



COMMISSIONER FOR HUMAN RIGHTS  
COMMISSAIRE AUX DROITS DE L'HOMME



## “Children’s rights must be protected during the economic crisis”

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Child poverty was an acute global problem already before the current economic crisis, though often hidden in all parts of Europe, including the ex-Communist countries in transition.

Child poverty is the denial of a range of rights laid out in the UN Convention on the Rights of the Child. Children living in poverty not only struggle for basic survival - they are also deprived of a childhood, of intellectual stimulation and the opportunity to realise their personal aspirations. Poverty also influences other life aspects, more difficult to measure, such as love, security or parental time and support.

UNICEF has identified seven forms of childhood deprivation: lack of adequate food, safe drinking water, sanitation, health, shelter, education and access to information. One billion children in developing countries suffer from at least one form of severe deprivation. Just within the EU, some 19 millions of children are living in poverty.

UNICEF initiated some years ago surveys to assess the social situation of children in the countries in the Commonwealth of Independent States, including Russia. Focus was placed on issues such as unemployment, health and safety, educational well-being, the family situation and the risk of violence. The data resulting from the studies said that *around 25 per cent* of the children in these countries lived below the subsistence minimum.

This figure gives an indication of the scope of the problem as presented some years ago. A more precise measurement was not possible as data on all relevant aspects could not be

obtained. Even if the basic statistics about incomes and social transfers would be reliable, it is difficult to assess their full consequences on living standards. Also, poverty is not only about purchase power - other indicators are necessary to measure quality of life.

However, even the most cautious interpretation of available data would tell us that many children lived in misery in these countries. It was clear that children had not benefited from the economic recovery to the same extent as other groups of the population.

The UNICEF studies have also showed that children who grow up in poverty are much more vulnerable than others. They are more likely to be in poor health, to underachieve in school, to become pregnant while still very young, to get into trouble with the police, to fail to develop vocational skills, to be unemployed or badly paid and to be dependent on social welfare.

This does not mean that all poor children are failing in their development. However, they are clearly disadvantaged, run more severe risks than other children and are definitely overrepresented in records on social problems.

Child poverty is usually connected to poverty among adults nearby. It should, however, be understood that poverty has a more heavy impact on children. It affects them not only in the immediate present but also in the long term. Moreover, children can normally do almost nothing to improve their situation. As a consequence, they greatly depend on public policy to grow out of poverty. This is particularly true when it comes to access to education and health services.

These studies have also shown that there are large differences on child poverty between the European countries, also between those with a similar economic situation in general. This seems to underline that the problem to a large extent relates to *political priorities* – those who have decided to reduce child poverty have made more progress than others.

The UN Convention on the Rights of the Child does not only list the human rights of children in article after article. It defines also an approach to the enforcement of these rights. Article 4 says:

*“States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international cooperation”.*

A key phrase here is of course *“to the maximum extent of their available resources”*. Admittedly, this formulation is not absolutely clear, but the intention is to emphasise that the rights of the child should be given priority also when it comes to allocation of resources.

When the drafters referred to economic, social and cultural rights, they had in mind those rights which tend to weigh heavily on the budgets but also those requiring other resources, for instance human and organisational resources.

It has also to be recognized that resources should not be seen as static; not least for the long range perspective the dynamic dimension is politically interesting: the *mobilisation* of resources. The relationship between the authorities and the civil society is an important part of that discussion.

The issue of privatisation of public services is another relevant aspect. One argument for such moves has been precisely to mobilise more resources; private activities have often been regarded as more cost-effective. The UN Convention does not take a position on whether, for example, health clinics and schools should be run with private or public hands. What is important, however, is that the rights of the child are respected and in that regard the government will always be responsible. That responsibility cannot be privatised, which in turn raises a question about steps taken by a government to ascertain that private services for children live up to the standards of the Convention.

However, the key discussion now is to what extent budget resources are allocated to the protection of children. What does *“to the maximum extent”* mean in the current economic situation?

Of course, there is a balance to be struck. It is in the interest of children as well that we avoid a deep and long-term financial crisis and recession. On other hand, it is of greatest concern

that so much of the budget resources are used for bailing out toxic debts in the banking system. This is not for free; it reduces the space for expenditures to cover the social needs which inevitably will grow with the increased unemployment.

The crisis had already made governments reduce their spending on social benefits or projects to support certain areas in need. The British authorities recently announced that they will have to postpone certain such measures and that their objective to eradicate child poverty by 2020 might not be reached as planned. Other governments have already reduced tax credits and family support as well as stopped new programme of constructing further schools, kindergarten or low-rent dwellings.

So far, we have interpreted “to the maximum extent” to mean that we should never – even in crisis situations – take steps which reduces budget allocations which go to children. Preferably, that part should grow in the spirit of giving children’s interest a genuinely high priority. There is no reason to change that approach in the present situation.

This will be a difficult challenge for governments as the “available resources” will undoubtedly shrink. But it is the right approach. The best way of coming through the present crisis is to look forward and invest in the future. The well-being of children is there key.

This is also a question of fairness between generations. What is happening now in country after country is that Ministers of Finance are borrowing money – to rescue banks and other financial institutions – from the future generations. We should be aware that the present politicians and bankers are going to leave behind them a heavy dept to be paid by the next generation. This will affect the lives of our children in future and reduce their scope as adult of taking decisions in the interest of their children.

Child poverty must be recognised as a multi-dimensional problem requiring integrated actions across a wide range of social, economic and cultural policies. Coordinated measures are needed: to increase families' financial resources through bringing parents into work; to reduce the families' expenses by subsidising childcare; to make decent housing affordable; to ensure quality healthcare; to ensure an inclusive education, to strengthen family and social relations; and to develop child protection services.

Although all the efforts are interdependent, a specific focus should be put on education. Education breaks the cycle of poverty.

Even in Europe, children continue to be denied access to school because they are undocumented, or just because the school is too far to be reached. Schools must be accessible by all and totally free of charge.

Low attendance in schools and access to education is directly linked to poverty. The poorer a child, the less likely the child is to attend school. Because poor families often rely on their children to help supplement their income, children are either pulled out of school for seasonal work, or simply cannot attend at all.

Illness - including of parents- can prevent children from attending school. Orphaned children can face the same problem. Many children cannot afford the costs associated with attending school, such as buying school clothing or school supplies.

While both boys and girls have difficulty obtaining an education, girls are often discriminated against because of their gender. Girls are kept at home to help run the household or are married at a young age.

Even when children do attend school, the quality of education is sometime problematic. Often their schools are less well funded than others. As a result, they do not receive the same attention and staff can be less motivated. Demoralised by class size and structure, lack of teaching resources, and low pay, teachers sometimes just fill a space.

Education is one of the main drivers for ending extreme poverty. Girls who are educated are able to marry later in life, have healthier children, and can have work opportunities beyond the home. Boys who are educated may be able to break a family cycle of hard labour and typically earn more than their non-educated counterparts.

A minimum now is that governments declare how they are going to protect the interest of children against the worst effects of the crisis. There is certainly a need for a *planned* approach.

- ? An action plan against child poverty should of course define vulnerable groups and risk situations. Single parent families and children with special needs may belong to this category. We know that children in rural areas, children of migrants and marginalised communities have been deeply affected by poverty.
- ? Direct subsidies to these risk categories are necessary and, indeed, the rationale for much of the social transfers and family benefits. Such support has to be appropriately targeted and sufficient to lift children – and their parents – out of poverty.
- ? It is equally important to ensure that the schools, the health services, the day care centres and other public welfare institutions function without discrimination and do benefit also those most marginalised or otherwise disadvantaged. A policy of privatization of such services should not be allowed to block access by the poor.
- ? One of the first steps to protect children against poverty is to guarantee free access to education. Even when schools are free of tuition fees, education sometimes has hidden costs such as uniforms or books which have to be bought. In some countries, parents have even to pay for the heating in the school. Education policies should particularly target school drop-outs and youth unemployment by providing appropriate training and employment-related education.
- ? Access to basic health services often remains impossible for many children living in poverty. Due to a lack of health insurances by their parents, proper registration with the national system or sufficient resources, children are excluded from health care. Experiences of free of charge medical and dental check-up at schools have been very positive and should be introduced generally.

One attitude has to be rejected strongly: that poverty is the fault of the poor. This “argument” is particularly stupid as children are concerned, but also totally invalid in relation to adults. Some people have so far been denied our welfare – for different reasons, most of them outside their own influence. It is a test on our level of compassion whether we respect that everyone has human rights. Children included.

We should remember that rights for children is not only a question of protection, children have also the right to participate, to be part of our society. This may require a change of attitude among us grown-ups.

In difficult times, we should be encouraged by the achievements of Janusz Korczak, the “old doctor”. Korczak started out by teaching medical students from a deeply humanist perspective. He practised medicine, often charging no fee. In 1912 he decided that this was not satisfying enough, writing that “[a] spoon full of castor oil is no cure for poverty and parentlessness”. Korczak then opened two orphanages. During the Second World War he worked with children in the Warsaw ghetto – until he and 190 children from the orphanage were transported to be killed in Treblinka.

Almost every night, Korczak wrote his diary while the children slept. Although food, money, staff and even often hope were missing, life, joy but also discipline were maintained in his institution. Despite the surrounding chaos, children’s tribunal founded by Korczak continued to function until the very end. Children adopted the rules and were the judges of the court. Due to his ingenuity, the orphanage newspaper in which children could freely express their opinions, continued to be regularly publish.

Korczak proved that fighting child poverty is not only a question of means and measures; it is also a question of attitude and willingness to truly listen and help children in need. This is the attitude with which we should try to build our common Europe – for and with children.

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