

## Committee on the Rights of the Child

Contribution to the 2030 Agenda for Sustainable Development in response to a call for inputs to the High-Level Political Forum on Sustainable Development (HLPF)

### 1. Introduction

This submission is made by the United Nations Committee on the Rights of the Child (CRC Committee) as a response to the invitation extended to various functional commissions and other intergovernmental bodies and forums by the President of the Economic and Social Council (ECOSOC) to provide inputs to the 2022 HLPF on its review of a number of SDGs<sup>1</sup> under the theme **“Building back better from the coronavirus disease (COVID-19) while advancing the full implementation of the 2030 Agenda for Sustainable Development.”**

The direct link between a number of the SDGs (and their respective targets) and the provisions of the Convention on the Rights of the Child (CRC) is increasingly well recognized. Just as an example, Target 1.2, which plans to “reduce at least by half the proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions”, is directly relevant for Article 27(1) of the CRC on adequate standard of living. Article 6(2) of the CRC, which requires State Parties to “ensure to the maximum extent possible the survival and development of the child” also resonates with this same target. In fact, given the close link between the SDGs and children, UNICEF has been made responsible for eight global SDG indicators and co-custodian for a further eleven,<sup>2</sup> and supports countries in generating, analysing and using data for these indicators for all their citizens.<sup>3</sup>

Leaving no one behind, and reaching those who are furthest behind first, has important significance for children’s rights.<sup>4</sup> After all, a good number of groups of persons who are at risk of being left behind, including “all children, youth, ...”<sup>5</sup>, are explicitly mentioned in Agenda 2030.

This as a backdrop, for the purpose of brevity, and in order to comply with the guidance provided for the submission, this input will only focus on SDGs 4 on quality education, 5 on gender equality, and 17 on partnerships.

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<sup>1</sup> The focus of the 2022 HLPF review will be on SDGs 4 on quality education, 5 on gender equality, 14 on life below water, 15 on life on land, and 17 on partnerships for the Goals and the theme of the 2022 HLPF.

<sup>2</sup> UNICEF, [‘Using data to achieve the Sustainable Development Goals \(SDGs\) for children’](#).

<sup>3</sup> Ibid.

<sup>4</sup> Veronica P Arauco et al, [‘Strengthening Social Justice to Address Intersecting Inequalities Post-2015’](#) (ODI 2014). See also, UN Department of Social and Economic Affairs, ‘World Social Report, Inequality in a Rapidly Changing World’ (2020).

<sup>5</sup> UN General Assembly, ‘Transforming Our World: the 2030 Agenda for Sustainable Development’, UN Doc A/RES/70/1 (2015) para. 23.

## 2. Impacts of COVID-19 on children's rights and mainstreaming children's rights

The negative impact of COVID-19 on the implementation of the CRC and children's rights is an issue that the CRC Committee recognised early on. Just merely a little over a month after the WHO declared COVID-19 a pandemic, the CRC Committee issued a [Statement](#) where it expressed "concern about the situation of children globally, particularly those in situations of vulnerability, due to the effects of the COVID-19 pandemic"<sup>6</sup> and highlighted how a significant number of "children are gravely affected physically, emotionally and psychologically, especially in countries that have declared states of emergencies and mandatory lockdowns".<sup>7</sup> Since then, there are already indications that the global effort to create a world fit for children is under serious attack.

There are multiple indications that show that a number of aspects of the rights of the child were not (and in some contexts, still are not) sufficiently taken into account during the response and management of the pandemic. Different voices were raised,<sup>8</sup> and continue to be raised, to draw the attention of leaders and governments to concerns about the respect and protection of children's rights and to the minimum standards that should be complied with to preserve children's rights.<sup>9</sup>

The former UNICEF Executive Director said that one year after the declaration of the COVID-19 pandemic, key childhood indicators have regressed: "The number of hungry, isolated, abused, anxious children living in poverty or forced into marriage increased. At the same time, their access to education, socialization opportunities and essential services such as health, nutrition and protection has diminished. Most indicators point that children will suffer the consequences of the pandemic for years to come"<sup>10</sup>, calling for children to be at the heart of recovery efforts. Other areas affected include birth registrations, and increase in the number of children that are deprived of their family environment.

The mainstreaming of children's rights in post-COVID-19 reconstruction calls for considering this dimension in a transversal way in the design and implementation of policies and programs, allocating the necessary resources; adopting a child rights-based approach and involving all stakeholders, including the business sector.

The impact of the COVID-19 on young people has been better addressed in the United Nations system in relation to the youth as observed in the examples such as [the statement of the United Nations Inter-Agency Network on Youth Development on COVID-19 and Youth \(2020\)](#), [the Global Survey on Youth and COVID-19 \(2020\)](#) by the Global Initiative on Decent Jobs for Youth and its partners including ILO and the United Nations Office

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<sup>6</sup> UN CRC Committee, [Statement on COVID-19](#), (08 April 2020).

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

<sup>9</sup> UNSG Call "Protect Children", (April 16 2020).

<sup>10</sup> In March 2021, children and adolescents under the age of 20 accounted for 13% of the 71 million cases of coronavirus infection that had been recorded in 107 countries with age-disaggregated data (countries which accounted for 62% of the total number of infections worldwide). In developing countries, child poverty is expected to increase by around 15%. An additional 140 million children are projected to live below the poverty line in these countries. For more than 168 million students around the world, schools have been closed for almost a year. Two-thirds of the countries with full or partial school closures are in Latin America and the Caribbean. At least 1 in 3 students were unable to access distance learning while their school was closed.

of High Commissioner for Human Rights and others, and the Human Rights Council resolution 48/12 on Human rights implications of the COVID-19 pandemic on young people (8 October 2021). Similarly, the Secretary-General’s “[Our Common Agenda](#)”, recognizing the impact of the COVID-19 on the quality education and the employment, argues the need of solidarity with younger generations. The emphasis being placed by the UN system on the youth agenda should also be used as an opportunity to mainstream children’s rights.

Through the exercise of its monitoring mandate, the CRC Committee has continued to witness the gravity and complexity of the negative effects of the pandemic on children and their rights, and the importance of mainstreaming children’s rights in the response to the pandemic. State Parties’ reports highlight the challenges faced in this regard. Moreover, the concluding observations issued by the Committee since the advent of the pandemic do not only highlight the far reaching and long-lasting negative consequences of COVID-19, but also underscore the pandemic’s cross-cutting nature among multiple provisions of the Convention. For example, recommendations have been issued to States under different themes including health including mental health; children with disabilities; education; access to information; and standard of living including on adequate nutrition. The CRC Committee has also systematically included COVID-19 related questions into its List of Issues (LOIs) and List of Issues Prior to Reporting (LOIPRs) that are sent to States Parties to the CRC and its two Optional Protocols. One tenet that has continued to underscore the work of the CRC Committee.

### 3. SDG 4 (Quality education)

Even before the start of the pandemic the Committee was concerned that hundreds of millions of children worldwide remain out of school or do not receive quality education. The complete or partial school closures as a measure to tackle the public health threat posed by the COVID-19 pandemic exacerbated this situation leaving even more children out of the education system including from distance learning. In most, if not all countries around the globe, schools have closed—often repeatedly—for considerable amounts of time in an effort to contain the spread of COVID-19.<sup>11</sup> Numerous alerts<sup>12</sup> as well as useful guidelines and recommendations were issued to address the impact of school closures on the right to education.<sup>13</sup> The Committee has identified that the disruption to education has affected not only access to quality education but a whole range of life long opportunities for the generation.<sup>14</sup> The interruption and the loss of primary education requires longer time to catch up and may cause a permanent school dropout even after resumption of schools. Online education served as an opportunity to replace the in-person instruction. However, the lack of access to internet, digital

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<sup>11</sup> UNESCO, UNICEF and the World Bank (2020), [What have we learnt? Overview of findings from a survey of ministries of education on national responses to COVID-19](#); UNESCO (2020), [School closures caused by Coronavirus \(Covid-19\)](#).

<sup>12</sup> UN CRC Committee, [Statement on COVID-19](#), (08 April 2020); United Nations (2020), [Policy brief: Education during Covid-19 and beyond](#).

<sup>13</sup> Special Rapporteur on the right to education, [A/HRC/44/39](#) (2020).

<sup>14</sup> See for example Concluding Observations on the Fifth and Sixth periodic reports of Czechia ([CRC/C/CZE/CO/5-6](#)), para 42; Concluding Observations on the Second to Fourth periodic reports of Eswatini ([CRC/C/SWZ/CO/2-4](#)) para. 63(d); Concluding Observations on the Fifth and Sixth periodic reports of Poland ([CRC/C/POL/5-6](#)) para. 39 (b); and Concluding Observations on the Fifth and Sixth periodic reports of Luxembourg ([CRC/C/LUX/5-6](#)) para. 27(a).

equipment and support necessary for online education exacerbated existing inequality for children in disadvantaged or vulnerable situations such as children in developing countries, children in remote areas or from economically disadvantaged families, children with disabilities, and girls. Those children are at increased risk of falling into victims of child marriage, child labour, trafficking and recruitment by armed groups, which could lead to a permanent or prolonged non-return even when schools reopen.

The Committee recommends in its constructive dialogues with States that they take measures to ensure continuation of education and to systematically prepare for future similar crises. This should require to ensure child rights-based approach in decisions related to education budgets, training and supporting of teachers and parents; a safe return of all children to schools when schools resume and to implement learning recovery programmes. This also includes measures to address inequalities generated by the COVID-19 crisis and to guarantee equal access for children to online education during school closures, particularly ensuring the availability of phone and computer equipment and sufficient Internet access, giving particular attention to children in rural areas and children with disabilities as well developing new methods of learning and providing better information technology infrastructure in schools.

#### **4. SDG 5 (Gender equality)**

The disruption of in-person learning, the quarantine and lockdowns have had a disproportionate negative impact on many children, particularly girls. Many States decreased access to child protection services and reporting mechanisms. In many States courts moved to distance adjudication, which also jeopardized the access to justice of victims of crime and sexual violence. Girls, particularly those in disadvantaged or vulnerable situations such as girls in developing countries, or living in remote areas or from economically disadvantaged families and girls with disabilities confined at home were exposed to increased physical and psychological violence, online sexual abuse and exploitation, and trafficking; girls kept at home risked falling into victims of child marriage, early pregnancy, and child labour. The Committee recommends in its constructive dialogues with States that they take innovative measures to ensure the protection of girls from violence and abuse such as by strengthening phone and online reporting and referral systems as well as sensitization and awareness activities through TV, radio and online channels. States should prepare for such future shocks and define core child protection services (including home visits, as necessary) as “essential services” and ensure that they remain functional and available during lockdowns.

#### **5. SDG 17 (Partnerships for the Goals)**

The CRC promotes international cooperation not just as a moral obligation but as a legal obligation including in addressing the challenges posed by COVID-19 pandemic. Article 4 of the CRC emphasizes that implementation of the Convention is a cooperative exercise for the States of the world, highlighting the need for international cooperation. The basis for this recognition is Articles 55 and 56 of the Charter of the United Nations, under which UN Member States pledge themselves and thus have a legal obligation to cooperate with one another in the promotion of universal respect for, and observance of, human rights including the rights of the child.

The Committee is of the view that States that do not have adequate resources needed to implement the child rights enshrined in the Convention are obliged to seek international

cooperation. States with resources for international cooperation have an obligation to provide such cooperation with the aim of facilitating the implementation of child rights in the recipient States. International cooperation is further provided in articles concerning the rights of children with disabilities and the rights of the child to health and education, with the emphasis that particular account shall be taken of the needs of developing countries. The Committee proposes to use more actively in country reviews the opportunities under the CRC to address the obligation of developed countries to provide international cooperation, in particular, in light of the SDG target 17.2 on the implementation of the development assistance commitments by developed countries. The needs of developing countries for international cooperation to ensure children's rights, which are specifically identified in the recommendations by the Committee through country reviews, should be integrated not only into the assistance by UN agencies but also into the bilateral assistance by donor partner countries. The children's rights mainstreaming should be established as a clear UN policy to pay special attention and support to children as a distinct group throughout the UN system. In this regard, it is very encouraging that the Secretary-General decided to develop a Guidance Note on child rights mainstreaming and the Committee believes that such a note will definitely strengthen child rights mainstreaming in the UN system, at this crucial time for inclusive and resilient recovery from COVID-19.

## **6. Recommendations**

- Children should be engaged as active agents in the post COVID-19 reconstruction, among others, by guaranteeing their right to access to information and participation.
  - The Secretary-General's Guidance Note on child rights mainstreaming should be given the necessary attention it deserves in mainstreaming children's rights in the UN system, including in interventions aimed at achieving the SDGs as well as recovery efforts from COVID-19.
  - Based on the lessons learned as a result of the COVID-19 pandemic, the efforts to achieve SDGs 4, 5, and 17 should prepare States better for such future shocks in the future, and define core child protection services (including home visits, as necessary) as "essential services" and ensure that they remain functional and available during lockdowns.
  - It is also critical to underscore that, as shown in the context of the COVID-19 pandemic, the risks of exclusion and exacerbation of inequalities in the absence of international cooperation and solidarity is real. Reconstruction after COVID-19 and the pursuit of the SDGs cannot be achieved without partnership, cooperation and solidarity at all levels: local, national, regional and international, and not just as moral obligations but as legal obligations under the CRC too.
  - States should provide effective remedies at the national level with a view to address all violations of children's rights including those that might arise as a result of COVID-19 measures.
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