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Side Event: “Equality of opportunity in education: special focus on children’s rights”

On 7 June 2011, Defence for Children International (DCI) in collaboration with the Platform of Education represented by *Istituto Internazionale Maria Ausiliatrice* (IIMA), VIDES International, *Bureau International de l’Enfance* (BICE), *Droit à l’éducation et liberté d’enseignement* (OIDEL), and supported by Quaker United Nations Office (Quakers), and IDAY, organized a side event at Palais des Nations, in Geneva. The event was co-sponsored by the Permanent Mission of Italy and Uruguay.

The meeting, organized to support the report presented on May 31st during the 17th session of the Human Rights Council by the Special Rapporteur, Mr. Kishore Singh, was entitled the ***Equality of opportunity in education: special focus on children’s rights***.

Many panellists were involved in the side event. The moderator, Ms. **Raquel Tavares**, Permanent Mission of Portugal to the UN at Geneva, opened the meeting emphasizing the important role played by the civil society that allows us to know the reality on the ground. She underlined the importance of an equal access to education for all children, such as children in prisons or those belonging to vulnerable groups.

The first panellist was Mr. **Kishore Singh**, UN Special Rapporteur on the Right to Education. He highlighted the importance of education and the engagement of the international community and civil society to promote it. Mr Singh said that the civil society monitors the human rights situation in many countries making people aware of the reality. Furthermore, he remembered the necessity of updating national legislation in order to guarantee universal and equal access to education, especially in primary school, and to provide equal opportunities especially to children with disabilities.

The second panellist, Ms. **Barbara Robinson**, of Defence for Children International, focused on the correlation between juvenile justice system and educational needs for children in prison. She pointed out that few efforts have been realized to ensure the quality of education for detained children. In fact, many children in detention receive a mediocre education and those who are released from custody can have difficulties in re-accessing education. She highlighted as well the important role of civil society in providing education to detained children especially when the State lacks of measures. Furthermore, sharing the results of the recent research “Education in Chains” she said that many children deprived of their liberty for different reasons such as delinquency, illegal immigration, living on the street, are not able to fulfil their



From Left: Ms. Noelle Garcin, Ms. Alessandra Aula, Mr. Kishore Singh, Ms. Raquel Tavares, Ms. Barbara Robinson

right to education because of their detention status. Finally, the difficult detention conditions of girls and the non enjoyment of their right to education were brought to the participants' attention. In fact, she said that girls, more predisposed to suffer from mental health problems, require special needs and programmes.



Participants attending the side event

Ms. **Carolán Goggin**, of Quaker United Nations Office, showed the differences between children living in prison with their parents and children who have a parent in prison but live outside. Concerning children living in prison she denounced that these children do not have access neither to pre-school education, considered crucial for children's development, nor primary or informal education. Furthermore, she underlined that detained parents, with traumatic childhoods, can have difficulties to take care of their children. For this reason, in prison should be organized parenting skills courses and antenatal classes, during which parents can be supported by health specialists and child development staff.

Finally, she proposed as well the necessity for parents to share recreational moments with their children, to play and study with them but, at the same time, to guarantee children enrolment in crèches, pre-schools or schools outside the prison in order to facilitate their integration into society.

Relating to children who have parents in prison but live outside the prison, despite the fact that they can have access to public schools they are often victims of stigmatization from teachers or other students. These forms of discrimination can be cause of children behavioural disorders. Furthermore, some researches show the importance of the involvement of parents in children schooling in order to favour their development. For this reason, it should be useful to create a direct link between parents in prison and their children, sharing information about children educational progress and creating moments of parental support for children's homework.

Ms. **Claudia Mazzucato**, of Catholic University of Milan, noted that despite the number of studies realized on children living in prison, only few studies take into consideration the psychological impact that this status can have on children's development and behaviour such as regressive behaviours, depression, parentification, etc. She recognized the importance to ensure frequent meetings between parents in prison and their children preferably supported by specialized staff. In this regard, she described the "Memory Box" study that consists of a real box where prisoners can store all materials, documents and feedbacks coming from meetings with their children: drawings, books, short writings, etc. The memory box will become a symbolic container of memories. In a second moment the content of the box is analyzed to understand the meetings impact on children and parents.

Ms. **Noelle Garcin**, of IDAY International, focused her intervention on imprisoned children's conditions in Africa. First of all, she specified that it is very hard to know the real number of children in prison in Africa because many of them are not registered at birth. Most of children are detained without a clear reason; others wait long time a judicial process. They are not detained in specific prisons but with adults. The national legislation does not ensure specific programs for children and it does not provide their right to education. Furthermore, governments do not guarantee reintegration programs for realised children, who often suffer from behavioural disorders and are stigmatized from their community. In fact, it should be very important to realize awareness campaigns that involve local communities in order to change their attitude towards children who were in prison as well as to push states to respect the international standards of detention and encourage alternative measures for minors.

The last speaker, Ms. **Alessandra Aula**, Deputy Secretary General of the International Catholic Child Bureau (BICE), shared the results of the BICE congress that took place last May in Paris. During this congress Sr Josephina Carrasco, VIDES Philippines delegate, presented the experience of VIDES in the country. Among all the recommendations arisen during the congress she remembered the importance of training for teachers and the human rights education as well as the necessity to make children aware of their rights.

During the interactive dialogue, participants proposed their point of view and demand clarifications to panellists. In particular, they underlined the importance of a "restorer justice" instead of a "punitive justice"; the role of teachers fighting against stigmatizations of detained children, and the necessity to train judges who work with minors. Finally, the panellists concluded saying that the visits in prisons should be

facilitated and detained children should be considered as persons with a role to play into the society in the future.

The side event confirmed the conviction to involve several actors as international organizations, local governments and communities, churches, NGOs, civil society, families, youth and volunteers, in the improvement of detained children's conditions. Moreover, participants agreed on the necessity to follow this path by studying this thematic in order to achieve concrete goals in this area and guarantee the enjoyment of the right to education to these children.

Presentation of the Special Rapporteur on the right to education report at the 17th session of HRC

On May 31st, during the 17th Session of the Human Rights Council, the Special Rapporteur on the right to education, **Mr. Kishore Singh**, presented to the Human Rights Council his first report "The promotion of equality of opportunity in education".

Mr. Singh underlined that he devoted his first report to this theme because he considers the core principles of "non-discrimination" and "equality in access to school" a priority in order to ensure the right to education. Relating to this, he emphasised that about 67 million children in primary school age are out of school, the majority of which are girls.

The report provides an illustrative overview of key factors affecting the equality of opportunity in education, as well as some initiatives carried out in order to counter physical, financial, cultural or linguistic barriers which obstruct it. The main obstacles he highlighted consist of direct and indirect costs for accessing primary education, which affect children belonging to poorest families, and the lack of the right to mother-tongue or native languages education, which is a source of exclusion for minorities and migrants.

Accordingly, the Special Rapporteur addressed some basic recommendations. Firstly, he encouraged States to adopt adequate legal framework, as well as policies and programmes aiming to ensure education opportunity for all. Secondly, he pointed out the allocation of adequate, sustainable financial resources. Thirdly, he urged States to implement the follow-up of the concluding observations of the Treaty Bodies and the recommendations resulting from the UPR process. Finally, he fostered States to enhance international cooperation and to strengthen collaboration with academic institutions and civil society actors.

Furthermore, the report contained a detailed description of his visit in Senegal.

During the interactive dialogue, OIDEL, on behalf of the NGO Platform on the Right to Education, of which IIMA and VIDES International are members, presented an oral statement to support the annual report of the Special Rapporteur on the right to education.

This oral intervention based on the written statement submitted always by the NGO Platform to the Human Rights Council on the item 3, focused on the importance of an inclusive education. NGOs underlined that education should guarantee equal access and opportunities for all responding to children with special needs. Furthermore, it was emphasised the necessity to adopt a human rights based approach to guarantee the full enjoyment of the right to education for all. This perspective should allow States to remember their obligations concerning education and provide them a support in elaborating adequate educative policies.



Mr. Kishore Singh, Special Rapporteur on the Right to Education

IIMA and VIDES in defense of Children's rights in Mozambique and Paraguay

On 9 June, on the occasion of the adoption of the outcomes of the Universal Periodic review on Mozambique and Paraguay, IIMA and VIDES International presented two oral statements.



Ms. Daniela Maccioni, Intern at the IIMA Human Rights Office

For IIMA the intervenient was **Daniela Maccioni**, who welcomed the recommendations concerning the rights of the child and in particular the right to education. She affirmed that several issues had been affecting the educational system in Mozambique, including school enrolment fees despite their abolishment in 2005, high dropout rates, and insufficiency of teaching personnel among others. IIMA strongly recommended that Mozambique ensure equal access to education and eradicate any gender disparity, especially in rural areas, build new schools, provide subsidies to poor families and provide teachers with adequate training. With regard to violence against children, IIMA expressed its concern about the persistence of corporal punishment in private and public contexts and requested the Government to prohibit

all forms of corporal punishment in the laws.

Roberta Bompensa, VIDES International representative, expressed VIDES' concern about the human rights situation of indigenous peoples and those living in rural areas in Paraguay, especially concerning education. While welcoming Paraguay's acceptance of the recommendations concerning free education, VIDES was concerned about the fact that only 31 per cent of youth between 15 and 17 years of age had access to secondary education because of school enrolment fees and the concentration of educational facilities in urban areas. VIDES recommended Paraguay to adopt all measures in order to integrate into the educational system the most vulnerable children and those living in rural areas.



From Left: Ms. Ilaria Vozza, Ms. Daniela Maccioni, Ms. MariaGrazia Caputo and Ms. Roberta Bompensa

IIMA and VIDES submitted reports on Cambodia and Costa Rica to the CRC

On the occasion of the 57th Session of the Committee on the Rights of the Child (CRC), IIMA submitted a report on Cambodia, thanks to the information provided by IIMA Human Rights defenders working on the ground, and a report on Costa Rica with the collaboration of VIDES International volunteers.

Regarding **Cambodia**, IIMA alternative report focused, *inter alia*, on several issues concerning education, especially with regard to children living in rural areas. Moreover, serious concerns were expressed with regard to child abuse and ill-treatment, sexual tourism, economic exploitation, trafficking, and children affected by armed conflict.

During the debate the *Rapporteur* of the Committee for Cambodia, Mr. **Kotrane**, asked several questions on the protection law of children with disabilities, and on the situation of girls and children belonging to minority groups. In addition, he stressed the problems connected to the non-compulsory primary education, the sexual tourism and child exploitation. While recognizing that Cambodia made a great effort in establishing a legal framework responding to international standards, Mr. Kotrane highlighted that the Committee needs more



The Committee on the Rights of the Child during the 57th session

information on how this legal system is working in practice, and in particular on how the government is dealing with these issues. Accordingly, he asked for precise data and statistics that should report the effectiveness of national plans.

Other experts of the Committee focused on the protection of migrant children and street children, and highlighted the existence of several problems affecting children in Cambodia: domestic violence, deficiencies in birth registration and juvenile justice system, child mortality and malnutrition, and the absence of educational and health infrastructures.

On **education**, the experts returned on several issues underlined by IIMA in its report, such as the non-existent compulsory education in the constitution; the discrimination against girls and children with disabilities in the access to education; the high rate of drop out in secondary school; the poor quality of teaching due, among other things, to inadequate salary and the lack of training for teachers; the problem of high school fees and the distance from schools, especially in rural areas. In addition, some experts underlined that many teachers also conduct out-of-class tutorial lessons asking a high payment, and students who do not attend these tutorial classes are often failed.

The Committee on the Rights of the Child (CRC) is the body of independent experts that monitors the implementation of the Convention on the Rights of the Child of each State through scrupulous analysis. It also monitors the implementation of the two optional protocols added to the Convention. All States parties are expected to submit regular reports to the Committee on how the rights are being implemented. States must initially report two years after acceding to the Convention, and every five years after that. The Committee examines each report and meets the national delegation of the State Party to discuss the content of the report. During the meeting, one of the experts (i.e. the Rapporteur) is in charge of expressing main concerns on a specific country. Finally, the Committee addresses its concerns and recommendations to the State party in the form of “concluding observations.”

In reply to these questions, the national delegation stressed that a plan of education for all, which is connected to the action plan to help children living in disadvantaged and poorest areas, as well as bilingual programs are being implemented. Also, the government made efforts to guarantee an adequate salary for teachers and to ensure that a sufficient amount of budget is addressed to education. Special classes for children with disabilities have been organized in order to integrate them with other children. According to the Head of delegation, the government provides scholarships in collaboration with the World Bank in favour of the poorest children, especially those living in rural areas.

Finally, in its report IIMA underlined the persistence of discrimination in access to education for Khmer children. While this issue was raised during the dialogue by one of the expert who asked the government to explain in detail the legal protection for non-Khmer citizens, the national delegation did not provided further information in this regard.

In the concluding remarks, the Co-Rapporteur for Cambodia in the CRC, Ms. **Koompraphant**, stressed the importance for the State party to cooperate with civil society in order to create a solid legal framework to support government’s program. On education, the Government of Costa Rica has been urged to allocate at least 1.9 per cent of Gross Domestic Product on education, as children are one of the most important assets of the country.

Additionally, IIMA presented in collaboration with VIDES International an alternative report to CRC on **Costa Rica**, addressing several problems concerning children living in the country. The examination of Costa Rica started with the brief presentation of the Chair of the Delegation, Mr Manuel B. Dengo, Ambassador and Permanent Representative of Costa Rica, on the State report about the implementation of the Convention on the rights of the child in the country. Afterwards, the experts raised several issues that still need to be addressed.

Regarding **education**, IIMA and VIDES Human Rights Defenders in Costa Rica underlined the necessity to ensure access to education, especially at secondary level. The respect for different cultures and languages should also be considered a top priority and be achieved by improving the training of teachers who work with indigenous children and children living in rural areas. Mr Dengo explained that although education is free both at primary and secondary level school attendance rate is still low with regard to secondary education, due to the fact that very often children start to work to earn money for their family. Costa Rica government is implementing a constitutional reform composed by strategic guidelines to ensure quality education for all children in the country.

As reported by IIMA and VIDES, **violence against children** persist in Costa Rica even if corporal punishments are prohibited by the national legislation. Several experts stressed that a large number of children suffer for physical and psychological violence as well as sexual abuse at school and home. Many girls between 11 and 13 years are already married and suffered health problems during pregnancy, and often they lost their children. Regarding the **exploitation of minors**, IIMA and VIDES stressed that regardless Costa Rica's ratification of the Optional Protocol on the sale of children, child prostitution and child pornography in 2002, much remains to be done at all levels: public officials and police members should be adequately trained; the population should be informed and educated on human rights; the victims of violence should be provided with an adequate assistance; and existing national laws should be reviewed in order to punish the perpetrators of these crimes. Also the experts recommended the State to take all possible measures to prevent economic exploitation of minors, and to protect especially children living on the streets and in rural areas.

In reply to the issues raised by the experts, Mr Dengo explained that Costa Rica is currently making major efforts to increment and improve the investigations about children subjected to violence. Additionally, several laws were adopted to prohibit exploitation and domestic work for children, and punish sexual exploitation and child pornography of all children, especially for those under 15 years. In particular, a Law Prohibiting Corporal Punishment (2008) and a national policy (2011-2013) were adopted to improve peace and solidarity education in the schools and in all others public institutions.

As underlined also in the IIMA and VIDES report, the problem of **discrimination against** indigenous children is perceived by experts as a major issue, especially with regard to access to education. Accordingly, it is fundamental to adopt a National Plan on multilingual and inter-cultural education, to permit ethnic minorities to maintain their cultural features. The experts asked more information also on the situation of **migrant and refugee children**, the majority of those come from Nicaragua, in particular regarding the system of registration and identification of these people. The Chair of the Costa Rica delegation affirmed that a General Law on Childhood aimed at protecting children against discrimination, was approved in 2002. The State is also improving legislative and executive measures in order to ensure protection to all children in the territory of Costa Rica, especially indigenous children.

In conclusion, the Committee's experts urged both national delegations to increase their commitment for the full implementation of the Convention on the rights of the child and claimed that all children should be respected and treated with human dignity.

IIMA joints the Mornese project and plan future training courses

The IIMA Human Rights Office jointed this year an important project promoted by the General House in Rome. The "Mornese Project" consists of a pilgrimage to the source of the Salesian charism and involve several sisters, animators of community, who visit crucial salesian places like Turin (Don Bosco), Annecy (Saint Francis of Sales), and Mornese (Mother Maria Mazzarello). In 2011 the General Council decided to insert the visit of the IIMA Human Rights Office based in Geneva in the project. Visiting the IIMA office is an opportunity to make Salesian sisters aware of the activities of the Office and the collaboration opportunities.

During the visits, Ms. **MariaGrazia Caputo**, Director of the Office, explained what means for the International Institute of the FMAs to be in consultative status with ECOSOC and to be present in Geneva. She underlined that this presence is a concrete response to the General Council XX during which the General Council planned to "be present where educational politics are decided" and XXI to "defend human rights, especially of young and disadvantaged people" and "networking with international bodies in charge of defending human



FMAs visit the IIMA Human Rights Office in Geneva

rights". In particular, considering the high commitment of the Institute in the educational field the mission of the office is to promote and defend the right to education for all.

A second important reason of the visit was to highlight the necessary collaboration with Sisters working on the ground, who are the only one who can provide information that can be used in writing reports on the situations of children, women, and those living in difficult situations to be submitted to the United Nations mechanisms of promotion and protection of human rights.



FMA's visit the IIMA Human Rights Office in Geneva

The visits were also an occasion to present works and activities carried out by the IIMA Office, in particular the training activities organized every year and aimed at making sisters and VIDES volunteers aware of the human rights language and defense mechanisms.

Until today three groups of Salesian sisters were hosted in Geneva. On 29 April a group of 46 Sisters coming from India, Japan, South Africa and Ethiopia; on 15 April a second group of 36 sisters coming from India, Australia, USA, UK, Ireland, Rwanda, Sudan and Zambia; and on 15 June a last group of 42 sisters coming from Latin and Central America (Venezuela, Argentina, Peru, Chile, Mexico, etc), Spain and Equatorial Guinea.

The visits were an interesting moment of sharing both for visiting sisters and for human rights officers.

Another important project that IIMA Office is planning in collaboration with two teachers of the "Pontificia Facoltà di Scienze dell'Educazione Auxilium", in Rome, is the institution of a new course focused on the promotion of human rights, especially the right to education, through a theoretical-practical training based on the humanism pedagogy of Don Bosco.

In order to plan this new course, the two teachers of the Auxilium met in Geneva this June with Ms. Maria Francisca Ize-Charrin, member of the VIDES International executive board and former Director of the Field Operations and Technical Cooperation Division (OHCHR, and two NGO members, Alfred Fernandez, President of OIDEL, and Olivier Poquillon, of Dominicans for Justice and Peace. From this meeting and Sr MariaGrazia's experience on this issue, is born the first idea of the course that will be submitted to the Auxilium Presidency Council's attention in short time.

The course should train educators and transform them into human rights defenders dedicated to promote children and women's rights. It should make students able to be human rights educators and to collaborate with human rights international bodies. Moreover, it should integrate a period in Geneva during which students can attend Human Rights Council and Treaty Bodies sessions. Finally, students could be invited to spend a working period in the field in order to concretize human rights projects

IIMA Human Rights Office

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<http://iimahumanrights.blogspot.com/>

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