



child rights connect

## Key Children's Rights Principles to Underpin a UN Human Rights Council Resolution on the Protection of the Rights of the Child in Humanitarian Situations

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In humanitarian situations, **existing threats are exacerbated** (for example, violence and trafficking) and **new threats** can appear (for example, recruitment into armed groups and attacks on education and healthcare). Displacement, separation from family and community, losing a parent or a care giver, losing a home and possessions are all factors that further increase the vulnerabilities of children. At the same time, the protective environment, both in the community and the official child protection services, is weakened by a **lack of safety, security and a dependence on humanitarian assistance**.

To ensure that the rights of all children affected by humanitarian situations are protected, promoted and fulfilled, a Human Rights Council Resolution on this topic should promote a **child rights-based approach** during all stages of humanitarian situations (before, during, after and in protracted conflicts) and hence, be:

- **Grounded by the principle of non-discrimination:** The **complex intersectionality** between different statuses of children such as age, gender, ethnicity, religion, identity, disability, geographical location and socioeconomic status has to be taken into account to help to identify, monitor and respond to the needs of specific groups of children facing additional barriers in accessing their rights.<sup>1 2</sup> For example, girls and children with disabilities.
- **Grounded by the principle of the best interests of the child:** The best interest of a child in a humanitarian situation must not only be in relation to the full enjoyment of all the rights provided for in the CRC, but also with regard to **international humanitarian law and standards** which relate to humanitarian situations.<sup>3</sup>
- **Ensuring the right of every child to be heard:** A recognition that whilst children require protection in humanitarian situations, they also need to be **empowered to have their voices heard and taken into account** in all decisions directly and indirectly affecting them, in a safe way and across all stages of humanitarian situations. In doing so, care must be taken to protect children from exposure to situations that could be traumatic or harmful.<sup>4</sup> Children must be encouraged and enabled to participate in analysing their situation and future prospects: in keeping with their evolving capacity, they can also participate in implementing actions to respond to the humanitarian situation. Participation can help children to regain control over their lives and can contribute to rehabilitation.<sup>5</sup>
- **Ensuring the right to life, survival and development:** The many risks and protective factors that underlie the survival, growth and development of every child (including the physical, mental, moral, spiritual and social dimensions of their development) affected by humanitarian situations need to be systematically identified in order to design and implement **evidence-informed interventions** that address a wide range of determinants during the life course.<sup>6</sup> These interventions should be linked to the relevant Sustainable Development Goals and integrated into the country's overall development plans.
- **Strong language on monitoring, follow-up and accountability mechanisms:** Specific calls for **strong, robust, inclusive and effective monitoring, follow-up and accountability mechanisms** to be in place, which integrate a children's rights perspective. This needs to include disaggregated (for example, by marital status, gender, socioeconomic status and age) and broader data collection in humanitarian situations. The **2030 Agenda** should be used to link and reinforce human rights accountability mechanisms at national, regional and international level.

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<sup>1</sup> [https://www.unicef.org/publications/files/CCC\\_042010.pdf](https://www.unicef.org/publications/files/CCC_042010.pdf)

<sup>2</sup> <http://www.ohchr.org/FR/NewsEvents/Pages/DisplayNews.aspx?NewsID=19997&LangID=E>

<sup>3</sup> [General Comment 13 to the UNCRC](#); [Article 38 to the UNCRC](#)

<sup>4</sup> [https://www.savethechildren.org.uk/sites/default/files/docs/Children\\_Participation\\_Humanitarian\\_Guidelines.pdf](https://www.savethechildren.org.uk/sites/default/files/docs/Children_Participation_Humanitarian_Guidelines.pdf)

<sup>5</sup> [General Comment 12 to the UNCRC](#)

<sup>6</sup> [General Comment 15 to the UNCRC](#)



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- Prioritise child protection in humanitarian action: Ensure that child protection is given the same attention and funding as other areas in humanitarian action. In emergency response, child protection must be included from the start to avoid harm to children that may have long term effect on their lives and development. Ensure that humanitarian and development actors work together to ensure a continuum of protection and services.<sup>7</sup>
- Prioritise education for all children in humanitarian action: More than 75 million children and young people (aged 3-18) are currently out of school in 35 crisis-affected countries. Girls are particularly disadvantaged, being 2.5 times more likely to be out of school than boys in countries affected by conflict. This violates the rights of children and youth, increasing their risk of harm and leaves them exposed to threats of trafficking, child labour or child marriage. Fulfilling children's right to be in school and learning, in compliance with the UNCRC and 2030 Agenda, helps to break the cycle of crises and delivers high economic and social returns. Unfortunately, education is grossly underfunded, receiving less than 2% of humanitarian funding.<sup>8</sup> Ensure that Member States, UN agencies and the international community prioritise, increase and improve the financing for education in emergencies, so that children's right to access quality education is recognised as a critical part of a humanitarian response from day one.<sup>9</sup>
- Prioritise child physical & mental health and psychosocial support: Children have been frequently shown to be at increased risk of experiencing health (including social and/or psychological) problems in emergency contexts.<sup>10</sup> Call for the provision of resources to facilitate psychosocial support and other assistance to serve every child's physical, mental, spiritual, moral, and social development, recovery, and reintegration. This must include access not only during humanitarian situations but also in protracted crises and following the end of a humanitarian situation, and reach displaced and refugee children.

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<sup>7</sup> [UNCRC General Comment No. 19; HRC resolution 28/19](#)

<sup>8</sup> <http://www.educationcannotwait.org/the-situation/>

<sup>9</sup> <http://www.savethechildren.org.uk/resources/online-library/financing-learning-every-last-child>

<sup>10</sup> [http://www.who.int/mental\\_health/emergencies/guidelines\\_iasc\\_mental\\_health\\_psychosocial\\_june\\_2007.pdf](http://www.who.int/mental_health/emergencies/guidelines_iasc_mental_health_psychosocial_june_2007.pdf)