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Children Speak

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A Newsletter of the Organization for the Protection of Children's Rights

Message from the President

National Child Day marks the date of the adoption of the United Nations Convention on the Rights of the Child in 1989. The Convention was ratified by Canada in 1991. More countries have adopted the Convention than any other international human rights treaty.

In 1993, the Government of Canada proclaimed that each year on November 20, we would celebrate a national day of the child in order to promote awareness in Canada of the Convention. Children have the right to...

- A voice in matters that affect them
- Special education and care
- Play and rest
- Health
- Special protection

The theme for 2005 is The Right to Play. When children learn through play, they build relationships and develop their imagination, critical to optimal physical and mental development.

Unfortunately for many children the playground and its interpersonal interaction has been replaced with the simulated world of computer graphics and real time electronic messaging. The traditional playground, in other words, has been extended from the backyard into cyber space.

It may surprise many that Canada's age of consent to sexual activity which is 14 (18 if the adult is in a position of trust,

authority, or dependency) offers Canadian youth no protection from sexual exploitation. In 2002, Canada enacted legislation that makes it a criminal offence to use the Internet to lure or exploit children for sexual purposes.

(It is important to note that this legislation relates to children under the age of consent, which in Canada is 14.)

Canadian children are being solicited daily by strangers on the internet; many of these children will choose to meet their new acquaintance without their parent's knowledge with the ultimate consequence of being exposed to physical, sexual and psychological harm.

Although we could isolate many other issues we select this one issue as an example that Canada has a long way to go to live up to its Convention obligations for it seems an oxymoron to say that Canada is a signatory to the Convention on the Rights of the Child and yet we are a nation that is prepared to send our children over 14 years of age out into their traditional and cyberspace playgrounds with no support or security besides their young untested judgment that makes them potential victims for a network of worldwide sexual child predators. □



Riccardo Di Done



UNICEF's Global Campaign on Children & AIDS

Putting the Missing Face of Children on the Global HIV/ AIDS Agenda

Children are the missing face of AIDS. Every day, almost 1,800 children under 15 become HIV-positive and 1,400 die of AIDS-related illness. Daily, more than 6,000 young people aged 15-24 acquire the virus. The five-year Global Campaign on Children and AIDS, launched on October 25, 2005, places children and their needs at the top of the AIDS agenda.

Millions of children, adolescents and young people in the path of the pandemic are at risk and in need of protection. AIDS is redefining the very meaning of childhood for millions, depriving children of many of their human rights – of the care, love and affection of their parents; of their teachers and other role models; of education and options for the future; of protection against exploitation and abuse.

The world must act now, urgently and decisively, to ensure that the next generation of children is AIDS-free. The global Campaign will provide a child-focused framework for country-level programs around 'Four Ps', urgent imperatives that can make a real difference in the lives and life chances of children affected by HIV/AIDS.

- Prevent mother-to-child HIV transmission:

By 2010, offer appropriate services to 80 per cent of women in need;

- Provide paediatric treatment:

By 2010, provide either antiretroviral treatment or cotrimoxazole, or both, to 80 per cent of children in need;



Children orphaned by HIV/AIDS in the care of Volunteers at Kwa Zulu Natal province, one of the highest rates of HIV/AIDS infection in the country.

Every Day

- There are nearly 1,800 new HIV infections in children under 15, mostly from mother-to-child transmission;
- 1,400 children under 15 die of AIDS-related illness;
- More than 6,000 young people aged 15–24 are newly infected with HIV.

After more than 20 years

- Less than 10 per cent of pregnant women are being offered services to prevent transmission of HIV to their infants;
- Less than 10 per cent of the children who have been orphaned or made vulnerable by AIDS receive public support or services;
- Less than one third of young women aged 15–24 in sub-Saharan Africa fully understand how to avoid the disease.

- Prevent infection among adolescents and young people:

By 2010, reduce the percentage of young people living with HIV by 25 per cent globally;

- Protect and support children affected by HIV/AIDS:

By 2010, reach 80 per cent of children most in need;

- Provide a platform for child-focused advocacy on global AIDS issues such as:

- Mobilizing international resources to combat HIV/AIDS. This means not only a significant increase in official development assistance overall, but also a bigger proportion allocated to HIV/AIDS and, specifically, to protect, care, support and provide treatment for children affected by the disease.

- Supporting corporations as they develop socially responsible policies and programmes for workers, their children and communities.

- Advocating for governments, donors and international and non-governmental organizations to stand by the commitment to come as close as possible to the goal of universal access to treatment by 2010; and supporting countries in accessing appropriate and affordable medicines, especially formulations and diagnostics adapted to the specific needs of children.

- Campaigning for education and health services to be strengthened, and for governments and agencies to work towards the elimination of user fees for primary education and, where appropriate, health-care services.

○ Putting the protection, care, support and treatment of children, adolescents and young people at the centre of the HIV/AIDS agenda.

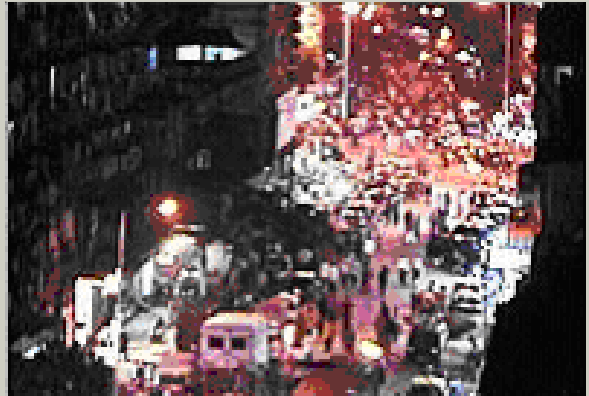
○ Put the missing face of children affected by AIDS at the centre of the HIV/AIDS agenda and make sure that the voices of children and young people are heard on the issues that affect them.

Following the appeals made at the 2005 G-8 Summit, the 2005 World Summit, and other declarations and commitments on HIV/AIDS, UNICEF, as part of its work as a cosponsoring agency of UNAIDS, calls upon every part of global society to join in a campaign to support national efforts to ensure that this is the last generation of children that must bear the burden of AIDS.

AIDS FACTS

- Worldwide, 15 million children have lost one or both parents to AIDS. More than 200,000 children in Haiti have lost parents to the disease and need care.
- Young children sold into prostitution are one of the highest-risk groups for HIV transmission.
- Up to 90 per cent of HIV-positive people in developing countries are unaware that they are infected.
- Fewer than five per cent of HIV-positive children receive life-saving paediatric treatment.
- Globally, one third of infants born to HIV-positive mothers will acquire the virus unless women and their babies receive medical treatment.
- Infant deaths from HIV-related causes could be cut in half if all affected newborns received the antibiotic cotrimoxazole – yet only 1% receives it.
- Worldwide, only 10 per cent of AIDS-affected children receive public support or services.
- In the Russian Federation, most new HIV infections are among young people.
- Education is one of the most powerful and cost-effective ways to stop new HIV infections. Adolescents need youth-friendly information, prevention options and testing, while governments need to scale up services and legislation to protect them.
- In many countries, the lack of power of many women and girls to refuse sex or insist on condom use is translating into female infection rates up to five times that of males.
- Women and girls represent 50 per cent of people living with HIV worldwide. They also shoulder the primary burden of caring for the sick, dying and orphaned. □

Legalize Prostitution to Check AIDS in India



An aerial view of Kamathipura, Mumbai's Red Light Area
(Photographer: Katherine Patterson)

The National Integration Assembly (NIA) which works towards AIDS Prevention, in its executive committee meeting, stated in October 2005 that the Indian Government must legalize prostitution if it wishes to check the rampant spread of the AIDS pandemic. NIA President, Dr. Raj Baldev addressing the meeting, stated that the unhindered spread of the disease is owing to the government's faulty policies.

The Times of India, Delhi Times supplement, in its issue of 27th October carried an article entitled 'To battle AIDS, legalize the oldest profession?' raising a timely question: Should prostitution be legalized in India? Can the government ban a profession without providing enough means for those who practice it to earn their means of livelihood and survival? It is a false propaganda of India's dignity if this profession is allowed freely. The reality is that it has become a big industry spread in all-important cities of India with every section of society involved.

Dr. Baldev noted in his address that prostitution is legal in many countries like France, Holland, and Denmark. Some countries like Israel, Germany and Australia have earmarked zones where the profession can be practiced. Although several cities in India also have such 'special zones', the lack of pre and post medical check-up and low knowledge among sex workers, has led to this unofficial flesh trade being the chief cause for the spread of HIV/AIDS.

Surveys indicate that contrary to the figures given by some official agencies, the disease is soaring. However, owing to the typical cultural setting of India, infected people are either unaware or do not disclose the disease, thus becoming effective carriers. Most of the HIV positive patients die of Tuberculosis or typhoid. In many cases, infected patients, in order to avoid public ridicule avail treatment from unauthorized dispensaries, most of whom are ineffective in providing treatment.

The NIA passed a resolution which urges the HRD Ministry, Govt. of India to make an amendment in the Prevention of Immoral Traffic Act (PITA), and also to take note of the Planning Commission's recommendation to sharpen the campaign against spread of HIV/AIDS by legalizing prostitution." □

Parliament for Children

Children's Empowerment and Participation

By Saleem Samad

Children participate in their day-to-day life: at home, in schools, in work, in play grounds, in communities, in development programmes, etc.

It is a pity that children's participation in day-to-day life is guided by adults, mostly parents and teachers, both implicitly and explicitly. It is often debated that the participation of children in the project work is used for fulfilling the linguistic commitment of the project holders to the donors, which is argued as 'participation as means'.

Participation as a means is used to attain some predetermined goal or objectives. The practices of 'participation as a means' by the project holders do not contribute in empowering processes. On the other hand, it is argued (ibid), "participation as an end" is a process, which unfolds over time and whose purpose is to develop and strengthen the capabilities of local actors to intervene more directly in the development initiatives. Participation as an end may not have any predetermined measurable objectives or even direction. Therefore, it is crucially important to understand the critical aspects of participation, especially in the processes of child rights programming.

My focus is on the arguments of participation and power relation. The power relation is the central element of participation and development of children. It would be possible for caregivers, or any development organisation to build partnerships with others including local people, or children, with a notion of empowering them for participation in order to give them power or enable them to realise their own potential.

From Chambers (1995) one can argue that many relationships are vertical, and people are divided into 'uppers' and 'lowers'. 'Individuals may be uppers in one context and a lower in another' (ibid). In fact the children are lower, in relation to participation, in our socio-political context. Hence, their empowerment is centrally important in order to ensure their participation.

The children need the opportunity to know, with full understanding, the institutional trends that constrain their empowering process and participation. They also need, I would argue, adequate space and



A movement is on at South Ayrshire, Scotland for the creation of a permanent Children's Parliament, to give children a voice in all aspects of society including human rights, sustainability and social development.

institutionalised processes that protect their power and freedom of voicing their ideas, opinion, and contribute in the processes of augmenting their knowledge ability and capability.

Bangladesh Shishu Adhikar Forum (BSAF), a child rights networking organisation of NGOs, have begun the implementation of an ambitious programme to execute a Children's Parliament which envisages children's empowerment and participation. The Children's Parliament is expected to be an institutional process of children's empowerment and participation, particularly related to child rights

promotion and protection.

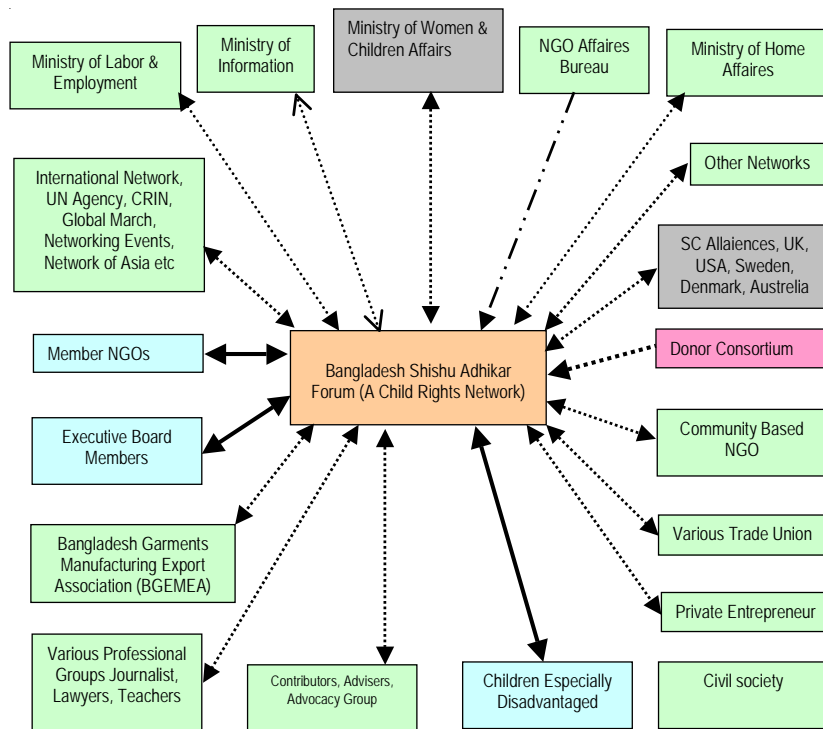
Children's Parliament

The Children's Parliament needs the support of government, NGO leaders and especially the grassroots and concerned leadership, in order to expedite the process of children's participation. This request is based on a few important articles of the UNCRC, including articles 3(1), 12, 13(1), 14(1), 15(1).

It aspires, through the Children's Parliament, to know children's opinions, especially the voice of the disadvantaged children. It would implement the vision and strategies on how to ensure overall development of the children of the country. It would make the responsible agencies accountable towards promotion and protection of child rights. The Children's Parliament would be an institution that would aid in creating responsible citizens and developing a society which would uphold the rights of all children.

The goal of the Children's Parliament would be to achieve implementation and execution of articles 12, 13, 14, 15 of the UNCRC as well as to play a vital role for making the duty bearers sensitive and responsible for realising other articles of the UNCRC. Its goals include:

- Build future leadership;
- Guide appropriate policies and planning for child welfare and overall development of children;
- Make National leadership accountable;
- Work as frontline actors in the processes of mass awareness and sensitising people towards child rights;



- Play vital role in creating leaderships in the state, government, non-government development organisations, media, politicians, and cultural sector sensitive, committed, responsible, transparent and accountable towards child rights promotion and protection;

- Establish space for voicing children’s opinion in all relevant corners in support of realising children’s needs, their overall development, and their protection.

Structure

There will be two parliament members (one boy and one girl) from each constituency of the 300-seat national parliament for a two-year term. Because of proximity, logistics and coordination, the parliament will be divided into six regions. Thus, the Children’s Parliament will have six regional parliaments. All children of 10 – 14 years would be eligible as voters. Ten percent of the total elected parliament members in the Children’s Parliament would be reserved for children with disabilities.

The Speaker and two Deputy Speakers (one boy and one girl) are elected by the regional parliament members. One Leader and two

Deputy Leaders (one boy and one girl), in each of regional Children’s Parliament are elected by the members of respective Regional Parliaments. The role and responsibilities of the Speaker, Deputy Speakers, Leader and Deputy Leaders are guided by the Rules of Business formulated by the Parliament.

Parliament Session

The Regional Children’s Parliament sits once every two months. Each session continues for a maximum of one week. The main agendas of the parliament are relevance to the strategies of UNCRC implementation and Child Rights issues. Each regional parliament shall decide their agendas independently, based on regional contexts.

Documentation

The minutes/proceedings of the parliament sessions would be documented and the parliament proceedings would be distributed to state agencies, government ministries and departments, media, donor agencies, NGOs, business institutions, research and academic institutions, and others. BSAF will utilise these documents for advocacy and public policy lobbying. Other organisations will

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UNICEF Chief visits Quake-hit areas



On October 31, 2005, the UNICEF Executive Director Ann M. Veneman visited Pakistan’s North-West Frontier Province and Pakistan-administered Kashmir to assess first-hand the destruction brought by the October 8

Events

earthquake. Ms. Veneman is the first head of a United Nations humanitarian agency to visit the area.

“Today I witnessed the extraordinary scale of the devastation and the breadth of human suffering during this short visit to the heart of the earthquake zone,” she said. “The impact this has had on the children of this vast and ruggedly beautiful land is of particular concern.”

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International AIDS conference

The XVI International AIDS Conference 2006 will be held in Toronto, Canada, from 13 - 19 August 2006. The conference is being organized by the International AIDS Society (IAS), Global Network of People Living with HIV/AIDS (GNP+), International Community of Women Living with HIV and AIDS (ICW), International Council of AIDS Service Organizations (ICASO) and Joint United Nations Program on HIV/AIDS (UNAIDS). For more details, visit www.unicef.org □

Children's Day Observed in Mumbai

India celebrates Children's Day every year on November 14, the birthday of Pandit Jawaharlal Nehru's. In Mumbai, schools observe holidays or hold cultural events. Beyond that, there is barely a thought about this huge section of society that will likely take the reins in the future.

The Ministry of Women and Child Welfare, Government of Maharashtra, chiefly responsible for the welfare of children in Mumbai, has a total budget of Rs. 625 crore (US \$125 million), 0.7% of the State's total budget. Of this nearly 90% is supposedly utilized for the Integrated Child Development Services (ICDS) Program, which was given renewed importance after the alarming rise of malnutrition deaths in the state.

Mumbai has an estimated child labor population of 60,000. This is known. It took the death of a child labor, Afzal Ansari in a Zari Unit in Mumbai for the citizens and authorities to wake up. Nearly 1000 kids have since been rescued from small industrial units mostly located in slums and sent back to their families in UP, Bihar, West Bengal, even Bangladesh. These children are victims of social, political and economic conditions in their states, and come or are sent to the city as a last resort for survival.

NGOs providing shelter and protection to orphan and street children in Mumbai, have also come under the scanner after the recent findings by the State Committee for the protection of

Children. Many of the NGO-run homes have been found to be in a state of disrepair and inadequate to support children in any way. The sorry state of facilities, the plight of the child inmates and their difficulty in adjusting with the world once they are turned out of the homes at the age of 18, is well documented. The government is trying to promote its Bal Sangopan scheme in which destitute children can be housed with foster families.

Children's day may well be observed. But there are many laws including the Juvenile Justice Act and the Prevention of Child Labor Act, as well as the outdated Hindu Adoption and Maintenance Act, 1956 (applicable only to Hindus), which are in desperate need of amendments. □

Continued from Page 5

also use these documents for developing strategic plans and programmes for the benefit of children.

Conclusion

The activity of formulating a Children's Parliament has already begun making a positive impact in society and especially among children. With the implementation of the strategic planning by the Children's Parliament, the BSAF's partners have taken steps to implement and have made positive changes in the behavioural and attitudinal change of the society on child rights.

There is also a positive impact on the development of family bondage, discouragement on second marriages among Muslim families, decrease in early child marriage, increase of proper childcare, activation of government development agencies, and encouragement to other stakeholders.

According to UNICEF, children are the full and essential part of society. We all need to accept it with full understanding and practice this principle in our day-to-day life. We all must believe in

Parliament For Children

The children need the opportunity to know, with full understanding, the institutional trends that constrain their empowering process and participation.

the vision of 'a world fit for the children' in one generation. The methodology of a Children's Parliament, I would argue, would be one of the crucial vehicles that would build 'a world fit for the children'

Propelling the trend of positive changes towards the well being of children is very important and therefore, leaders must be proactive. Nelson Mandela has said that the future of children is embedded in the initiatives of the leaders of today.

The children need the opportunity to know, with full understanding, the institutional trends that constrain their empowering process and participation. They also need, I would argue, adequate

space and institutionalised processes that protect their power and freedom of voicing their ideas, opinion, and contribute in the processes of augmenting their knowledge ability and capability. □

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1 Unicef, *The State of the World's Children 2003*

2 Oakley, P. et al., 1991, *Projects with People: the practice of participation in rural development. Geneva: ILO.*

3 Huq, H., 2001, *People's Practices: Exploring contestation, counter-development, and rural livelihoods. Dhaka: CDL*

4 *Children's Boundary: Exploring struggle, and local contexts of Child Rights. Dhaka: CDL, 2003*