Best Practice Experiences in Education on Children’s Rights for the Czech Republic

a collaboration between

the Institut international des Droits de l’Enfant

and

Cesko-britska o.p.s.

July 2010
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A few years ago, the Swiss populace, consulted in a referendum, voted in favor of humanitarian assistance and project cooperation with the new members of the European Union, such as for example the Czech Republic. As a result of this acceptance, many NGOs from concerned countries have developed humanitarian projects and seek partnership with Swiss counterparts.

The Cesko - britská o.p.s based in Brno (Czech Republic) and directed by Dr. Ph. Irena Cechová, founding director, and the International Institute for the Rights of the Child (IDE), based in Sion (Switzerland) by Dr. hc. Jean Zermatten, founding director, agreed to develop a 16 months project entitled Implementation of the Best Practise Experience in Education of Children’s Rights in Switzerland into Protection of Children’s Rights in the Czech Republic. The aim of this project is to create educational courses/modules with a specific methodology for professionals working with children in the Czech Republic. Consequently, the proposed training must target the specific needs of professionals and children. In addition, the methodology must be shaped in the context of human rights, especially children’s rights (Convention of the Rights of the Child and its two Protocols). Human rights and children’s rights must be considered not only as fields of teaching, but also as an ethical measure of control for each professional’s activities in regard with children.

In order to realize this project, many different steps have been decided upon by the two partners, including fields visits in Switzerland, meetings with childhood professionals, gathering of didactic materials and seminars in Brno.

The first phase of the project began on May 17th in Sion, by the visit of two Czech experts, the Director Mrs Irena Cechova and Mrs. Eva Burdova, lawyer especially mandated for this project. During one week, these two professionals have met children’s rights professors, analysed some problematic issues in Switzerland, such as migrant children, visited institutions for young in difficulties, in order to compare theory and practice and put theory into practice!!! Some problematic issues for the Czech Republic appeared clearly: children from the Romani communities, adoption and the right to a name and nationality, disabled children. Consequently, the target public of professionals are from the educational field, such as teachers, social workers and educators.

On May 22nd 2010, after one intensive week of study, it has been decided to shorten the project, due to the quantity of issues to be treated. The 6 modules agreed upon will present a general part on human rights and children’s rights and then will focus on one or two specific issues. In order to select the topics to be deepened, the IDE recommends to rely on the concluding observations of the CRC Committee related to the Czech Republic. It is not only a good way to choose the urgent subjects to be taught, but also a strategical tool for convincing ministries to support this project. The IDE is expected in Brno next year, from February 8th to 12 and from June 20th to 27th 2011. In the meantime, the Czech team will analyse the didactic material distributed by the IDE and by the different social work schools and children’s rights universities. The issues to be deepened will be selected.
PRESENTATION OF THE IDE
Jean ZERMATTEN, Director, IDE

IDE is
A Swiss private law foundation with a special consultative status with ECOSOC and IOF, based in Sion (Switzerland) and created in 1995 by
- The Institut Universitaire Kurt Bösch (IUKB)
- the International Association for Youth and Family Magistrates (IAYFM).

IDE goals
- Information
- Training
- Creation of a child’s rights culture in Switzerland and throughout the world…
- Better respect of children as persons
The basis of all actions is the CRC 1989
Information

- An interactive platform
  www.childsrighs.org
- About 15 publications on children’s rights issues
- Working Reports on different topics
- Newsletters published twice a year
- Book on the children’s rights didactic path
  « Droits d’Enfants »
- Several articles in various publications

Films

- A very interesting pedagogical tool: the films
- IDE produced last years three films:
  - 2007: Female Genital Mutilations
  - 2008: Forced Marriages
- On Juvenile Justice
  - 2009: Pramont: a second chance
The Internet website

- Spinal column of information
- A documentation centre
- The follow-up of trainings
- Forums of discussion
- An editorial twice a week
- News every day
- A photos gallery
- And in development, the blended learning
Trainings

- International Seminar: every year in October, next from 10th to 14th October 2010: harmful Traditional Practices disabilities
- Programmes with the International Social Service (ISS) in Western Africa (PAO)
- Programme with the Humanitarian Dialogue Centre in Myanmar (suspended)
- Programme with the International Organisation of Francophonie and UNICEF in Western Africa
- Special trainings with various organisations (UN UNICEF agencies, NGOs, States, etc...).

Trainings

Examples of trainings for UNICEF:
- Iran, Turkey, Moldova, Macedonia, Mauritania, Albania, Turkey, Jordan ...

In 2010
- Togo (March), sports
- Sierra Leone (July)
- China (November)
IDE’s support to Countries

- Nepal
  The constitutional Process
- Work with MCR Students
- Studying 47 national constitutions
- Proposing a set of articles on Children’s rights in the new constitution
- Visit on the field and meeting with the Constituent Assembly, the journalists, the NGOs

IDE’s support to the CRC Committee

**Individual Complaint mechanism**
- Preparation of a report on the pro and contra arguments
- Proposal of a OP III
- Discussion with the Committee

**GC on Art. 31** (Right to play, leisure and sport)

**Regular meetings** in Sion; next 22 to 24.05.2010
Master of Advanced Studies in Children's Rights (MCR)

In collaboration with:

the IUKB and the University of Fribourg

Has started in 2003, 4\textsuperscript{th} promotion to be finished, next one 2011

Diplôme en Protection de l’Enfant Diploma in Child Protection (DPE)

Training for social workers who are active in services in helping youth.
In collaboration with:

the IUKB

Started in Spring 2005, third promotion
Next promotion to come.
Forensic (psychological) for Children and Adolescents Diploma

Training for psychologists in charge of drafting forensic examinations on children involved in court cases

In collaboration with:
the IUKB

Has started in December 2005.
Third promotion to be finished

New Certificate :
« Views of the child »

- For Judges, lawyers, police officers
- Started in 2009
- How to get the view of the child, what weight to give it, how to interpret it
- The legal status of the child victim and witness in the judicial proceedings
- The evolving capacity of the child (art. 5 CRC)
Creation of a child’s rights culture

- By membership (ISS, TdH, AFXB...)
- By participation to international events (XII World Congress on Crime, April 2010...)
- By presentation of conferences (schools, universities...)
- By the creation and the participation to a Swiss and international network
- By welcoming delegations
- By collaborating with different national, regional and international NGOs, Academies, Universities, Research centers

IDE houses

The Sarah Oberson Foundation

Results from the name of a 5-year-old girl who disappeared 20 years ago and whose fate always remain unknown.

Advocacy for different issues in child protection

Organization of an annual day.

Publications.

The Maurice Veillard-Cybulska Association

Results from the name of one of the first juvenile judges in Switzerland and from his international expert wife.

Children’s Rights Didactic Path

• Inaugurated on 20th October 2005
• 12 fundamental rights of the CDE illustrated by animals
• Complement of the path: Book « Droits d’Enfants »
PRESENTATION OF THE IUKB
Frédéric DARBELLAY, in charge of inter- & transdisciplinarity, IUKB

An Inter- and Transdisciplinary vision of teaching and research

A star is born in the Swiss Higher Education System

IUKB University Network
An original and innovative position in the Swiss higher education landscape

- Recognized by the Swiss Confederation since 1992 as a University Institute
- Connections with the major university agency in Switzerland (SER, CUS, CRUS, CUSO, FNS, etc.)
- Collaborations & Partnerships with Swiss Universities (UNIFR, UNIL, UNIGE, etc.)
A strong, robust and long-lasting partnership with IDE

A complementary and reverse enrichment for excellence!

Academic organisation

The mission of the IUKB is to develop and promote teaching and research in the perspective of Inter- and Transdisciplinarity.
Children’s rights

a) An emerging, complex and multidimensional academic field of teaching and research

b) Multiple fields (education, institutions, culture, media, politics, health care, etc.) and stakeholders (children, families, educators, NGOs, States, Intergovernmental organisations, etc.)

c) Several disciplines studying children and childhood: interaction, dialogue and integration of disciplines in an inter- and transdisciplinary perspective.

Complexity of Children’s rights

Dynamic, systemic and nonlinear context model

- **Agency**: Internal complexity of the child as a bio-psychosociological person
- **Structure**: External complexity of the context: micro-, meso-, macro.
Get it over with disciplinary egos

Children’s rights as an inter- and transdisciplinary process
Best Practice Experiences in Education on Children’s Rights of the Czech Republic

Innovative Teaching Programs
Interdisciplinary Curriculum Design

- Interdisciplinary Master in Children's rights (MIDE)
- Master of Advanced Studies in Children's Rights (MCR)
- Interdisciplinary PhD Program

Innovative Teaching Programs
Interdisciplinary Curriculum Design

- DAS in Child Protection
- DAS en expertises psycho-judiciaires pour enfants et adolescents
- CAS Enfants victimes, Enfants témoins : La parole de l’enfant en justice
- Université d’été en droits de l’enfant
Two roads diverged in a wood, and I—
I took the one less traveled by,
And that has made all the difference.

Robert Frost (1874–1963)
The Road Not Taken, Mountain Interval, 1920.

Learn from yesterday, live for today, hope for tomorrow. The important thing is not to stop questioning.

Albert Einstein
PRESENTATION OF THE MASTER OF ADVANCED STUDIES IN CHILDREN’S RIGHTS
Karl HANSON, Children’s Rights Unit, IUKB

Basic features

International scope
Interdisciplinary character
Interplay theory and practice

Organisation and structures

MCR Staff
• Prof. Dr. Eva Maria Beiser
• Prof. Dr. Karl Hanson
• Ms. Sabine Sahli

MCR Programme Secretary Ms. Sarah Bruecher

MCR Executive Committee
• Prof. Dr. Eva Maria Beiser
• Prof. Dr. Karl Hanson
• Dr. Frédéric Darbellay
• Ms Paola Riva Gapany
• Ms Sabine Sahli

MCR Scientific Committee
• Dr. h.c. Jean Zermatten (Chairperson)
• Prof. Dr. Eva Maria Beiser
• Prof. Dr. Karl Hanson
• Prof. Dr. Pascal Pichonnaz
• Prof. Dr. Alexandra Kumo-Jungo
• Dr. Marie-Bernadette Schönberger
Plan of Studies

- **Residential modules**
  - Modules 1 to 8
  - Praxis groups
- **Work related to the modules**
  - Reading
  - Preparation for the modules
  - Group work
- **Individual training programme**
  - Participation at external seminars and/or conferences
  - Internship
  - Master’s Thesis

Planning of the Modules

**Module 1 – Children’s rights in context**
- 16 – 21 February 2009, University of Fribourg

**Module 2 – Children’s rights and international law**
- 25 - 30 May 2009, IUKB Sion

**Module 3 – Children’s rights and development**
- 14 – 18 September 2009, University of Fribourg

**Module 4 – Child and family**
- 9 – 14 November 2009, IUKB Sion

**Module 5 – Child labour and education**
- 11 – 16 January, University of Fribourg

**Module 6 – Juvenile justice**
- 1 – 6 March, IUKB Sion

**Module 7 – Migration and the child**
- 3 – 8 May 2010, University of Fribourg

**Module 8 – Implementation and monitoring**
- 29 November – 4 December 2010, IUKB Sion
Praxis groups

Praxis journal
Case studies

Work related to the Modules

1. Preparation for the modules
2. Reading
   1. MCR Readers
      • Part A – Preparatory Readings
      • Part B – Consolidated readings
      • Part C – Additional Readings
   2. Book review
3. Group work
   • Project work
   • Closing conference
Individual Training Programme (ITP)

1. Participation at external seminars and/or conferences
2. Internship
3. Thesis

→ Tutor

Programme evaluation

- Student evaluations
- External evaluations (OAQ)
- Participation in networks
MCR Alumni

Alumni Portal
Activities
Au menu de la matinée...

08.45 – 09.00  Accueil
09.00 – 09.30  Présentation des étudiants
09.30 – 10.15  Aspects pratiques de la formation
10.15 – 10.30  Pause
10.30 – 11.15  Aspects académiques de la formation
11.15 – 11.45  Présentation de la plateforme informatique
11.45 – 12.15  Présentation de la bibliothèque de l’IUKB

Aspects pratiques

- Coordination administrative
- Transports
- Hébergement
- Organisation des repas de midi
- Cafétéria & pause du matin
**Aspects académiques**

- Présentation du règlement d’études :
  - Collaborations autour du DPE
  - Organes de la formation : Conseil scientifique & Comité exécutif
  - Conditions d’admission, validation d’acquis ; titre HES
  - Finances d’écolage

- Programme d’études
- Évaluation continue et évaluation finale
- Titres délivrés

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**Programme d’études**

- 30 crédits ECTS (≈ 900 h. de travail) :
  - Sessions, travaux annexes, examens : 12 crédits ECTS
  - Lectures obligatoires : 9 crédits ECTS
  - Travail de diplôme : 9 crédits ECTS

- Modules (enseignements sur site et lectures) :
  - Présence requise à 75 % des cours (liste de présence)
  - Évaluation des interventions (en ligne)
  - Passerelle vers d’autres formations IUKB (médiation, expertise)

- Travaux de modules :
  - Fiches de lecture (individuel / modules 1 et 2) ◄ cf. trav. personnel
  - Rapport à l’autorité judiciaire (groupe / module 3)
Travail personnel

- Objectifs :
  - Approfondir un thème spécifique (thème : protection de l’enfance)
  - Préparer dès le début l’évaluation finale (travail de diplôme)
- Organisation :
  - Entretien (30’) avec le chef de projet DPE (3 premières sessions)
  - Projet de travail personnel (délai : 31.01.2010) :
    - programme de lectures (pouvant inclure des lectures obligatoires)
    - thématique (et forme) du travail de diplôme
  - Rapport de projet de travail de diplôme (délai : 31.08.2010)
    - 4 pages A4 max. + bibliographie provisoire (= programme lectures)
  - Note : plus de tuteur ! Expert (que l’étudiant-a peut proposer)

Travail de diplôme

- Buts = vérifier :
  - la maîtrise des connaissances pratiques (savoir et savoir-faire) nécessaires à la protection de l’enfant
  - la capacité à développer une pratique réflexive : mise en œuvre concrète des connaissances acquises et/ou développement de nouvelles formes/méthodes d'intervention
- Types de recherche :
  - Recherche méthodologique et bibliographique (par méthode hypothético-inductive ou hypothético-deductive)
  - Recherche-action : analyse d’un projet concret visant à l’innovation ou l’amélioration en matière de protection de l’enfance(présentation du projet et analyse documentée)
Contenu du rapport de projet
Recherche méthodologique et bibliographique

1. Sujet traité et hypothèses(s) de départ
2. Délimitation du sujet et du champ d'investigation
3. Pertinence du sujet :
   - lien avec le domaine de la protection de l’enfance / originalité du thème
   - intérêt personnel / lien éventuel avec l’activité professionnelle
4. Méthodologie de recherche envisagée :
   - méthode de récolte de l’information (questionnaire ; entretiens ; observation directe ; analyse de données existantes)
   - bibliographie provisoire (cf. fiches de lecture 1 et 2)
5. Planification de la démarche

Contenu du rapport de projet
Recherche-action

1. Description du projet étudié
   - situation de départ et contexte du projet
   - objectif(s) visé(s) par le projet / parties intéressées à sa réalisation
2. Délimitation du sujet et du champ d'investigation
   - parties intéressées à l’étude
   - faisabilité de l’étude (autorisations)
3. Pertinence du sujet (= recherche méthodologique)
4. Méthodologie de recherche envisagée :
   - cf. recherche méthodologique (analyse de données existantes…)
5. Planification de la démarche
Méthodologie de recherche
Recherche méthodologique et bibliographique


- La question de départ (clarté, faisabilité, portée)
- L'exploration (lectures avec fiches, entretiens exploratoires)
- La problématique (approche ou perspective théorique adoptée)
- La construction du modèle d'analyse (concepts ; hypothèses)
- L'observation (questionnaire ; entrevues ; observation ; analyse données)
- L'analyse des informations (analyse statistique / analyse de contenu)
- Conclusion de la recherche (démarche ; apports ; perspectives)

Évaluation continue

- Examens de fin de module
  - Examen écrit sur table (durée : 1h.30)
  - Environ 15 questions préparées par les intervenants
  - Droit à la documentation du cours et aux notes personnelles
  - Correction par CF + 1 membre du Comité exécutif

- Notes :
  A – Excellant (6.0)
  B – Très bien (5.5)
  C – Bien (5.0)
  D – Satisfaisant (4.5)
  E – Passable (4.0)
  F – Insuffisant (3.0) : un travail supplémentaire est nécessaire
  F – Insuffisant (2.0) : un travail supplémentaire considérable est nécessaire
Évaluation finale

- Évaluation du projet de travail de diplôme
  (par Comité exécutif, sur préavis du chef de projet)
  - Intérêt du sujet de recherche ou d’étude proposé
  - Faisabilité du travail (délimitation, méthodologie)
  - Clarté de la présentation
  - Pertinence de la bibliographie proposée

- Évaluation du travail de diplôme
  (par un membre des Organes du DPE et un expert externe)
  - Forme : cf. directive
  - Originalité du thème + façon de l’aborder
  - Pertinence des informations récoltées + traitement
  - Synthèse des résultats et utilité (application pratique)
  - Critères rédactionnels + volume de travail

Titres décernés

- Diplôme en protection de l’enfant
  (Diploma of advanced studies – DAS 30 crédits ECTS) :
  - Remise des travaux de module
  - Réussite des examens (évaluation continue)
  - Travail de diplôme accepté

- Certificat en protection de l’enfant
  (Certificate of advanced studies – CAS 21 crédits ECTS) :
  - Remise des travaux de module
  - Réussite des examens (évaluation continue)

Note : le titre visé par la formation est en DAS
Informations diverses

- Pour faire connaissance... (raclette)

- Enfan'phare
  - 20 ans de la Convention des Droits de l'Enfant
  - au CERM, à Martigny les 20 et 21 novembre 2009

- Colloque IUKB 06-07.05.2010
  - Les adolescents auteurs d'agressions sexuelles

Coordonnées

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PRESENTATION OF THE INTERDISCIPLINARY MASTER ON CHILDREN’S RIGHTS
Andressa CURRY MESSER, IDE Scientific collaborator

Introduction

Objectives

The MIDE has for objectives to improve the theoretical knowledge and the professional practices in various fields of action concerned by the deep changes linked to the place of the child in our society and to the outlooks on childhood, at the local, national as well as international levels. The training offers to the students an extensive expertise in the field of children rights and allows them to develop their analytical skills and interdisciplinary work while specializing in specific areas of research, internships and works and group projects.

Public and Professional perspectives

The MIDE targets a wide range of persons interested in children rights. The graduate will be formed to adapt him/herself to the complex and changeable situations. They can hold in advisory, executive or trainer positions, in particular with the services of the protection and the youth care, guardianship services, courts, municipal, cantonal and federal administrations concerned by the situation of children, as well as within the non-governmental organizations active in the field of children rights.

Innovative and interdisciplinary pedagogy

The MIDE is a university education of 90 credits over three semesters. Leaving an important place to active participation from the students, it is organized around an innovative interdisciplinary training program; the training is based on proven knowledge on child rights and on experiences, in particular the Master's degree of Advanced Studies in Children’s Rights (MCR).

The multidisciplinary profile of the teaching staff and the co-workers, its implication in numerous academic and professional networks, as well as the exchanges with the International Institute for the Rights of the Child - IDE, ensure the dynamism and the relevance of the training. Organisation

Partner : University of Fribourg

The University of Fribourg is one of the most famous in Switzerland. It is the only bilingual school in Switzerland and Europe to offer its students the possibility, exploited by one third of them, to pursue their studies in French and German. Language gifted students may also follow the program "More bilingual, intensive training” in another language and culture.
In addition to the traditional subjects of national positive law (public law, private law, criminal law and social law), the offer also covers international law and European law.

**Admission and inscription**

**a. Conditions**: are allowed unconditionally: the holders of Bachelor or a Master's degree of a Swiss University in law, curative Pedagogy, Psychology, Sciences of education, Arts, Social and political sciences.

For the holders of the other diplomas, a procedure of admission for recognition of the diploma follows an examination of equivalence and/or with prerequisites can be envisaged. The access to the Master's degree for the foreign students is possible for the holders of a diploma of Bachelor of 180 credits or a diploma considered equivalent delivered by a university recognized by Deans’ Conference of the Swiss Universities.

**b. Registration (inscription) and at the beginning of the training**

The application file includes the registration form with the original Bachelor’s degree or with an equivalent degree (University, HES, HEY), of all grades and credits obtained during the already made university studies already conducted and Diploma Supplement (if available), and a complete Curriculum vitae, and should be delivered on time to service registrations of the Institut Universitaire Kurt Bösch (IUKB).

Entry Fee semester: CHF 600.00/semester

**Staff**

Staff is composed by 6 professors, one senior assistant, 3 assistants and one secretary (see powerpoint slice 5)

**Interdisciplinary pedagogy**

**a. Center of competence in inter-and transdisciplinity**

The MIDE covers a field of interdisciplinary studies, the studies in childhood and children's rights, and focuses on a broad spectrum of theoretical and practical issues, by mobilizing multiple disciplinary perspectives, while promoting them in dialogue and integration into a global view.

The domain of children’s rights constitutes a scientific and professional field on the rise and constantly evolving. In this context, the privilege inherent to inter-and transdisciplinary training is on the one hand to tackle all the cross-cutting themes of the rights of the child both in the professional world and in the field of humanities and social studies, and on the other hand, to promote the exchange of ideas, methods and current actions and research in critical thinking and opened scientific and professional dialogue.
Leaving an important place to the active participation of the student, the MIDE is organized in accordance to innovative interdisciplinary method. The multidisciplinary profile of the professors and the co-workers, their involvement in numerous academic and professional networks, and as well as enriching exchanges with the international Institute of the Rights of the Child (IDE) in Sion, guarantee the dynamism and the relevance of the training.

Thus, throughout the training, a dialogue about the issues related to children and child rights will be implemented, articulating the views from sociology, psychology, law and social work of childhood.

**b. Interactive tools**

The MIDE program includes three semesters, each with its own purpose and input in a coherent and integrated project. After general introductory lessons, it presents the theoretical and disciplinary law, sociology and psychology, supplemented by a guidance on research methodology. The lessons are organized in parallel and provided mainly in the form of lectures and supplemented by reading assignments and resolution of practical cases.

The various disciplinary perspectives acquired and put into dialogue in the beginning will then address the central issues in the field of child rights in a transversal way, through interdisciplinary seminars. These seminars are based on a variety of educational tools (lectures, research, student presentations, resolutions of cases, visits, debates ...) and require the active participation of the students. Group projects also offer a second approach focused on interdisciplinary practice of the implementation of child rights.

The internship and the preparation of a report is requested at the beginning of the third semester and it allows the students to acquire an experience on the Rights of the Child. Other educational tools used during the third semester vary depending on the student's choice.

The student who engages in the option “professionalizing” participates in workshops that address topics in a professional perspective inter-and transdisciplinary. These workshops are characterized by the variety of teaching tools used; the active participation of the student as well as the emphasis will be on the practice of child rights in specific fields of application.

In addition, the student agrees to write and support a professional report for which he / she may rely on monitoring by his / her Supervisor memory. The student who sets the direction research is committed to write and defend a research view, for which he / she may rely on monitoring by his / her Supervisor.

**3. General outlook of the program**

**Structure and credits**
As I mentioned before, the programme of studies consists of three semesters of 30 credits each. The total volume of the training corresponds to 90 credits, distributed on three semesters of studies. Every semester includes 14 weeks of course followed from 5 to 6 up to 8 weeks of preparation and examination session. The courses will take place over a period of three and a half days a week. The various parts of the programme of studies include the following elements:

1. **Foundations (1st semester)**
   - A. Introduction
   - B. Theoretical foundations disciplinary and interdisciplinary

2. **Deepening themes (2nd semester)**
   - A. Seminars interdisciplinary
   - B. Project group

3. **Specialization (3rd semester)**
   - A. Internship
   - B1. Research orientation: thesis
   - B2. Professionalizing orientation: thesis and interdisciplinary workshops
   - B3. Individual learning program

**The mobility of the student** is possible and encouraged by the recognition of interuniversity and interdisciplinary credentials. The degree structure facilitates the mobility of students, both nationally and internationally. The third semester may include courses taken at the partner universities in Switzerland and abroad.

**1st semester**

1. **Foundations**

   The curriculum of the first semester provides a general introduction to the theme of children's rights (weeks 3 and 4). These lessons make up an introductory course followed (weeks 5-14) by different theoretical approaches on the Rights of the Child, as well as a methodology course and introduction to interdisciplinary research including a paper in connection with a required course. Examinations on courses during the first semester are held during the sessions of examinations at the end of the autumn semester (Method of Examination: written or oral). In case of failure, examinations may be repeated twice.

   **A. general introduction to child rights**
   1. General introduction
   2. General introduction to Law
   3. General Introduction to Social Sciences and Humanities
   4. Interdisciplinary approach

   **B. Theoretical disciplinary and interdisciplinary foundations**
1. Children and human rights
2. Sociology of childhood
3. Psychology of childhood
4. The child and the Family Law
5. Protection and Child Welfare
6. Methodology and introduction to research, including work written in connection with one of the compulsory course

2nd semester

2. The deepening themes

The curriculum of the second semester comprises four seminars (block course) addressing various issues in an interdisciplinary way, and a group project aimed at providing students with common work experience.

The interdisciplinary seminars are grouped around themes tackled from several disciplinary perspectives. The interdisciplinary seminars are based on a variety of scientific approaches and are conceptualized by the entire teaching staff of the Unit.

They require the active participation of students and encourage them to analyze the issues in an interdisciplinary way. Each seminar is under the responsibility of a IUKB Professor.

Other specialists from different fields and backgrounds are invited to participate in the seminar, granting the interdisciplinary character of it. Each seminar takes place over a period of three to four weeks and includes lectures, examination of case studies, individual assignments, interventions by professionals and outside experts, debates about documentary films and visits.

The prerequisites for a successful interdisciplinary seminar are provided during the course and, if they fail, they may in principle not be repeated. The Professor in charge shall inform students of the form and terms of services required at the latest at the beginning of the seminar.

These studies are complemented by a group project which aims to provide students with real world experience through group projects, conducted in an interdisciplinary way (taking into account the Bachelor degree of its members). The project ends with a paper and a joint public presentation of results of different groups. B. Group Project

"Child-friendly cities: The implementation of child rights at the local level

3rd semester

3. Specialisation

The third semester is meant for the individual specialization of students. They can choose to continue the studies by workshops allowing them to specialize in a domain of specific implementation (professionalizing orientation) or to specialize themselves by a detailed research work.
The third semester is meant for the individual specialization of students. They can choose to continue the studies by workshops allowing them to specialize in a domain of specific implementation (professionalizing orientation) or to specialize themselves by a detailed research work.

All students follow an internship of 8 weeks and draft a report on it, whatever the orientation chosen. The internship allows the student to acquire practical experiences in children’s rights.

A student choosing the professionalization orientation must attend two workshops offered in the IUKB program and which address the themes in a inter- and transdisciplinary perspective. The workshops will be held in the third semester and will be placed on the practice of children’s rights in specific fields of application.

In the context of mobility, the student may also propose an individual curriculum consisting of courses taken in one or more other Swiss and foreign universities, provided this is approved by a board composed of Professors and scientific referents. The student completes his/her studies by writing and defending a master's thesis.

The student who chooses the research orientation is committed to prepare and to support a broader research work. He chooses his research subject in agreement with a IUKB Professor and develops a research project. A panel composed by professors and assistants will review proposals and provide thesis monitoring.

The aim of the thesis is to enable students to carry out a personal work of some magnitude, combining elements of control theory with their application to particular empirical context.

**Modules and seminars**

As an example I will show you the current program started in the autumn semester of last year.

The program started with the “interdisciplinary seminar introduction”:

This interdisciplinary seminar introduction aims to introduce students to the interdisciplinary theme of child rights. Through the courses and Professors’ interventions in the UER Rights of the Child as well as individuals and professors are invited, the seminar aims to familiarize students with basic knowledge in the field of the child’s human rights as well as basic knowledge in law and social sciences and humanities.

The entire seminar will also enable students, from different backgrounds, to become familiar with the inter-and transdisciplinary approach to training and establishing links between the perspectives and topics covered at all training.

The Steering Committee are: Frédéric Darbellay (FD), Karl Hanson (KH), Philip D. Jaffé (PJ), Daniel Stoecklin (DS), Jean Zermatten (JZ)

**Structure**: Instruction is provided in the form of lectures, requiring active student participation, and is supplemented by readings, testimonies of professionals, exercises, a cross-cutting project and application of the interdisciplinary approach on the theme ‘play and childhood’.
Interdisciplinary seminar introduction

First Week: general introduction, it includes:

- introduction of inter- and trans-disciplinary approach
- Childhood image
- Testimony of professionals working in child rights field
- Human rights and child rights philosophy
- Overview of child rights in Africa
- Lectures and individual/group work

Second week: history of childhood and disciplinary perspectives

- Convention on the rights of the child
- Childhood image
- Child in psychology
- History of social policy for children and youth
- Childhood history
- Testimony of professionals
- Child right to Health
- Lectures and individual and group work

Third week: interdisciplinary approach: play and childhood

- inter and transdisciplinary methodology
- right to play in the Convention
- a psychological approach of the play
- a sociological approach of the play
- promotion of child rights through the right to play
- play and development
- learning to play
- the source of children’s rights
- overview of the Office of the children and youth in Switzerland
- testimony of professionals
- group work and presentation of the students work

Evaluation: 4 pages of written work on the image of childhood.

Children and human rights
Karl Hanson

Description: The objective of this class is to familiarize students with the content and mechanisms for monitoring of major international instruments, in particular the Convention on the Rights of Child and its Optional Protocols and other instruments, as regional universal, aiming at the protection of human rights and the rights of the child.

Through the analysis of particular rights, the importance and implementation of civil and political rights of children, as well as economic, social and cultural rights, will be examined in the light of observations and comments of the Committee on the rights of the child.
Best Practice Experiences in Education on Children’s Rights of the Czech Republic

Child and the jurisprudence of the European Court of Human Rights and the Federal Court. The consequences of implementing public international law in domestic law will be explored through case study, such as freedom of religion of children, right to education and debate on voting rights for minors.

Structure: instruction is provided in the form of lectures, requiring active participation from students and supplemented by reading assignments and resolution of practical cases.

Course support: a reader consists of various scientific articles.

Evaluation: Oral examination

The sociology of childhood
Daniel Stoecklin

Description: The sociology of childhood, the development of which is relatively recent, deals in this course with the new status of the child as the subject of rights. Reviewing classical paradigms of general sociology, it approaches the various turns of the relationship between the actor and the social order.

The mutual dependence between action and structure invites to consider the behaviour of the subject as inevitably structured by the environment and as structuring it in return. The place of the child in this double structuralization remains insufficiently informed and analyzed.

The new paradigm appearing in the sociology of childhood requires doubtless more operating concepts. The complexity of childhood worlds obliges to deepen and to renew the reflection on classic, widely used, but insufficiently clarified notions.

This applies to the concept of child actor, that became a slogan in the field of child rights in spite of often very brief definition of the concept of social actor. The course will be structured as a "topic" of childhood: the child seen in various social contexts and with different theoretical approaches.

Format: Lectures, supplemented by required reading being synthesized and presented in small groups; workshops and debates.

Course support: a Reader is composed of scientific literature, media clips, and supplementary bibliography, documents, photos, videos.

Evaluation: Oral examination

Psychology of childhood
Philip Jaffe

This course will address more specifically critical areas related to psychosocial, psycholegal approaches of the child. The themes are:

- the child in socio-demographic terms
- Introduction to Child Development
- The psychological birth of the child and the notion of parenthood
- assisted procreation
- the process of developing the concept of family through the study of adoption
- resilience and protective factors
- the early bind between parents and infants, primary and secondary attachment, the attachment disorder
- structured intervention in autism spectrum disorders
- introduction to childhood psychopathology

**Structure**: Lectures, supplemented by required reading being synthesized and presented in small groups; workshops and debates.

**Course support**: a Reader consisting of scientific articles and a related bibliography.

**Evaluation**: Written examination.

**Child and family law**
Marie Schaffer

**Description**: The objective of this course is to teach some subjects related to family law as the Swiss Civil Code, especially the articles concerning marriage, the establishment of parenthood, its effects, and mitigating the plight of children. This last point is considered from a legal and psychological perspective.

This course will also be addressed in different watermark related topics such as interviewing the child in situations of separation and divorce, representation in court.

**Format**: Instruction is provided in the form of lectures, requiring active participation of students and is supplemented by reading assignments and practical exercises.

**Course support**: power point and checklist given at the end of the semester, the Federal Court Judgments, Swiss Civil Code.

**Evaluation**: oral examination

**Protection and child care**
Jean Zermatten and Gabriel Frossard

**Jean Zermatten**

**Description**: Introduction to Criminal Protection

Juvenile crime has been left in the hands of specialized bodies. Over the past decade, it has become a social issue, and a matter of concern for various political parties ranging from left to right.

This reality raises the question of choice of intervention: should we focus on security approach, with heavy equipment and retributive type? Moreover, the question of choosing between approaches based respectively on individualized care, attention and "educational care"? In other words, from the perspective of children's rights: public interest or interest of
the child?

From the presentation of the major models of intervention (Welfare Model, Model Justice, Restorative Model), through the review of major international instruments, the course is a study of critical systems. It also deals with the new Swiss law (DPMIn, entered into force on 01.01.2007).

The course also attempts, in light of the Convention on the Rights of the Child, especially its arts. 37 and 40, and accordingly to the last general comment of the Committee on the Rights of the Child on Juvenile Justice (02/02/2007), to understand how a system can meet the requirements set up by children's rights, including principles of the art. 3 of the CRC: the best interests of the child and art. 12 CRC: participation.

**Gabriel Frossard**:

**Description**: The protection of children in civil law

This course will familiarize students with the standards and measures of civil law to protect the child's personal development, his health and his education. Underlying the entire family law, protection of children is developed mainly from a legal guarantee of appropriate assignment and the proper exercise of parental authority, an institution which mainly stems obligations of care, education and representation of the child.

When both parents are missing, or both are deprived of parental authority (under the law or a court order), the child is placed under guardianship. Similarly, when the circumstances reveal that the child is in jeopardy of health or development, particularly because of shortcomings in the exercise of parental authority, guardianship authorities may impose different measures (Guardianship) such as educational assistance, the tenure of maintenance, the withdrawal of custody, placement, or even pronounce the withdrawal of parental authority.

Another special situation requires measures of guardianship: the case of minor unaccompanied asylum seekers (NAM), for whom the support and the exercise of parental authority can be carried out only remotely.

To face migration situations, the Hague Conference on Private International Law has established conventions facilitating and harmonizing the implementation of international measures to protect children. These international treaties are also discussed along with measures of Swiss law.

**Structure**: lessons and lectures, illustrated by numerous examples, accompanied by presentations and practical case studies, for criminal protection, trade on a given topic for each morning.

**Course support**: discount reading materials: articles, legislation and case law, international treaties. References. Course materials (power point or diagrams, handouts).

**Evaluation**: written examination
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Methodologies and introduction to inter-and transdisciplinary research
Frederic Darbellay

**Description**: This course / seminar aims to provide the students of the Master with knowledge, as well as epistemological and methodological tools necessary for implementing a practice of inter-and transdisciplinary research in a complex and multidimensional Child rights field.

The Rights of the Child studies are clearly at the crossroads of disciplines and multiple research fields and therefore require a genuine dialogue between complementary scientific perspectives, such as law, sociology, psychology, geography, political science, communication sciences, history, etc..

This seminar develops the student’s skills and abilities for scientific research and their ability to lead in a dynamic and innovative discovery, an individual and / or collective research.

It aims to keep up with recent advances in the field of Inter-and Transdisciplinarity, based on key concepts, theories, and current scientific paradigms in force in the academic community.

**Research methodology**: basic tools for interpreting the results.

Benchmarks and epistemological foundations of inter-and transdisciplinary research
Systemic and complexity theories
Principles, methods and tools for interdisciplinary research

**Structure**: instruction is provided in the form of lectures and interactive seminars, requiring active participation of students (e) s. It is supplemented by bibliographical references and additional reading.

**Course support**: handouts and other educational materials, journals and references are available for students who wish to look deeper into one or the other thematic focus of the course / seminar.

**Evaluation**: A five-page referenced essay, involving the application and methodological tools of inter-and transdisciplinary research in connection with the contents of other courses / seminars in the first semester.

**Spring semester – seminars**

**Participation**
D. Stoecklin

**Description**: The implementation of child rights is the promotion of attitudes towards and between children and respecting them as subjects of rights. But the role of children themselves in this normative transformation is still insufficiently considered, documented and valued.
We observe how the people most directly affected mobilize symbolic resources and social support for the observance of their rights, by analyzing the interdependence between organizational structures and individual actors.

The recognition of their rights and their capacities also depends on the active participation of children in developing mechanisms for implementation of their rights.

The actors are mobilizing resources to create opportunities for pursuing their rights. It intends to shown the degrees of "capability" in different fields.

**Structure**: Alternating between lectures and practical exercises (participatory investigation) during which we will inform the modalities of participation of children in specific fields.

**Course support**: A Reader is composed of scientific literature and a supplementary bibliography.

**Evaluation**: The evaluation focuses on the analysis of interviews conducted during the participatory survey (written and oral group feedback), and an individual test connected to the practice of participatory investigation with the theoretical elements seen throughout the module.

**Advocacy and Promotion**

**Karl Hanson**

**Description**: This interdisciplinary workshop aims to bring extensive knowledge of rights advocacy strategies and interests of children and the promotion of human child.

The first part is to deepen knowledge of the history and schools of thoughts rights movement of the child at the international level and Swiss level. What were the major landmarks in the history of the Rights of the Child as a social movement, whose first traces can be located at the turn between the 19th and the 20th century? What differentiates today’s approaches and schools of thought in children's rights?

A second part concerns the advocacy and promotion strategies of the Rights of the Child from civil society, especially non-governmental organizations (NGOs) active in the field of child rights.

The third part focuses on contemporary strategies for the modification of systems, institutions and laws in our society to increase opportunities for self-determination child. The structures developed in the organs include the state ombudsman, advocates or ombudsmen for children, as well as local structures, cantonal and federal defense and promotion of human child. Through three games, the seminar also aims to develop the capacity of students to network and conduct projects on the rights and interests of the children from a structural standpoint…

**Structure**: Interdisciplinary seminar, with lectures, exercises, visiting teachers, group work, case studies, presentation of work by students, reading...
Course support: A Reader consisting of various reference articles.

Evaluation: Individual work: Presentation and critical analysis of an international organization; Group Work: Presentation of an article on the movement Rights of the Child; Presentation of a European Ombudsman, of a project to establish an ombudsman District.

Child-friendly city
Karl Hanson

Description: A child-friendly city is the embodiment of the Convention on the Rights of the Child at the local level, which in practice means that children’s rights are reflected in policies, laws, programmes and budgets. In a child-friendly city, children are active agents; their voices and opinions are taken into consideration and influence decision-making processes.

Objectives: The project group aims to provide students with practical experience of interdisciplinary work. The objectives of the project are focused in four main directions:

1. Producing knowledge about modes of managing quality of life for children and youths by politicians and administration in a specific municipality;

2. Producing knowledge about the prospects of children and youths on their quality of life and their active use of space, taking into account the specific geographical context of the municipality involved;

3. Through the final report and presentation of results during a day study, inform political and administrative municipal authorities on how to implement a participatory approach;


Structure: The students have to draw a realistic project indicating how the municipality can undertake steps to take into account better the children rights at the local level. The project ends by a written essay which include plans, budgets, photos, etc. The results of the works of group will be presented during a day study opened to the children and to the young people, to the local authorities and the general Public.

Results: At the end of the project, students will produce the results, that will be part of the assessment, accounting for 6 ECTS credits of the 90 total credits of the completed degree program IME.

1. Written Essay

The drafting of a written essay over the July - October period, including the following sections:

- A description of the theoretical framework
- International evidence and analysis of data collected
- A conclusion that includes recommendations.
2. Recommendations

A one-page synthesis with recommendations to the Municipality

3. Day Study

The UER Rights of the Child IUKB organizes a workshop on the implementation of child rights at the local level. The presentation of results are included in the day’s programme:

- In an oral presentation of 15 minutes per group;
- By displaying a visually attractive poster (A1 size).

Data Collection

Student groups will invest over a period of four weeks, a joint assignment in the project "Living my town" to collect data on the quality of life and well-being of children. These data will be gathered and analyzed in a report on each Municipality which will also be presented at the study day.

For data collection, a series of indicators on quality of life, well-being and the rights of the child has been selected. These indicators cover six dimensions that are central to the lives of children and youth:

1. Family
2. School
3. Health
4. Entertainment
5. Mobility
6. Space

For each dimension, three types of indicators were selected, including pattern questions:

- Organizational (political and administrative framework)
- Subjective (perceived)
- Objective (structures)

Analysis and interpretation

Analysis of data is based on articles from the Reader. This step is being prepared in a meeting with the groups, teachers and assistants in the MIDE.

Recommendations
Assessment of quality of life and respect for the rights of the child in Municipalities in the form of recommendations (1 page) for the political authorities.

**Course support** : a Reader with various articles

**Evaluation** : final report; oral presentation with a poster at a day study

**Violence and Child Abuse**  
**Philip Jaffe**

Description : The protection of children is among the major parental and social concerns. This course deals with the theoretical concepts about child abuse and various forms of violence (psychological, physical and psychological) that may befall the child in his family and outside, including institutional abuse.

It also analyses the notions of vulnerability and resilience, as well as the pedagogical approach that seeks positive treatment. The institutional socio-legal protection of children is presented and considered in its operation through a series of examples of judicial expertise and assistance of stakeholders in child protection. Finally, the spotlight is given to the phenomenon of child abuse and social perceptions of dangerosity.

**Structure** : Lectures, supplemented by required reading being synthesis presented in small groups and workshops and debates.

**Course support** : A reader with scientific articles and a supplementary bibliography.

**Evaluation** : Teamwork

**Autumn Semester**

**Internship**  
**Karl Hanson**

**Objectives** :

The course allows students to gain practical experience in the field of child rights. It specifically aims to:

- Establish a link between theory and practice;
- Provide a reflective analysis and criticism;
- Learn valuable skills on the labor market;
- To move in the professional field of child rights.

**Things to do** :

A) Before the internship, the student completes the "course registration form" and submit to the secretariat of the IME for acceptance by the EBU Council of Child Rights.
B) Not later than one month after the end of the course (or three months after the start of the course), a probation report be forwarded to the secretariat of the IME.

This document will contain the following elements:

- Introduction: Motivation and choice of place of internship
- Description of the internship position, function and activities of the trainee
- Description, evaluation and reflective analysis skills acquired during and after the course.

The perspective is to compare the internship experience to the theoretical knowledge gained in the IME

**Conclusion**

C) After filing of the probation report, a debriefing session will be held between the student and a faculty member or through the EBU Rights of the Child.

Criteria for validation of the course (10 credits)

Students may complete the internship as a full-time or part time, but the total duration of the course must be equivalent to two months at 100% minimum (eight weeks to 42 hours per week).

The probation report will account for two thirds of the note, the oral interview, for third, and the assessment made by the senior officer in the place of internship will weigh the final score.

The registration form and the regulations concerning the organization of the course and methods of assessing the students are available on the IUKB website.

**Master Thesis**

Choosing the theme

Students choose the topic of their thesis. The problem must be original (ground-breaking research issue), inserted in the field of children's rights and be approached in an interdisciplinary way.

**Selection of the Director**

The choice of the thesis director: among the MIDE Professors (Prof. Karl Hanson, Prof. Philip Jaffe, Prof. Daniel Stoecklin, Dr. Frederick Darbellay or Dr. Joana de Burgo).

It is possible, exceptionally, to appeal to other professors with the agreement of the professors of the MIDE.

**Thesis Project**
The form of the dissertation project is delivered in two stages

1. End of second half semester: the provisional structure

For logistical reasons and consensus building with the "Regulations on the organization and methods of evaluation of the brief (now simply called "Regulations implementing thesis"), the form must be completed at the end of the second semester and returned to the secretariat of the MIDE (mide@iukb.ch) or to Joana de Burgo (joana.deburgo @ iukb.ch). The purpose of this form is temporary in knowing the direction of the thesis (research or job situations) and to gather preliminary information.

2. Beginning of 3rd semester: the final form

The final form indicating the final choice of the problematics, must be returned in the early 3rd semester to the secretariat of IME (mide@iukb.ch), Joana de Burgo (joana.deburgo@iukb.ch) and to the thesis director. A draft list of a few pages may be requested by the thesis director.

**Thesis Type**

The student may submit two types of memory
- Focus research (20 credits)
- Orientation professionalizing (8 credits)

**Copies to file**

The thesis work must be submitted in hard copy and electronic format (pdf format preferred).

The paper copies must be filed or sent to the Secretariat of the IME, to the attention of Mrs Sarah Bruchez (the date of seal). The electronic version must be sent to the Secretariat of the IME (mide@iukb.ch) AND Joana de Burgo (joana.deburgo @ iukb.ch).

**Number of copies**

The number of copies depends on the number of people who comprise the jury. The Regulations implementing memory (art. 5), the jury is composed of at least two members. Thus, at least two paper copies must be deposited with the Secretariat of the IME.

**Deadline for submission of copies**

In agreement with the thesis director, the student may make its statement at any time, but no later than two weeks before the concerned examination period.

On the other hand, in agreement with the thesis director, the student can defend the essay at any time, but later during the exam period following the submission of written work (see dates established in the academic calendar).

**Date of oral defense**
The date of the defense is scheduled for no earlier than two weeks after the filing of copies of the brief to the MIDE.

The day and time are proposed by the thesis’ Director in agreement with various stakeholders (student and jury).

The student is then officially convened via e-mail by the Secretariat of the IME.

**Duration of the oral defense**

The oral defense lasts between 60 and 90 minutes, divided as follows:

- Oral presentation of essay : 20 minutes (maximum)
- Questions from the jury: 40-70 minutes.

**Jury**

The jury is composed of at least two members, including the thesis Director and a representative from the Faculty or IUKB body and /or an external expert.

The thesis Director determines the composition of the jury, but the student can make suggestions.

**Rating**

The Master thesis is evaluated by the average scores of the written report and the oral defense. The work will be validated and signed by the thesis Director. Validation of the brief will not be issued until:

- The amendments requested by the jury have been submitted and accepted by the thesis Director,
- AND a hard copy and electronic copy (PDF file) of the latest version has been transmitted to the IUKB library of (an electronic copy will be sent to the Secretariat of the MIDE).

The corrected final version must be submitted to the library within a maximum period of two weeks, after defending the thesis.

**Extension of deadline for submission of the thesis**

It is possible to extend the deadline for submission of the thesis. The maximum time to obtain 90 credits required for graduation is six semesters.

If the students wish an extension of one semester, they have to renew their registration and pay the tax twice a year.

**In case of failure or timeout**
A recovery is still possible during the 4th semester, two weeks before the exam session in September.
PRESENTATION JUVENILE JUSTICE
Jean ZERMATTEN, IDE Director

The presentation plan

ATTENTION : New law
Law of inspiration "welfare"
1) The objectives of the law
2) Distinction between juvenile delinquents and juvenile endangered
3) The ages of intervention and the conditions of place
4) Statistics
5) Catalog and characteristics of the measures and the punishments

The models

In the world, there are three models that inspire the juvenile court's systems :

- the Welfare Model,
- the Justice Model, or Control model
- the Restorative Model.
The Welfare Model

The Welfare Model puts the emphasis on the person of the young offender. The latter is seen more as victim than as an offender: victim of his family, of his history, of his environment, of his immaturity, of the hazard of care...

- So, the justice does not have to punish him, but to look for the causes of his behaviour and to act on them.
- The principal answer to the offence is not a sanction, but a measure. The question of the responsibility isn’t important.
- The model of the Model was the French legislation of 1945, still in function, but adapted several times since its entry into force.

The Justice Model

The Justice Model, on the contrary, is based on the idea of a young offender responsible of his acts and who has chosen to "malpractice". So he has to pay in the form of a retributive punishment.

- In the model the procedural rights of the young are very developed, but not the possibilities of taking care.
- The question of guilty or not guilty is the central point of the trial. If this model goes until its last logic, it means the end of the specific courts for juveniles.
- This system is used principally in countries with a long tradition of common law.
The Restorative Model

The Restorative Justice Model goes from the idea to re-integrate the victim in the process and from the other idea of reparation. The young offender has to face his victim(s) and to do something in order to repair his fault. These two ideas are important and it's a fact that during a long time, the victims have been forgotten.

- With this model, the Mediation and the Service Community Orders appear and become more and more applied.
- There is no "only" Restorative Justice Model but we can mention that the Austrian law for juvenile (1988) is based on Mediation.

The objectives/goals of the Swiss criminal law of the minors

The five objectives are:
- Educational
- Curative/Care
- Preventive
- Social integration / reintegration
- Protection (public security)
General ideas of the Swiss system

Distinction
- Minors/juveniles endangered
- Minors delinquents

- Minors endangered

Civil authorities=guardian (ship) system

Several models
Minors delinquents

Penal authorities = Juvenile Court specialised courts with specialised judges

Swiss System conditions of age

<table>
<thead>
<tr>
<th>Age Range</th>
<th>Legal Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-10 years old</td>
<td>absolute irresponsibility</td>
</tr>
<tr>
<td>10-18 years old</td>
<td>relative responsibility</td>
</tr>
<tr>
<td>15, 16 years old</td>
<td>age limit for deprivation of liberty</td>
</tr>
<tr>
<td>18 years old</td>
<td>penal majority (civil, civic)</td>
</tr>
<tr>
<td>18-25 years old</td>
<td>“young adults” total responsibility but a watered-down intervention</td>
</tr>
</tbody>
</table>
Conditions of place

- Inquiries: place where the act is committed
- Judgment: place where the young lives
- Foreigner: rules can change

Statistics

GENERAL COMMENT

Generally speaking, the situation in Switzerland is characterized by:

- A **sharp rise** in the number of minors charged and convicted in juvenile court,
- A shift from “adult” delinquency **towards juvenile delinquency**, 
- A **change in the type of offenses** committed by minors,
- The question of violence
Statistics
Number of minors condemned in Switzerland

- 1990: 6'803
- 1991: 7'278
- 1992: 7'357
- 1993: 7'930
- 1994: 8'243
- 1995: 7'983
- 1996: 8'900
- 1997: 9'364
- 1998: 10'131
- 1999: 12'238
- 2000: 11'314
- 2001: 12'319
- 2002: 12'854
- 2003: 13'483
- 2004: 14'363
- 2005: 14.106
From “Adult” Delinquency towards Juvenile Delinquency

- For quite a long time most offenses were committed by adults, with an over-representation of young adults (18-25 years old).
- Now however, although the majority of those brought before the law enforcement authorities are adults, the numbers of juveniles subjected to criminal proceedings is becoming proportionately higher.
- Thus, from approximately 15% of all recorded offenses being committed by minors the figures have risen almost to one quart / one third.

Changes in the Type of Offenses Committed

- a) Offenses against the penal code (general) property
  - 2001: 7'396 convicted juveniles
  - 2003: 8'217 convicted juveniles
  - 2004: 8'856 convicted juveniles
  - 2005: 9'175 convicted juveniles

- b) Offenses against the physical integrity
  - 2001: 1'600 convicted juveniles
  - 2003: 1'755 convicted juveniles
  - 2004: 2'058 convicted juveniles
  - 2005: 2'258 convicted juveniles = 16 %

- c) drugs-related offenses
  - 2001: 4'957 convicted juveniles
  - 2003: 4'953 convicted juveniles
  - 2004: 5'199 convicted juveniles
  - 2005: 4'535 convicted juveniles
Increasingly Young Offenders

One characteristic of the new data is that offenders are committing their offenses at an increasingly young age. This holds true throughout the Western world.

- In Switzerland juvenile courts have found themselves in the throes of this trend.
- This situation poses additional difficulties since the age of these young offenders often corresponds to a delicate period compounded by the educational status of the young who at times are no longer accepted at normal educational institutions, and have been expelled from them (compulsory education...!).
- The lack of appropriate structures to deal with this type of situation create difficulties.

POSSIBILITIES OF INTERVENTION

The Judge has many possibilities

- To divert (non-suit, refusal to take action, dismissal, acquittal, withdrawal of complaint, conciliation)
- To renounce to punish = remission
- To mediate = mediation
- To pronounce a measure
- To punish
The restorative aspects

- **Mediation**: at three stages of the intervention: inquiry, judgment and application of a measure
- The objective is to confront author and victim with two aspects: reparation (damage) and restoration (social relationships)
- If the young offender and the victim find an agreement, the case is dismissed
- If no agreement, the case goes to trial
- **Community service orders** plays an important role in Switzerland

Characteristics of the measures

- Idea of protection (offender is a victim); system said dualist: measure or and punishment
- Priority of the measure
- The measure have to be accepted
- The term of the measure is not fixed
- The measure can be changed
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**Measures**

- Protective measures
  - Probation (educational assistance)
  - Foster care
  - Residential care
- Welfare institutions (with school)
- Welfare institutions (with work or activities)
- Welfare institutions with psychological help
- Closed institutions
- Medical treatment
  - Outpatient treatment
  - Inpatient treatment

**Characteristics of the punishments/penalties**

- Subsidiary with regard to the measures
- Idea of retribution (the child is guilty), but educational contents
- The term is fixed
- The question of the deprivation of liberty from 15: until 1 year
- From 16 until 4 years for aggravated offences
- Swiss speciality: obligation to renounce (art 21)
Punishment/penalties

- Punishment
  - Reprimand
  - Community Service Orders
  - Fine
  - Deprivation of liberty
    - Suspended
    - Without respite
    - Suspended
    - Without respite
      - Probation
      - Control time
      - Supervision orders

Art 21

The necessity of collaboration

The Juvenile justice is a system
Not only the judge / prosecutor but
- the parents
- the police
- the social services
- the psycho-social services
- the lawyer
- the community
SPECIALISED TEACHING
Sonja PILLET, Educational advisor, specialised teaching office, Sion

Salamanca statement / UNESCO 1994

18. Educational policies at all levels, from the national to the local, should stipulate that a child with a disability should **attend the neighbourhood school that is, the school that would be attended if the child did not have a disability.**
18.
- Exceptions to this rule should be considered on a case-by-case basis where only education in a special school or establishment can be shown to meet the needs of the individual child.

« ... do not worry about the conditions which allow a pupil to attend mainstream classes; consider rather the reasons and criteria which prevent a pupil from being schooled with companions of his age. »

J.-P. Cretton
For which pupils?

- The organization for pupils who have particular needs is identical to all types of disability, **only the service providers** change.
  - Blind or bad seeing children: Center for eyesight disability
  - Deaf or bad hearing children: Service for deaf people
  - Physical disabled children: according to their needs and their pathology
Laws at disposal

- Law from July 4th 1962, concerning public education...
  - The pupil attends the primary school in the district of his home residence
- Law from June 25th 1986, concerning special education...
  - Full or part-time inclusion for pupils is targeted
- Law from January 31st 1991, concerning the integration of disabled people...
  - To promote inclusive education...
- National Social Security of June 19th 1959, settles the subsidies and the right to the different measurements
General Organisation

- The child with disability attends the ordinary school of his place of residence;
- A specialized teacher accompanies him a certain number of hours during the week;
- The generalist teacher and the specialized teacher work as teaching duet.

Political and practical organization

Ministry of Education, Sport and Culture

+ Determines and grants the teaching hours
+ Checks their implementation

STC

+ Organizes the educative methods to be used
+ Sends teachers and therapists

Home residence

Organizes the schooling in its place
Participates to the all process
Aims and objectives of the Specialized Teaching Centre

- To meet the needs of families and children on Invalid Insurance while taking into account the other pupils of the ordinary classes
- To recognize these children as members of the society, as citizens
- To keep the children in their natural environment
Decentralized classes of adaptation

- **Principles:**
- All pupils attend the classes in the district of their home residence.
- Mainly comprised of ordinary pupils and from 1 to 4 pupils who need special teaching.
- Two teachers work in a teaching duet (team teaching) full or part-time during the week.

5th primary school
4th primary school

Generalist teacher

- **Responsibility of all the pupils**
  - Teaching responsibility for the ordinary pupils
  - Integration, welcome of the pupils with special needs and their teacher
  - Collaboration with ST, parents, authorities
  - Close collaboration for the preparation and the management of the whole class
Specialized teacher

- **Teaching responsibility for the children with special needs**
  - Preparation and management of the individual teaching project
  - Close collaboration with GT, parents, therapists
  - Co-ordination of the measures
  - Preparation of specific materials and activities for his pupil

- **Principle**: the child who has particular needs remains in the classroom as much as possible. He leaves his classroom for activities which are specifically designed for him and which cannot be carried out there.
Individual Teaching Project

- 1. Resources and difficulties of the pupil
- 2. General goals (behaviour, attitude)
- 3. Specific goals (school subjects)
- 4. Methods of intervention
- 5. Other measures (therapies)

To follow...

- Our mission: **OBLIGATORY SCHOOL**
- Pupils in situation of disability: 18 years
  - 16 years: into a centre
    - Vocational guidance
    - Initial vocational training
    - Observation and orientation in a job
Intellectual limits and reduced autonomy

16-18 ans: practical training course class for 2 years
Time-table:
   3 1/2 days at school
   1 day in a company by craftsmen or in supermarket
18-23 years: vocational and social training structure in open environment
MISSION REPORT ON THE FIRST PHASE OF THE PROJECT
Paola RIVA GAPANY, Deputy-Director IDE

Implementation of the Best Practise Experience in Education of Children’s Rights in Switzerland into Protection of Children’s Rights in the Czech Republic.

From May 17th to 22nd 2010, two Czech experts, Dr PHD Irina Cechova, founding director of Cesko - britská o.p.s and Mrs EVA Burdova, lawyer especially mandated for this project, came for a one week study visit in Sion (Switzerland). The objectives of this journey were: meeting children’s rights professors with presentation of various trainings, analysing some problematic issues in Switzerland, such as migrant children, fields’ visits, for comparing theory and practice and putting theory into practice.

1) Meeting with children’s rights professors-Presentation of training/universities

1.1) Presentation of the Institut international des Droits de L’Enfant (IDE): Mr Jean Zermatten, Director of IDE

Monday 17.05.2010, 09:15 a.m. – 10:30 a.m.

Mr Zermatten has presented, the different activities of the IDE, according to the objectives of the Institute which are

Information

IDE reaches towards this objective by:

- setting up Seminars, especially the Sion international Seminars: in October every year
- publication of books, articles, seminar texts, working reports
- various activities of popularization: at the local regional, national and international level (articles, TV, radio programmes…).

Training

IDE’s chosen objective is to provide training to the people in charge of implementing children’s rights in their countries. First, Judges (whose duty it is to have children’s rights respected), but also people entrusted to protect children: Welfare or Youth Protection Officers, policy makers, and teachers. This is what IDE means to do by:

- setting up training Seminars, in Sion or abroad,
- setting up academic trainings (Master of Advanced Studies in Children's Rights),
- offering specific training in child protection and special care,
- Summer course…
1.2) Presentation of the Institut Universitaire Kurt Bösch (IUKB): Mr Frédéric Darbellay, in charge of inter- & transdisciplinarity

Monday 17.05.2010, 10:30 a.m. – 12:15 p.m.

The IUKB is recognized by the Swiss Confederation since 1992 as a University Institute which collaborates with various Swiss universities. Children’s rights are an interdisciplinary and transdisciplinary matter: a) An emerging, complex and multidimensional academic field of teaching and research; b) Multiple fields (education, institutions, culture, media, politics, health care, etc.) and stakeholders (children, families, educators, NGOs, States, Intergovernmental organisations, etc.) c) Several disciplines studying children and childhood: interaction, dialogue and integration of disciplines in an inter- and transdisciplinary perspective. IUKB has developed several diplomas in this field: DAS in Child Protection, DAS en expertises psycho-judiciaires pour enfants et adolescents, CAS Enfants victimes, Enfants témoins : La parole de l’enfant en justice, Université d’été en droits de l’enfant.

1.3) Presentation of the Master of Advanced Studies in Children’s Rights, Prof. Karl Hanson, Children’s Rights Unit, IUKB

Monday 17.05.2010, 2:00 p.m. – 5:00 p.m.

The Master of Advanced Studies in Children's Rights (MCR) is a part-time international and interdisciplinary postgraduate programme on children's rights, which takes place over a two-year period. The Programme is organised jointly by the University of Fribourg and the Institut Universitaire Kurt Bösch (IUKB), both in Switzerland, and is designed for professionals who work with children’s rights issues, including lawyers, psychologists, sociologists, judges, social workers, government officials, staff of non-governmental organisations, academics and journalists. The participation of students with different backgrounds and career-levels in an interactive learning environment helps foster exchanges at both theoretical and practical levels. Students who participated in the MCR programme are holding staff positions for national and international governmental and non-governmental organisations such as OHCHR, HCR, UNICEF, Human Rights Watch, Save the Children, BICE, national and regional administrations and academic institutions. The Programme has been accredited by the Swiss university conference (SUK/CUS) at the request of the Centre for Accreditation and Quality Assurance of the Swiss Universities (OAQ).

1.4) Presentation of the Diploma on Child protection: Mr Marc Favez, Project Manager

Tuesday 18.05.2010, 9:00 a.m. – 12:00 noon time

The Diploma on Child protection has been created in 2005, under the initiative of the International Institute for the Rights of the Child (IDE), upon the request of the Conference of the French-speaking Directors of Services of Child Protection (Conférence Romande des Directeurs de Services de Protection et d’Aide à la Jeunesse - CRDPAJ). The main purpose of this diploma is to offer a more specific professionalization to the socio-educational intervening parties working in the field of youth protection and family support.
1.5) **Presentation of the Interdisciplinary Master on Children’s Rights, Mme Andressa Curry Messer, IDE Scientific collaborator**

*Wednesday 19.05.2010, 9:15 a.m. - 10.15 a.m.*

The Interdisciplinary Master on Children’s Rights has for objectives to improve the theoretical knowledge and the professional practices in various fields of action concerned by the deep changes bounded to the place of the child in our society and to the glances concerned the childhood, both to the levels local, national and international. The training offers to the students an extensive expertise in the field of children’s rights and allows them to develop their analytical skills and interdisciplinary work while specializing in specific areas of research, internships and works and group projects.

1.6) **Presentation at the University of Applied Sciences Western Switzerland: Mr Hanspeter Utz, in charge of the German-language social work sector**

*Thursday 20.05.2010, 9:00 a.m. – 12:15 p.m.*

The sector of Social work training is constituted by grouping three different sectors of training such as: the socio-cultural activities, the social education and the social services department. The Swiss Confederation has requested this regrouping in every high school of Swiss’s social work. By opting for single Bachelor in Social work, the HES-SO also takes into account its consultation with the professional circles.

2) **Analysis of some crucial issues in Switzerland**

2.1) **The situation of migrant children: Mrs Paola Riva Gapany, IDE Deputy Director**

*Wednesday 19.05.2010, 10:15 a.m. 12:15 p.m.*

Migration is a crucial issue in Europe and in particularly in Switzerland. Policies and laws become more and more strict on the questions of moving throughout Europe (Dublin II), identity papers, age, nationality, family reunification and credibility of each personal story: migrant children are considered as foreigner before being considered as children. Once admitted in an host country, the issue of integration is discussed among policy and law makers, medias and civil society; what does integration means? For the IDE and migrants defenders, integration means sharing the same fundamental values, such as fighting against female genital mutilations one of the IDE’s program for integration. The IDE is also coordinating the ADEM (Alliance pour les Droits des Enfants Migrants) along with the International Social Service.

2.2) **Juvenile Justice: Dr hc. Jean Zermatten, IDE founding Director**

*Friday 21.05.2010, 09:00 a.m. – 11:45 p.m.*

According to the special request form the delegation, Mr Zermatten explained the Swiss new law for children in conflict with the law and the minima standards recognized at the international level, especially the General Comment nr 10 of the CRC Committee for Juvenile Justice. The objectives of the penal intervention towards juvenile offenders have to facilitate rehabilitation, care and social measures, without omitting the necessity of the public security. It’s a challenge for every country to establish a well-balanced system in
Best Practice Experiences in Education on Children’s Rights of the Czech Republic

Juvenile Justice. Examples of the Swiss law and practices can help to the design of new attitudes related to juvenile delinquency.

2.3) **Disabled children: inclusive education: Mrs Sonja Pillet, specialized educator/teacher**

*Friday 21.05.2010, 11:45 a.m. – 13:00 p.m.*

The Czech delegation expressed a very strong interest for the issue of disabled children, and the answers given by the Swiss government to that question, in particular in the field of education. Mrs Pillet has a teaching background, but is now responsible of the education with special needs for the region of Bas-Valais; she explained the policy of the Canton du Valais, especially the policy for inclusive education. A very interactive dialogue took place between Mrs Pillet and the two delegates

3) **Field visits**

3.1) **Presentation of the Child Protection Office of the Canton du Valais (from 0 to 18 years): Mr Christian Nanchen, Chief of the Child Protection Office**

*Tuesday 18.05.2010, 1:00 p.m. – 3:00 p.m.*

How does a child protection office work in Switzerland? Due to federalism there are different many models implemented. In Valais, the office is a based on three approaches: Prevention, Protection and Control. The legal basis is the *loi cantonale sur la protection de la jeunesse du canton du Valais* (2000). Most of the intervention requests (about 60%) come from the community authorities (autorités tutélaires) in charge of children protection, then first level judges, and a very small amount of adoptions (about 12 per year). The office works with social workers, institutions and foster families. Most of the social workers got the Diplôme *en Protection de l’Enfant* (IUKB/IDE).

3.2) **Presentation of the St-Raphaël institute, 4 centers for children and adolescents in difficult circumstances (civil and penal cases), Mr Christian Bader, Director**

*Wednesday 19.05.2010, 2:00 p.m. – 5:00 p.m.*

The Saint Raphaël institute has as a mission to help the young people - girls and boys – who, because of their behavior and attitudes, are, in a punctual or prolonged way, in situation of difficulty of adaptation with their family, social, school and professional environment. The offer of services proposes a socio-educational action facilitating as well the adequate development of the attitudes as the capacities of every young person.

3.3) **Visit to Pramont, Institution for adolescents in conflict with the law, Mr Cordonnier, social worker/educator**

*Thursday 20.05.2010, 2:00 p.m. - 5:00 p.m.*

Pramont’s mission is educational. The young resident starting from age 14 to 22, have committed severe crimes due to a strong educational lack. Before punishing, educating is the major goal: learning of a job, getting values, working in a team, learning basic branches
such as French, mathematics, ….The learning and educational process is a long one, and may not be successful as each young is unique, however about 60% residents reintegrate society and don’t repeat the offence. What are the challenges of such an institution in the current social and political context? Convincing that education may not be THE unique solution to young delinquency but the “less worst”.