



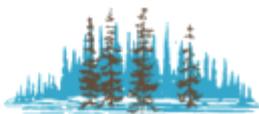
Landon Pearson Resource Centre
for the Study of Childhood
and Children's Rights

2016

Children's Rights Academic Network



Carleton
UNIVERSITY



The Muttart Foundation

7th Annual CRAN Meeting - January 2016

Response to:

Shaking the Movers VIII (Exploitation) &
Shaking the Movers IX (Sexual Exploitation).

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CRAN 2016

Preface

“Exploitation” is a broad term that encompasses many definitions from the most subtle to the most gross. However, no matter what form exploitation take, it always implies an imbalance of power. The person or, indeed, the resource that is being exploited always has less power than the exploiter. Children have very little power on their own so their exploitation almost always constitutes a gross abuse of their rights.

The youthful participants in the two “Shaking the Movers” workshops, one in Toronto and the other in Vancouver, whose words and ideas are responded to by CRAN members in the presentations contained in this report, explored a number of ways in which they felt children and youth were being exploited in to-day’s world. They were concerned about child labour, children in armed conflict, sexual exploitation and the role of the media, especially the electronic media. Sometimes, they admitted, young people were exploiters as well as victims particularly in cyberspace. They also came to recognise, as they talked in small groups, that they were actually guilty of colluding in child labour by buying tee-shirts made by children in Bangladesh or eating chocolate derived from the cocoa beans picked by young children in Cote d’Ivoire. These were practices they could modify. Giving up their cell-phones because they contain minerals dug up by very young miners in the Congo was more problematic so they speculated about how to pressure governments and extractive industries to employ the children’s parents instead. The one form of exploitation the young participants found difficult to comprehend was the degree to which, as children, they have been commodified by the corporate world which was subtly shaping their identities as consumers.

The issue of sexual exploitation was only one of the issues the young people in Toronto tackled. In Vancouver it dominated partly because some of the young people there had experienced it first hand and had very clear views with respect to their treatment by adults. If only, they said, they had known that they had rights guaranteed by the Convention on the Rights of the Child they might have been able to stand up against their exploiters provided, of course, that they had been able to find some one to defend them.

In the presentations captured in this report several CRAN members focus on child soldiers, child labour or the media's facilitation of corporate greed by creating needs in children that only a particular purchase can satisfy. But for me and for the participants at Shaking the Movers, Vancouver what really stood out as the grossest abuse of children is their exploitation for sexual purposes. It was not until I attended the First World Congress Against the Commercial Sexual Exploitation of Children in Stockholm in 1996 that I became aware of the world-wide dimensions of this phenomenon and of the fact that most young victims are voiceless. Even in Stockholm the only youth among the thousand or more delegates from the 130 or so countries represented there who had had direct experience of the sex trade was a young woman associated with the Canadian delegation, Cherry Kingsley. As a result, Cherry and I decided to bring together a number of experiential young people of both genders from the Americas so that they could have their say. "Out from the Shadows", as we called our "Summit", enabled 54 youth to express themselves freely in a variety of ways, verbal and non-verbal, and to create their own agenda for change that has reformed international language so that people no longer refer to "juvenile prostitutes", referring instead to "young people exploited in the sex trade".

The youthful participants who discussed sexual exploitation at both "Shaking the Movers" workshops were less concerned with punishment than with how the distorted sexual urges of which some of them had been victims could be redirected away from exploitation into constructive modes of behaviour. They called for more education, education about healthy sexuality and education about children's rights for children and adults alike. And, like all the young people who have participated in "Shaking the Movers" over the years, they called for respect. In all cases it is the exploiters who should be marginalized, not the exploited. While the CRAN members whose responses to the articulate youth are included here have brought different perspectives to bear on the issues raised, on that final point all agree.

Hon. Landon Pearson O.C.

Sexualization of Children

CRAN 2016

Ron Ensom, MSW, RSW

The focus of study of CRAN 2016—exploitation of children—reminded me of the following story.

The cover* of the Summer 2009 issue of the Ottawa Citizen's *style* magazine was a graphic picture of a young teen girl dressed seductively and posing provocatively.

To check my subjective reaction, I showed the magazine cover to several male and female colleagues. All agreed that the photo was sexually exploitive of youth.

I phoned the Editor of *style* to discuss my view that her magazine had purposely created a sexualized image of a girl in service of commercial marketing. We had quite a reasonable discussion during which I felt that the Editor was sympathetic to my view. She suggested I write a letter to the magazine. Here's my letter:

*To The Editor of Style,
June 23, 2009*

re: the cover of Style, Summer 2009

Why is it necessary to contribute to the damaging sexualization of children with the depiction of a girl, who could be 14 or 15, modeling (in both senses of the word) hooking? The fashion and advertising industries are well able to reach markets and make money without distorting childhood – with its attendant personal and societal consequences – with such harmful portrayals and messages. More and more businesses these days recognize that exercising corporate social responsibility is good for their communities and good for their bottom line. Fashion and advertising need to catch up.

*Ron Ensom
Ottawa*

The *style* Editor forwarded my letter to the Ottawa Citizen's Letter Editor. She was told that three letters similar to mine had been received and that my letter would be published in the Autumn 2009 edition of *style* magazine.

Shortly afterward, I spoke with the Office de la protection du consommateur of Quebec, which oversees compliance with the province's legislation that bans commercial advertising targeting children under the age of 13. The Office sent me the publication, *Your Kids and Ads*. The following page is copied from that publication.

* The Ottawa Citizen did not consent to showing the *style* cover in this CRAN report.

EFFECTS ON BEHAVIOUR

Children quickly adopt values conveyed by advertising, ranging from rampant consumerism to sexual stereotypes. These influences are determining factors that shape children's concept of the world and social standards, as well as their body image and self esteem. Effects on their behaviour may be less obvious than weight problems but they are just as serious.

mental health
Advertising can also affect a child's mental health. When children are targeted by ads, they feel compelled to respond to the urge to consume. When they are unable to do so, their frustration mounts and may potentially lead to violent behaviour. Additionally, the excessive materialism that advertising encourages can affect a child's self esteem and values, and might ultimately result in narcissism and feelings of dissatisfaction.
FRUSTRATION ANXIETY Low self esteem
SOURCES: J. B. BERRIOS (2007). *Génération télévision - La relation controversée de l'enfant avec la télévision* (television generation: children's controversial relationship with television). MEDIA AWARENESS NETWORK: Special Issues for Young Children. (www.education-medias.ca).

hypersexualization
Children who are regularly exposed to sexuality in an idealized setting try to emulate male and female stereotypes. This form of behaviour can lead to sexual relations at an increasingly early age.
SOURCE: J. B. BERRIOS (2007). *Génération télévision - La relation controversée de l'enfant avec la télévision* (television generation: children's controversial relationship with television), 424 p.

TRIVIALIZATION
Repeated exposure to products intended for adults, such as alcohol, can result in the perception that their consumption is commonplace and widely accepted despite the fact that the effects of alcohol abuse on health are well known.
SOURCE: JEFFREY JENSEN ARNETT, Editor. *Encyclopedia of Children, Adolescents, and the Media*. California: Sage Publications, Inc. (2007). 537 p.

"I want it NOW!"
Advertising creates needs that children want fulfilled immediately. Kids often pester adults to get their way. Think about the last tantrum you were subjected to in the toy aisle.

"BRAND" MARKETING
For pre-teens, brand names (especially when it comes to clothing) play an important role in identity and the sense of belonging. Being accepted is crucial at this age. Advertising capitalizes on concerns young people have about their image by offering them products to boost their popularity.
SOURCE: MEDIA AWARENESS NETWORK: Special Issues for Tweens and Teens (www.education-medias.ca).

girls as objects
The more young girls are exposed to stereotyped images, the more they suffer from eating disorders and low self esteem. These attitudes can have adverse effects on their ability to succeed.
SOURCE: S. BISSONNETTE, *Sexy inc. Our Children under the Influence*, NFB (2007).

8 YOUR KIDS AND ADS 9

This publication by the province of Quebec is an excellent example of responsible social marketing. It counters irresponsible and harmful commercial marketing. It is also a good example of the principled role that governments can play to protect the vulnerable and to prevent harm through legislation and education.

I forwarded the link to the publication to the Editor of *style*. In a further discussion, she seemed supportive of restrictions on exploitive advertising directed at children.

I looked forward to seeing my letter in print, but neither it nor any of the other "similar letters" appeared in the Autumn edition of *style*. I called the Editor. She was clearly uncomfortable and said she would inquire. She subsequently forwarded to me this terse dismissive reply from a senior editor, "None was really a letter to the editor that I would print."

I then sent the following note to the Editor of *style*:

"I was disappointed, to put it mildly, that at least one of the letters you received about the sexualized depiction of the girl in the summer edition of style was not printed in the autumn edition just received.

Do your advertisers and publisher feel no responsibility to acknowledge reasoned feedback about the social consequences of their commercial conduct? What kind of letter to the editor ("None was really a letter to the editor that I would print.") on the subject would be suitable for printing?

*Ron Ensom
Ottawa*

This brief story illustrates quite concretely, I think, some of my career-long observations and conclusions related to the harmful exploitation of children by the media:

1. Whether intended or not, advertisers' depiction of children for commercial benefit can carry messages harmful to children—and to society.
2. The media, who are dependent on advertising revenue, are complicit in delivering harmful advertising.
3. Absent oversight, the media have near full control over their product and the ability to defend against criticism.
4. Effective external oversight and regulation to protect children from harmful messaging can offset the dangers of media being a law unto itself.
5. Government has a unique role and power to counter, through legislation and education, the commercial exploitation of children—and other vulnerable groups.

Finally, I want to commend the insights of the youth who attended Shaking the Movers VIII, some of which are recorded in the following page of their impressive report:

Shaking the Movers VIII: Child Exploitation

Media exploitation

Here is what the young people had to say about exploitation from the media:

"When I am walking around the Eaton Centre and I see billboards and then I buy something I instantly feel better because now I look closer to the image of the person on the billboards. I feel like I need to control myself and remind myself not to do that."

"Did you know there are creepers? Not just people, but third parties such as Facebook and other random organizations that have access to your web-cam and can take pictures of you!"

"Snap-chat prays on our vulnerability and insecurities. We think the photos disappear but they do not, they exploit us. Why is it free?"

"I feel like the Internet gives you a false sense of safety, there's a literal screen in front of you. Things that you would not do in the outside world, we do them on the Internet. It's difficult for us to understand to put up the same barriers in the online world."

"You do not know who will get a hold of your picture and exploit it."

"These campaigns such as the Dove campaign are exploiting people's lack of self-esteem to persuade them to buy certain products."

"My friends and I used to go on Chat-roulette, but we stopped after because the people on it show explicit videos."

"Stranger danger applies online too."

"Where I am from a very large incident went down where someone said 'Look, I have this nude photo, now you have to go get three more nude photos.'"

"[Someone I know] had a picture of herself in a bikini and it kept getting sent to people throughout the school, and the teacher saw it, and constituted it as child pornography."

"I feel as though even though the media blurs out the images of the girls who are exposing themselves it should still not be shown."

"I never grew up with a lot of things, which is fine, but then I started working and then I was able to purchase these things and it just makes you feel like you fit in now. I have to stop myself because I do not want to be that type of person. I have to remind myself 'No, it's not important.'"

"What I learned was there are many ways that children and youth are being exploited through the media and there are not enough specific laws to stop this kind of exploitation or hold people accountable. Additionally, many children and youth are unaware that they are being exploited through the media."

Child Rights Academic Network Annual Meeting January 30, 2016

Conference proceedings

Role of Education in Diminishing Exploitation

Our presentation was focused on the topic of education under the broader theme of exploitation. This included some definitions of exploitation and a sharing of a few online resources that are available to youth.

A definition of exploitation was given by one child as “It’s when you feel like you do not have the option to say No” . The definitions of sexual consent in Canada (under Criminal Code legislation) were described as there had been changes in 2008 to provide greater protection to young people against sexual exploitation.

The Criminal Code legislation changed to increase the age of consent for sexual activity from 14 to 16 years. Non exploitative sexual activity was defined as no involvement of prostitution or pornography, no relationship of trust, authority or dependency (eg coach, spiritual leader, teacher, principal, guidance counselor, family member). There could be close-in-age exceptions in that a youth 12 or 13 can consent to sexual activity with peers within a 2 year age difference and a youth 14 or 15 years of age when the age difference is no more than 5 years. Children younger than 12 years can never consent to sexual activity with anyone.

Cybertip.ca, run by the Canadian Centre for Child Protection, was presented as an exemplary source of information on sexual exploitation. This organization aims to reduce child victimization in Canada by operating a national tip line and providing educational resources to youth and their families. On average, approximately 3000 reports are received per month related to issues such as child pornography, online luring, child trafficking, and prostitution.

One of the issues that both B.C. and Toronto youth highlighted at *Shaking the Movers* was to be more engaged in addressing exploitation, which also implies being aware of their rights according to the UN Convention on the Rights of the Child. Cybertip.ca is successful in this regard as it presents material very clearly and in a child/youth-friendly way. A specific feature that added to this practicality and clarity were the menus of links to information written as first person descriptions of common exploitation situations. It is an overall informative, accessible, and important place for children and young people and others to go to report sexual abuse or exploitative materials found on the internet or if they themselves are being exploited online.

Another resource that was recommended as a reliable source for information on all aspects sexual health (including birth control measures and sexually transmitted infections) was **SexualityandU.ca** with recognition that there are all kinds of unreliable and even harmful sites on the internet on these topics. The site is run by the Society of

Obstetricians & Gynecologists of Canada and was voted one of the top 10 Canadian Consumer Health sites in 2014.

These kinds of online resources are appealing to young people because social media is so familiar to them and they are guaranteed anonymity when researching sensitive topics. As internet use becomes an increasingly integral part of the daily life and culture of young people, there will be more of a need for online resources on preventing and addressing exploitative situations.

Melinda Caputo Janhager
Susan Bennett
June 5, 2016

**CRAN Presentation – Marv Bernstein, B.A., J.D., LL.M., Chief Policy Advisor,
UNICEF Canada**

**CHANGING THE CANADIAN CULTURE TO MAKE CHILDREN’S RIGHTS MORE
VISIBLE AND ACCESSIBLE TO CHILDREN AND YOUTH**

THE ROLE OF EDUCATION IN DIMINISHING CHILD EXPLOITATION

A. Introduction

In Shaking the Movers BC, the participants formulated the recommendation that children’s rights need to be more visible and accessible to them. They shared experiences where adults whose care they were placed in violated their rights because they knew that these young people lacked knowledge of their rights.

Some of the suggestions related to:

- *“We need to know our rights as Canadian citizens – Kids get in trouble, but they don’t know if what happened to them is okay.”*
- *“We need to simplify our rights”*
- *“Would like to learn more about rights in the education system”*
- *“Hard to read Canadian Charter of Rights and Freedoms, need to get the larger picture” – “All copies should be in child/youth friendly language.”*

B. Need for rights-awareness among children and young people

We know that rights are of little use to people unless they are aware of them. Article 42 of the *Convention on the Rights of the Child (Convention)* provides that:

“States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.”

The Committee on the Rights of the Child has underscored the importance of this provision by identifying as one of the General Measures of Implementation of the *Convention* the principles of awareness-raising, training and education. In its General Comment No. 5 on the General Measures of Implementation of the *Convention*, it has provided the following insights:

“The Committee proposes that States should develop a comprehensive strategy for disseminating knowledge of the Convention throughout society. This should include information on those bodies – governmental and independent – involved

in implementation and monitoring and how to contact them. At the most basic level, the text of the Convention needs to be made widely available in all languages...UNICEF and NGO's in many States have developed child-friendly versions of the Convention for children of various ages – a process the Committee welcomes and encourages; these should also inform children of sources of help and advice.”

C. Recommendations made in last alternative report by the Canadian Coalition for the Rights of Children

In the last alternative report of the Canadian Coalition for the Rights of Children (CCRC), called *Right in principle, right in practice*, a number of cogent recommendations were advanced to raise awareness of children's rights in Canada. They can be broken down into first, developing a national communication campaign and sustaining a culture of respect for children's rights; secondly, developing and maintaining educational curricula that cover the rights of children in Canada; and thirdly, developing and delivering a training program on children's rights for key public officials and professional groups; I will identify each of these groupings of recommendations in turn and provide some commentary:

a) Developing a national communication campaign and sustaining a culture of respect for children's rights

Here the CCRC Report advanced the following recommendation:

- *Implement a national communication campaign to inform the public about children's rights under international and domestic law and cultivate a culture of respect for the rights of children. Messages should engage children, parents, professionals, policymakers, religious and multicultural leaders, media, and other groups with influence in communities.*

One of the unique challenges in Canada is that we are a vast country geographically and are positioned in a continent where our neighbour to the south has not yet ratified the *Convention on the Rights of the Child*. This is very different than the culture in Europe where there is a greater awareness and enthusiasm for children's rights in the minds of academics, professionals, the general populace, and children themselves.

After twenty-five years, we can acknowledge the influence of the adoption of the *Convention*. However, to use a football metaphor, we haven't yet hit pay-dirt and we still have a long journey ahead in creating a rights-respecting culture for our children in this country. This point hit home to me in November of 2014 when I travelled to Leiden in the Netherlands for an international conference dedicated to celebrating the 25th anniversary of the *Convention*. For one thing, I didn't see any conferences of this scale taking place in North America. Secondly, when I arrived at the train station in Leiden, I saw an enormous banner over the roof of Central Station celebrating the 25th anniversary of the Convention – something I could only dream about in this country.

Thirdly, the Conference was hosted by the Law School at the University of Leiden where they not only have several child rights programs but a dedicated UNICEF Child Rights Chair who has written extensively in the area of child rights – again we have no counterpart in this country.

One thought I have had and am proposing to the Canadian Bar Association (CBA) and I have raised with the co-chair of the Federal Interdepartmental Working Group on Children’s Rights is a full-day symposium celebrating the 25th anniversary of Canada’s ratification of the *Convention on the Rights of the Child* (technically December 13th, 2016). The time would seem to be right with the change in the federal government, the recommendations of the Truth and Reconciliation Commission, the Canadian Human Rights Tribunal decision and the rolling out of the CBA digital toolkit on children’s rights.

b) Developing and maintaining educational curricula that cover the rights of children in Canada

On this topic, the CCRC Report advanced the following grouping of recommendations:

- *Identify and compare how the curriculum in each jurisdiction teaches children about the Convention and children’s rights. Develop ways to progressively expand inclusion of children’s rights at various levels.*
- *Expand the development and use of curriculum resources on children’s rights as well as educational initiatives that integrate knowledge and exercise of children’s rights into curricula, policies, and practices in schools*
- *Ensure that all curricula cover the rights of children in Canada as well as issues relating to the rights of children in less developed countries*

These recommendations were largely adopted by the Committee on the Rights of the Child in its 2012 Concluding Observations to Canada where it urged Canada “*to expand the development and use of curriculum resources on children’s rights, especially through the State party’s extensive availability of free Internet and web access providers...*”

One area that is ripe for curriculum development is the identification and expansion of youth friendly rights-based documents.

There are however, a number of youth-friendly documents already in existence that can be brought to the attention of children and young people. They are youth friendly posters and versions of the *Convention*; youth-friendly versions of the UN Committee on the Rights of the Child’s Concluding Observations to Canada (prepared by the Office of the Ontario Provincial Advocate for Children and Youth and UNICEF Canada) and youth friendly versions of the United Nations *Declaration on the Rights of Indigenous Peoples*. One of the challenges is disseminating information about the existence of these youth - friendly documents and providing advice as to how to use these materials in the most

effective manner.

Having said this, we should consider taking the next step to develop youth friendly versions of legislation that have significant impact upon the lives and well-being of children and youth, such as provincial/territorial child welfare, health care and education legislation. In the case of child welfare legislation, for example, it would be important to eliminate stigmatizing and demeaning terms that are drawn from criminal and mental health law and practice – such as ‘apprehension’, ‘custody’, ‘runaway’ and ‘adoption probation.’

c) Developing and delivering a training program on children’s rights for parliamentarians, government officials and professionals

Here the CCRC Report advanced the following recommendation:

- *Develop a training program on children’s rights for parliamentarians, government officials, and professionals who serve children in health, social services, and the judicial system. The training should focus on the use of the Convention in legislation and public policy, program development, advocacy and decision-making processes.*

Part of the problem in Canada is that the *Convention* is not well-publicized as a pivotal human rights treaty and training on the *Convention* for professionals, especially those working with or for children, is rare. While there are training courses on child rights and human rights for some professionals, they are often of a voluntary rather than obligatory nature. Social workers, lawyers and psychologists generally know very little about the principles set out in the *Convention*. In the case of the legal profession, while there is a great deal of legal education about the *Canadian Charter of Rights and Freedoms*, there is very little emphasis placed on the role of the *Convention* as an advocacy tool.

Now there are many progressive initiatives taking place in different pockets of this country, but there is still a good deal of fragmentation and a lack of information-sharing and coordination. UNICEF Canada has provided child rights training workshops across the country and more recently delivered workshops on the use of Child Rights Impact Assessments (CRIA). In this context, UNICEF Canada has provided technical advice and consultation regarding the development of CRIA tools and templates and supported CRIA implementation in a number of Canadian jurisdictions. The greatest use of CRIA at the provincial level has taken place in New Brunswick where it has been mandatory since February 23, 2013 to complete a CRIA and attach it to a Memorandum to Executive Council (MEC) whenever a proposed law, regulation or policy is being considered by Cabinet from any provincial government department. In Saskatchewan, a new CRIA tool has been developed with Indigenous adaptations and has been used to anchor both child welfare and adoption legislative reform. In Nova Scotia, a CRIA framework was developed, albeit in a summary manner, to support the first major child welfare legislative reform in 25 years.

D. CONCLUSION

The role of education in diminishing child exploitation and child maltreatment should not be underestimated. If children and youth understand that they have rights and can speak up when they feel unsafe or at risk of harm, they are more likely to seek assistance from parents, caregivers, extended family or community members, helping professionals, teachers, social workers and others in time to protect themselves and prevent serious episodes of exploitation, abuse or neglect.

RESPONSE TO SHAKING THE MOVERS VIII/IX:

Child Exploitation / Sexual Exploitation

The Role of Education in Addressing Child Exploitation

Presented By: Thomas Waldock, Ph.D
Child and Family Studies
School of Human and Social Development
Nipissing University (Muskoka Campus)

Shaking the Movers VIII (2015) and IX (2015) provides ‘movers’ with ample input into the issues of exploitation generally and sexual exploitation specifically, emanating from the voices of youth and providing us all this year with another example of how youth themselves are the experts in their own lives. My focus is the potential role of education in diminishing exploitation, and I will acknowledge that my decision to focus on this was predicated on the extent to which youth themselves – across both STM reports – emphasized the importance of education and knowledge about children’s rights for their own empowerment, in terms of building the kind of resilience necessary for confronting actual or potential instances of exploitation. This is true for all children and youth, but takes on particular importance for those who are already marginalized and in situations of vulnerability.

One of the things that I want to highlight in my comments also comes through loudly and clearly in the Reports: Education is not just related to children/youth, but also to adults working with and for children/youth, those who are in positions of responsibility to effect change, as parents, youth workers, counselors, caregivers, teachers and so on. Education also relates to adults in positions to effect institutional and structural change – legislators and policy makers, for example. Addressing exploitation requires that children/youth are empowered through knowledge of their rights, but it also requires knowledgeable adults supporting and advocating for children/youth and facilitating positive environments and respectful, empowering relationships. Article 42 of the UNCRC is really the overarching focus of these more comprehensive educational goals – that “States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to **adults and children alike**” (United Nation’s General Assembly, UNCRC, 1989).

Let’s first take heed of the comments from youth themselves around the need for education about their rights. Comments around the importance of education from STM VIII (2015) – often in the context of suggesting solutions to forms of exploitation – include: “Knowing your rights, so you know you have them” (p. 4); “Creating a global standard for education” (p. 14); and “Awareness is key, we need to teach kids about their rights” (p. 14). At times, comments are more specific in focusing on the need for knowledge of particular rights to address certain forms of exploitation, exemplified in the discussion of the right to privacy as this relates to media exploitation (p. 21). STM IX (2015) conveys the same message, – stated clearly in the keynote presentation by Children of the Street Society – that knowledge of rights empowers (p. 9). The message is fleshed out in even more detail through the ‘unpacking’ of Recommendation 3, that children’s rights need to be more ‘visible’ and ‘accessible’ to children/youth (p. 12).

Of course, the STM process itself, thanks to the efforts of Landon and all those involved, provides an example of youth participation and engagement around children’s rights and important issues, in this case exploitation. In this respect, it exemplifies a model of engagement borne of respect for youth and the building of positive relationships – achieving the kind of empowering effect that such approaches can have. I think Landon points this out very well in the Introduction to STM IX (2015), when she conveys her belief that “one of the great values of a rights-based approach to working with children and youth ... is that it flattens the hierarchies of power and control that allow for exploitation and other abuses” (p. 4). The values underlying the approach are also well conveyed through the ‘Values Charter’ – outlined in STM IX (p. 8).

But the feedback obtained in both reports sometimes is sobering with respect to whether we have done a good job of raising awareness and carrying a like model forward into other societal contexts, as parents, educators, youth workers, caregivers, legislators, policy-makers, and so on, in the familial and institutional settings within which more comprehensive change might be realized. STM VIII/IX reflections include statements like the following: “For many, this was their first experience learning about and discussing children’s rights” (STM VIII, 2015, p. 24); and “Child’s rights seemed so unfamiliar to them. Youths expressed surprise for the rights and resources that exist, yet unaware (of) them (STM IX, 2015, p. 5). These reflections speak to the failure to fully implement Article 42 of the UNCRC, in other more comprehensive contexts – in areas of their lives where they should have already had such experiences and therefore awareness, prior to this STM opportunity and process. Clearly, most of the adults in their lives are letting them down to this point, and have a great deal of work to do. In saying this, I don’t mean to cast blame on any particular individuals – for example, the adults in their lives – because most of these adults lack awareness of the UNCRC as well. What I do mean to say is that the promise and obligation associated with Article 42 have not been fulfilled in relation to children/youth and adults alike.

Education broadly construed needs to play a powerful role in developing awareness in all areas of our lives, and for children/youth this would be instrumental in terms of building the kind of resilience necessary for confronting actual or potential instances of exploitation. Since it is incumbent on adults to facilitate the kind of positive, empowering interactions and outcomes that characterize the STM process, adults themselves need more of an awareness of children’s rights, and a kind of generational evolution in awareness needs to take place. And what environments or contexts would be important to address if our focus is education broadly conceived. With regard to the family, there needs to be an emphasis on parenting approaches and parenting education. Within schools, a children’s rights framework for education needs to be adopted, affecting the approaches and philosophies of teachers. Faculties of Education within universities need to incorporate children’s rights into teacher education. Community organizations working with children/youth need to have children’s rights-oriented mandates. Similarly, areas like children’s mental health and child welfare should be adopting a children’s rights framework.

All children/youth need allies and advocates who are educated about children’s rights, and environments/contexts that facilitate empowerment. For marginalized children/youth like those most susceptible to exploitation, – including many of those who identified as such while participating in the STM meetings – this is especially true. Research is clear on risk factors such as family issues and conflict, poverty, being an Aboriginal child/youth, and having child welfare involvement, to name a few. Certainly, preventative/proactive action to address these issues and factors is necessary. But one could make the case that education for both youth and adults about children’s rights, – about the normative standards intended to provide guidance in pursuing progressive changes and reforms in all of the areas previously mentioned – is at the core of what is a very daunting project indeed.

To suggest that any of us are ‘movers’ in relation to this project may seem overly optimistic. But there is a lot to be said for slow, plodding progress. I suppose each of us has to decide what role we might play, however small, in our own tiny corners of experience, particularly as educators. In this regard, I’m sure that we all can speak of small victories, and we should always remember that many small victories could add up over time. And collectively as members of CRAN or in other

educational contexts, we need to be engaged as we strive for more comprehensive change. Suffice to say that I think education broadly conceived is an important focus of advocacy and activism, especially since STM youth emphasized it to such a degree.

If we are feeling discouraged by the daunting nature of this project, it bears remembering that we are in the midst of what one historian has called a world historical transformation in our views of children and childhood (Strong-Boag, 2002), and that in not much more than century, we have gone from children being viewed as property to discussions about the rights of children. Looked at from this perspective, the progress has been remarkable, and there is every reason to keep working.

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Taking into account what Shaking the Movers VIII participants had to say about child labour and child soldiers, how can a child rights-based approach illuminate the connection between the global realities of young people and the particular experiences of individual children and young people in Canada?

As this CRAN meeting takes place, I (Ben) am finishing up a research trip to Sierra Leone with the Romeo Dallaire Child Soldiers Initiative, so it seems rather apt that I offer some thoughts. In reading the STM report, several participant comments struck me. One quote says “I can’t imagine being in their situation.” I couldn’t possibly have said this better.

During our time in Sierra Leone, the Dallaire Initiative (and I) had two functions. The first was to co-host a roundtable with the International Criminal Court on developing new internal policy for the appropriate management of, and collaboration with, children during trial proceedings, inclusive of their participation as witnesses as well as their physical and psychosocial protection both during and after a trial.

The second function was an additional roundtable and series of interviews for a Dallaire Initiative programme called “Training of Trainers” whereby they engage with security sector actors, inclusive of police, military, and prison services - among others. These security actors are sensitized to the situation of children involved in armed conflict and are taught appropriate approaches when encountering child soldiers in the field. Imparting this field-level tool kit is particularly important, as Sierra Leone is a significant peacekeeper-contributing country whose military, along with other personnel, are being deployed to child soldier-saturated environments like South Sudan.

At both of these roundtables were adults who as children had been involved in armed conflict during the 11 year civil war that ravaged Sierra Leone. It is all but impossible to imagine and understand the situations that they were forced to endure as children at the hands of others. Yet, despite their personal histories, my perception was that they had grown to be incredibly positive, warm human beings. They gave me hope for the rawer circumstances of youth refugees that I had previously encountered in camps along Chad’s border with the Central African Republic and among the youth gangs of Burundi.

The stories that come to us about child soldiers are filtered through the lens of the camera and importantly the person behind the camera, specifically the interpretation and even emotional voice tenor of the reporter. They are filtered again for television and the home environment of the viewer adds yet another filter layer. We simply cannot place ourselves in their shoes so as to imagine what it must have been really like. It is too far outside our bubble. In looking at several of the other STM quotes, including “It’s surprising to see girls as child soldiers,” we see how hard it is to comprehend the reality of child soldiering and to empathize with young people subjected to this horrific form of childhood destruction. For most of us, it is easier to judge than understand.

The question then becomes “how do we fix this problem?” As I would have hoped and expected, both from having been a youth participant at early STM events and now a peer with CRAN, these STM participants have already identified solutions. Near and dear to my own heart, one participant identifies greater use of digital communications technologies to raise awareness, but (and I applaud them for this notation) not “how (some international organizations) portray poor children.” Even young people find the *flies-in-the-eyes* portrayals of children in the developing world somewhat disingenuous. Indeed, the STM participant quoted, notes that there needs to be a far better effort at showing what life was, and is now, like for those forced to become child soldiers.

I would agree. However, the effort needs to be two-fold: greater sensitization around the lives lead as child soldiers viewed through a child exploitation lens, but perhaps more importantly, the dissemination of the life-narratives of former child soldiers after demobilization as they confront the challenges of reintegration. Those I met in Sierra Leone were astonishingly positive and hopeful. This is a group of people who were forcibly recruited around the age of 10, held captive, forced to commit the worst acts imaginable at the pleasure of their commanders. Then when finally demobilized, they experienced what many defined as systemically incomplete and ineffective processes that did little to help them face the stigma associated with reintegration after combat. And finally, they needed to rebuild a life for themselves after so much of it had been ripped away.

Amazingly, many former child soldier have successfully confronted these challenges and emerged as truly incredible, inspiring people – they are *hopeful*; they are *dreamers*. I think this is the story that is fundamentally

missing, in the words of the participant, “from the... (international NGO)” narratives of children in these contexts. It is also about the resilience of these youth. It is the formation of community between these young people, especially if rejected by the general population. It is the drive they have now to make a better world for themselves and for their children. It is the acceptance of outsiders like myself as family, especially when they themselves were not granted such acceptance. It is the smiles, the laughs, the ideas, the vision that we are missing from these less helpful narratives. If we are to build awareness, if we are to tell their stories, it must not only be for the dissemination of their real narrative and for personal healing but also for their innate recognition that while there are horrors this world may bestow on some, with the right ingredients, these can be transformed into optimism for the future.

I could probably go on and on about the use of social media for storytelling and narrative development (there’s probably a SSHRC grant in there somewhere) but equally the use of that same technology today for the spread of misinformation. I could also discuss the opportunities to leverage emerging technologies such as *augmented and virtual reality*, which can help generate empathy and understanding through setting and context immersion. Equally, we are witnessing the organic use of ICT to build familial communities and networks between former child soldiers and children involved in armed conflict, but that is a discussion that could take up the rest of the session. As I’m not there with you, I shall instead cede my time to others.

Thank you for the opportunity to spend a couple minutes conveying just a few cursory thoughts on this fascinating topic and the brilliant incites of yet another cohort of STM participants. I look forward to speaking with you all at some future point.

Ben O’Bright

Reflections on Children and Armed Conflict: Popular Discourse, Intergenerational Realities, & Implications for Canada

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The rebels attacked my village and I was separated from my parents. . . . [They] threatened to kill me if I made any attempt to run away. I didn't want to die so I joined them. I was afraid of being around these dangerous men with all kinds of weapons... I had no mom, no dad, sister or brother...I was alone for the first time in my life. As time went on and the killing happened everyday, we all became used to it...After some time, the violence became part of me. Now that the war is over, my community refers to me as part of the evil ones...They don't love me anymore...they despise me now (Ken, former boy soldier, Sierra Leone; Denov, 2010).

Popular Discourse on Children and Armed Conflict

Wars are dramatically altering the lives of children around the world with devastating social, political, economic, psychological and health effects. Children are affected by armed conflict as victims, participants and witnesses, and like Ken, who was abducted by an armed group at the age of nine, are all three simultaneously. What is both remarkable and inspiring about the responses of the youth in this year's *Shaking the Movers* report, was the accuracy of their knowledge of issues surrounding children and armed conflict, and more importantly, the sensitivity with which they explored the issue. The media and popular discourse often portrays the realities of child soldiers within the narrow dichotomies of the "helpless victim" on the one hand, or the "dangerous and threatening perpetrator" on the other. What was so impressive was the complexity with which the youth in *Shaking the Movers (STM)* understood and discussed the issue of children affected by armed conflict. Through their comments, and the photograph of the four *STM* participants with the words "killer", "violent", "rejected", "unstable" on their backs, the youth clearly appreciated the "messiness", blurred lines, and multi-faceted consequences of children's roles and realities in relation to armed conflict.

Intergenerational Realities

Another striking point made by the youth in *Shaking the Movers* was in relation to the effects of armed conflict on families. As this youth noted: "[war is] affecting the families as well since children are taken away and the other siblings need to take their responsibility at home". While much attention has focused on the children themselves, and their lives during and following war, less attention has been paid to families, as well as the intergenerational impact of war. Increasingly, scholars and practitioners are recognizing the importance of using approaches that pay greater attention to a child's broader social context, including family and community. This socio-ecological approach begins with the notion that children cannot be considered or studied in isolation from their surrounding context. The approach deemphasizes the individual as the sole focus of research and practice and instead consider a "child's well-being from an individual, familial, social, cultural and political perspective" (Tol et al., 2014: 200). It recognizes that

children's lives and experiences are constantly shaped and influenced by the powerful structures, communities and individuals that encircle them, as well as the dynamic interactions and relationships between these elements. In relation to children affected by war, vital "systems"—whether family, school, and peer group—are key determinants of war-affected children's developmental outcomes (Boothby et al., 2006). For example, the family, including extended family in many parts of the world, is the key microsystem within which children develop and where basic protections and needs are provided. The relevance of family and community spaces in contributing to, or hindering, children's well-being cannot be understated. For many former child soldiers, a key part of their struggle in the aftermath of war is feeling rejected by their families and communities. Moreover, families and local communities can contribute a rich array of cultural resources—including traditions, elders and community leaders, and community processes and tools, such as rituals and ceremonies—to assist in the development of psychosocial assistance (Kostelny, 2006). Exploring the issue of children affected by war from a socio-ecological and intergenerational perspective can help to open up new lines of inquiry into youth, family, and community and their unique capacities to contribute to their own healthy development. The youth in *Shaking the Movers* understood this intimately, underscoring how family and community life dramatically shifts and alters as a result of war.

In addition, given that many former child soldiers may have experienced sexual violence within armed groups, with some girls bearing children born of wartime rape, socio-ecological approaches can work to ensure that the lives and realities of multi-generations of children are included in research and practice. As such, when considering the plight of child soldiers, a socio-ecological and intergenerational approach would not only take into account the rights and well-being of child soldiers, but also the rights and well-being of their children.

Implications for Canada

Countries like Canada are indirectly, yet intimately touched by war. Each year, thousands of children enter Canada, fleeing war zones (Stewart, 2011). In the province of Quebec, between 2003 and 2012, 7 of the top 10 source countries for accepted refugees were war-affected nations, representing nearly 27,000 people (MICC, 2015). Moreover, given the scale of the recent humanitarian crisis in Syria and the nine million people displaced, Quebec increased its 2015 and 2016 admissions target for Syrian refugees, while Canada will receive 25,000 refugees by spring 2016. The youth in *Shaking the Movers* discussed how the issue of war is closely connected to life in Canada, touches the lives of Canadians, and is an issue that all Canadians need to be aware of. As this youth noted: *"My dad got captured by the army when he was at the age of 15 but he managed to escape."*

Resettlement from a war-affected context is both complex and multi-faceted. Children and youth displaced from war zones witness or directly experience severe and unimaginable violence and upheaval. They have often lived in societies where basic social structures and systems have been degraded or completely collapsed. In addition, the experience of flight from their country of origin may involve threats to their safety, as well as the complexities of resettlement to a new context (Denov & Bryan, 2010). While there is great variability in young people's experiences of war, flight, migration and resettlement, children and youth displaced from war zones may endure significant trauma, stress, and adversity that can severely impact their functioning and

development (Betancourt et al., 2010). For those children who make their way to Canada, war-related mental health distress may occur alongside poverty, discrimination, isolation, language barriers and difficulties in school (Denov & Blanchet-Cohen, 2016). As a host nation, Canada must be prepared to provide effective resettlement and integration support and services to children and families. And yet, research has highlighted that not only are war-affected children in Canada an under-served population, but also that these youth feel that current services are not sufficiently meeting their migration and resettlement needs (Denov & Blanchet-Cohen, 2014).

This points to the importance of involving young people who have experienced war in the design and evaluation of services and programs. Young people's right to participation has been established by the UNCRC as an overarching guiding principle, and explicitly stated in Article 12, yet young people are rarely included in the creation and monitoring of protection policies and program (Checkoway, 2011). Recognition of participation is especially a shift with respect to war-affected children given the predominant emphasis on children's maladaptive, antisocial behaviour in the aftermath of war, as well as negative physical and mental health outcomes in research and programming (Derluyn, Broekaert & Schuyten, 2008). UNICEF (2009) has however stated: "young people should be seen...as survivors and active participants in creating solutions, not just as victims or problems" (p. 6). By involving war-affected young people one can hope to create services and programs that they will actually use and benefit from. Indeed further research is warranted however in establishing how best to involve war-affected young people in such programming.

There is often an assumption that children affected by armed conflict and child soldiers are forever destined to a post-war life of violence and trauma. This is simply untrue. Youth in many such situations survive and in some cases thrive, raising families, taking on leadership roles in their communities, ultimately becoming key contributors to their families, schools, communities, and societies. In contrast to the popular media images of children holding guns, this is the real image of a child soldier, and the one that the youth in STM clearly understood.

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As a first time attendee of this forum, I had put myself down to participate in “children in armed conflicts” or “child soldiers” theme. However, my eventual presentation was comprised of bullet points that summarized my reaction to the STM documents as well as the other presentations of the forum. **I have summarized them under 3 main points:**

1. Throughout the Moving The Shakers (MTS) documents we clearly heard the resounding voice of our youth articulating an acute need for education. This indeed aligns with what the professionals working with and for youth, as well as the child advocates, all identify as priority area. This alignment is not only another testimony to the fact that education is an urgent need, but it also indicates that “educating our youth” may serve as a safe place to start working side by side with our youth on designing educational tools, resources and educational sessions. A different kind of tool designed by the youth and for the youth that could exemplify how their right to participation can be enacted in a genuine and non-tokenistic manner is in great need.
2. We also heard throughout the document how the youth enjoyed and exercised their rights to participation and expression of opinion when they are given comfortable space to do so. Some youth identified the absence of adults as a criterion for this ease/comfort and the adults’ presence as a cause for unease. While it is understandable that such space becomes more conducive to participation by all when the adults are not involved, it is my hope that we (the adults) can gradually find our way to these spaces and learn to coexist, create opportunities to start constructive dialog, and work on issues of common interest such as the above-mentioned issue of education.
3. On the issue of “children in armed conflicts”, I noticed that the youth participating in the STM events spoke about this issue assuming that children living in conflict areas are still living inside institutionally governed worlds where laws are reinforced and justice seems at least possible. This really is not the case most of the time!

Often these children live in environments where some catastrophe has wiped out all social structures and protective mechanisms, the capacity of the state to protect childhood has been seriously weakened if not totally lost, and the gang, thugs and bullies have taken over. In fact, not only is there no mechanism to protect the children caught up in these conflicts, but the children are also put in the positions that they are often forced to collude with the dysfunctional status quo in order to protect their families.

When the conflict results from an ongoing or acute issue, such as financial collapse, while the capacity of the state is weakened, other structures, such as the communities, may be viable and step up and take over to protect the children (eg. Village Grandmothers in Africa raising groups of AIDS orphans).

However, when the capacity of the state to protect children has been shredded by devastations such as civil war, all the social structures become dysfunctional or disintegrate.

The legal power to protect children from conflict requires a functioning state apparatus with all the machinery that goes with it. Social intention, awareness, social mobilization or anything based on social media fails to generate legal action when there is simply no legal mechanism to invoke.

Additionally, war brings out the worst in people as terror drives them to desperation. When there is no legally effective authority there is no formal constraint on behaviour so respect for CRC and other internationally accepted norms fails to compel good behaviour.

CRAN 2016: Response to Shaking the Movers: Focusing on Your Contributions about Child Labour

By Tara M. Collins, Ph.D., School of Child and Youth Care

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Thank you participants for sharing your valuable insights and knowledge about exploitation in the Shaking the Mover (STM) reports (Binns, Essaji, Finlay, Pearson, 2014; and Ile, Pearson, Mapara Osachoff, Morrison, 2015). Exploitation is an important issue to examine and address both in Canada and internationally. The Save the Children definition that you used in STM is helpful: “the use of children for someone else’s advantage, gratification or profit often resulting in unjust, cruel and harmful treatment of the child” (2010, cited in Binns et al., 2014, p. 3). There is a broad scope of issues but this response will specifically address your contributions in relation to child labour in order to answer the following question:

Taking into account what Shaking the Movers participants had to say about child labour and child soldiers, how can a child rights-based approach illuminate the connection between the global realities of young people and the particular experiences of individual children and young people in Canada?

I have chosen this question due to the challenge posed by the issue of child labour and the opportunity to advance child rights. The issue of child labour around a long time. My first opportunity to research this topic occurred in 1996 (definitely dating myself!), right after I began my career in child rights. It was a very black and white issue back then. More recently, the issue has resurfaced in several ways due to my study of the relationship of children and business (Collins, 2014), the important work by Michael Bourdillon and Bill Myers and colleagues (2010), and conversations with such practitioners as Richard Carothers, Olivia Lecoufle, and Kavita Ratna, and also in terms of the role of child participation in international child protection, which was the focus of an international conference last October at Ryerson University (Ryerson and ICPNC, 2015).

Consequently, I have learned that a critical dialogue is needed about this topic as your

participation and elaborations in STM provide. This short paper offers several observations about your conclusions.

First, STM once again confirms its importance due to the lack of, or limited opportunities for young people to speak about these issues. As you describe, ignoring the issue “because it’s the easier option”; or the fact that “As sad as it is, there are people who don’t give a damn” (Binns et al., 2014, p. 13) pose significant obstacles to progress. Further, there are strong lines established in society about what is acceptable for children to be exposed to, and engaged in and what is not. You revealed in STM that you have been “protected” from discussions about such difficult topics. As we see in the STM, young people have much to offer and to respond to in their world. But youth do not have to be protected in this way since you clearly have much to contribute and you care about humanity. As Hon. Landon Pearson highlighted, your STM involvement facilitates opportunities to explore the connections between local and global themes (Binns et al., 2014, p. 2). These connections are better appreciated because as young people, you all have rights.

As a result, the dialogue should not engage adults only in order to determine whether work is harmful and detrimental to child health and development, physically, emotionally and so on. Work is a normal part of children’s lives both in Canada and internationally but does not necessarily involve exploitation. Throughout the world, work and often identity, are part of a child’s activity; thus, research about work must include various perspectives including: “listening to children’s feelings, perceptions and views as an essential source of the evidence on the way work affects their development, especially psychosocial aspects of development. Their feelings about work, about school and about core social relationships that support or undermine their dignity and sense of security are vital indicators of hazard and harm.” (Woodhead, 1999, pp. 29-30). This observation is particularly timely in light of the Government of Canada’s (2016) recent signature of International Labour Organization’s (1973) Convention 138 about minimum ages for work. Children and youth should be involved in determining how it is implemented and respected in Canada.

Child work is a complex issue even though many in Canada feel that children should not work and only go to school. There is a tendency not to recognize the role of work in children's lives. Focus groups with young people in Canada as part of my research identified child labour and negative assumptions about the role of work in 'other' children's lives but one young person also recognized that children go to work in other countries because they do not have the choice or cannot afford education, therefore, small steps are necessary to make the situation better.¹ Similarly, you recognized the role of necessity, expressing that: "It is not really their decision because they need to make money for their families" (Binns et al., 2014, p. 13). Other study participants (aged 11 and 12) in my research also identified the need for decent work.² But these rights do not necessarily mean that you all have the same realities or understandings. Rights necessarily mean many things than one particular understanding or commitment to how things should be. But in general, as a STM British Columbia participant observed: "Exploitation comes from a place of hurt, pain, due to unmet needs; it can be defeated by providing better access to basic human needs like love, belonging, community, identity, education, health care, nourishment, and employment" (Ile, 2015, p. 11).

In Canada, work is a reality for many young people. As examples, for many in Canada, there is excitement when reaching the age of 12 and being able to become a professional babysitter; age does not have no real significance if you live on a family farm where work simply needs to be done; many young people work in retail and other service jobs at nights and weekends in order to contribute to family income, and so on. At the same time, there are problems. For example, young people have injured themselves and/or died from terrible accidents while on the job (e.g. UNICEF Innocenti and UNICEF Canada, 2009). Whether intentionally or not, exploiters in Canada and abroad should not see children and young people as "tools" who use their "vulnerability to their advantage" as you describe (Binns et al., 2014, p. 12). As Michel Chikwanine (2016), a former child soldier describes, we should never ignore the humanity of a child soldier or a refugee. The theme of power over children that you identified in STM as important is often under-explored in relation to child rights. As you described, it is "based on privileges,

experience, and socio-economic status”; “People don’t see children as people” (Binns et al., 2014, p. 12). But I also think that adults generally must better appreciate the role and power of children.

Second, your recognition of the complexity of the issue, the importance of context, and the reality and role of nuanced responses are all important as not all child rights actors and organizations appreciate these dimensions in practice. As examples, you outlined “Exploitation is a spectrum”, and not black and white (Binns et al., 2014, p. 12). You also recognized that child labour will happen as one commentator in my business study also noted (Collins, 2014). Another young person in this study, sixteen-year-old Valerie remarked: ‘I think that a business’s goal is to make as much money as it possibly can. And in developing countries, if they get the opportunity to get very cheap labour, they’ll take it and be in this dilemma, ‘oh, is it against their rights or not?’ But I think at the end of the day they just want to make as much money as possible, and that’s kind of like the challenge they might have’ (Collins, 2014, p. 602). Yet, adults and businesses often deny the existence of child workers in the chain of production (Collins, 2014). This issue of denial affects all businesses even though such denial is understood as “quite naïve” (Collins, 2014, p. 602).

You recognized that elimination of child labour as a problematic priority due to your thoughtful understanding, which contrasts with the positions of international organizations and some governments. You noted: “Governments need to come up with a solution before getting rid of child labour all together” (Binns et al., 2014, p. 13). Such comprehension was not reflected in the official efforts of the United States of America in addressing child labour. The *Child Labor Deterrence Act of 1992* (United States of America, 1992), commonly known as the Harkin bill, reflected American concern about the use of child labour in Bangladesh in the early 1990s (Collins, 2014). Even though the legislation never went into force, American pressure led to the dismissal of ‘tens of thousands of child workers from Bangladesh export garment factories’ (Bourdillon et al., 2010, p. 183). Yet, these children did not return to school, turning to ‘still less appropriate’ work for children including ‘chipping bricks into aggregate, maid service,

and even prostitution’, and many were working in non-export garment factories with inferior pay, working conditions, and advancement opportunities compared to those in factories producing for export (Bourdillon et al., 2010, p. 184-5). In another example, the reaction to recent national legislation in Bolivia (2014) reveals the challenge that child labour poses to the international human rights community (Liebel, 2015). Bolivia was first country to reduce minimum age of employment to 10 years from 14 years in July 2014 following advocacy by working children including UNATTSBO, which is their own organization with 15,000 working children as members who are all in school (Save the Children, n.d.). After succeeding in their battle with the national government, the Bolivian government is now dealing with the international system’s ire (e.g. Moloney, 2014). Therefore, awareness about child labour does not mean that a response is undertaken respectfully or effectively.

While child labour is commonly understood as a rights issue, short-sighted understandings and responses should not impede the implementation of children’s rights. Despite the fact that some people may disagree, the world is more complicated than child labour is wrong. In addition to the important efforts to mediate the effects of the worst forms of child exploitation, it should also be recognized that we should respect children’s right to participate and give their views as well as the role for work in children’s lives (Collins, 2016). Research and international development practice demonstrate that a supportive approach to young people who want to work is more effective than outright bans of child labour (Bourdillon et al., 2010). As one of you asked, “Why are we trying to standardize children?” (Binns et al., 2014, p. 14). This is important recognition of the realities of many children and their rights in various contexts and realities. But this challenges the common principle that human rights are universal. There is a need for context, which matters. When universal understanding restricts comprehension of issues including due weight to child perspectives, problems occur as understandings and responses to child labour reveal. Extreme poverty does not condone the worst forms of children’s exploitation or the absence of the child’s right to education, but international and community efforts can respond to the worst effects (Collins, 2014). There are some international development NGOs supporting young people who want to make their lives

and work better including Save the Children (2013) for example, that has programs that recognize the spectrum of children's work from harmful to dignified work.

Third, your efforts led to interesting proposed solutions. Your recognition of your consumer power is significant as illustrated by such comments as "Now that I know where they're made, I'm going to try and stop buying those products". This point mirrors what young people involved in my research focus groups concluded.³ This means that you are not powerless in relation to this issue. An international official also confirmed this point in relation to some emerging market countries since young people comprise more than 50% of the population.⁴ Another STM idea for companies to describe "how the products are made and by who" may be challenging for companies to respect (Binns et al., 2014, p. 13). As noted earlier, child labour is an important issue as well as one of denial and ignorance due to the huge sensitivity in the business world. But it may support a sense of competition among companies and eventually progress. One pioneering business is KUONI, an international travel company, which has a human rights statement of commitment and it has piloted the child rights impact assessment in studying their operations in Kenya, which determined that poverty worsens children's commercial sexual exploitation.⁵ STM participants and others should continue to encourage innovative business practices to support understanding and progress.

For whatever reason, there are some issues that did not get discussed in relation to child labour that may be useful to consider. First, education is a pursuit that can be undertaken while working. Research by Woodhead involving 300 children in Bangladesh, Ethiopia, the Philippines and Central America found that 77% preferred the combination of school and work; they also recognized the benefits and direct and indirect costs of school including school fees and lost income (Collins, 2014). It is also important to note that there is a common incorrect assumption that school is always a safer place and/or that work is separated from school (Collins, 2014). For instance, China's student or apprentice workers must do internships as part of vocational school and as a result, have become a source of labour for factories (Collins, 2014). Various businesses engage these student workers who lack the same legal protection as regular formal workers (Gallagher

and Dong, 2011). Berlan (2009) also notes that school cocoa farms in Ghana are potentially more dangerous for children than working on family farms. Second, it is valuable to note the difference between formal and informal business in relation to child labour. A formal business can pursue legal pursuits either nationally or internationally or an informal business could involve organized criminal pursuits with children as trafficking in persons for commercial sexual exploitation, illegal adoption, labour or organ removal (e.g. Gallinetti & Kassan, 2008; Martin, 2003), and so on. The informal sector also affects vast numbers of children in casual labour who are often unrecognized (ILO, n.d.). Judith Ennew (2000) describes, ignoring children's roles reflects a limited understanding of childhood that 'bears little relation to the lives of most children in most countries today' (p. 16).

In conclusion, the STM ideas are "as important as everyone else's" (Binns et al., 2014, p. 9) including in relation to child labour. Thanks so much for your excellent contributions and sharing your knowledge with the Child Rights Academic Network and others. You have demonstrated that consultation is so important to raise awareness of rights and engage in dialogue about understandings of and the realities of rights. Young people need, and the right to be involved as we consider the roles and duties of others in relation to child rights.

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² Scarlett, Meaghan, Meghan, Scarlett, Annabeth and Yuki (all 12 years old), and Iris (11 years old) (all pseudonyms chosen by the young people), (Toronto focus group: October 9, 2013), cited in Collins, 2014, p. 602.

³ For example, Laura, 16 years old, (Toronto: August 27, 2013), in Collins (2014).

⁴ International organization official, in Collins (2014), p. 600.

⁵ Kuoni, 'Annual Report 2012: Corporate Responsibility: human rights' (2012) <http://2012.kuoni-annualreport.com/en/corp-responsibility/human-rights/1> (accessed 21 January, 2014); Kuoni, *Assessing Human Rights Impacts: Kenya Pilot Project Report*, November 2012, http://www.kuoni.com/docs/assessing_human_rights_impacts_0.pdf (accessed 21 January, 2014), p. 18, cited in Collins (2014).

Consuming Childhood: Corporate Exploitation and Children's Rights

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Exploitation is *when someone uses your vulnerability to their advantage*.¹ Vulnerability, as this child knows, is the essence or definition of childhood. *People who exploit others see them as tools*, another child observed. Being used as a tool violates Kant's second categorical imperative: people are to be seen as ends in themselves and not merely as means to another's end.² To exploit a child's vulnerability is to deny not only her rights as a child and as a human beings but, more profoundly, her status as rights-bearer.

Children are means to the ends of others, as the future of their families, cultures or nations, as guarantors of family wealth, prosperity and social status, as treasured playthings or lightning rods for social ills. Childhood has long been a screen for the infinite projection of adult fears and desires. Childhood as a distinct life estate, meaning that children are to be seen as ends in themselves and not merely the means to ends of others, entered public discourse some three centuries ago through portraiture, literature, philosophy and pedagogy. The New Childhood, as Philippe Aries termed it,³ opened the way to state involvement and investment in children and families.

Beginning in the nineteenth century, states began to formalize their responsibilities for children and the conduct of childhood. State-sponsored media campaigns — posters, prints, periodicals, printed ephemera and, now, contemporary media — portrayed healthy happy children, loving parents and harmonious family lives. The manipulation of parental guilt and desire furthers the state interest in creating a governable citizenship beginning in infancy and aimed at producing 'normal' children.⁴ By the close of the nineteenth century, state governance of childhood was expressed in reforms to legislation in areas ranging from labour and criminality through education, protection, custody and divorce, health, social welfare and housing to product

regulation.⁵ Expert tutorials in making ‘right’ children are now almost fully eclipsed by corporate tutorials in choosing ‘right’ consumption.

The nineteenth century saw the emergence of the modern corporation. The British Companies Act of 1862 ensuring the protection of shareholders from liability for corporate debts was upheld by the House of Lords in 1896, in a case stressing corporate personality.⁶ Being responsible for its own debts made the corporation a person, an artificial one but nonetheless a real one in the eyes of the law and thus vested, like us, with rights.⁷ It has one purpose for existing. This is to make profits. As Joel Bakan shows, corporations as personalities are rapacious psychopaths. In the pursuit of profit, the wealth, complex structure and multi-national operations of major corporations has made them virtually ungovernable. State reforms to the conditions of childhood are undermined in almost every way by corporate acts affecting not only the minds of children but their safety and health.

Corporations produce today’s images of happy healthy children, saturating childhood with ads, films, ad-films, tied-in toys, games, gadgets and clothes, recreational ‘foods’ tied in to school cafeterias, games to be played, ‘friends’ to be found and things to be learned. *Children [are] exploited by trying to gain knowledge.* The corporate childhood is a new New Childhood in which children’s aspirations and immaturity are sold back to them by Disney as ‘innocence,’⁸ subverting children to the cause of profit. *Everyone can have power over children because [children] haven’t learned about power.* Kid-stuff is worth multiple billions yearly but brand loyalty is what corporations really sell. *Exploitation may not always be for money but will always be for some sort of gain.* Children are consumers now and brand-loyal consumers in the future. *You realize that the exploitation is so huge.*

Children are branded before they can walk or talk. The British show “Teletubbies” carved out new territory in kid-marketing by making babies as young as six months media-conscious. Children in ad-speak are ‘demographics’ and childhood is zoned for psychological manipulation — infant, toddler, tween, multiple orders of teens, girl, boy. *Why are we trying to*

standardize children? All the better to sell you things, my dear said the Big Bad Wolf. Corporations make the myths that shape childhood. Clever, subtle and saturating marketing of corporate products relies on recycled princesses, sanitized daring-doers and simplified myths and wonders. Corporations hold a power over children greater than any story-teller — yet the stories they tell are emptied of myth. “We’re forcing the brain in the wrong direction, killing all creativity and fantasy. Kids were once creative directors in neighbourhood fantasies. No more. These days, kids rarely leave their bedrooms.”⁹

But children’s bedrooms give little protection. Corporations reach deep into children’s psyches and deeper into their bodies. Corporate products have notoriously been poorly tested and their use is heavily legally defended. Children’s neurological development is affected in ways we are only beginning to try to understand. “We are conducting a vast toxicological experiment in which the research animals are our children.”¹⁰ Children cannot protect themselves from cleverly-constructed messages backed by billions of advertising dollars. Nor have we found effective ways to protect them. *People don’t see children as people.* Taming the corporation calls for a new paradigm. The Convention on the Rights of the Child hints at protection from corporate wrongs and causes of action. Might a new paradigm be framed in children’s rights?

The child has all rights from birth under Art. 1 of the CRC. Under Art. 3, she has the right to have her best interests be made a paramount consideration in everything affecting her and to express her views freely in matters affecting her, under Art. 12. Her best interests, rarely represented in legal proceedings, are seldom heard. Her views, freely expressed, are never heard in corporate boardrooms. CRC Art. 24 requires that states abolish “traditional practices prejudicial to the health of children.” The corporation has existed as a business form since Roman times and took its modern statutory form in the nineteenth century. Legal arguments for retaining and expanding corporate powers are framed as tradition — this is what corporations do because they have always done so. Where corporate practices as traditional practices prejudice children’s health, according to Art. 24, they must be abolished.

While this application of Art. 24 is perhaps fanciful, other articles come closer to the point. The child has the right to survival and development under Art. 6 and to the highest attainable standard of health, to “adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution” under Art. 24. This establishes limits on corporate control of food production, safety and nutrition, environmental toxins, pharmaceutical promotion and product representation. *Companies should have policies that products have a description of how the products are made and by who.* Children of less wealthy cultures are exploited in making products for consumption by the more wealthy. *If we did see [child labour] we would look the other way.*

The child has the right to freedom of information under Art. 17 and to protection from all violence including mental violence under Art. 19. Art. 28 and 29 give her the right to a rights- and science- based education that will develop her potential. If this education installs citizenship, corporate education installs consumerism. *We need to teach kids about their rights.* Art. 31 promises the rights to rest and play, to age-appropriate recreation and to cultural participation, but corporations in the consuming West and the labouring rest of the world control much of children’s recreation and leisure. Are video-gaming, web-crawling, tv-watching, chat sites, Facebooking and so on, “cultural participation”? Even so, Art. 17 sets out the child’s right to access those media which will give her information from diverse sources and promote the full spectrum of health. Yet accessing media usually entails being sold bad food, unneeded goods, violence and sexism and, the ultimate product, the corporation’s brand and its self-serving politics of innocence, is an extreme violation of these rights.

The child has the right to protection from economic exploitation under Art. 35 and from “all other forms of exploitation prejudicial to any aspects of the child’s welfare” under Art. 36. Corporations exploit children’s credulity, creativity, imagination, fear, desire, love, loyalty, parents, resources and rights to information, education, play and health. They co-opt children’s voices without hearing children. They plunder their planet. They bind their futures to commerce and its environmentally and socially destructive results. Commercial exploitation is as bad as

any other kind of exploitation. How to reconcile the right to profit peculiar to corporations, with respect for the real human rights of the rest of us, is a project worthy of children's rights. If greed is to go out of style, corporations need a truly spectacular push.

¹ Child exploitation is defined by Save the Children, 2012 as the use of children “for someone else’s advantage, gratification or profit, often resulting in unjust, cruel or harmful treatment of the child ... to the detriment of the child’s physical or mental health, education, moral or social-emotional development.” The comments of children participating in Shaking the Movers VIII, Ottawa 2014 are set out in italics in this Essay.

² Immanuel Kant (1993) [1785]. *Grounding for the Metaphysics of Morals*. Tr. J.W. Ellington. 3rd ed. (Hackett) at 30.

³ Philippe Aries, *Centuries of Childhood: A social history of family life* (Vintage, 1962). Tr. Robert Baldick.

⁴ Nikolas S. Rose, *Governing the Soul: The Shaping of the Private Self* (Routledge, 1989); Anne McGillivray, “Governing Childhood” in A. McGillivray, ed., *Governing Childhood* (Dartmouth, 1997) 1-24.

⁵ Anne McGillivray, “Children’s Rights, Paternal Power and Fiduciary Duty: From Roman law to the Supreme Court of Canada” (2011) 19(1) *International Journal of Children’s Rights* 21-54.

⁶ *Salomon v Salomon & Co Ltd* [1896] UKHL 1.

⁷ Joel Bakan, *The Corporation: The Pathological Pursuit of Profit and Power* (Viking Canada, 2004).

⁸ Anne McGillivray, “‘A Child’s Mind as a Blank Book’: Myth, Childhood, and the Corporation” in Alison Diduck et al., eds., *Law in Society: Reflections on Children, Family, Culture and Philosophy* (Brill, 2015) 101-124.

⁹ Martin Lindstrom, pre-eminent child brand-builder, left the field of kid-marketing when he understood the impact of his work. Joel Bakan, *Childhood Under Siege: How Big Business Targets Children* (Allan Lane Canada, 2011) 52.

¹⁰ Philip J. Landrigan, “Trade Secrets” (Moyers Report transcript), 27 March 2001 at <http://www.pbs.org/tradesecrets/transcript.html> and see Herbert L. Needleman, letter quoted in Bernard Weiss and Philip J. Landrigan, “The Developing Brain and the Environment: An Introduction” 374 *Environmental Health Perspectives* Vol 108, Supplement 3 June 2000: “We are conducting a vast toxicologic experiment in our society, in which our children and our children's children are the experimental subjects.”