

Firelight Newsflash! 12 October 2009: Non-Discrimination Toolkit from the Child Rights Information Network

Dear partners,

Many of you tell us that you are regularly confronting the issue of discrimination against children affected by AIDS and poverty. Below is a special edition of the Child Rights Information Network's newsletter on their Non-Discrimination Toolkit that we thought we would share for more information on this very important topic.

Our best from the Firelight team!

To view this newsletter online, visit:

http://www.crin.org/email/crinmail_detail.asp?crinmailID=3190

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1 October 2009 - CRINMAIL 1113 Special edition on non-discrimination toolkit

Introduction

Did you know that, in Madagascar, the murder or rejection of children thought to be “born on an unlucky day” continues in some places? Or that in some countries, children can be detained for acts which are not treated as offences when committed by adults? While these are some of the more extreme and overt examples of discriminatory treatment faced by children, subtle day-to-day prejudice is much more pervasive.

Discrimination is a major reason why children's rights remain unfulfilled. That is why CRIN has launched a new [toolkit](#) with information and advocacy ideas to promote children's right to non-discrimination.

The web-based toolkit explores how discrimination affects the full range of children's rights, with a particular focus on age-based discrimination.

The goals of the site are to:

- promote understanding of how discrimination affects all children's rights,
- shed light on age discrimination against children, and
- support the removal of barriers to all children's inclusion.

Visit the website here: <http://www.crin.org/discrimination> This is an ongoing project. Please email comments, suggestions or contributions to info@crin.org.

What is discrimination?

Discrimination involves treating an individual or a group of people unfairly in comparison to others because of who they are, or because of their circumstances.

Children's [right to non-discrimination](#) is one of the four over-arching principles of the UN Convention on the Rights of the Child (CRC). This means that *all* children should enjoy *all* rights set out in the CRC. For any right to be realised, children must not be discriminated against.

The UN Human Rights Committee defines discrimination as:

“any distinction, exclusion, restriction or preference which is based on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status and which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons, on an equal footing, of all rights and freedoms.”

Discrimination may stem from deliberate, direct action, or it may be unintended. Although there has been significant work on this topic, the wide range of ways in which children experience different forms of discrimination have not been sufficiently explored or challenged.

Can you believe this? A snapshot of discrimination against children around the world

- Most countries' laws do not protect children from violence in the same way they protect adults. Only [24 countries](#) in the world have banned corporal punishment against children in all settings.
 - In some parts of [Benin and the Central African Republic](#), children who are born buttocks-first may face discrimination.
 - An estimated 60 per cent of children with an intellectual impairment experience sexual abuse. ([Read more](#))
 - In some countries, such as Nigeria, children can be detained for “being beyond parental control”
 - In Iran, the criminal age of responsibility is 14 years and seven months for boys and eight years and nine months for girls ([Read more](#))
 - Governments across Europe have discriminated against Roma children. For example, the European Court of Human Rights recently [ruled against the Czech Republic](#) for wrongly channelling Roma children into schools for children with learning disabilities.
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Guide to discrimination and the Convention on the Rights of the Child

Discrimination affects the full range of children's rights. This [Guide to Non-discrimination and the Convention on the Rights of the Child](#) therefore aims to highlight the links between discrimination and the lack of fulfilment of children's rights.

This guide shows how article 2 of the UN Convention on the Rights of the Child – the right to non-discrimination – could be applied to every right contained in the Convention. Each article includes examples both of discrimination against children as a group and against particular children.

More information

Read the Guide here: <http://www.crin.org/Discrimination/CRC/index.asp>

Also on the site:

- Find examples of, and upload, advocacy initiatives challenging an aspect of discrimination against children. <http://www.crin.org/Discrimination/Advocacy/index.asp>
- Search a list of organisations working to protect children from discrimination. Each entry includes an example of how they are doing this. <http://www.crin.org/Discrimination/Organisations/index.asp>

A-Z of discrimination

Particular groups of children face discrimination on grounds other than age, because of their gender or sexual orientation, for instance. In some cases, multiple forms of discrimination are at play, because a child is both a girl and has a disability, for example. Discrimination may affect members of a group in different ways depending on their situation. All forms of discrimination against children are compounded by virtue of their age and consequent vulnerability which mean they have fewer opportunities for challenging discrimination. For example, children do not usually have access to courts and complaints mechanisms on an equal basis with adults.

Children experience **direct discrimination** when they are deliberately treated less favourably than adults or other children would be treated in a similar situation. For example, Direct discrimination against particular children could include, for example, failure to provide free health care or education to refugee children where all other children can access these services.

Indirect discrimination results when a policy or rule applies to everyone, but has an inadvertent but unfair impact on people in a particular group. Indirect discrimination against particular children includes, for example, failure to ensure

schools are accessible to children with disabilities.

This [A-Z of discrimination](#) briefings explains different aspects of discrimination and children's rights.

These include, for example, information pages on:

- [discrimination and statelessness](#)
- [discrimination and the media](#)
- [discrimination and sexual orientation](#)
- [Information page on multiple discrimination](#)

The A-Z listing is a work in progress, and will be updated and amended over time. If you have any suggestions, or corrections, please email us at info@crin.org.

More information - Visit: <http://www.crin.org/Discrimination/AtoZ/index.asp>

Challenging discrimination

This website looks at *who or what* discriminates (i.e. the structures and attitudes that discriminate) rather than on how the child might change (for example, in the case of a child with a disability, by going to a specialist school). The goal is systemic change.

The website supports the elimination of barriers to children's inclusion. It encourages action and reflection to address the root causes of discrimination, for example, in legislation, policy, attitudes, and resource allocation which can serve to perpetuate discrimination and inequality.

Challenging discrimination against children requires a range of strategies which cover many different areas and are rightfully tailored to account for the particular situation of children in their countries.

Nevertheless, successful efforts will include certain key components. These include: collecting data and analysing power structures; providing channels for children's participation; changing legislation, policy, attitudes, as well as the physical environment and the allocation of resources that perpetuate injustices and inequalities; and establishing mechanisms to monitor and report discrimination.

The pages that follow provide some guidance on these diverse areas and examples of how discrimination has been successfully challenged.

- [Law](#)
- [Policy](#)
- [Media](#)

- Education
- Programming

Visit: <http://www.crin.org/Discrimination/Challenging/index.asp>

In the spotlight: recent news on children and discrimination

Human Rights Watch, in July, demanded that the Rwandan Parliament remove provisions in a draft law that would mandate compulsory HIV testing and require the sterilisation of all individuals, including children, with intellectual disabilities. [Read more.](#)

UN experts have recently drawn to attention to the murder of so-called 'child witches' – a global scourge which is seemingly gathering pace. Gary Foxcroft of British-based charity Stepping Stones- Nigeria said children living homeless on the streets in many countries had been driven out by families or communities because they were suspected of being witches. [Read more.](#)

During the 12th session of the Human Rights Council this month, a report was presented on the rights of indigenous people to education. According to the report's authors, “millions of indigenous children” are deprived of the “basic right to education”, while “a major factor contributing to the disadvantaged position of indigenous peoples is the lack of quality education - which may be defined as education that is well resourced, culturally sensitive, respectful of heritage and that takes into account history, cultural security and integrity, encompasses human rights, community and individual development.” [Read more.](#)

May saw the publication of "See Me, Hear Me - A guide to using the UN Convention on the Rights of Persons with Disabilities to promote the rights of children," produced by Save the Children, which analyses the inter-relationship of the two Conventions and presents practical guidance on advocacy strategies and illustrations of good practice. [Read it here.](#)

In a story picked up by news outlets across the world, a number of Sudanese women and girls were picked up by police at a ballroom for “provocative dressing”. One of the women arrested, Lubna Hussein, a journalist and a public information officer at the UN Mission in Sudan (UNMIS), noted that the only thing all they had in common was they they were wearing trousers.

In July, Human Rights Watch helped to expose the existence of an 'AIDS colony' in Cambodia. "By bundling people living with HIV together into second-rate housing, far from medical facilities, support services, and jobs, the government has created a de facto AIDS colony," said Shiba Phurailatpam of the Asia-Pacific Network of People Living with HIV/AIDS. [Read the story here.](#)

For more news and publications on discrimination, search our resources page: <http://www.crin.org/Discrimination/Search/find.asp>

Quizzes

How well-informed are you about children's rights and discrimination? Test yourself by exploring our quiz section here.

Take this week's featured quiz on discrimination in general here: <http://www.crin.org/Discrimination/Quiz/index.asp?quizID=1126>

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As part of the Firelight Foundation's Monitoring, Evaluation and Technical Assistance (META) Program, Firelight provides "Newsflashes" to share relevant resources and information with our active grantee-partners via weekly emails and via post on a monthly basis. We hope that by facilitating access to information for grassroots, community-focused organizations, programming for children and families, as well as organizational development, is enhanced. Past editions of the Firelight Newsflash can be found on our website: <http://www.firelightfoundation.org/newsflash.htm>.

We welcome your comments, feedback and ideas for upcoming Newsflashes at: newsletter@firelightfoundation.org.