Conference
Children’s education and children’s rights

Fudan University
Shanghai

29 June 2009

Working Report
Conference
Children’s education and children’s rights

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I.1: Terminology

Types of documents: Charter, Declaration, Convention, Protocols, and so on… Among these documents, the Convention, protocols and the Treaty are binding instrument; which means that the State is bound and obliged by the articles and their contents. The Convention may be completed by one or more protocols, like the CRC and the CEDAW. Protocol is an international instrument linked to a specific treaty, which it completes either by addressing new issues, or by stipulating the procedure. It may bind a State which has not ratify the main instrument. It imposes new obligations to States.

Status: signature or ratification. Signature means that the State express its intention to ratify the convention, but still needs some time; it is not bound by a signature. Ratification-acceptance-approval means the State has accepted the content of the convention and will respect it. It is legally bound by the ratification and may be accountable. Reservations: when a State ratifies a convention, it may reserve one or some articles, which means it doesn’t consider itself bound by the content of the article. It excludes the legal effect of certain provisions.

I.2: Authors

Most of the international documents are produced by the United Nations (General Assembly) or by one of their agencies such as the International Labour Organisation (ILO) or the United Nations Educational, Scientific and Cultural Organization (UNESCO); but, organisations, such as the International Committee for the Red Cross also draft international conventions (ICRC: Geneva Conventions on humanitarian laws), or the Hague Conference on Private International Law, a melting pot of different legal traditions, develops and services conventions which respond to global needs in the areas of International Protection of Children, International Family and Family Property Relations.

I.3: Regional human rights law

Besides international documents, there are several regional instruments of human rights, adopted by:


http://hcch.e-vision.nl/
There is no regional human rights documents for Asia nor for the Middle-East region.

1.4: Enforcement mechanism

The enforcement mechanism of international conventions depends on the type of documents:

- for treaty bodies, such as the CRC, a Committee of independent experts is set up, in order to help States to implement the convention, by monitoring the implementation and recommending further action.

- International Court of Justice in the Hague.
For regional document, there are specific courts, such as the African Court on Human and Peoples’ Rights, the European Court of Human Rights, the Inter-American court of Human Rights, or the International criminal court based on the Roma Status.
II. 1 Short historical background

The United Nations Convention on the Rights of the Child (CRC) was adopted on November 20, 1989 by the General Assembly of the United Nations, exactly 30 years to the day, after the Declaration on the Rights of the Child, also adopted by the General Assembly of the UN (Nov.20, 1959). This Declaration can be considered as the basis for the CRC, although a great amount of reflection was needed during 10 years (1979-1989) to confer on a new status of the Child. In addition, we went from an international declarative based document to a constraining document that holds the countries that sign and ratify it accountable.

The treaty was open to signature and ratification on January 26, 1990 and was entered into force on September 2, 1990. In less than 10 years, the CRC has been signed and ratified by almost all the nations of the globe (193 of 195), to the point where we can say that it has become a universal instrument, a reference in the Rights of the Child for the entire world. China ratified it on March 2nd 1992.

Two optional protocols

The Convention, in its vision to settle everything, could not have foreseen all the situations of protection is a precise manner and a certain number of poignant problems have appeared in current events over the past ten years: two problems captured the attention of the States: the question of recruitment of children in armed conflict and the painful reality of sexual exploitation of children. Thus, two optional protocols on Children in Armed Conflict and Children and child pornography, child prostitution and the sale of children were adopted and opened to signature and ratification by the States. Both were ratified by China in 2008 for the OPAC and 2002 for the OPSC.

II.1 Introduction

The International Convention for the Rights of the Child, the founding text of a new concept: Children's Rights. Compared to other UN documents related to human rights, the “Convention”, is Innovative, Participative, Egalitarian, Universal.

Innovative: it completely modifies the vision that we have of the child, going from the conception of a paternalistic protection of children to a veritable status of the child: from the child-object (where he was the property of adults), he becomes the child-subject, entitled to certain rights. It is a new child that is born.

Participative: the child is given the right to express himself in article 12: the child who has the capacity of forming his or her own views has the right to express those views freely in all matters affecting him, views that must be given due weight in accordance with the age and maturity of the child.

Egalitarian: its first principle rests on the idea that all rights must be granted to all children without exception (art 2 ch 1).

Universal: 193 of 195 States are party to this constraining text. It’s exceptional. This enthusiasm must not only be saluted for the momentum that expresses towards the new
concept of the child subject of rights, but especially for the scope that it confers to this legal instrument. Indeed, one can say that the rights of the child, through the support of almost all States Parties, become a new legal reality impossible to circumvent.

The convention is also a reference on which the “rights of the child” movement rests, but it is also the starting point for other instruments and will inspire other treaties. This has notably already been the case in the field of International Adoption with the Convention of The Hague on the Protection of Children and Cooperation in Respect of Inter-country Adoption adopted on 10.05.1993 and put into force on 23.01.1995. Besides being a reference, the CRC could fill a gap or replace a treaty: when a State hasn’t ratified a Hague Convention it is bound and thus applies the CRC.

The CRC is the longest text for Human Rights and is certainly the most exhaustive and comprehensive. From the beginning, its vocation is universal. It is not a neutral instrument, but one which has a consensual basis since it cannot be the holder of such an ideology, policy or philosophy compared to another, but that it must take into account the range of traditional values, cultures, political systems and of the convictions that exist in the world; it can thus appear in certain views, too “fuzzy” and “frilly”. But it must be given credit for having succeeded in finding a universal consensus on the basic principles. It also has the advantage of addressing the notion of child protection in the field of human rights, allowing judicial status, whereas, before it was only an ideal of nice principles and benevolence. Notorious progress.

II. 3. General mechanism and principles

General mechanism

The Convention applies (art.1) and defines a child as “every human being below the age of eighteen years”.

Next in the substantial part composed of 41 articles and principles, it affirms a series of child rights, which are not only rights and freedoms granted to children, but obligations that the States parties engage themselves to respect to favour the growth of a child part of a harmonious family, a family that is supported by the State and a basic welfare system. The rights that are listed are civil, social, economic and cultural rights, to resume human rights terminology. Unlike what many think, there are no “purely political” rights stated by the CRC. We could be tempted to see among these 41 articles some rights that are more important than others, and define a “core” of child rights, meaning extract certain rights to say that they are more important than others. This is nevertheless a dangerous position to take since it tends to make us think that certain rights should be defended over others and this would bring us to weakened situation for the rights that would make up this small intangible circle. All the rights presented in this treaty must be considered with the same value on a level playing field and apply to all children without any distinction.

The CRC is one of the UN treaty bodies, which means that its implementation by States parties is controlled by an UN Committee, the UN Committee on the Rights of the Child.

Articles and Principles
There are many different ways to group articles and principles of the CRC.

a) **The rights and principles linked to “the person” of the child**

Here are the fundamental rights linked to their existence.

- The right to life and development (art.6): principle
- The rights to not be discriminated against (art.2): principle
- The right to a name, and a nationality (art.7)
- The right to know and be cared for by his or her parents (art.7)
- The right to preserve his or her identity (art.8);

b) **The rights regarding the family**

- The primary responsibility of the parents in respect of the National legislation (art.5);
- To ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child (art.18)
- To ensure that a child shall not be separated from his or her parents against their will (art.9)
- The right to family reunification (art.10)
- The right not to be subjected to arbitrary or unlawful interference with his or her family (art.16)
- The protection against the illicit transfer and non-return of children abroad (art.11)
- The protection against passive or active abuse while in the custody of the family (art.19)
- The priority given to the solutions similar to foster care (art.20) or to adoption (art.21) when a child is deprived of his/her home of origin.

c) **The role of the community**

First and foremost, there are the measures of protection or social benefit:

- Access to all educational mediums (art.17)
- The protection for child refugees (art.22)
- The right to special care for disabled children (art.23)
- The right to a high standard of health and medical treatment (art.24)
- To abolish traditional practices prejudicial to the health of children (art.24)
- The right to social security (art.26)
- The right to education (art.28)
- The right to rest and leisure (art.31)
The protection against performing work (art.32)
The protection from the use, production and trafficking of controlled substances (art.33)
The protection against all forms of exploitation (art.36), the sale, traffic and abduction (art.35), and sexual exploitation (art.34)
The protection of children who are affected by armed conflicts (art.38)
The right to measures of recovery and reintegration for child victims of exploitation (art.39)
The protection against torture, capital punishment and life imprisonment (art.37 which has enormous importance, to be considered notably in relation to art.40).

d) The new rights related to the participation of the child in City life
Here lies the principle innovation of the CRC: without going too much into political rights, the CRC recognises that the child has an active role, specifically with:
The necessity to be provided with the opportunity to be heard in any judicial and administrative proceedings affecting the child (art.12)
Freedom of expression (art.13)
Freedom of thought, conscience and religion (art.14)
Freedom of association (art.15)
The respect for his or her private life (art.16)
The respect of human dignity (art.28)
The respect for a child belonging to such a minority, to enjoy his/her own culture to practice his/her own religion or to use his/her own language

e) The rights relating to the administration of Juvenile Justice
Article 40 of the CRC, which is the longest of this treaty, gives importance to young in conflict with the law since his/her situation makes him/her particularly vulnerable. The child can also be a victim and be stripped of his/her rights. Article 40 develops at the same time respect of fundamental rights, (basic guarantees like: presumption of innocence, the right to an attorney, the right to an independent and partial hearing, the possibility for appeal, etc.) and the general principles desired in juvenile justice (for example putting into place specialized instances, the elaboration of a minimal age of intervention, the priority of health and education, the development of alternatives for incarceration and institutional solutions).

f) The role of the State
It can be seen as the reverse side of the rights for the child, since it is the State that must take on many tasks, either primarily, or subsidiary in relation to the family, like:
The best interest of the child shall be a primary consideration (art.3)
The State shall assure that the child’s point of view is heard (art.12)

The child shall have the right to freedom of expression (art.13), of thought, conscience and religion (art.14), of association (art.15)

The enjoyment of the highest attainable standard of health (art.24)

Social security (art.26)

Education (art.28)

Protection against all forms of exploitation (art.32, 33, 34, 35, 36, 37, 38)

Establishment of authorities and institutions specifically applicable to children (art.40).

As mentioned before, there are rights (civil, social, economic and cultural) and four principles; these aren’t more important than rights, but need to be understood as a way of working, as an influence and guiding professionals in relation with children. These principles are:

1) right to life, development and survival (art. 6)
2) non-discrimination principle (art. 2)
3) best interest of the child (art. 3)
4) child participation (art. 12)

II.4. Key provisions concerning social work

Introduction

The work of the social workers is more concerned by certain rights and of course principles, even if, as stated before, all rights and principles apply to all children without any distinction, which means that professional should keep this mechanism in mind and consider children’s rights as a whole, which is also a part of an human rights approach.

⇒ Working from a child-centred perspective: which means placing children in the centre of the work and to reach this goal, children need to express themselves, to give their opinion, and they need to be listened to and understood = art. 12 CRC

⇒ Hague Conference on Private international Law: this encloses the large issue of family (adoption, abduction, child and adult protection, ….) = Preamble, art. 5, 8, 9, 10, 18, 20, 21, .. CRC

⇒ Child best interests = art. 3 CRC

II.5. The Additional Optional Protocols

The Convention, in its vision to settle everything, could not have foreseen all the situations of protection is a precise manner and a certain number of poignant problems have appeared in current events over the past ten years: two problems captured the attention of the States:
a) the question of recruitment of children in armed conflict
b) sexual exploitation of children.

Thus, two optional protocols were adopted and opened to signature and ratification by the States. Both protocols were signed by China on February 20th 2008 for the OPAC and December 3rd 2002 for the protocol of sexual exploitation (OPSC)

a) Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OPAC)

This field has become a very sensitive issue following several interventions, notably those of the Red-Cross and the Red-Crescent in 1995 requesting that they raise the age of youth that can be involved in armed conflict and the disputes that had taken place in a certain number of war zones where children had been used for military ends. It also appeared that there was a necessity for harmonization of this field with the CRC on one side (protection for those under 18) and on the other, the new convention No 182 on the child labour, which prohibits, the forced recruitment of children in armed conflict. Consequently work from experts led to an Optional Protocol, one that the States can accept or not, to ratify. There is thus no obligation, but obviously an insistent desire for them to do so.

The principal content of this protocol is to set the age limit for involvement in armed conflict to 18 years, while the CRC (art.38, 3) fixed the age limit to 15. This is an important principle that should suffer little or no exceptions. Nevertheless, the protocol allows the recruitment of children in armed conflict under the age of 18, but only under certain conditions (voluntary, consent from the legal guardian, complete information on the obligations of military life, exclusive commitment to the national armed forces or military school). Child recruitment by non-national armies (militia etc.) and at fortiori, their implications in hostilities is prohibited. It is asked that each State, in accordance with the main principles of the CRC, make this protocol accessible to both adults and children, and to support not only its acknowledgment, but also its application. The rules of control by the Committee for the Rights of the Child are also applicable to the protocol.

To this day, the protocol has been ratified by 128 States

b) Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OPSC)

Following the work of the Stockholm Conference of 1997, a resolution from the United Nations asked for the preparation of an additional protocol regarding these problems. This subject has become painfully obvious due to the explosion of pornographic Internet sites implicating children as well as sex tourism, where children from underdeveloped countries are easy prey for wealthy and immoral adults who are sometimes acting with the help of local agencies. The question regarding the sale of children, also illegal adoption and the organ trafficking has reinforced the uneasiness surrounding this drama.

The Protocol anticipates that the States must explicitly prohibit the sale of children, child prostitution and pornography that involves children (art.1); the different prohibited behaviours are defined in a rather large manner in article 2, and article 3 imposes that the States legislate in order to penalise this type of action towards children. Forced child labour, organ trafficking, illegal adoption are also taken into account in article 3. Article 4 allows double territorial incrimination, either in the country of origin of the person at fault, or the country of
origin of the victim. Article 5 extends itself on the necessity to consider infraction of art.3 allowing extradition between countries with treaties, whereas part 2 of art.5 foresees that in the case of non-existent bilateral treaties, the additional protocol must be considered as a viable judicial base to justify extradition. Article 8 focuses particularly on child victims, on their rights and the aid that must be given to them during penal procedures as well as in the prospect of their treatment. It is also evident that this protocol mainly looks to the prevention of abuse and to the surveillance of this kind of situation and also devotes a few lines to information.

This protocol becomes binding for the States that ratify it, and is therefore subject to the regular controls of the Committee for the Rights of the Child.

To this day, the protocol has been signed by 116 States and ratified by 131 States.
对儿童的承诺：
政府儿童权利保护的责任与行动

一、我们应该做什么——确立政府儿童权利保护的责任

二、我们怎么去做——完善政府儿童权利保护的机制

三、我们做了什么——加强政府儿童权利保护的行动

一、我们应该做什么

——确立政府儿童权利保护的责任

• （一）与《公约》接轨，制定完善法律法规

• 为了使每一个儿童都平等地享有生存权、发展权和参与权，我国从本国国情出发，在已有的《未成年人保护法》、《教育法》和《禁止使用童工的规定》等系列法律法规基础上，根据宪法又制定了《未成年人保护法》、《教育法》、《禁止使用童工的规定》等一系列法律法规，形成了较为完备的保护儿童权利的法律体系。
一、我们应该做什么
——确立政府儿童权利保护的责任

（二）组建主管机构，扎实推进《公约》实施

组建妇女儿童工作委员会；政府负责妇女儿童事务的协调议事机构。

主要职能：

- 协调和推动政府有关部门制定和实施妇女、儿童发展纲要；
- 指导、督促和检查下一级政府妇儿工委的工作。
二、我们怎么去做
——完善政府儿童权利保护的机制

儿童权利保护和发展工作格局： “政府主导执行、妇儿工委主管运作、各部门各司其职，社会各界共同参与”。

上海市各级政府以“国内领先、国际先进”为目标，把保护儿童权利和推动儿童发展作为转变职能、依法行政的重要任务，作为加强社会管理和服务的重要方面，不断健全保护和发展的政府机制，改善保护和发展的环境，实施一系列保障儿童权利的法规政策和促进儿童发展的实事项目，有效提高了上海儿童的整体发展水平。
二、我们怎么去做
——完善政府儿童权利保护的机制

（二）纳入政府渠道，实现同步实施
上海的儿童保护和发展一直注重与城市经济社会发展同步、协调发展。

纳入市政府经济和社会发展总体规划
纳入市精神文明建设总体规划
纳入政府常务会议的议事日程
纳入政府年度工作报告
纳入政府财政预算
纳入政府新闻发布序列等

二、我们怎么去做
——完善政府儿童权利保护的机制

（三）加强议事协调，确保目标落实
三、我们做了什么
——加强政府儿童权利保护的行动

上海儿童总体发展状况良好，儿童健康水平稳步提高，儿童教育发展条件趋于优质、均衡，儿童各项权利得到尊重和保护，儿童安全健康成长环境进一步优化。

★ 本市户籍人口婴儿死亡率为2.96‰
★ 五岁以下儿童死亡率为3.74‰（世界平均水平为6‰）
★ 本市计划免疫疫苗全程接种率达到了99.8%
★ 义务教育普及率一直保持在99.9%
★ 高中阶段教育入学率为98.1%
★ 儿童法律援助处理率达100%
★ 全市建立各类青少年活动点近300个
★ 社区公共运动场170多个
★ 社区儿童活动场所、儿童图书馆配备率达到了82.4%

（2008年）
三、我们做了什么
——加强政府儿童权利保护的行动

（一）贯彻以儿童为本理念，尊重儿童主体地位

《上海儿童发展规划》是根据《未保法》和《中国儿童发展纲要》，结合上海地区实际和特点制定而成的，统领全市儿童工作。它的制定和实施，充分体现政府尊重儿童独立人格，发挥儿童主体作用，培育儿童公民意识的理念，以及“一切为了儿童，为了一切儿童，为了儿童的一切”工作准则。

一个原则：儿童优先
一个基准：儿童利益最大化
四个优先发展领域：儿童健康、儿童教育、儿童权益、成长环境
主要内容：主要目标、支持性目标和策略措施

儿童参与的体现：
以问卷调查、个人访谈、集体座谈等方式，倾听儿童心声，了解儿童需求，吸取采纳合理意见和建议。

组织形式多样的活动，为儿童参与提供平台。如组织儿童走进上海市人大，模拟人大会议审议提案；邀请儿童代表参加少代会，共商与儿童自身密切相关各类事宜，为政府决策提供建议；在每两年举办一次的“为了孩子”国际论坛上，也开辟了儿童论坛专场，让专家、媒体、组织与儿童面对面交流。
三、我们做了什么
——加强政府儿童权利保护的行动

（二）讲究策略措施，提高工作绩效

责任签约制度：
新一轮规划实施前，市妇儿工委根据各成员单位职能，对规划进行目标责任分解，通过市政府分管市长与成员单位签订目标执行责任书的方式，明确成员单位在实施规划中的作用和责任意识。签约后，成员单位制定实施方案，采取切实的策略和干预措施。

述职评议制度：
每年的全委会上，有若干成员单位进行述职，报告规划达标状况、实施效果及特色经验。市妇儿工委就该成员单位的目标任务完成情况、存在的问题及改进的方法进行评议，以推动成员单位认真实施规划，促进全面完成目标任务。
三、我们做了什么

——加强政府儿童权利保护的行动

（二）讲究策略措施，提高工作绩效

督办与责任追究制度：

围绕委员会工作的重点和有关会议、上级有关部门提出的重要事项，市妇儿工委办公室先立项下达督办要求，再催办催报，督促成员单位和区县妇儿工委提高办事效率，保证目标完成。若有失职情况，市妇儿工委办公室进行调研后报主任会议，由主任会议作出责任追究决定。

统计监测制度：

每年各成员单位都要按照指标分工进行统计监测，以真实的数据准确反映本市儿童发展状况，并科学分析变化趋势和影响因素，提出干预措施和有效对策，每年发布上海儿童发展状况报告。
三、我们做了什么
——加强政府儿童权利保护的行动

（二）讲究策略措施，提高工作绩效

专家评估制度：
在每一轮规划实施的中、终期，择点组织专家进行阶段性评估和终
期监测评估，在成员单位、区县妇儿工委自查自评的基础上，反馈评估
意见，并发布中、终期评估报告，为推进如期达标和研制下一轮规划提
供思路和策略。

三、我们做了什么
——加强政府儿童权利保护的行动

（三）坚持开拓创新，切实兑现政府承诺

加大宣传力度：
★一是借助主流媒体，刊登相关法律、规划内容、介绍政府儿童工作重点；
★二是每年人大、政协两会契机，就儿童热点、难点问题形成提案和议案；
★三是通过市政府新闻发言人，定期发布上海儿童发展状况；
★四是结合“六一”儿童节、“世界儿童日”等，组织评选、表彰及各类活
动；
★五是编写《公约》宣传册、培训手册等，开展参与式培训。
三、我们做了什么
——加强政府儿童权利保护的行动

（三）坚持开拓创新，切实兑现政府承诺

实事服务项目：
- 建立上海市儿童发展研究中心；
- 建立上海市家庭教育研究中心；
- 新建上海市儿童福利院和上海市残疾儿童康复教育中心；
- 开设东方少儿频道和炫动卡通频道；
- 建立“上海市妇女儿童发展信息网”。

关爱行动计划——来沪儿童：
- 市卫生局主动落实来沪儿童计划免疫管理，在预防接种上使他们与沪籍儿童享有同等待遇。
- 市教委坚持“以流入地政府管理为主，以全日制公办学校就读为主”的原则，依法保障来沪儿童接受义务教育的权利，截至2007年有59%来沪儿童进入公办学校就读，并出资4563万元，为240所来沪儿童学校修建教师、食堂和厕所。
三、我们做了什么
——加强政府儿童权利保护的行动

（三）坚持开拓创新，切实兑现政府承诺

关爱行动计划——患病儿童：
★ 红十字会、教育、卫生三方合作，推出住院医疗互助基金；
★ 市妇儿工委在儿童专科医院建立“阳光小屋”，为白血病儿童提供学习、娱乐的场所。

关爱行动计划——处境困难儿童：
★ 市民政局设立儿童福利院、儿童看护中心等，收容收养弃婴弃儿，并积极开展家庭寄养和回归社区工作；
★ 市妇联等组织募集社会资金，为家庭经济困难的儿童提供生活、求学资助。市卫生局主动落实外来人口儿童计划免疫管理，在预防接种上使他们与沪籍儿童享有同等待遇。
三、我们做了什么
——加强政府儿童权利保护的行动

（三）坚持开拓创新，切实兑现政府承诺
关爱行动计划——未成年人犯罪
★市高级法院创新少年审判组织模式，按区域建立了东南北片四个少年法庭，强调“教育为主，惩罚为辅”的原则；
★市司法局采取多项措施切实保障未成年人罪犯的受教育权、对法律的知晓权、健康权；
★市检察院探索未成年人轻罪记录消灭制度；
★市检察院探索未成年人轻罪记录消灭制度；
★团市委建立青少年工作专业队伍，加强对“社区闲散青少年”的管理和服务。
WHERE DO CHILDREN’S RIGHTS STAND?
Jean Zermatten
Director of International Institute for the Rights of the Child
Vice-President of the UN Committee for the Rights of the Child

Where Children’s Rights stand

- Introduction
- The CRC; presentation
- Problems in implementation; general measures
- Poverty
- Health
- Education
- Sexual Exploitation
- Children in armed conflict
- Child Labour
- Some examples of progress
- Final remark

INTRODUCTION

- 20 years: a very short lifetime for an instrument of international law.
- The Convention received a very enthusiastic echo throughout the world, with the “spontaneous” ratification of 193 (out of 195) countries.
- China sign. 29.08.90; ratified: 02.03.1992
- It has become a universal tool in a very short period of time.
- Application is possible at a universal level, even in the two last countries that are not bound by the treaty.
- This presentation will focus on a certain number of recurrent problems (half empty...).
- …and mention the improvements made over the last years (half full)!
The CRC

- Human rights treaty with the broadest coverage
- Contains political, civil, economic, cultural and social rights (holistic approach)
- Novelty: those rights are no more reserved to adults but recognized to be effective for children as well
- The child is considered as a person, and not only as an adult in miniature
- Questions of its implementation at the national level: lack of knowledge, of training, of translation of the texts, of child friendly versions...
- In many countries, children’s rights are not on the political agenda

The questions of implementation

General measures of implementation.

- A lot has been done in legislation (compatibility between CRC and national law)
- But there are many problems in
  - coordination
  - allocations of resources
  - dissemination
  - data
  - independant monitoring
Coordination

- Coordination at the horizontal level (between the different Ministries) at the vertical level, between the national, regional and municipal authorities.

- Example for China: The Committee recommends that China further strengthen coordination between the bodies and institutions working on the implementation of the National Children’s Development Programme (2001-2010) at all levels in order to ensure uniform implementation in all regions and provinces. (14 Cobs 2005)

Allocation of resources

- The allocation of resources (art 4) to ensure the full enjoyment of all the rights:
  - financial (to the maximum extent)
  - human resources (Professional, problem of training + specialization)

- The concept of progressive realization of the rights, with the help of international cooperation.
**Allocation of resources (2)**

- Example: China: to ensure that its budgetary allocations to key areas for children, in particular health and education, keep pace with increases in government revenue; and develop an adequate monitoring system to ensure that budgetary allocations effectively reach the most vulnerable groups and reduce regional disparities, in particular between rural and urban areas and eastern and western provinces (20 Cobs)

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**Dissemination**

- The dissemination of the Convention to the public at large, to the children in particular, comprehensive strategy
- Example China: in all areas jurisdiction strengthen its efforts to disseminate the Convention in all languages, and also through the use of child-friendly materials and school curricula; expand its programs to sensitize parents and children about the Convention; and increase its efforts to provide adequate and systematic training rights for professional working with and for children (25 Cobs)
Data

- The recurrent and systematical lack of data: a universal problem
- Example China: strengthen its efforts
- to collect reliable and comprehensive statistical data on all areas covered by the Convention and
- ensure that such data are systematically made available to the public in a timely manner in all parts of the State party

Data (2)

- and explore the possibility of developing central databanks for statistics on children, so as to ensure that statistical data are used
- for the development,
- implementation and
- monitoring of appropriate policies and programes for children (23 Cobs)
Independant monitoring

- Independent monitoring bodies, or Ombudsman
- Example China: establish a national human rights institutions with a clear mandate to monitor children’s rights and implement the Convention at national, regional and local levels in accordance with the Principles relating to the status of national institutions for the promotion and protection of human rights ...(Cobs 17)

Independant monitoring (2)

- such institutions should have
- a mandate to receive, investigate and address complaints from the public, including individual children, and
- be provided with adequate financial, human and material resources
The CRC: mechanisms

Four general principles

- The non-discrimination (art. 2)
- The best interests of the child (art. 3)
- The right to life, survival and development (art. 6)
- The right to be heard (art. 12)

Children’s Rights: 3 important events

1. World Summit on Children (WSC) NY, 90
   A Declaration and a plan of action focused on health, education, children in especially difficult circumstances

2. Millenium Summit NY, 09.2000
   - GOALS to 2015
     > Eradicate extreme poverty and hunger
     > Achieve universal primary education
     > Promote gender equality and empower women
     > Reduce child mortality
     > Improve maternal health
     > Combat HIV/AIDS
Children’s Rights: 3 important events

3. A World Fit for children NY, May 2005
- A Declaration and a plan of action focused on
  > Promoting healthy lives
  > Providing quality education
  > Protecting children against abuse, exploitation and violence
  > Combating HIV/AIDS

Children’s Rights: Study Violence against children
- Started 2001, after CRC Committee Recommendation to the GA.
- Prof. Pinheiro conducted this worldwide study and UN published the world report on violence in 2006.
- First comprehensive and global study on all forms of violence against children
- Violence: all forms of physical or mental, injury and abuse, neglect, maltreatment or exploitation, incl sexual abuse
- Message: No violence against children is justifiable, and all violence against children is preventable
Poverty

- Poverty is a crucial issue: children experience poverty with their hands, minds and hearts
- Material poverty
- Environment that provides little stimulation or support
- Deprived children are not used to knowing or exercising their rights
- Helping children to reach their full potential is also investing in the very progress of humanity.

Promises made to children cannot be forgotten!

Health

- 29,000 children under five die every day
- 21 each minute
- 11 million child deaths every year
- 70% of them are due to 6 medical causes
- 50% to malnutrition and the lack of safe water
- Deaths occur mainly in the developing world
- The majority are preventable
- However, disease is not inevitable, nor do children with these diseases need to die

   Real progress is made in reducing the child mortality, immunization and polio eradication
Education

Over 140 million children in developing countries – 13% of those aged 7 to 18 – have never attended school

- Discrimination against girls: central question
- Educated girls: marry later, give better chances to their children, prevent abuse and exploitation
- Educating children helps reduce poverty
- Educating children helps promote gender equality

Free primary school for all children is a fundamental right to which governments committed themselves.

Sexual Exploitation

- Stockholm Congress (1996): Agenda to combat and prevent CSEC
  Result: extraterritorial jurisdiction
- Yokohama Conference (2001) result: a better legislation
- Rio Congress (2008) about implementation
- Designation of a Special Rapporteur on the sale of children, children prostitution and child pornography
- Key role of NGOs (e.g. ECPAT, UNICEF, ILO)
Children in armed conflict

In the past decade, more than 2 million children killed in armed conflicts

- 68 Countries where children live with the fear of landmines
- 10'000 Children killed or maimed yearly by mines
- Children involved in armed conflicts: 300'000
- 1996: Graça Machel’s report:
  - appointment of a Special representative of the Secretary-General
  - Security Council annual debate
  - UN General Assembly 2000:
- Optional protocol to the CRC on the involvement of children in armed conflicts, ratified by 127 states
- China is part (rat. 20.02.2008)
  Goal: full and effective ban on the recruitment and involvement of children

Child Labour

- ILO Convention 138 (1973): Minimum age for admission to employment
- ILO Convention 182 (1999): Elimination of the worst forms of child labour
- Some examples of good practices:
  - Rugmark initiative (label on carpets)
  - Garment industry in Bangladesh
  - Soccer ball stitching industry Pakistan
- Necessity to provide education and to involve the community and the children in the projects
- Formal and export sector: only 5% of working children. Agriculture and informal sector (domestic work): 70%
- Problem of invisibility
Some examples of progress

- Any motive for satisfaction?
- **Empty glass**: countless violations
- **Full glass**: progress achieved
- The CRC exists and is known
- « Culture » of children’s rights increases
- Obligation of Periodic reports
- NGO involvement determinant for the implementation of the CRC
- Children’s involvement is welcome
- Role of the UN agencies (UNICEF...)
- State parties reflect on their position towards children and reform their structures

Final remark

- A lot remains to be done...
- 20 years to build the juridical and sociological framework
- Common commitment will recognize that children today are citizens with rights.
一、工作背景

（一）提高人口素质是人口计划生育工作的重要目标

加强优生优育，提高出生人口素质是国家和本市人口计生法律法规赋予人口计生部门的一项重要职责。0-3岁婴幼儿科学育儿指导服务是优生优育的重要环节。

（二）0-3岁婴幼儿社会性能力需要得到发展

0-3岁婴幼儿大多散居在家庭中，由于缺少玩伴，在个性、交往等方面容易形成一些问题。

（三）家长和领养人科学育儿服务需求迫切

徐汇区每年户籍出生人口5000余人，他们的家长普遍是独生子女，育儿知识缺乏。开展社区0-3岁婴幼儿科学育儿指导服务，对于促进家庭幸福和社会和谐具有重要意义。

根据以上因素，我委根据部门职责，从关注独生子女婴幼儿社会行为能力着手，依托社区，开展了多层次、多形式的社区0—3岁婴幼儿科学育儿服务工作。
二、主要做法

㈠构建服务网络

1、注重实体化建设，创建两级服务机构。

2005年初，区人口计生委创建了民办非企业单位徐汇区宝宝乐教育活动中心，无偿提供700平方米的教室和办公室，免除水电煤电话等费用。

截至2008年10月，全区13个街道（镇）都在社区文化中心建立了宝宝乐分中心。区人口计生委在宝宝乐分中心成立后的三年内，给予每年1万元的扶持经费，街道、镇免费提供场地、支付聘用人员工资和运行费用。

区宝宝乐中心采取低偿服务运行机制，分中心采取免费服务和低偿服务相结合的运行机制，初步实现了社会性、公益性、市场性相结合的运作模式。

区人口计生委宝宝乐管理小组、区科学育儿指导中心加强对两级机构的管理考核，以规范性、覆盖率和满意率为主要标准进行评估验收，促进机构健康发展。

2、发挥基层网络优势，开展进家入户指导

区科学育儿指导中心定期进行居委计生干部“科学育儿入户指导员培训”，区人口计生委编印12期《宝宝健康成长宣传折页》。居委计生干部充分发挥“串百家门，知百家情”的优势，运用所学的知识，对辖区内0-3岁婴幼儿家庭入户指导，把12期《宝宝健康成长宣传折页》逐次送至婴幼儿的父母和带养人手中，使他们适时得到科学指导。

㈡运用信息化手段，提升管理服务能级

2007年初，区人口计生委自主开发了优生优育管理软件。区人口计生委每月一次将数据倒入信息库，信息库自动将数据匹配至各街道、居委，居委根据接收到的信息数据，按时按要求上门服务进行记录。信息管理平台具有以下优点：
1、及时、准确提供了常住人口中0-3岁婴幼儿信息，不漏掉服务对象；
2、明确了每次上门服务的基本内容，规范了居委计生干部入户指导的工作要求；
3、以点击的方式进行工作记录，减少了在小本本上填写可能产生的漏登、错登现象；
4、具有提醒功能，每三个月上门指导一次，逾时红灯闪烁提示，区人口计生委、街道人口计生办也可以根据居委记录情况监督考评基层服务情况。

㈢营造宣传氛围，开展品牌活动

一是重点面向家长和领养人开展宣传培训活动。举办专家讲座、家长沙龙、“家庭育儿大考场”活动和征文活动，让婴幼儿家长和宝宝共同成长，成为科学育儿的合格家长。二是向发放宣传资料。区人口计生委每年在区域内4家产院和13个社区发放了1万本《0-3岁科学育儿指南》书籍，发放《宝宝关爱》小册子和《宝宝成长记录手册》各4000本。三是举办品牌活动。每年举办徐汇区聪明宝宝评选和“母婴健康社区行”活动，结合“六一”和“迎奥运”、“迎世博”等节日和主题，开展丰富多彩的“社区宝宝运动会”、“社区独生子女关爱系列活动”、“社区健康娃娃嘉年华”、“社区家庭运动会——0-3岁婴幼儿专题”、“亲子宝贝生活秀”，“宝宝技能大赛”等活动，吸引家长投入到科学育儿活动中。

㈣加强理论研究，提高科学发展水平

通过课题调研，不断总结经验、科学发展。先后组织开展了《徐汇区宝宝乐教育活动中心0～3岁婴幼儿教育评估》、《独生子女社会性能力培养的研究——社区工作的途径》等课题研究。通过课题开发了《0-3岁婴幼儿社会性能力培养家庭手册》，解决了家长普遍存在如何培养0-3岁婴幼儿社会性能力的疑惑。

㈤社区活动丰富多彩，彰显特色
近年来，各街道、镇把科学育儿指导服务作为社区教育的重要组成部分，作为为民办实事的重要抓手，积极创建“优生优育指导服务示范单位”，社区活动丰富多彩，彰显特色。一是搭建交流互动平台，开设俱乐部、沙龙。康健、龙华街道成立“聪慧儿健康俱乐部”，建立聪慧宝宝妈妈MSN网络交流平台；田林街道、凌云街道建立“0～3岁阳光宝宝家长联谊会”；漕河泾街道组织社区全职妈妈筹建了“袋鼠妈妈工作坊”；长桥街道邀请孕妈咪参加“馨之韵”妈咪女红工作室，编织爱心梦想，分享育儿经验。二是根据地域特点和人群特征，活动有针对性。根据辖区人群特征，开展服务。枫林和斜土街道重点面向社区困难家庭，定期开展免费亲子活动；虹梅街道面向辖区内的漕河泾开发园区企业职工，开展亲子活动。三是孕前、孕期、0-3岁优生优育全程指导服务。天平、湖南街道和华泾镇开展新婚家庭家庭计划全程服务，形成了社区孕前、孕中、婴幼儿期（0-3岁）的优生优育服务链。四是运用社区资源，教育、艺术、体育、卫生多方参与。开设婴幼儿游泳、音乐创想、沙坑运动、涂鸦活动和语音表演等特色活动。徐家汇街道依托国际和平保健院，共同开展母婴健康促进项目，依托中福会儿童艺术剧院，每年举办徐家汇公园亲子广场演出20场。

三、工作成效

㈠科学育儿指导率提高

目前，已经全部实现一年四次上门指导和进入服务机构接受教育。区、街道、镇两级服务机构每天有1000名左右的婴幼儿家庭参加活动。

㈡家长科学育儿的知识和能力提高

科学育儿指导服务的对象是家长和领养人。我区两级服务机构定期对前来参加活动的家长进行随访、知识问答，结果显示：大多数家长都能正确对待婴幼儿的需求和开始把孩子放在适当的地位，注意避免孩子“中心地位”现象出现。家长开始重视从婴幼儿起就注意培养自理能力和习惯，重视户外活动等。

㈢社区计生干部工作能力提高
社区计生干部初步掌握了相关业务知识，提高了服务能力，受到了家长的欢迎。在开展宣传服务活动中，注重与各相关部门的合作，提高了组织协调能力。

四、工作建议

㈠大力推动0-3岁婴幼儿早期教育事业发展

随着经济和社会发展，广大家庭对优生优育的重视程度日益提高，需求尚未得到充分满足。0-3岁婴幼儿科学育儿指导服务的工作重点在社区，从总体上看，发展尚不平衡，在指导服务针对性、有效性方面，亟待加强。流动人口家庭的指导服务还是薄弱环节。

㈡加强师资队伍建设。

目前，我区宝宝乐和社区宝宝乐分中心聘用的师资人员已达30余人，师资人员年纪较轻，平均年龄30岁左右，但由于0-3岁教育是一门边缘学科、综合学科，尚无相关的职称和学科带头人评聘机制，给整个事业发展和队伍素质提升带来一定影响。建议应由政府牵头，联合相关部门共同开展相应工作，确保0-3岁早期教育事业可持续发展。

㈢加强对0-3岁婴幼儿服务机构的有效监管。

目前，社会上不乏早教机构，鱼龙混杂。在从业人员资格、办学条件、教学质量、安全管理、卫生防疫、收费标准等方面，还没有统一的标准。建议有关方面加强协调与监管。
PARTICIPATION RIGHTS AND THE CASE OF CHILDREN IN STREET SITUATIONS
Mr Daniel Stoecklin
Scientific collaborator at International Institute for the Rights of the Child

Child participation: a new paradigm

- Children are active: they are able to take part in family life, school life and community life.
- Children have their own views: they are able to express their opinions in decisions affecting their lives in order to influence them, according to age and maturity.
- Children are social actors: they are able to reflect about their own life experience and their environment, and therefore acquire progressive responsibility as citizens.

Child participation: a challenge to adult-child relationships

- Children are active, but do adults accept that they take part in family life, school life and community life?
- Children have their own views, but do adults accept that they express these opinions in decisions affecting their lives?
- Children are social actors, but do adults accept that they reflect about their own lives and environments and therefore acquire progressive responsibility as citizens?
Socialization: a give and take process

Role-taking

Role-making

The 3 Ps of the CRC

- Protection
- Provision
- Participation
Participation rights

- Art. 12: the right to be heard
- Art. 13: the right to freedom of expression
- Art. 14: the right to freedom of thought, conscience and religion
- Art. 15: the right to freedom of association and the right to freedom of peaceful assembly
- Art. 16: the right to privacy
- Art. 17: the right to access to information

Art. 12 CRC: the right to be heard

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.
Indivisibility of rights

- Link with Art. 3 (Best interests of the child): it is necessary to include the child’s opinion into the process of decision-making.

- Link with Art. 5: responsibilities, rights and duties of parents or legal guardians: « to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention ».

- Link with civil rights and liberties:
  - Art. 17: the right to information
  - Art. 13: the right to expression
  because the right to receive and impart information is an important precondition to child participation.

The group « children »

- Article 12 is linked to other rights (best interests CRC art. 3, relations with parents CRC art. 5), and to civil rights and liberties, like the right to expression (art. 13) and the right to information (art. 17).

- Therefore, article 12 is not only for the individual child, but for the group « children »: the child has the right to be heard not only regarding his/her own personal situation but also regarding the whole group « children » to which he/she belongs when decisions affecting this group of the population are being taken.
Participation as a right to development (evolving capacities)

- Day of General Discussion to the theme “Speak, Participate and Decide – The Child’s Right to be Heard” (15.09.06)
- Committee on the Rights of the Child: “the importance of encouraging opportunities for child participation as a tool to stimulate the evolving capacities of the child”.
- Victor Karunan: “Participation is critical to self-development”; participation “fosters learning, builds life-skills and enables self-protection”.

Self-development and social development

- Capabilities (Amartya Sen) = personal skills + social opportunities.

A process of double structuration (A. Giddens):
- personal skills to work out social opportunities,
- opportunities offered by society to develop one’s personal skills.
Illustration of a « group » of children: the « street children »

- How are the best interests of “street children” decided upon?... What are the preconditions to help “street children” become part of the decisions affecting them?

- It takes time to be able to define the best interests of these children (trust building).

- Strong participation of the child can only be achieved if he/she is consulted from the very beginning of intervention.

Labeling process

- Street children?

or

- Children in street situations?
Categories of « street children »

(From the point of view of project implementing agencies)

There are categories of street children:

- Children on the street
- Children of the street
- Children of street families

Limits to the definitions of categories of street children

R. Lucchini, 1993
Limits to the definitions of categories of street children

- Only two dimensions: time and socialization
- No consideration for shifting situations
- Qualitative assessment based on unquestioned assumptions and representations ("of" the street is worse than "on" the street)
- Statistical and organizational purposes (not child-centred)

Children in street situations: emphasis on the set of interactions configuration
**Child-centred approach**

Deal with the child’s subjective perception of the situation

**Child-centred (insider’s) point of view**

From the point of view of the child:

Street life depends on the **quality** of the existing **interactions** within and outside the street.

**Implications:**

- Listen to what the child says about street life.
- Cast light also on those who are in contact with these children, because they are part of the problem, and hopefully also of the solution.
Situation as a set of interactions
configuration

Child-Street System
(Prof. Riccardo Luechini, Fribourg University)

What the child says about ...

Collect data along these 8 aspects through interviews.
Child-Street System
(Prof. Riccardo Luechini, Fribourg University)

Analysis of data is made along a systemic approach, considering that a phenomenon is made of elements that linked together and influencing each other in a specific way that has to be discovered. All these aspects form a system because the elements affect each other.

The CSS-Tool helps understand the dynamics behind the child's biography.

Profiles and career

- Children in street situations may have quite different "profiles", according to the differential importance these dimensions of street experience may have for them.

- By linking these different dimensions together, one comes to a more accurate image of the way the children actually experience street life.

- It helps identify the child’s life course (street "career"). The child’s life conditions on the streets are the outcome of:
  - The constraints that may affect the child
  - The child’s own survival strategies according to competences he/she has acquired outside and in the street.
Bottom-up model of action

**Structures**: Use and networking of spaces appropriate for the required activities (or creation of such spaces if lacking)

**Options**: Profile-wise choice and combination of empowerment and promotion & prevention options, in order to satisfy children’s needs and develop their skills

**People**: Assessment of needs and abilities and identification of typical profiles thanks to the “Child-Street System”

The best strategy is to make the child an active participant

**Resources**
- Social inputs and child’s resources

**Principles**
- UN Convention on the Rights of the Child

**Methods**
- Child-friendly Tools
Principle: The obligation to hear the child (also those in street situations)

- The obligation to hear the child should cover all settings: home, community level, school, judicial and administrative proceedings.

- Obligation to hear the children = design policies and programmes that actually enable children to have their views taken into account.

- The responsibility of state parties to the CRC, and the concrete organisations taking care and empowering such children is to provide them with sufficient and adequate spaces and opportunities for meaningful child participation.

the CRC as a set of principles for the development of capacities

- A fundamental precondition to the development of children’s capacities is the enjoyment of such basic rights as the right to life (art. 6 CRC) and adequate shelter (art. 27 (3) CRC).

- The indivisibility of rights contained in the CRC is clearly bound to the necessity of an integrated approach where participation is just as important as food and shelter.

- It is quite important to first assess the capacities already possessed by “children in street situations” in order to acknowledge them and to foster further capacity building.
Resources: Acknowledging children’s skills

- Children’s capacities may be quite diverse. Children in street situations have developed, mostly out of necessity, some social, symbolic and instrumental competences that are quite important and often more developed than with other children of their age.

- Transposition of skills from deviant areas to socially and legally conform behaviour is in fact the main objective of a project addressing the needs and capacities of children in street situations.

- More sensitive assessment: Acknowledgment of the capacities of children in street situations is a precondition to their participation within the project.

Methods: the challenge to develop child-friendly tools

- They must be understood by the children.

- They must be tested and developed to guarantee that the child will actually be heard.

- They must allow integration of children’s voices in the definition of situations and not define the situations beforehand.
Processes of participation

- Levels of child participation vary according to the procedures of competent authorities dealing with issues regarding children. The Committee:
  - "calls for States parties to clearly designate (an authority which) establishes direct contact with child and youth led organisations in order to engage with them".
  - recommends "that children and youth be directly included in the planning, design, implementation and evaluation of National Plans of Action which relate to children’s rights, in recognition of their role as core stakeholders in the process".
  - encourages "the direct involvement of children in monitoring the implementation of all rights enshrined in the Convention. The Committee recommends that States parties actively involve children in the periodic review process of the Convention".

Processes: Levels of participation

- level 8: Child-initiated shared decisions with adults
- level 7: Child initiated and directed
- level 6: Adult-initiated shared decisions with children
- level 5: Consulted but informed participation
- level 4: Assigned but informed participation
- level 3: Tokenism
- level 2: Decoration
- level 1: Manipulation

(Roger Hart, Innocenti Studies)
Conclusion

- Processes for child participation should include the children’s own competences.

- It is the best way to include them as social actors and partners in the projects for personal and social development.

- Principles of action inspired with the norms contained in the CRC can be best translated into practice when they are coupled with child participation.
This project focus on

1. Contemporary
2. City/ Urban China
3. The “Main” Children
4. Private Life
5. Social Institution and Social Culture

The Conception of Child’s Right

1. Survival
2. Development
3. Maximize the benefits
权利的提高与改善
The right to raise and the life to improve
- 物质条件的改善
- the improvement of material conditions
- 独生子女的“优越性”
- “superiority“ of just one child
- 全社会的关注和强调
- Child as the concerns of society
- 对传统“育儿”方式的反思：如体罚
- Rethink and reflect on the way of traditional "child care" : such as corporal punishment
- 父母角色的趋同性
- convergence of the role of parents

出现的新“问题” the new “problems”
- “赢在起跑线上”的压力：各种教育的提前和低龄化
- the pressure for "win at the starting line," : a variety of early education
- “科学育儿”的压力：达标和标准化的发展
- the pressure for "scientific parent " : the standardization of development
- 单一衡量标准和“全面发展”的矛盾：最忙碌的人群是孩子
- the contradiction between a single measure and the "all-round development" : the most busy crowd of children
- 道德教育的混乱：多元价值观的教育矛盾
- confusion of moral education: multiple values
在全球化背景下、在中国本土实践中，如何定义“儿童权利”？
How to define the “Child’s right” in the background of globalism and localism
• 谁来界定？Who define？
儿童自身？Children, themselves
儿童教育学家、儿童研究者？The expert on education
政府、法律、社会文化？Government, law, social culture？
父母？Parents？

何为发展？
What’s the meaning of “development”
• 身体、学业、兴趣、精神，如何排序？
• how to sort: physical, study, interest, spirit？
• 当快乐和“发展”发生矛盾时，如何去取舍？
• how to choose, when the conflict occurs between the pleasure and "development"？
• 现在和未来哪个更重要？
• which is more important, present and future？
什么是利益最大化
what is the Maximize the benefits

• 国家的视角
• The perspective on state
• 家庭的视角
• The perspective on family
• 个体的视角
• The perspective on individual

多元化与社会指导和操作性
social guidance and operational under Pluralism

• 多元思想影响下的法律、契约、条约、指导手册等的确定
• How to establish the relative law, contracts, treaties, determine the instruction manual, etc
• Under the influence of multicultural ideology •
• 美好理想与实践的距离
• distance from the ideal and practice
• 个体操作的困难
• the difficulties of individual operations
DISCUSSION

After the lectures, the interaction among participants allowed for a short discussion on the differences between urban and rural context with regard to the education of children in China. The huge gap between traditional and consumption-oriented habits where highlighted under the specific issue of corporal punishment. Whereas it is still widely used in traditional settings, it is thought to have almost disappeared in the cities and foremost within schools.

An explanation to this shift is to be found with the parents’ weakened capacity to punish their child in a consumption-oriented environment, where children have more and differentiated opportunities and figures of authority, whereas parents are also pressed to achieve success in the education of their only child.

However accurate this explanation might be, the situation in Shanghai, as the most developed city in China, is of course not representative of the situation in overall China. The question of corporal punishment and other issues related to child education would still need further investigation.

With regard to the Convention on the rights of the child, the IDE wondered to what extent the articles of the CRC are known. According to a participant, 98% of children in schools in Shanghai know about their rights. However, this impressive score should is not substantiated by empirical data.

Further investigation in the field of children’s education and children’s rights would be needed. Prof. Sun Changmin expressed the wish that the cooperation regarding training with the International Institute for the Rights of the Child could develop after this first conference. Representatives from Fudan University also expressed their willingness to further develop cooperation and IDE is ready to respond to concrete demands from the Chinese counterparts.