Child Rights Defenders –
The Fatal Consequences

Brief Report

Side Event to the 27th
Session of the Human Rights Council

Date and Venue
24 September 2014, 13:00 – 14:30, Palais des Nations, Room XXIII

Organisers
Defence for Children International (DCI)

Sponsors
Defence for Children International (DCI)

The content of this report does not necessarily reflect the individual positions of the organizations represented.
## CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I.</td>
<td>INTRODUCTION</td>
<td>04</td>
</tr>
<tr>
<td>II.</td>
<td>BACKGROUND</td>
<td>04</td>
</tr>
<tr>
<td>III.</td>
<td>OVERVIEW</td>
<td>04</td>
</tr>
<tr>
<td>IV.</td>
<td>PANEL DISCUSSION</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. Ms. Sukaina Khalawi</td>
<td>05</td>
</tr>
<tr>
<td></td>
<td>b. Mr. Wanderlino Nogueira Neto</td>
<td>06</td>
</tr>
<tr>
<td>V.</td>
<td>CONCLUSION</td>
<td>06</td>
</tr>
<tr>
<td>VI.</td>
<td>FURTHER INFORMATION</td>
<td>07</td>
</tr>
</tbody>
</table>
I. INTRODUCTION

During the 27th session of the United Nations Human Rights Council (UNHRC), a side event was held on “Child Rights Defenders - The Fatal Consequences,” organized by Defence for Children International (DCI).

Key panel speakers participating in the event, included: Mr. Wanderlino Nogueira Neto, United Nations Committee on the Rights of the Child; Ms. Sukaina Khalawi, Defence for Children International-Palestine; Ms. Ileana Bello, Director of the International Secretariat of Defence for Children International (DCI-IS), moderated the event.

The main objectives of the event, included:

• Discuss the risks and challenges of Child Rights Defenders, particularly in conflict stricken areas, with the aim to raise awareness and strengthen cooperation and solidarity and to reinforce protection and security.

• Honor child rights advocate, Mr. Hashem Khader Abu Maria of DCI-Palestine. On 25th of July 2014, Mr. Hashem Khader Abu Maria of DCI-Palestine was killed while peacefully protesting on behalf of children’s rights. This event was organized to honor the death of a fellow colleague and discuss the role and risk of human rights defenders in conflict stricken areas.

II. BACKGROUND

• Defence for Children International (DCI)

DCI is an international nongovernmental organization that has been promoting and protecting children's rights globally for the last 35 years. Established in 1979 - International Year of the Child – DCI was initially involved in the drafting of the UN Convention on the Rights of the Child. DCI is represented through its national sections and associated members in over 45 countries worldwide (in Africa, the Middle East, Asia, the Pacific, Latin America and Europe), which perform specific programs to promote and protect children’s rights. DCI’s International Secretariat (DCI-IS) is based in Geneva, Switzerland and focuses on advocacy within the international human rights arena. Of particular interest to DCI is the issue of justice for children, which it works on at an international level and through its various national sections.

III. OVERVIEW

Children’s rights were formally recognized by the international community through the adoption of the UN Convention on the Rights of the Child (CRC) in 1989. The CRC contains a comprehensive set of economic, social and cultural rights, as well as civil and
political rights, which are considered to be universal, indivisible and interdependent. Four general principles underpin the CRC: non-discrimination; the best interests of the child; the right to life, survival and development; and the right for children to have their views heard and given due weight in all decisions affecting them. Despite the fact that only a few provisions of the CRC relate specifically to armed conflict, all of its provisions apply to children during conflict.

Under article 38 of the CRC, States are required to “respect and to ensure respect for the rules of international humanitarian law applicable during times of armed conflicts which are relevant to the child” (principally: the four Geneva Conventions, the first two additional protocols to the Geneva Conventions of June 1977, and customary international humanitarian law) and to “take all feasible measures to ensure protection and care of children affected by an armed conflict”.

In addition to the aforementioned Conventions, the Rome Statute of the International Criminal Court (ICC), International Labour Organization (ILO) Convention No.182 and the Optional Protocol to the UN Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (OPAC) provide a substantive legal and normative framework to protect children affected by armed conflict. For example, the OPAC raised the minimum age for direct participation in hostilities to 18 years for State forces and prohibited the forced or compulsory recruitment of those under 18 years into national armed forces. It explicitly prohibits non-State armed groups from both recruiting and using persons under 18 years of age.

While the existing standards are clear and concise, the picture continues to be very grim when it comes to their application. The human rights of millions of children around the world continue to be violated in numerous and brutal ways. Furthermore, those defending vulnerable persons affected by these conflicts continue to be targeted as well, such as Mr. Hashem Khader Abu Maria and his fight for advocating on behalf of children under occupation. Time has come to move to an “era of application” of the existing international protection framework.

IV. PANEL DISCUSSION

In her address Ms. Sukaina Khalawi, of Defence for Children International – Palestine (DCI-PS), gave a personal statement on the death of her colleague, Mr. Hashem Khader Abu Maria. She described his persistent dedication to the cause of defending children’s rights. In her speech, she highlighted several main points about the role of human rights defenders and their involvement in conflict zones. She asked the question: “Why must we lose our
loved ones for defending the rights of humanity?” She emphasized this point by saying that we must use Mr. Hashem Khader Abu Maria as an example of the importance of human rights defenders, but also the challenges they face. Her concluding point, on the difficulties of human rights defenders, described the challenges of trying to protect yourself and your family, in addition to your people.

Mr. Wanderlino Nogueira Neto, member of the United Nations Committee on the Rights of the Child, gave a speech honoring Mr. Hashem Khader Abu Maria by saying that he is the symbol for the fight of children’s rights. He, in continuation to Ms. Sukiana Khalawi question, emphasized the point of, “What kind of fight is this?” Questioning the role of the human rights defenders and how they work in conglomeration with the international community. He particularly focused on the common focal point that all human rights defenders share, that we must all fight for the best interests of vulnerable persons, in this case children, for the protection and the violations of their human rights, for the rights of a private and public life, and for their survival. He furthed this point by explaining that if one commits themselves to the fight of human rights, you must do it in a loud and vocal way to call attention to themselves and the issues they fight for. If not, the voices of the innocent will continue to remain silent, and their fight ignored by the international community. He finished his speech with these kind words in honor of Mr. Hashem Khader Abu Maria: “we must consider Hashem as present among us, transformed and mystical, for we are all Hashem, making history alive.”

V. CONCLUSION

The moderator, Ms. Ileana Bello, Director of the International Secretariat of Defence for Children International (DCI-IS), concludes the event by commenting on the unfortunate reality of the world of human rights defenders, that sometimes they have to pay with their own lives in order to forward the prospects of humanity. While saddened by the events of her fellow DCI colleague, Ms. Bello stated the importance of honoring Hashem was not just to
revere his spirit, but also his purpose. That his death remains an important lingering presence that needs to be identified by the United Nations, which continues to remain silent before certain human rights violations, such as continual deaths of human rights defenders in the field. She drew to a close the side event by stating that in the end, we must work together and speak up, or crimes will continue to remain and children’s rights will continue to be violated.

V. FURTHER INFORMATION


Resolutions:

✓ Resolution 21/43
✓ Resolution 21/39
✓ Draft Lucens Guidelines

For more information, please contact:

Defence for Children International 1, Rue de Varembé 1202 Geneva Switzerland

T:+41 (0)22 734 0558 E: info@defenceforchildren.org