

BICE special report for 25 years of the Convention on the Rights of the Child.

Asia - The view of **Yanghee Lee**

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After 25 years and 193 ratifications, the Convention on the Rights of the Child is almost universally recognized as a legal reference text, having been used to establish the norms and standards of children's rights and having motivated institutional changes for the promotion and protection of childhood. It has made children more visible as full members of their society.

The constitutions of many countries have been modified and now include provisions for children, including specific provisions consistent with this Convention.

Increasingly, court rulings refer to the Convention. Children's right to be heard has also been included in legislation, taking into account the best interests of the child, although in these two areas (the right of children to be heard and the best interests of the child'), states could do more.

In most states, inter-ministerial coordination mechanisms have been put in place as well as independent monitoring mechanisms. One of the most promising developments recently observed is budgeting for the child. The Convention has also played an important role in the abolition of the death penalty for children and the promotion of a universal ban on corporal punishment.

The adoption of the Optional Protocol to the Convention on the involvement of children in armed conflict has prohibit conscripting children under 18 and their participation in conflicts. Arms exports are now carefully controlled to prevent them from falling into the hands of groups using children in conflict.

The Optional Protocol to the Convention on the sale of children, child prostitution and child pornography obliges States which have ratified to expressly prohibit such acts, which the Protocol defines clearly, in their code criminal. It has also banned illegal adoption and the sale of children's organs. Now, children under 18 engaged in prostitution are considered victims and treated accordingly.

In 2011, a third optional protocol to the Convention was born: one concerning the procedures for submitting communications. With this new protocol, the concept of law will have a true sense for children, as they will have effective means to remedy violations of their rights. Children themselves or their representatives now have the opportunity to seek redress for any abuse or violation of their rights by filing complaints directly with the Committee on the Rights of the Child. This protocol provides two new ways to challenge violations by States: via an individual communication or an investigative procedure.

Although we have made great progress in achieving the rights of the child during the first two decades of the Convention, many children are still victims of discrimination in all forms, exclusion from decision-making processes concerning them, all forms of violence and exploitation, sexual or economic abuse, trafficking, forced labor, harmful traditional practices and the results of armed conflicts, not to mention extreme poverty, hunger and diseases.

We are also unfortunately seeing backward steps, for example concerning the minimum age of criminal responsibility, which remains a constant challenge. Children are still being sentenced to death in 14 countries, while 40 countries allow corporal punishment, including flogging, caning and amputation, in their system of "justice".

Iraq has recently proposed a new law legalizing marriage for children 9 years old. It is estimated that worldwide, 10 million children were taken out of school after marriage. In Yemen, where there is no minimum age for marriage, 50% of girls are married before the age of 18.

Not to mention the horrible events unfolding before our eyes, often for reasons purportedly religious, cultural or traditional, such as the recent atrocities committed by Boko Haram in Nigeria.

To conclude, I would like to urge leaders to put children at the top of their agenda. Too often, children are seen as future leaders, whereas in reality, here and now, their voices are not completely understood.

I just attended the World Congress of the International Society for the prevention of abuse and neglect of children. I would like to share what was highlighted in conclusion: "The future of the world and the future of children are one."