



Master of Advanced Studies in Children's Rights (2009 – 2010)

INSTITUT UNIVERSITAIRE KURT BOSCH – UNIVERSITY OF FRIBOURG

MODULE 4

Child and family

2 November 2009

Module 4 – Child and family

Monday 9 November <i>Introduction</i>	Tuesday 10 November <i>Violence against children</i>	Wednesday 11 November <i>Best interests and adoption</i>	Thursday 12 November <i>Child protection</i>	Friday 13 November <i>Children deprived of family care</i>
	<i>Room S01</i>	<i>Room S01</i>	<i>Rooms S01 & S11 & Study hall & Cafeteria</i>	<i>Room S01</i>
	<i>Lecture</i> Violence in the family: Child abuse and neglect (Philip Jaffé)	<i>Lecture</i> The best interests of the child principle (Jean Zermatten)	<i>Project work</i>	<i>Lecture</i> Children’s rights, child protection and de-institutionalization: a view from the CRC Committee, with special reference to Eastern Europe (Nevena Vuckovic-Sahovic)
<i>Rooms S01 & S11</i>	<i>Room S01</i>	<i>Room S01</i>	<i>Room S01</i>	<i>Room S01</i>
<i>Examination on Module 3 (10.00 – 12.00)</i>	<i>Lecture</i> Violence against children: an international human rights law perspective from the Americas (Monica Feria Tinta)	<i>Lecture</i> The Hague Convention on inter-country adoption (Isabelle Lammerant)	<i>Lecture</i> UNHCR and Child Protection (Ron Pouwels)	<i>Lecture</i> The international normative framework on children deprived of family care (Nigel Cantwell)
<i>Room S01</i>	<i>Rooms S01 & S11</i>	<i>Rooms S01 & S11</i>	<i>Room S01</i>	<i>Rooms S01 & S11 & Study hall & Cafeteria</i>
<i>Living Rights:</i> Joey/The Netherlands <i>Group discussion and introduction to the module</i>	<i>Group discussions I & II</i>	<i>Thesis workshops</i> 1. Research questions 2. Academic writing	<i>Case study</i> Advocacy on child protection and migration in Switzerland (Paola Riva Gapany)	<i>Praxis Groups</i>
<i>Rooms S01 & S11</i>	<i>Room S01</i>	<i>Room S01</i>	<i>Room S01</i>	<i>Room S01</i>
<i>Thesis workshops</i> 1. Academic writing 2. Research Questions	<i>Lecture</i> Violence against children and residential care (Volodymyr Kuzminskyy)	<i>Film</i> Long Walk Home (Philip Noyce, 2002)	<i>Thesis workshops</i> Questionnaires & interviewing	<i>Lecture</i> A rights-based approach to the age of marriage (Angela Melchiorre)
				<i>Room S01</i>
				<i>Evaluation of the Module</i>

► General

Module four of the MCR focuses on the relationship between the child, the family, the State as well as other actors that have a bearing on the child's development. The synergies and tensions that may arise within different family models and the impact of these on the rights of the child will be discussed.

► Chronological overview of the sessions

Monday 9 November 2009

10.00 – 12.00 Examination on Module 3

Rooms S01 & S11

12.00 Lunch

14.00 – 14.30 Documentary film

Room S01

Title: Living Rights: Joey / The Netherlands

Abstract: Joey lives with his mother Kristin, who has a borderline personality. Joey is often unmanageable for Kristin. The conflicts between Joey and Kristin tend to escalate often, is this situation maintainable? What should be done in the best interest of the child? Should the State intervene?

14.30 Group discussion, introduction and plan for the Module

Room S01

15.30 Coffee break

16.00 Thesis Workshops (parallel sessions)

Rooms S01 & S11

1 Academic writing (Prof. Karl Hanson, socio-legal studies, Children's Rights Unit, IUKB Sion)

2 Research Questions (Dr. Joana de Burgo, psychology, Children's Rights Unit, IUKB Sion)

17.30 Closure

Tuesday 10 November 2009

9.00 Lecture

Room S01

Title: **Violence in the family: Child abuse and neglect**

Abstract: This lecture will look at the issue of child abuse and neglect within the family setting from a psychological perspective. Child abuse and neglect within the family have serious consequences not only for the individual child, but also for the family and the community. These issues will be discussed in the light of the relevant legislative and policy frameworks.

Lecturer: PHILIP D. JAFFE is a Professor of psychology, Director of IUKB and Head of the Children's Rights Unit within IUKB. He is a specialist in legal psychology and psychotherapy, and has also worked with a number of different humanitarian organisations including the International Organisation for Migration and *Medécins sans Frontières*. His publications in relation to the rights of the child include work on child sexual abuse, the credibility of child victims of sexual abuse, the role of psychological examinations within legal proceedings and the mental health of victims of trafficking.

10.30 Coffee break

11.00 Lecture

Room S01

Title: **Violence against children: an international human rights law perspective from the Americas**

Abstract: The lecture will discuss the relevance of the American Convention for Human Rights for children and give an overview of the American human rights system and how it can strengthen respect for children's rights in the region, in particular related to the rights of the child in the context of family relations and violence within the family.

Lecturer: MONICA FERIA TINTA practices public international law and is currently representing victims before the Inter-American Court on Human Rights. She litigated the *Brothers Gómez Paquiyaury* case and more recently the *Miguel Castro Castro prison* case on behalf of 800 victims. She holds a LL.M. and was awarded the Diplome of the Hague Academy of International Law (2000). She worked at the ICTY (Chambers) in 1999 and at the International Court of Justice in 2000. She formed part of the State Delegation of Comoros Islands (legal counsel) during the Rome Diplomatic Conference for the Establishment of an International Criminal Court. She was Visiting Scholar at the Lauterpacht Center for International Law at the University of Cambridge and taught Public International Law at LSE and at the South Bank University. She is the author of a number of articles in the areas of international human rights law, humanitarian law and international criminal law.

12.30 Lunch

14.00 Group discussions I & II

Rooms S01 & S11

Two repeated parallel group discussions introduced and directed by Monica Feria Tinta and Joana de Burgo and Blagena Ramoni (2 parallel sessions of 45 minutes each).

15.30 Coffee break

16.00 Lecture

Room S01

Title: **Violence against children and residential care**

Abstract: This lecture will focus on the norms and standards applicable to the protection of children in residential care settings and address issues related to violence and prevention of violence within these settings. The examples used to illustrate the lecture will mainly be drawn from experiences in the former Soviet Union region.

Lecturer: VOLODYMYR KUZMINSKYY is the Country Director of EveryChild Ukraine. EveryChild is an international non-governmental organisation that works on children's rights issues world wide. In Ukraine, the organisation focuses on decreasing the number of children in institutional care and in fostering reintegration programmes for children placed in care.

17.30 Closure

Wednesday 11 November 2009

09.00 Lecture

Room S01

Title: **The best interests of the child principle**

Abstract: A socio-legal interpretation of the best interests of the child principle as defined by different articles of the CRC. Art. 3(1) CRC seeks to use that provision as a vehicle for exploring several different dimensions of the CRC as well as the broader relationship between culture and human rights.

Lecturer: JEAN ZERMATTEN is Vice-Chairperson of the Committee on the Rights of the Child and Director of the International Institute of the Rights of the Child (IDE) in Sion, Switzerland. He is chairperson of the MCR Scientific Committee.

10.30 Coffee break

11.00 Lecture

Room S01

Title: **The Hague Convention on inter-country adoption**

Abstract: The lecture will provide an in-depth presentation of the 1993 Hague Convention on Intercountry Adoption. It will emphasise the realities for children deprived of their families throughout the world and examine a rights-based approach to the issues that arise. The lecture will discuss the need for international cooperation and ethical practice with regards to the protection of children within the processes of inter-country adoption.

Lecturer: ISABELLE LAMMERANT is a consultant in human and children's rights. She has worked and written extensively on the issue of inter-country adoption, including: *Adoption: at what cost? For an ethical responsibility of receiving countries in intercountry adoption* (with M. HOFSTETTER), International Federation Terre des hommes, Geneva, 2007 and 'Les mineurs étrangers non accompagnés en Belgique et la Convention relative aux droits de l'enfant', in *L'enfant et les relations familiales internationales*, (Bruxelles: Bruylant, 2003), 201-234.

12.30 Lunch

14.00 Thesis Workshops (parallel sessions)

Rooms S01 & S11

- 1 Research questions (Prof. Mathis Stock, geography, Tourism Studies Unit, IUKB Sion)
- 2 Academic writing (Prof. Karl Hanson, socio-legal studies, Children's Rights Unit, IUKB Sion)

15.30 Coffee break

16.00 Film "Long Walk Home" (2002)

Room S01

The film puts a human face on the so-called 'Stolen Generations' of Aboriginal children who were systematically taken from their families as a result of the government policy of assimilation which was implemented in Australia throughout most of the 20th century. "Rabbit-proof Fence/Long Walk Home" is based on the true story of three young Aboriginal girls, Molly, Gracie and Daisy, who were forcibly removed from their families in the remote West Australian settlement of Jigalong in 1931. The girls were taken to be trained as domestic servants at the Moore River Native Settlement, north of Perth. Led by 14 year-old Molly, the girls escape from Moore River and defy the odds to travel 1500 miles through unfamiliar territory to return to their land, their homes and families. Director: Philip Noyce. Running time: 93 minutes.

18.00 Closure

Thursday 12 November 2009

09.00 Project work

Room S01 & S11 & Study hall & Cafeteria

10.30 Coffee break

11.00 Lecture

Room S01

Title: UNHCR and Child Protection

Abstract: This lecture provides an overview of UNHCR's protection paradigm and will focus on the issue of child and family protection in situations of population movements – either as refugees or as internally displaced persons.

Lecturer: RON POWELS is a Senior Advisor on Refugee Children in the Women and Children and Community Services Section of UNHCR's headquarters in Geneva. He has contributed to many publications on refugee children and also provided material for the UN Study on Violence against Children.

12.30 Lunch

14.00 Case Study

Room S01

Title: Advocacy on child protection and migration in Switzerland

Abstract: The case study will present the advocacy work undertaken by the International Institute of the Rights of the Child (IDE), an NGO based in Sion, Switzerland, regarding child protection and migration. It includes presentation of background information and screening of a documentary film on female genital mutilation, focusing on the situation of immigrant communities in Switzerland, and IDE's work in the field of forced marriages.

Lecturer: PAOLA RIVA GAPANY, LLM, is Deputy-Director of the International Institute of the Rights of the Child (IDE), Sion, Switzerland.

15.30 Coffee break

16.00 Thesis Workshop

Room S01

Questionnaires & interviewing (Prof. Daniel Stoecklin, sociology, Children's Rights Unit, IUKB Sion)

17.30 Closure

Friday 13 November 2009

09.00 Lecture

Room S01

Title: **Children's rights, child protection and de-institutionalization: a view from the CRC Committee, with special reference to Eastern Europe**

Abstract: The lecture will discuss the topic of de-institutionalisation, with a special focus on national Eastern European legislation and practices, in particular how these have been presented in the periodic reports before the CRC Committee.

Lecturer: NEVENA VUCKOVIC-SAHOVIC is a former member of the Committee on Rights of the Child (2003-2009). She holds a Ph.D. in Law from Belgrade University Law School and is founder and head of the Child Rights Centre – Belgrade, Serbia and Montenegro.

10.30 Coffee break

11.00 Lecture

Room S01

Title: **The international normative framework on children deprived of family care**

Abstract: This lecture will examine the norms contained in the CRC and other international instruments in relation to children without family care. It will also look at recent developments in this subject area including the UN Guidelines for the Alternative Care of Children.

Lecturer: NIGEL CANTWELL is a children's rights consultant based in Geneva, Switzerland. He works on several different issues in children's rights including; juvenile justice, alternative care and inter-country adoption. In 1979 he founded Defence for Children International (DCI) and he then coordinated the NGO Group's input into the drafting of the CRC. He also has experience working with UNICEF's regional office for Europe and UNICEF's Innocenti Research Centre.

12.30 Lunch

14.00 Praxis groups

Rooms S01 & S11 & Study hall & Cafeteria

15.30 Coffee break

16.00 Lecture

Room S01

Title: **A rights-based approach to the age of marriage**

Abstract: This lecture looks at challenges and opportunities related to the establishment of a minimum age for marriage, with a specific focus on the role of the child, the family and the state in the decision-making process. The lack of a specific provision on marriage in the CRC and the rigidity of recommending 18 as the universal minimum age are set against the Convention's continuous balance between protection and autonomy and the flexibility of the definition of the child in the light of articles 1, 5 and 12. Drawing on cases from different regions of the world and on States Parties' Reports to the Committee on the Rights of the Child, the lecture exposes the contradiction between children's experiences in different local contexts and the international community's focus on uniformity of implementation. It also highlights possible tensions between the child's views and parental/judicial consent. In conclusion, the lecture suggests a more nuanced, more flexible, rights-based approach setting an age range for marriage within a conceptual framework that includes the CRC general principles, is mindful of contexts, and is consistent with an enabling (rather than disabling) notion of the child.

Lecturer: ANGELA MELCHIORRE is Research Coordinator for the Right to Education Project at ActionAid International in London. She previously worked as Lecturer in Human Rights at the University of London and as Human Rights Advisor for the Italian Permanent Mission at the UN in Geneva and New York. She is the author of *At what age... are school-children employed, married and taken to court?*, a worldwide comparative analysis of minimum ages under the CRC reporting system. She is actually a research student at the Institute of Commonwealth Studies of the University of London, UK, where she prepares a PhD on the minimum age for marriage and the CRC.

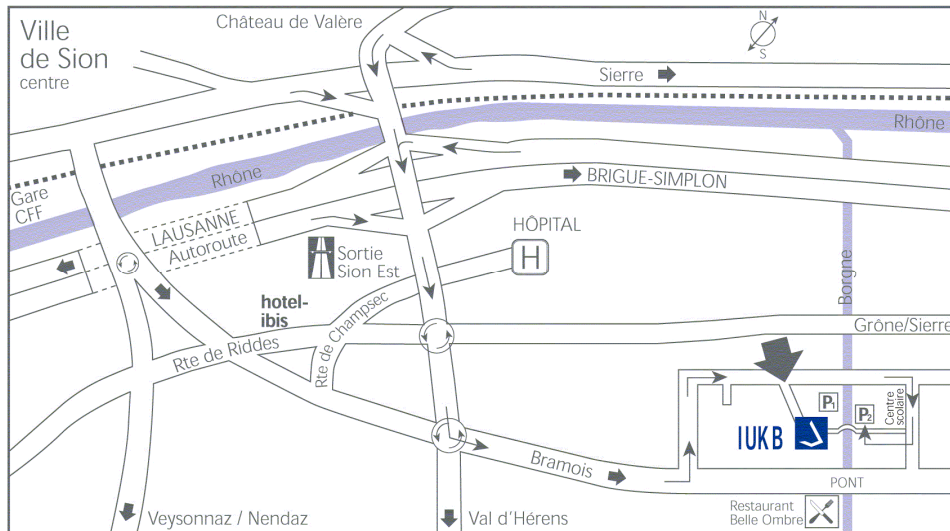
17.30 Evaluation of Module 4

Room S01

18.30 Closure

► Venue

All lectures will take place at the IUKB campus, which is situated in Bramois, a village at the outskirts of Sion.



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