interested in being involved. It is suggested that in order to be effective for children, participatory budgeting will require bespoke forms of social accountability and a thought-provoking discussion about related mechanisms is elaborated.

Carletti provides a preliminary assessment of some of the (limited) cases handled by the CRC Committee and closely examines different categories of these cases in order to understand the operational relevance of the communications procedure under the Third Optional Protocol to the CRC. The countries involved in the considered inadmissible, discontinuous or admissible communications are Denmark, Spain, Germany, Belgium and Switzerland. Starting from the rights under examination and the recognition of the *locus standi* in favour of the child, the importance of the mechanism is assessed in terms of advanced guarantees as well as its capacity to consolidate the promotion and protection of children's rights, despite its difference from judicial reasoning. This makes for a very informative contribution, which conclusively highlights the substantive and formal significance of the CRC Committee's views in relation to some of the considered cases, but which also places the emphasis on the need to adapt the solutions expressed in some of its landmark positions for an effective impact at the national level.