



## Editorial

When covering the celebrations of the 20 years of the Convention, media came with numerous questions on the CRC; three of them were recurrent:

### What record after 20 years of children's rights ?

The major change brought about is the outlook on children; the Convention demands that each human being under 18 be considered a full-fledged person. As soon as they are born, children are entitled rights, and are not only the objects of our kindness and affection. This is a new position that notably confers to the child the right to a name, to birth registration, to a nationality, not to be separated from parents. Moreover, this position entitles the child with civil rights and freedoms, like expression, association, information, respect for privacy...

As for basic healthcare, one can say globally that care concerning health, education, protection and the elimination of some forms of exploitation have made a huge breakthrough. However, much remains to be done to curb the worst forms of child exploitation (prostitution, sale, trafficking, child-soldiers, work in inhumane conditions, abuse and maltreatment...).

### A Complaint Mechanism for the Convention ?

The CRC is being respected worldwide, to different levels. Taking notice of the serious and sustainable efforts of numerous countries must not hide the fact that some States attribute symbolic and declamatory value to this text, without considering it as a binding treaty. And precisely, this instrument does state very clear obligations to States, and is no mere "Declaration" of intent towards children. There lies one of the challenges of the Convention. However, to get one step forward and turn the Convention into an instrument opposable to States, a group of NGOs have drafted Optional protocol n°3, to allow children themselves to lodge individual communications (complaints) against violations of their rights. The timeliness of such an instrument will be discussed in December 2009 in Geneva, by a group of experts.

### In what way is the CRC an efficient tool to make a change for children worldwide ?

The starting point of the Convention celebrated this year for its 20th birthday, is the will to shift from considering children as objects, to considering them as full-fledged persons, owner of rights. The whole evolution of family law undoubtedly had strong influence on this evolution (separation, divorce, evolving family structure...). The Convention is universal: it is not meant only for developing countries. All its State parties (193 out of 195 potential signatories) must implement its principles and respect the rights it enshrines. For sure, its implementation is not uniform, but carried out in function of every country's context. Of its financial, technical and human (namely trained professionals) resources as well. In my view, the Convention's efficiency lies mostly in two basic principles:

- the best interests of the child obliging decision makers to weigh, when rendering a decision, where the child's interests lie;

- the obligation to hear children in any procedure concerning them, in function of their age, and maturity. This means for children, the opportunity to directly influence the course of their life.

Those two principles work in complementarity: how indeed to decide upon where the interests lie, without a hearing of the concerned child!

*Jean Zermatten*

## 1. 20 years Enfan'Phare

On November 20th, 2009, the UN Convention on the Rights of the Child (hereafter the Convention), has celebrated its 20th birthday. As a tribute, six partners active in children's rights have organized a large-scale event in Martigny, Switzerland, **on Friday 20th and Saturday 21st November 2009**, for children and their families, professionals, and a wider public. The three key moments were:

### THE FRIDAY CONFERENCE 20.11.09

This thematic day gathered 650 professionals: educators, psychologists, sociologists, teachers, social workers, physicians, clerks, journalists, judges, lawyers, policemen,... and HES-HERP students (high level vocational schools). Five issues were dealt with (Youth and alcohol, new technologies, sexual abuse, migration, participation).

### THE FRIDAY EVENING PARTY 20.11.09

At 18:00 P.M., a festive event took over in the form of the birthday ceremony (a huge cake presented to the jubilee by the Valaisan Bakers' Union) and a convivial meal...

### THE SATURDAY FAIR 21.11.09

The Saturday event gave the opportunity to 54 associations, NGOs and other organisations committed in the promotion and advocacy of children's rights, to take part in the event, and to present their activities, in stalls: this was the Enfan'phare fair! Moreover, a programme of almost 30 cultural or sport events including 5'000 participants altogether paid a colourful tribute to the Convention.

The event was supported by the Swiss Confederation (OFAS), the Canton of Valais, the Martigny municipality, LORO; the Sion and Valais Lion's club offered logistical support. Several sponsors and friends granted the funding of this outstanding event! THANK YOU!

## 2. China Programme

In the second part of 2009, the China programme was following two main tracks:

- seminars at the Fudan University in Shanghai and at the China Social Sciences Academy in Beijing. Mr Zermatten, Ms. Riva Gapany and Mr Stoecklin gave lectures and hold dialogues with Profs. Peng Xizhe (School of Social Development and Public Policy, Fudan University) and Liu Huawen (Institute of Law, CASS Beijing) to establish long term partnership and collaboration with those two Chinese universities;
- IDE presence in the 2010 Shanghai Universal Exposition, with "children's rights" component within the Swiss stall.

## 3. Summer University

The fourth edition of the Summer University about children's rights took place at the University Institute Kurt Bösch in Sion, on the issue of Childhood and poverty. This interdisciplinary training session gathered 16 students from July 20th to 24th. High-level speakers outlined the context in which legislators, child protection instances and NGOs

work out a mode of implementing the CRC, meant on the one hand to prevent poverty and protect the child from it, and on the other hand to find means to deliver on these rights in a context of poverty.

#### 4. Parutions

##### **PRAMONT: UNE DEUXIEME CHANCE (Pramont: a second chance)**

After "*Mutilated Women Never More*", "*Forced Marriage Never More*", IDE has produced a third film entitled "*Pramont A Second Chance*". The objective of this documentary is to show the Pramont institution, a closed educational facility, located in the Valais, Switzerland, with an emphasis on its specific pattern of care. This concept offers to youth experiencing difficult circumstances, and with judiciary – if not criminal – records, the opportunity to find a place in society. The underlying idea is that intervention models based on education prove more efficient in dealing with young offenders, than the repressive model. A group of Pramont residents take on the camera under guidance, to tell about their daily life, their hopes, and their future perspectives.

For IDE, the circumstances of this film are tinged with emotion, for its director Ms. Carole Roussopoulos, author also of the two former documentaries, passed away on October 22nd, 2009. In grieving pain, we are still guided by the vibrant memory of this tireless advocate of the most vulnerable.

The film "*Pramont: une deuxième chance*" is available from the IDE, the price is CHF 30.- (individuals) and CHF 50.- (institutions).

<http://www.childsrights.org/publications>

##### **HANDBOOK OF INFORMATION AND REFLECTION ON FEMALE GENITAL MUTILATION: RECOMMENDATIONS FOR PROFESSIONALS IN SWITZERLAND**

Such is the title of the joint didactic publication by IDE, the Centre Suisse-Immigrés, the Association Kalkal (Switzerland-Somalia), the Fédération valaisanne des centres SIPE, and the Migration and Population Department of the Canton of Valais. Launched on December 10th in the presence of Ms. Esther Waeber-Kalbermatten, Minister of the Department of Security, Social Welfare and Integration (Canton of Valais), and fifty other participants, the handbook was welcome for the targeted audience: professionals likely to encounter a woman who suffered a mutilation, or in risk of it. The handbook is multidisciplinary, and based on healthcare recommendations issued by women belonging to communities concerned by FGM. How to tackle the issue? What kind of care? What is the legal basis?

The handbook is available from the IDE. Price: CHF 60.- with DVD ("*Mutilated Women Never More!*" included).

<http://www.childsrights.org/publications>

#### 5. News from the Training Courses

- Since April 2009, a new certified training course « *Enfants victimes, Enfants témoins: la Parole de l'Enfant en Justice* », on the word of the child, has started, in collaboration with the University Institute Kurt Bösch and with the support of "Oak Philantropy". The 4th module on « *L'enfant, le représentant de la justice et le clinicien* » has taken place in December 2009.
- MCR students followed their 4th module in Sion on the issue of family violence.
- An IDE delegation is to fly to Nepal for the second session of our programme dealing with the Nepalese Constitution and children's rights (March 22nd to 26th).
- A new programme is to be started in Togo from March 3rd to 6th: the content will be released in our June 2010 news! Patience...

Visit our Website : <http://www.childsrights.org>

## 6. News from the Sarah Oberson foundation

### THE SARAH OBERSON FOUNDATION WEBSITE: MEETING A REAL NEED

Totally remodeled, more dynamic, the new website of the Sarah Oberson Foundation has received more than **12'000 visitors** since its launching a year ago. A demand has visibly been met. Our website offers various fundamental informative sections, including updated documents on the process leading to the introduction of an Alerte enlèvement device in Switzerland; updated information on support available for persons in difficulty; an events page; documents dealing with the Foundation's fields of work; documents on the Foundation, with videos and pictures notably on the Foundation's tenth birthday celebrations in 2008. The **blog** releasing various editorials monthly on the issues treated by the Foundation enriches this content.

In view of this success, the Foundation, relying on the financial support of the Loterie Romande, has decided to **translate its website into German**.

2009 being the twentieth anniversary of the International Convention on the Rights of the Child, the Sarah Oberson Foundation was among the six Valaisan institutions setting up **Enfan'phare**.

The yearly reflection days organised by the Foundation those past six years will start again next year with the **Sarah Oberson Foundation Day 2010**.

The Sarah Oberson takes the present opportunity to hail the official decision to set up from January 2010, a **Swiss Alerte enlèvement** device. It has invested a lot in promoting this introduction.

The Sarah Oberson Foundation took part in a **law Draft** by the Legal Affairs Commission of the Parliament, on the motion "Repressing explicitly **sexual mutilations** committed in Switzerland or abroad by anyone staying in Switzerland". The letter of the Foundation stressed the improvement brought about by the draft, all the while pointing out the ambiguity of the notion of consent from an adult person to such practice. This notion is now being repealed.

In order to expand its awareness-raising activities on vulnerable children, and to contribute to investigations on missing children, the Foundation is now launching a **patronage campaign**. With the yearly sum of CHF 20.- (or more), patrons can give a support to the Foundation's activities, and receive regular information on it.

<http://www.sarahoberson.org/>

**To every one of you  
we send our warmest Seasons Greetings!**

*Jean Zermatten, Paola Riva Gapany,  
Daniel Stoecklin, Andressa Curry Messer,  
Geneviève Lévine, Elvira Fischer, Alexandra Prince,  
Patricia Roduit, Habib Osmani, Tara Balet  
Julie André, Sylvie Dubuis,  
Ana Gil and Roman Gisler  
Clara Balestra for the Fondation Sarah Oberson*



# Enfan'phare Vers 2010

## Archives

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