

Asia – Pacific Partnership Meeting of Child Rights Coalitions and Networks

29 September – 1 October 2016

Bangkok, Thailand

On 28 September to 1 October, CRC Asia held its second Asia-Pacific Meeting of Child Rights Coalitions and Networks in Bangkok, Thailand.

CRC Asia brought together child advocates in the region to introduce their organizations and their work, to update each other on their advocacy issues, and to explore possible areas of collaboration.

The meeting gathered 38 representatives of 26 organizations in 17 countries across Asia and the Pacific.

Participants were from Australia (2), Brunei Darussalam (2), Cambodia (1), Hong Kong (1), India (1), Indonesia (3), Japan (1), Lao PDR (1), Malaysia (1), Mongolia (2), Nepal (1), Pakistan (1), Philippines (6), Sri Lanka (1), Taiwan (2), Thailand (11), and Vietnam (1). (See List of Participants)

Eleven (11) resource persons were invited to discuss on eight (8) topics:

1. The ASEAN Regional Plan of Action on the Elimination of Violence Against Children (RPA on EVAC),
2. Child Marriage
3. Online Child Protection
4. Stateless and Migrant Children
5. Simplified UN CRC Reporting Process
6. Juvenile Justice
7. Physical and Humiliating Punishment
8. UN CRC General Comment 19: Public Budgeting for the Realization of Children's Rights

Open forums were organized after every session. In between sessions, participants were given fifteen minutes each to introduce their organizations and the work that they do for children. At the end of each day, the plenary broke into workshop groups where participants discussed designated topics and possible areas for collaboration.

In the afternoon of Day 3, the facilitator, Ms. Edel Silan, presented the consolidated the workshop results which the group discussed and finalized (See attached Session 9 Agreements).

DAY ONE

Session 1. Dr. Saisuree Chutikul, Chair of the ASEAN Working Group on The Regional Plan of Action on the Elimination of Violence Against Children shared how the plan was created. She emphasized that collaboration among governments, international and local NGOs, and children made this possible.

Session 2. Mr. Rasa Sekulovic, Plan International Asia's Regional Head of Child Protection talked about child marriage. He emphasized on the ambiguity surrounding the definitions of early marriages. He also updated the group about the prevalence of child marriage in the region and the underlying causes and key consequences. He shared about the international and regional human rights instruments that can be used in advocacy work such as the UN CRC, CEDAW, SDGs, ASEAN

Human Rights Declaration, among others. Lastly, Mr. Sekulovic stressed the importance of investing on fighting gender inequality and gender injustice in tackling the issue. He added that involving men and boys and partnering with groups and institutions beyond the child rights network are a must to end child marriage.

Session 3. CRC Asia's Ms. Hazelyn Joy Bitana presented CRC Asia's #SafeWeb4Kids Campaign and Online Child Protection which is a regional information campaign to help kids stay safe online. Through this campaign, children from eight (8) countries in Asia were able to produce eight (8) short videos that advise children on how to protect themselves from online threats. The campaign also produced a child-friendly booklet on online safety which is available in eight (8) languages.

Ms. Afrooz Kiviani Johnson, Child Protection Consultant of UNICEF EAPRO then presented an overview of child protection in East Asia and the Pacific. She presented emerging frameworks to ensure digital child safety and reviewed national responses and promising examples in the region. Ms. Johnson said that protection children online means making the following work simultaneously: legislation, dedicated law enforcement, judiciary and prosecutors, offender management process, end-to-end support, child protection workforce, complaints, remedies, and compensation mechanisms, child helplines, reporting hotlines, education programs, and children's participation. Ms. Johnson stressed that what happens online is a reflection of the dangers and the violence that children are facing offline. Therefore, there is a need to integrate strategies to address online-related bullying, sexual abuse, and exploitation into the wider child protection framework.

DAY TWO

Session 4. Ms. Helen Brunt, Program Officer of Asia Pacific Refugee Rights Network discussed stateless and migrant children. She described migration flows in the region and the underlying forces that categorize children as migrants. She said that lines are usually blurred when distinguishing between migrants and refugees and that there is little international protection and very weak domestic legislation to protect the rights of both migrants and refugees. Ms. Brunt also explained how immigration detention and statelessness intersect. In addition, she discussed the intergenerational aspect of statelessness and the importance of birth registrations to cut this cycle and to design and provide social interventions. She shared that migrant and refugee children's participation is important in addressing issues attached to statelessness. Children can and, in some instances, do document themselves and write down all the information that they know about themselves and their family in a booklet form. This practice can be replicated in other populations.

Ms. Rose Bayan, Member of Migrant Forum Asia discussed two large trends influencing overall movement in the continent: labor migration and conflict-related displacement. Many migrant children are found in countries where overseas domestic workers are employed. She also explained the concept of education migration. Asian students now account of more than half of the students studying overseas. The sheer number of children on the move makes child migration an issue that cannot be ignored. Ms. Bayan explained the issues related to migration such as no or less accessibility to birth registration, citizenship, social services, and status, the abandonment by parents due to policies and laws of destination countries, and the lack of social protection and the risk of exploitation, trafficking and illicit activities. She also related the issues of children who return to countries of origin and are forced to live alone or with guardians other than their parents, and detention of children and families. Lastly, Ms. Bayan enumerated recommended actions for states and CSOs to address the issue at the international, regional, national and local levels.

Session 5. Ms. Mikiko Otani, Member-Elect of the UN Committee on the Rights of the Child presented the Simplified UN CRC Reporting Process to the plenary. She stressed that joining the body is not the end, monitoring implementation is very important. Ms. Otani shared the challenges of the CRC Committee that lead to the simplification of the UNCRC reporting process such as the backlog of state parties in reporting, insufficient compliance by the state parties, and diverging working methods (task force or working groups) which is confusing to NGOs who submit the alternative reports. She explained the history of reform initiatives in the reporting process and finally the adoption of the GA/RES/68/268 or Simplified Reporting Process (SRP) in 2014. Ms. Otani then explained what the SRP is by comparing it to the traditional reporting procedure and shared highlights in implementation. Finally, she relate the challenges and strategies in using the SRP and the future processes to assess its effectiveness. Ms. Otani encouraged the participants to study the SRP and check whether or not their states have accepted it. She also asked that the CSOs share to each other and the Committee their experiences in undergoing the process.

Ms. Mariana Yevsyukova, Global Coordinator for Children's Participation of ECPAT International next presented the Luxembourg Guidelines or the Terminology Guidelines for Protection of Children from Sexual Exploitation and Abuse. She explained the rationale of coming up with such guidelines. These are: 1) Confusion in the terms among media, international organizations and NGOs, and law enforcement; stigmatizing arising from harmful terminology, negative consequences on child protection efforts arising from varying interpretation of terms, and that harmonizing terminology would favor consistency and efficacy of collaboration which will ultimately benefit children. Ms. Yevsyukova shared the process and key players in coming up with the guidelines as well as the future plans for its use and implications for the region.

Session 6. For Juvenile Justice, Ms. Grace Agcaoili, Child Protection Specialist of UNICEF EAPRO discussed children in conflict with the law, child victims and witnesses of crimes, and children in contact with the justice systems. She presented the many international legal framework which cover these children but decried the reality that many countries do have places to institutionalize children despite the objective to reduce the recourse to judicial proceedings and to divert children from these. Ms. Agcaoili discussed the challenges to juvenile justice including the state's nascent social work system, lack of diversion programs, and the perception that a child committing a crime deserves to be incarcerated. Ms. Agcaoili encouraged CSOs that in advocating for Juvenile Justice, they should focus on the neuroscientific arguments against incarceration. She discussed the top scientific findings which support the claim that jailing children is harmful and ineffective in curbing crime. Ms. Agcaoili also gave an overview of minimum ages of criminal responsibility and diversion laws across East Asia and the Pacific as well as the notable practices in the region. Lastly, she enumerated the benefits of diversion and ended with a poem "Who's to Blame" written by Judge Angelo Malandra, Juvenile and Domestic Relations in Camden Country, New Jersey, USA.

Session 7. Mr. Dominique Plateau, Save the Children's Asia Representative on Child Protection Initiative presented on physical and humiliating punishment. He shared how even non-physical forms of punishment are also cruel and degrading. This is why there was a move to use the term physical and humiliating violence instead of just corporal punishment. Mr. Plateau presented the prevalence of corporal punishment in Asia. This is caused by the widespread legality of corporal punishment, double standard of children, and not granting children rights holder status in society. Also, laws are not adequate to protect children and child protection systems are not functioning well. Mr. Plateau pointed out how physical and humiliating punishment is the root cause of other children's issues. Not doing something about this opens up all kinds of problems of children that impinge on their rights. Physical and humiliating punishment undermines everything that child advocates do. Mr. Plateau shared opportunities for promoting the elimination and prohibition of

physical and humiliating violence in the region such as the implementation of the ASEAN mechanisms, incorporating recommendations in the CRC reporting process, SDG monitoring and partnership with institutions, networks and programs Finally, he presented case studies of successful programs to end physical and humiliating punishment.

DAY THREE

Session 8. The APPM was also the venue for the Regional Launch of the UNCRC General Comment 19 – Public Budgeting for the Realization of Children’s Rights. Ms. Hazelyn Bitana reported on CRC Asia’s participation in the process and contribution to the contents of the GC19 including her experience in the actual launch in Geneva. In October 2015, CRC Asia organized a Regional Consultation on the Elimination of VAC and Public Investment in Children in Manila wherein participants from across the region were commented on the draft. Ms. Yasmeen Sharrif, Vice-chair of the UNCRC, and Ms. Ana Schnell, consultant to the CRC Committee were present in the meeting and accepted the comments.

Ms. Hagar Russ, Director of Policy, Rights, and Governance of Save the Children presented GC19 through explainer video. According to Ms. Russ, GC 19 provides guidance on how to enshrine the UNCRC principles through public investment in children. Ms. Russ also discussed the GC19’s importance. She said that money matters. The amount, quality, and equitable distribution of money is key in the addressing child right issues. Ms. Russ made suggestions on how NGOs and CSOs use it drawing on the Bangladesh experience. Ms. Russ also revealed the limitations of the General Comment and how CSOs, can work around these. Human rights treaties can be a weak framework for advocacy but these could be linked to the SDGs which is a strong blueprint for activism. Second, because finance is an intimidating area, there is a need to work with “unusual suspects: or think thanks from other fields. Third, GC19 is not child friendly and so there is a need to ask governments to provide simple information on budget transparency which children can understand.

Ms. Enakshi Ganguly Thukral, Co-director of HAQ Child Rights Center, shared the experiences of her organization in analyzing public budgets in India. She stressed that private money or equity should never replace but only augment public investment and that laws are important in making sure that programs for children are funded by the government. Ms. Thukral shared how budget analysis affected Sri Lanka, Nepal, Bangladesh, and Pakistan. She said that doing this measures state performance, creates public argument for policy change, enhances bargaining power of CSOs, helps build moral argument, helps with legal authority, and builds compelling evidence for advocacies. Ms. Thukral also gave tips on how CSOs can influence budgeting in their own countries. She encouraged the participants to examine public budget documents which are found in websites, focus on departments or ministries that have to do with children (education, health, women and children, rural development), and ask: what is the share of children in the national budget and what is the trend of allocation and expenditure. An important question would also be how much does the country depend on external aid. The information gleaned from this can be used for targeted advocacies. One can only ask for increased allocation when one can show that the budget is inadequate. Therefore, budget analyses are not enough. These should be used with status reports and other documents.