
Hidden Scandal, Secret Shame - A Public Awareness Campaign

On 26th August 2001, Amnesty International Australia launched a new campaign to defend children's human rights. Desley Roy, a primary school teacher, explains about the formation of the first national children's rights campaign team, based in Melbourne.

Introduction

The torture of children, child soldiers, child labour and the illegal detention of children are the most serious matters concerning the team. Our public awareness campaign includes:

- liaison with schools' networks leading to the education of both primary and secondary aged children;
- the development of curricular material on human rights;
- letter writing on behalf of children who are prisoners of conscience;
- media broadcasts and organised response to the media;
- the placement of articles in newspapers and magazines;
- the organisation of events that focus on children's rights; and
- the development of a strategy for children's rights campaigning within Amnesty.

The group aims to, where appropriate, work with other Amnesty International action groups, youth groups and child and family welfare advocates.

Discussing Children's Rights with Children

The impact of Amnesty International's activities can be illustrated by the recent visit in November of a speaker to a primary school in Victoria. The audience consisted of 11-12 year olds.

The speaker commenced the talk by displaying a symbol on the t-shirt that he was wearing. With some prompting, and with some volunteered answers from more knowledgeable students, the recognisable Amnesty International's symbol of a candle surrounded by barbed wire was explained: the meaning of the candle- a symbol of a human life; and the barbed wire - a symbol of imprisonment or injustices against the rights belonging to that life. This launching point led to a discussion on what children's rights were.

With great emphasis placed on everyone's responsibilities in creating a society that recognises these rights, the talk gradually led towards issues that the children had heard about through national television, from their parents, from newspapers and from prior classroom discussion.

An issue that received a lot of attention was the plight of the refugees arriving in Australia. The following are examples of the range of opinion and concern expressed by the children.

- "Detention centres are good because some of these people are murderers, and it would be dangerous to let them out."
- "If there were no detention centres, the refugees would have to sleep on the streets and that would be bad."
- "Why don't we look after the homeless people here instead of spending money on refugees?"
- "Refugees are people like us only they are in danger in their own countries."
- "Children in refugee centres don't get to go to school like us."

- “Why don’t they fix the countries that people are having to flee from, then we wouldn’t have any refugees?”

These comments illustrate some misconceptions that the some young audience members had, but also their strong sense of compassion and injustice.

Finally, the speaker emphasised the role Amnesty International played in releasing children across the world from the injustices done toward them. Amnesty International postcards that were addressed to the Pakistani government were handed out. The purpose of the creation of these postcards, the speaker explained, was to send a plea to the Pakistani government to stop allowing the forcible removal of Pakistani boys from their schools into servitude as a child soldier. The postcards were addressed to the government officials that needed to receive and read them, in order for possible change to take effect. As time was limited, the speaker left the job of following-up the posting of the cards to the class teacher.

Amnesty International Children’s Rights Campaign Team

The Amnesty International Children’s Campaign Rights Team has already drawn a wide variety of people into its team, but still would welcome more support and growth from other interested members of the public. The team invites experts in children’s rights to consult with the team; people with little campaigning experience but a strong interest and commitment to children’s rights and those with strong campaigning experience who, with an understanding of children’s rights issues could assist and lead areas of campaigning.

Two key campaigning issues the children’s rights team will consider are:

1. The treatment of refugee and asylum seeking children, particularly in relation to detention.

Children who are asylum seekers should not be detained. In detention they may be subject to

witnessing their parents and other adults being abused and ill-treated; detainees rioting and self mutilating; late night guard checks; tear gas attacks; sexual violence. They also have access to a limited educational system and lack of play and leisure space. Approximately one eighth of all detained immigrants in Australian detention centres during 2000/2001 were children. With no legal limit on the length of child detention, Australia’s system of mandatory undocumented detention of children is seen as a serious breach of the Convention on the Rights of the Child.

Amnesty International is urging the Australian Government to ensure that:

- children and families are separated from general detained population;
- children’s unique needs are met by well trained staff;
- adequate procedures and mechanisms exist to deal with complaints; and
- meaningful alternatives to detention exist for children who arrive undocumented.

2. Child soldiers, part of a greater issue - child labour

There are over 300,000 child soldiers under 18 taking part in armed conflict throughout the world. The use of child soldiers is one of the worst forms of child labour known. Children suffer severe psychological impact from this form of labour, even being driven to suicide when their mistreatment becomes unbearable.

Other forms of child labour include bonded labourers-these children often coming from rural families then sold to a landlord to work off a family debt. Others are born into bondage by being a child of a bonded labourer. But the greatest number of child labourers is domestic workers - close to 250 million of them. With long hours, little or no pay, ill-treatment, risk of sexual abuse, these children come from families where it is estimated incomes are less than US\$250 a year.

According to Amnesty International, at the time of writing, Australia has yet to ratify the ILO

Worst Forms of Child Labour Convention, or the child soldiers Protocol, but is proceeding with a consultation process with state and territory governments. Amnesty International is urging the Australian government to ratify these two international agreements as soon as possible.

Website and Meeting Details

For more information on Amnesty International's campaign on human rights and ways you can help, please see the Amnesty International Australia website www.amnesty.org.au. The children's rights campaign team meets once a month at the Amnesty International building, 14 Risley St. Richmond, Melbourne. Any interested parties should contact Genevieve Hall on (03) 9819 7786 or ahall@bigpond.net.au

The Hague Convention on Protection of Children 1996

New international private law is expected to bolster the protection of children. Jennifer Degeling, the Principal Legal Officer of the International Family Law Section of the Commonwealth Attorney-General's Department explains how.

Introduction

The Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children 1996 (the Child Protection Convention) establishes conflicts of law rules to be applied in parental responsibility litigation and in child protection matters which have an international aspect.

Australia is not yet a party to this Convention. However, legislation was introduced in the Commonwealth Parliament in September 2001 to enable Australia to ratify the Convention when the legislative and administrative framework is in place, including uniform State and Territory legislation. When operative, it will typically involve cases where a child is in a country that is party to the Child Protection Convention but has his or her habitual residence in another Child Protection Country.

The rules established by the Convention govern:

- whether a court has jurisdiction to hear an international parental responsibility dispute,
- which country's law is to be applied in determining international parental responsibility disputes,
- what conditions must be satisfied to ensure international recognition and enforcement of parenting orders and what obligations courts in Australia and overseas have to co-operate in the protection of children.¹

Key Concepts

The term 'parental responsibility' is drawn from the Convention on the Rights of the Child and is complementary to Australian law. It is defined to include parental authority, or any analogous relationship of authority determining the rights, powers and responsibilities of parents, guardians or other legal representatives in relation to the person or the property of the child.

The term "protection" as used in the Convention encompasses the term "child protection" as used in Australia's State and Territory child welfare laws.