



Civil Society Space and Young People

Breakfast Seminar with States and civil society

Permanent Mission of Ireland, Friday 5 July 2019

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Children as an often-over-looked constituency in discussions on civil society

I would like to start with three words: tokenism, decoration, manipulation. I am sure you have heard these at least once in discussions around children's engagement in the context of the Human Rights Council (the Council).

The Council has historically and generally been seen as a space not fit for children. Too formal, too intimidating, too technical, too risky, too political. Today, 30 years since the adoption of the UN Convention on the Rights of the Child, we are at a point where negative assumptions about children's capacity to engage with the Council are considered to be perfectly legitimate.

As a result, there continues to be a predominantly 'protectionist' approach towards children rather than a balance with empowering children to access civil society space as equal stakeholders and as human rights defenders.

"Better to have a video than a child on the panel – it is more meaningful", "better to bring a 19 year old than a child to avoid child safeguarding procedures", "the child panellist has to represent the widest group of children, otherwise it would not be legitimate child participation", "it is better for children to engage with the Committee on the Rights of the Child which is more child-friendly".

These comments come to our ears from all sides, civil society, States, as well as UN agencies, having a significant impact on children's ability to engage. To illustrate, after child participation was limited to a video for one of the Annual Days on the Rights of the Child of the Council, the video was eventually refused because it did not comply with the UN rules for video-statements – for the message to be suitable, it had to provide a global perspective instead of focusing on a specific country.

This is just one example of the practical and additional challenges that children have faced, largely due to the fact that there is currently no framework or specific modalities for child participation in the Council.

As pointed out by Professor Laura Lundy, *"child participation requires commitment, joint efforts and resources, as well as time to support children in accessing the necessary information for them to understand the issues to be discussed. Since the time and resources required are rarely adequate, it is very common for adult decision-makers to exclude children on the basis that it would be tokenistic to*

involve them. If it cannot be achieved meaningfully, then it appears to be considered legitimate to not do it at all (...).

From a human rights perspective, this is truly striking. It is difficult to think of another situation where it would be presented as honourable to deny an individual the enjoyment of their rights on the basis that full compliance is impossible. (...) The widely held view that tokenism does not qualify as participation has been regularly used to justify the stance that it is better to do nothing at all than to involve children in what may amount to a tokenistic endeavour¹.

In reality, what children's feedback show is that even tokenistic participation can be an empowering experience for children, as long as it involves learning and follow-up. This is not to defend or promote tokenism, but to stress that we should not be afraid of trying, even if it will never be "perfect".

Recent experiences attempting to improve child engagement at UN level

There has been increasing child participation at the Council in the last few years, and also a diversification of its forms. We have seen the findings of global consultations with children being presented during panels, a girl with disabilities speaking at the Annual Day on the Rights of the Child in March 2019, children speaking at side-events - either in Geneva or through remote connection -, a working child opening the 2018 UN Forum on Business and Human Rights to speak about good practices in Guatemala, children from the United Kingdom engaging in Philip Alston's visits, attending the presentation of his report to the Council and participating in a follow-up private meeting with him.

Children have also engaged in advocacy around the [civil society space resolution in 2018](#). This involved empowering a team of child advisors that Child Rights Connect had set up for the Day of General Discussion of the CRC Committee (DGD) on protecting and empowering children as human rights defenders. The process involved face-to-face and online meetings and discussions, including with the Deputy Permanent Representative to the United Nations of the Republic of Ireland.

As a result, the children developed a [briefing paper](#) for the civil society space core group which included a series of recommendations such as mainstreaming a child rights-based approach, promoting child participation and focusing efforts on the most marginalised children.

The [resolution](#) eventually referred to the diversity of civil society and recognised children as an under-represented group. This resolution strengthens the basis for our long-term advocacy for the recognition, empowerment and protection of children as human rights defenders and civic actors.

Since then, we have seen some excellent initiatives from the core group, including Ireland's and Norway's direct involvement in the 2018 DGD, the Council's core group on the rule of law expressing interest in child participation as part of an event on access to justice for children, and - not least - today's event.

What lessons can we drawn from these initiatives? How do we better support child participation at the Council?

All these experiences have had the positive impact of sensitising individual diplomats to children's right to be heard and participate. The commitment and support of committed individuals remain the key factor for success, because they are the ones opening the Council's doors to children.

¹ Laura Lundy, *In defense of tokenism? Implementing children's right to participate in collective decision-making*, Childhood

Human rights non-governmental organisations without a specific focus on children's rights have also been sensitised by these initiatives, including CIVICUS and Amnesty International who are present today. The partnership that Child Rights Connect has developed with UPR-Info is exemplary of the different expertise and joint efforts that are necessary to build a framework for child participation in the Universal Periodic Report (UPR). In April 2019, we were honoured to have His Excellency Ambassador Godfrey presenting this initiative together with a boy from Albania who came to present a child-led report in the UPR pre-session of Albania.

Working with States allied to the cause is essential to use effectively existing spaces and create new ones for children's engagement at the Council. However, Child Rights Connect and its members think it is time to ensure that child participation does not remain an ad-hoc practice and that procedures and safeguards are put in place and are clear for all stakeholders involved, primarily children.

Child Rights Connect calls on the establishment of a group of like-minded States who could collaborate closely with children, in view of building a comprehensive framework for child participation at the Council (in person and online). Defining the spaces together with children by building on the past experiences and related lessons is the only way to come up with realistic, relevant and innovative solutions.