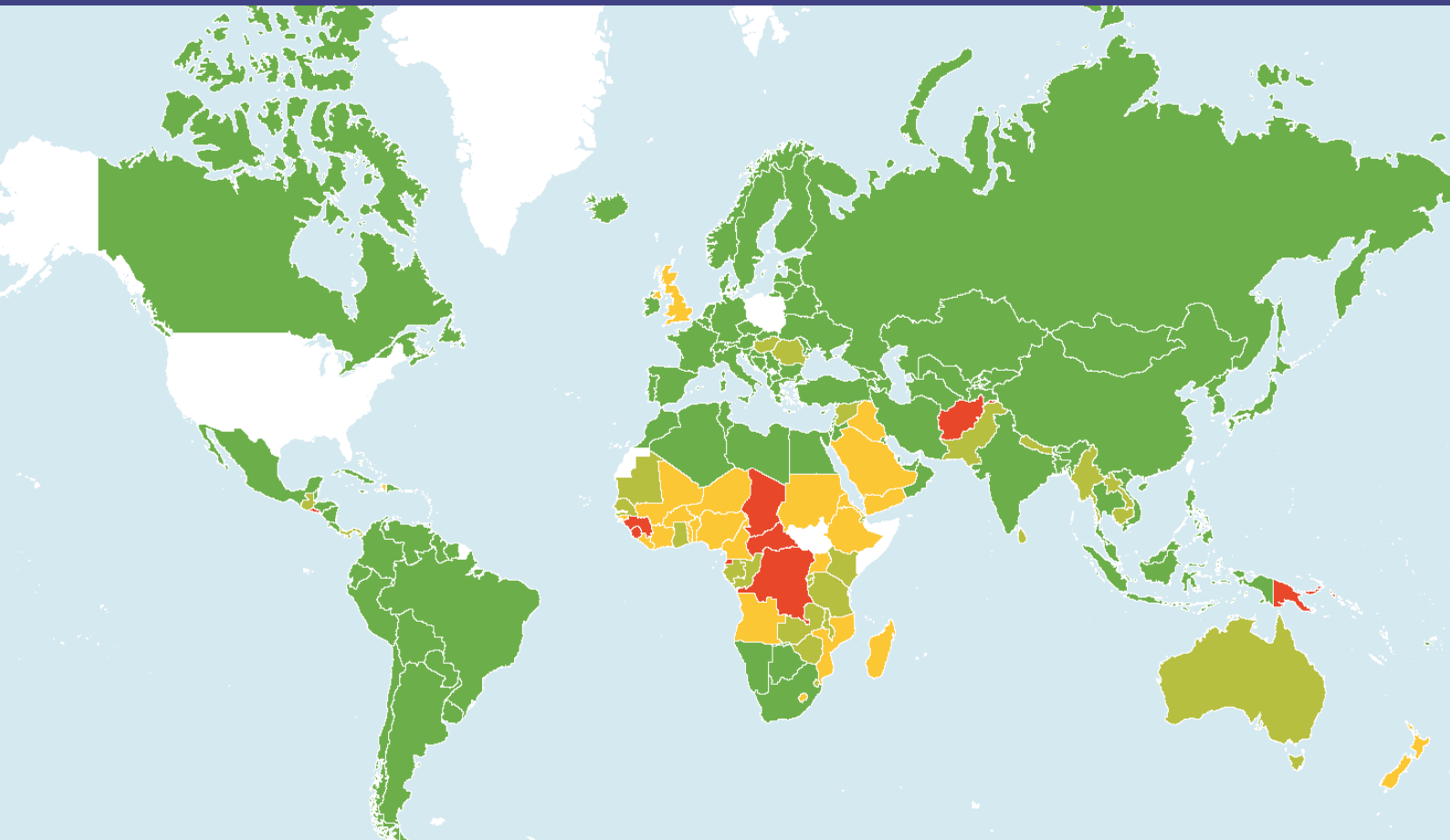


The KidsRights Index 2021

Report



KIDSRIGHTS
Index

THE KIDSRIGHTS INDEX AND INFORMATION ABOUT ITS DOMAINS, INDICATORS AND
METHODOLOGY ARE ACCESSIBLE ON WWW.KIDSRIGHTSINDEX.ORG

ABOUT



KIDSRIGHTS

KidsRights is an international non-governmental organization that promotes the wellbeing of vulnerable children across the world and advocates for the realisation of their rights. KidsRights strives for a world where all children have access to their rights and are empowered to realise the great potential they carry within them. KidsRights sees children as *'changemakers'* who have the power to move the world and facilitates them in voicing their opinions and in taking action to bring about change.

KidsRights supports children by commanding global attention for the realisation of children's rights and acting as a catalyst to ignite change, together with children and youth. This advocacy is supported with research and action. The foundation also finances local projects aimed at directly improving the rights of vulnerable children and stimulating child participation and *changemaking* by youths.

www.kidsrights.org 

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Economics



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Erasmus School of Economics is a leading centre for scientific research and education in economics and econometrics. The activities of this internationally acclaimed School of Erasmus University Rotterdam contribute to understanding current and future economic developments in the world and to answering questions related to the roles of government and business policy.

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The International Institute of Social Studies (ISS) is a graduate school of critical policy-oriented social science. Established in 1952, ISS focuses in particular on research, teaching and public service in the field of development studies and international cooperation. Its students, staff and knowledge partners are both from the Global South and the North. Interdisciplinarity and co-creation are among the key features of the work of the Institute. ISS is part of Erasmus University Rotterdam but based in The Hague.

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The KidsRights Index is the only annual global ranking on how countries worldwide are adhering to children's rights.

182
countries

Unique: domain Child Rights Environment provides insight into the extent to which a country is equipped to carry out the UN CRC.

The goal of the KidsRights Index
To stimulate compliance with children's rights worldwide.



ONLINE: the KidsRights Index is easily accessible on www.kidsrightsindex.org



The UN Convention on the Rights of the Child is the global framework for children's rights.



1989

UN Convention on the Rights of the Child

196
states



The KidsRights Index pools data from three reputable sources:



- 1 Quantitative data published and regularly updated by UNICEF www.data.unicef.org
- 2 UNDP www.hdr.undp.org/data
- 3 Qualitative data from the Concluding Observations by the **UN Committee on the Rights of the Child**.

The KidsRights Index: **20 indicators: 13 quantitative and 7 qualitative indicators**

1. LIFE

- Under five mortality rate
- Life expectancy at birth
- Maternal mortality ratio



2. HEALTHCARE

- % of under five year olds suffering from underweight
- Immunization of one year old children
- % of population using improved sanitation facilities (urban and rural)
- % of population using improved drinking water sources (urban and rural)



3. EDUCATION

- Expected years of schooling of girls
- Expected years of schooling of boys
- Gender inequality in expected years of schooling (absolute difference between girls and boys)



4. PROTECTION

- Child labour
- Adolescent birth rate
- Birth registration



5. CHILD RIGHTS ENVIRONMENT

- Non-discrimination
- Best interests of the child
- Enabling legislation
- Best available budget
- Respect for the views of the child/child participation
- Collection and analysis of disaggregate data
- State-civil society cooperation for child rights participation



The KidsRights Index is an initiative of the KidsRights Foundation, in cooperation with Erasmus University Rotterdam; Erasmus School of Economics and the International Institute of Social Studies.

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INTRODUCTION

The last edition of the KidsRights Index was published in May 2020. In the KidsRights Index 2020, we tried to predict the potential future implications of the global Covid-19 pandemic for children and children's rights. We have come to the conclusion that the actual impact dramatically exceeds last year's predictions.

Still, the negative effects and impact of the pandemic are only partly visible today, and these will manifest themselves over long periods of time. This means that we should start to pave the way for a post-Covid crisis era, taking into account that Covid and post-Covid measures and policies will have to hold longer than was initially expected.

Apart from persons who got infected by the Covid-19 virus, children have been hit the hardest, not directly by the virus itself, but through the delayed actions of governments around the world, which will lead to serious long-term repercussions for youth.

COVID CHILD RIGHTS IMPACT ASSESSMENT

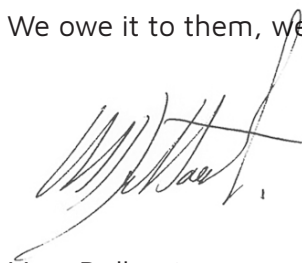
Governments worldwide must focus on the (mental) health of and education for children and youth, as much as the economy in their post-Covid crisis policies. For policymaking and meaningful follow-up action, the UN Committee on the Rights of the Child produced a fitting framework with applicable child rights-based principles and directions. Governments are morally obliged to adopt a Covid Child Rights Impact Assessment for all their current and future Covid and post-Covid policies, and should prioritise this in order to safeguard the rights of future generations and to avoid a generational catastrophe.

ACCOUNTABLE

The KidsRights Index has been published annually since 2013. It is the first and only worldwide children's rights index based on the Convention on the Rights of the Child and compiled on the basis of fully comparable existing data. The Index ranks countries on how good they are at realising children's rights in light of the resources they have available. This year, we could rank a total of 182 countries on the domains of life, health, education, protection, and their general enabling environment for children's rights.

Global pandemic or not, we still hold countries accountable to their obligation to realize the rights of children. We urge countries to safeguard the future of the next generation.

We owe it to them, we owe it to ourselves,



Marc Dullaert

Founder and Chairman KidsRights Foundation



CHILDREN'S RIGHTS IN TIMES OF THE CORONAVIRUS (COVID-19): ONE YEAR LATER

By KARIN ARTS¹

1. INTRODUCTION

The previous KidsRights Index Report was published in May 2020,² when the world was only a few months into the COVID-19 pandemic. Even though the KidsRights Index as such does not report results that directly relate to the Corona virus, at the time already the KidsRights Index team felt compelled to outline some of the main actual and possible future implications of Corona for children and children's rights. Little did we know (and could we imagine) then about the protracted nature of the pandemic and its drastic consequences.

One year later, in May 2021, the world is still in the middle of the quest for controlling the virus. Huge inequalities prevail, among other things in access to vaccines³ and vaccination services, adequate health care for COVID-19 patients, economic support for those who lost their income due to lockdowns and other forms of Corona restrictions, and education opportunities. Obviously, these matters affect children in many ways, even though the direct health effects of COVID-19 on children are relatively small, in the sense that, generally, children and young people themselves suffer much less health consequences than adults do, once they catch the virus.

Last year we noted that the poorest are affected the hardest by the pandemic. According to the UN, indeed in "2020, COVID-19 exposed deep inequalities that have existed for too long, with the worst impact on children in the poorest countries and communities and those already disadvantaged by discrimination, social exclusion, fragility and conflict".⁴ Increasingly, hard figures are becoming available that underpin this reading. When reporting on its achievements in 2020, UNICEF sketched the bleak context of 142 million additional children "falling into monetary poverty and lack[ing] access to social protection" and of "[a]round 3 billion people worldwide lack[ing] basic handwashing facilities with soap and water at home".⁵ The latter means that they will not have easy access to what is one of the very basic protective measures against viruses, COVID-19 included.

1 Professor of International Law and Development, International Institute of Social Studies, part of Erasmus University Rotterdam, <https://www.iss.nl/en/people/karin-arts>.

2 <https://files.kidsrights.org/wp-content/uploads/sites/6/2020/05/25092547/200519-The-KidsRights-Index-report-2020.pdf>.

3 On 17 May 2021, the Director-General of the World Health Organization (WHO), Tedros Adhanom Ghebreyesus, stated that "the world is in vaccine apartheid". He used this formulation to qualify the situation in which the high-income countries, that are home to 15% of the world's population, have 45% of the world's vaccines; while the low and middle-income countries, with almost half of the world's population, have 17% of the world's vaccines. See <https://www.reuters.com/business/healthcare-pharmaceuticals/world-has-entered-stage-vaccine-apartheid-who-head-2021-05-17/>

4 UNICEF, 'Responding to COVID-19: UNICEF's 2020 Key Achievements', New York, April 2021, p. 2.

5 Ibid. p. 5.

Against this background, this year again we decided to add a special (and more extensive) Note on the child rights implications of the Corona pandemic to the annual KidsRights Index report. This Note broadly takes stock of where governments are at now (i.e. in May 2021). However, in some locations the combined effects of vaccination campaigns and other measures gradually also start to herald a post-Corona crisis era. Therefore, this Note also provides two main new perspectives that are important for both current and future policy and practice efforts in this realm. The first such perspective is that the negative effects of the pandemic – and possibly of some government measures to harness it (or of course a lack of government action) – are only partly observable today. As will be explained in the next section of this Note, substantial such negative impacts (such as educational disadvantages or hunger/inadequate food), will only manifest themselves over long periods of time. This is captured in the notion that the negative impact of the pandemic on children is evolving from anticipated to actual and then to deferred effects. In turn, this implies that Corona and post-Corona measures and policies by governments will have to hold out longer than perhaps was expected at first sight. Also, they likely will have to address different types of challenges over time.

Hence, but also in its own right, it is then necessary to consider whether there are broadly applicable child rights-based principles and or directions for Corona and post-Corona policy-making and implementation. That leads into the second new perspective in this year's Corona Note, presented in a concluding section which explains and closely applies a fitting framework for this, published by the United Nations (UN) Committee on the Rights of the Child in April 2020. Throughout this Note, selected concrete 'good' and 'not so good' practice examples will be integrated into the exploration to enrich the analysis and, hopefully, to inspire meaningful follow-up action.

2. NEGATIVE CORONA IMPACT ON CHILDREN: FROM ANTICIPATED TO ACTUAL AND DEFERRED EFFECTS

While last year we reported that the first signs of the negative impact of the Corona pandemic on children and their rights had become visible, the bulk was still anticipated. Unfortunately, one year later, there is overwhelming evidence of that impact having materialized, or firmly being in the process of doing so. Besides the deepening of poverty and structural inequalities that was already briefly addressed in the Introduction of this Note, on other accounts too, COVID-19 clearly is a serious set-back for the realization of children's rights. For many children, the pandemic reduced their prospects of developing their full potential, at least temporarily. In this section, a brief and general comparison will be made between the situation in 2020 and in 2021 for four randomly selected key concerns: violence against children, vaccinations (non-Corona) for children, education (and the related issue of school meals), and mental health and wellbeing.

Violence against children

Since last year, the evidence of violence against children increasing because of the Corona conditions and associated response measures has mounted. Across continents, factors such as lockdowns confining both adults and children to their homes, Corona restrictions causing serious income loss to families, or food insecurity, took their toll in this regard.⁶ The following examples support this reading.

Research on China published in September 2020 suggests that it is highly probable that family violence, including intimate partner violence and child abuse, increased during the large-scale lock-downs and school closures across China in response to the first wave of COVID-19. Statistics and an analysis of

⁶ See e.g. Shelby Bourgault, Amber Peterman, and Megan O'Donnell, 'Violence Against Women and Children During COVID-19 – One Year On and 100 Papers In: A Fourth Research Round Up', Center for Global Development, CGD Note, April 2021.

Chinese court rulings show that “in the first quarter of 2022, when the COVID-19 crisis peaked in China, [and] compared with the first quarter of 2019” the number of court applications for protection orders related to potential or actual family violence increased by 11.45%.⁷

Research on the Netherlands too implies that child abuse intensified during the first lockdown in the country in spring 2020, and that the number of victims of emotional neglect (including neglect of education and the witnessing of domestic violence) went up significantly. Reliable estimates indicate that the numbers might even have nearly tripled, since close to 40,000 children (or 14 per 1,000 children in the country) are likely to have been in this situation during the first lockdown, compared to nearly 15,000 (or 5 per 1,000 children in the country) in 2017.⁸

Likewise, in South Africa, according to an UN statement published in October 2020, children:

*“face an increased risk of abuse and violence, as a result of the broad ranging impact of COVID-19 (...). The alarm has been raised after Childline South Africa reported a more than 36.8% increase in calls for help during August 2020, compared with the same month in 2019. This data coincides with reports from healthcare facilities of a consistent and concerning number of severe injuries among child abuse referrals”.*⁹

The pandemic also had a major effect on prevention and response measures. In October 2020, no less than 104 countries (and according to UNICEF among them “even the most developed”) had disrupted their violence prevention and response services due to COVID-19. “Case management and home visits for children and women at risk of abuse were among the most commonly disrupted services”.¹⁰ Clearly, this situation had a serious potential negative effect on the situation of any of the 1.8 billion children living in these countries, although it must be noted that “70 per cent of countries reported that [at least some] mitigation measures had been put into place”.¹¹

On the whole, the information available about the rise of violence against children due to conditions caused by the Corona pandemic is disturbing and cannot be neglected. Besides the short-term impact, in many cases the psycho-social effects of violence against children are long-lasting and will only materialize over time. Thus, in this sphere, deferred Corona effects are likely to occur. This will be further addressed in the upcoming section on mental health and well-being.

Vital vaccination campaigns for children

In the previous KidsRights Index Report, we expressed concern about the effects of the pandemic on non-Corona related health care for children. We noted for example that the continuation of the treatment of preventable diseases such as malaria, pneumonia or diarrhea is crucial for children. We also expressed concern about the suspension of non-Corona vaccination campaigns which, according to the United Nations at the time, could cause “hundreds of thousands of additional child deaths in 2020” and “reverse the last 2 to 3 years of progress in reducing infant mortality within a single year”.¹²

7 Hongwei Zhang, ‘The Influence of the Ongoing COVID-19 Pandemic on Family Violence in China’, *Journal of Family Violence*, published online 4 September 2020, DOI: 10.1007/s10896-020-00196-8, specifically at pdf p. 7.

8 Samantha Vermeulen, Sheila van Berkel, and Lenneke Alink, ‘Kindermishandeling tijdens de Eerste Lockdown’ [Child Abuse During the First Lockdown], Universiteit Leiden: Instituut Pedagogische Wetenschappen, 2nd ed., 13 January 2021, pp. 25–27.

9 <https://www.unicef.org/southafrica/press-releases/children-increased-risk-abuse-and-violence-covid-19-takes-its-toll>.

10 UNICEF, ‘Protecting Children from Violence in the Time of COVID-19: Disruptions in Prevention and Response Services’, Division of Data, Analytics, Planning and Monitoring, New York, August 2020, pp. 4, 8 and 10.

11 *Ibid.*, p. 11.

12 *Ibid.*, p. 7.

While organizations such as the UN went at great length to help guarantee the continuity of these services,¹³ the challenges in the field have only grown. For example, in a report issued in April 2021 UNICEF shared that: “[b]y the end of October 2020, one third of countries had drops in coverage of 10 per cent or more in routine immunization. And in some countries, routine immunization dropped by up to 50 per cent”.¹⁴ The organization also predicts that currently “eighty million children under 1 year of age in at least 68 countries may miss out on life-saving vaccines”.¹⁵ If these numbers on the anticipated effects will come true, this is likely to result in scenarios, both for the short and the long term, that will dramatically exceed last year’s predictions of adverse health impacts and child deaths due to interrupted vaccination services.

Education and school meals

Since the start of the pandemic, lockdowns and school closures had major effects on the education prospects for children. Last year we reported that in April 2020 school closures affected 1.5 billion children. One year later, it is clear that this number has dropped although it is hard to put an exact number to that drop. The UN refers to the situation as “a COVID-19 education crisis” because globally “schools for more than 168 million children (...) have been closed for almost a full year”.¹⁶ In early February 2021 still, the schools of in total even 196 million children in 27 countries were fully closed.¹⁷ Between March 2020 and February 2021, on average schools were fully closed for 95 instruction days globally. This amounted to about half the time intended for classroom instruction in this period. However, significant regional differences occurred. Children in Latin America and the Caribbean region were most affected (with on average 158 days of full school closures). South Asia followed (with on average 146 such days), and then East and Southern Africa (with on average 101 such days).¹⁸ Western Europe had ‘only’ 52 days of full school closures and North America none.¹⁹

Besides the negative impact on children that is already visible now, for education too it is important to consider the prospects of deferred negative impact that will only show over time. While many children and their parents or caretakers are resilient and in due course will be able to recover from the disadvantages incurred during the Corona pandemic, some effects will be hard to overcome or repair. For example, according to UNESCO, “over 100 million additional children will fall below the minimum proficiency level in reading as a result of the health crisis. Prioritizing education recovery is crucial to avoid a generational catastrophe”.²⁰ And, “evidence from school closures already suggests an increase in early marriage and sexual violence in some countries”.²¹ According to the NGO Plan International, due to Corona, an additional 13 million child marriages are likely to occur between 2020 and 2030.²² In addition, the World Bank estimated that the school closures “could result in a loss of at least US \$10 trillion in lifetime earnings for this generation”.²³

13 See e.g. <https://www.unicef.org/immunization/vaccines-for-all>.

14 UNICEF, ‘Responding to COVID-19: UNICEF’s 2020 Key Achievements’, New York, April 2021, p. 2.

15 *Ibid.*

16 UNICEF, ‘COVID-19 and School Closures: One Year of Education Disruption’, Division of Data Analytics, Planning and Monitoring, New York, March 2021, p. 3. See <https://data.unicef.org/resources/one-year-of-covid-19-and-school-closures/>.

17 *Ibid.*, p. 3.

18 *Ibid.*, p. 2.

19 *Ibid.*, p. 6.

20 UNESCO, ‘Education: From Disruption to Recovery’, <https://en.unesco.org/covid19/educationresponse>, accessed May 2021.

21 UNICEF, ‘COVID-19 and School Closures: One Year of Education Disruption’, Division of Data Analytics, Planning and Monitoring, New York, March 2021, p. 3.

22 Plan International, ‘Stop the Clock. Stop the Setback’, <https://planCanada.ca/stoptheclock-stopth setback>.

23 *Ibid.*

While online teaching turned out to be a widely used means of still reaching out to children for educational purposes, the sobering fact is that “[a]t least 1 in 3 schoolchildren has been unable to access remote learning while their schools were closed”.²⁴ In addition, in 2020, “in 71 countries (out of 183 with data), less than half of the population has access to the internet” and in a considerable number of African and south Asian countries more than 75% of the population has no internet access.²⁵ Therefore, alternatives such as resorting to more traditional media like TV or radio remain important too. In Bangladesh, for instance, during the pandemic the state-owned Television network Bangladesh Television (BTV) successfully:

“started broadcasting education television lessons for students for grades six to ten. The program, called “My School at My Home” broadcasts daily from 9.00 a.m. to 12.30 p.m. local time. These television lessons can also be accessed as on-demand content on the Bangladesh Television YouTube channel.”²⁶

Another impactful non-educational aspect related to school closures is the lost access to school meals that large numbers of children, and their families or caretakers, were confronted with. In many instances these meals are the main and/or most nutritious meal of the day for the children involved. Doing without that for over a year will inevitably have serious consequences for the children’s physical development and mental wellbeing. Some of these consequences might be irreparable, especially for younger children. According to research published in The Lancet:

“[w]ithout adequate action, the profound impact of the COVID-19 pandemic on early life nutrition could have intergenerational consequences for child growth and development and life-long impacts on education, chronic disease risks, and overall human capital formation.”²⁷

World-wide, an estimated 370 million children benefit from school feeding programmes, with the largest numbers in India (100 million), Brazil (48 million), China (44 million), South Africa (9 million) and Nigeria (9 million).²⁸ All of these countries also had their share of COVID-19. This issue will be further addressed in the concluding section (6) of this Note (under action point 4).

Similar to the conclusions on violence against children and (non-Corona) vaccination campaigns, in relation to education too the conclusion is that, since last year, the pandemic has resulted in yet deeper setbacks to the opportunities for children. And again, in addition to the immediately visible effects, the resulting losses of proficiency level, access to school meals and to lifetime earnings, but also the consequences of (primarily) girls ending up in early marriage will partly become obvious only in the future.

24 Ibid.

25 T. Dreessen et al., ‘Promising Practices for Equitable Remote Learning: Emerging Lessons from COVID-19 Education Responses in 127 countries’, Innocenti Research Brief 2020-10, UNICEF Office of Research Innocenti, Florence, 2020.

26 For this example and many others see the Worldbank webpage ‘How Countries are Using Edtech (Including Online Learning, Radio, Television, Texting) to Support Access to Remote Learning During the COVID-19 Pandemic’, <https://www.worldbank.org/en/topic/edutech/brief/how-countries-are-using-edtech-to-support-remote-learning-during-the-covid-19-pandemic>.

27 Derek Headey et al., ‘Impacts of COVID-19 on Childhood Malnutrition and Nutrition-related Mortality’, *The Lancet*, Vol. 396, 22 August 2020, pp. 519-521 at p. 520. See also Henrietta H Fore, Qu Dongyu, David M Beasley, and Tedros A Ghebreyesus, ‘Child Malnutrition and COVID-19: The Time to Act is Now’, *The Lancet*, Vol. 396, 22 August 2020, pp. 517-518.

28 See e.g. Artur Borkowski et al., ‘COVID-19: Missing More Than a Classroom. The Impact of School Closures on Children’s Nutrition’, Innocenti Working Paper 2021-01, UNICEF Office of Research Innocenti, Florence, January 2021, p. 12. This issue will be further addressed in the concluding section of this Note (Action point 4).

Mental health and wellbeing

Last year we expressed the expectation that the Corona pandemic would likely result in “serious mental wellbeing and/or physical development issues” due to the traumatic loss of loved ones, the increased risk of (domestic) violence against children, the stringent limitations on play, physical exercise and social interaction with peers and others beyond one’s immediate circle. Meanwhile, this is a grim reality. According to the Innocenti Research Institute, for most of 2020: “at least 1 in 7 children and young people lived under stay-at-home policies for most of 2020, leading to feelings of anxiety, depression and isolation”.²⁹

In the UK, in April 2021 the Royal College of Psychiatrists raised the alarm about this by revealing that:

“A year on from the first lockdown and after warnings from the mental health sector about the impact of the pandemic on the country’s mental health, NHS Digital data shows that while the crisis is affecting people of all ages, it is under-18s who are suffering most”.³⁰

Compared to 2019, between April and December 2020: 28% (or over 80,000) “more children and young people were referred to CYP mental health services”; treatment sessions given to children and young people went up by 20%; and the need for urgent or emergency crisis care for children and young people increased by 18%.³¹ Explicit reference was made to “the devastating effect that school closures, disrupted friendships and the uncertainty caused by the pandemic have had on the mental health of our children and young people” and to children and young people in the UK even being “at risk of lifelong mental illness” due to the pandemic.³²

Unfortunately, in many other countries too, the pandemic hit hard and the lockdowns, overall crisis atmosphere, and sheer numbers of seriously ill persons and deaths alone, are likely to cause impactful mental health issues for children. Examples of specific other countries in which the mental health impact of COVID-19 on children will also require major attention are India and Brazil.³³ However, in the end this will apply to all countries that were seriously struck by the pandemic. Marcus Henderson, a Penn School of Nursing (USA) lecturer and practicing adolescent psychiatric-mental health nurse, confirmed this when stating that the “COVID-19 pandemic is a severe traumatic experience, whether from the social isolation or from a parent or loved one getting sick or dying (...). They’re going to carry this experience with them the rest of their lives”.³⁴ The latter again points to the likelihood of deferred effects over time.

29 UNICEF, ‘Responding to COVID-19: UNICEF’s 2020 Key Achievements’, New York, April 2021, p. 4.

30 Royal College of Psychiatrists, ‘Country in the grip of a mental health crisis with children worst affected, new analysis finds’, press release, 8 April 2021, <https://www.rcpsych.ac.uk/news-and-features/latest-news/detail/2021/04/08/country-in-the-grip-of-a-mental-health-crisis-with-children-worst-affected-new-analysis-finds>.

31 Ibid.

32 Ibid.

33 On India, see e.g. Amit Sen, ‘The Pandemic Has Hit our Children Hard. How Can We Take Care of Them? Policy and Public Discourse Must Listen to Their Distress and Reconsider Priorities in Terms of their Well-being’, <https://indianexpress.com/article/opinion/columns/the-pandemic-has-hit-our-children-hard-how-can-we-take-care-of-them-7295941/>, updated version 30 April 2021. On Brazil, see e.g.: Camila Saggiore de Figueiredo et al., ‘COVID-19 Pandemic Impact on Children and Adolescents’ Mental Health: Biological, Environmental, and Social Factors’, *Progress in Neuro-Psychopharmacology & Biological Psychiatry*, published online 11 November 2020, DOI: 10.1016/j.pnpbp.2020.110171.

34 <https://penntoday.upenn.edu/news/Penn-experts-unknown-long-term-mental-health-consequences-of-COVID-on-children>. A recent report (in Dutch) of the Netherlands Youth Institute, also explains that, while youth in the Netherlands generally display a rather positive vision of the future, there are reasons to suspect long-term harmful Corona effects, especially among children in situations of vulnerability. Thijs Tuenter et al., ‘Effect van Corona op Jeugd, Gezin en Jeugdveld: Een literatuuroverzicht’ [Effect of Corona on Youth, Family and the Youth Field: A Literature Review], Nederlands Jeugdinstituut, Utrecht, 2021, pp. 49-50, 54 and 69.

Deferred effects

A new element compared to our Corona analysis presented last year is the finding that, beyond their short-term impacts, the Corona-related effects on children in the realms of violence and abuse, poverty, education disadvantages, malnutrition, or mental health problems – separately or in combination – are likely to have significant, lasting (and in some cases irreparable) and harmful consequences for children on the long term too. However, these consequences will only fully manifest themselves over time. Hence the need to consider and respond, not only to the immediately visible negative impact of the pandemic on children and their rights, but also to the deferred impact that will become clear over (a longer period of) time. This has implications for post-Corona policy-making efforts for which a child rights-based framework will be presented in the last section of this Note.

3. CHILD RIGHTS PERFORMANCE RECORD IN EUROPE

Obviously, the nearly universally ratified United Nations (UN) Convention of the Child (CRC) is a core framework for handling and, where possible still, preventing, the earlier sketched impact of the Corona pandemic on children. Among other things, the CRC translates into the obligation to realize the enabling environment for children's rights that is annually measured in 'domain 5' of the Kids Rights Index, as elaborated further on in this report.³⁵

One of the key principles underlying the CRC, and the framework in which the UN Committee on the Rights of the Child interprets the Convention, is that of a certain level of differentiated obligations. As is expressed in the gist of the main implementation provision of the Convention, article 4, the economic, political, and other relevant circumstances in which a country finds itself co-determine the capacity of its government to implement children's rights. This entails that states which are well-resourced, are not in conflict, or otherwise confronted with situations that structurally impede their ability to work on children's rights, in principle owe it to the CRC to do better, faster or more than others in terms of realizing children's rights and mobilizing their maximum resources for this purpose.³⁶

Overall, one might expect many European states, and especially western European states, to have the economic and political capacity and the expertise needed to handle the Corona crisis in such a way that children's rights would continue to be respected and realized. Rather than asking state institutions themselves about how they performed on children's rights during the period of the pandemic so far, and to obtain an independent view, in the preparation of this report we decided to contact offices of (mainly) European Children's Ombudspersons for further information. In general terms, many Ombudspersons have managed to perform important functions, for adults and children alike, in the difficult times of the pandemic. Examples include the monitoring of the child and human rights impacts of the Corona measures taken by governments, and the provision of child-friendly information about COVID-19.

We asked the selected Children's Ombudsmen (or Children's Ombudsmen-like institutions) to share with us their take on government performance on children's rights in times of Corona and to provide us

³⁵ see Domain 5 p. page 25

³⁶ For an elaborate explanation of this position, see Karin Arts, 'Twenty-Five Years of the United Nations Convention on the Rights of the Child: Achievements and Challenges', *Netherlands International Law Review* 61(3), December 2014, pp 267-303 at 277-286, DOI: 10.1017/S0165070X14001272.

with a few brief specific positive and/or negative examples in this regard. The replies that we received³⁷ provide fascinating information and an insightful glimpse into current practices. The following issues stand out from their responses.³⁸

Most of the responding Ombudsmen expressed, in one way or another that, in their view, there has been insufficient distinct priority for children in government Corona measures so far. The Ombudsman for Minors of Andaluc a referred to the child and youth population as “one of the most affected and invisible groups by the current crisis”. Interestingly, Croatia’s Ombudsperson for Children suggested that: “Child Rights Impact Assessment (...) should have been carried out as early as possible, and Child Rights Impact Evaluation should have been introduced”. The Cypriot Commissioner for Children’s Rights also regretted that “here in Cyprus, the State has not applied any method of measuring the impact of the measures on children and as such, did not proceed in adopting any counter-measures to address this impact”. The Children and Young People’s Commissioner Scotland too indicated that the pandemic “has demonstrated the need for a structured process, where Child Rights Impact Assessments (CRIA) are conducted as a matter of course”. Nevertheless, also the Scottish government responses “often overlooked children’s rights” and “several decisions affecting children were taken (...) without a published CRIA, including school closures and restrictions on family contact and play”. However, Scotland does have an increasingly interesting record in relation to conducting CRIAs. This will be presented briefly in the last section of this Note. Finally, Croatia’s Ombudsperson issued a general call for the involvement of “more mental health experts (...) in designing emergency measures”.

The topics of education, mental health, poverty, deepening of pre-existing inequalities among children, and (domestic) violence were addressed across almost all responses submitted by the various Ombudsmen. On the latter subject, the Ombudsman for Children in Poland explained that:

the “Ministry of Justice prepared changes to the law that introduced a new quick reaction procedure for perpetrators of domestic violence. It provides the possibility of a quick isolation of a person affected by violence from the perpetrator of violence, in situations when it poses a threat to the life or health of the household members. The police (and the Military Police) have a new means of responding to domestic violence (and the threat it causes), which is an order to immediately leave the shared flat and its immediate surroundings or a ban on approaching the flat and its immediate surroundings”.

Some Ombudsmen reported that governments acted swiftly in response to certain aspects of the pandemic. Various examples were presented by the Albanian People’s Advocate and Commissioner for Children’s Rights, especially relating to education. These include the declaration of holidays, in mid-March 2020 already, for parents working in the public sector confronted with school closures, and the issuance of a guide for home education.³⁹ Croatia’s Ombudsperson for Children commended “the speed with which the state organized distance learning through national television”. And the Children and Young People’s Commissioner Scotland reported that:

37 We approached 23 Children’s Ombudsmen (or Ombudsmen-like institutions) and, at short notice, received 16 substantive responses respectively from the following countries or regions: Albania, Andaluc a; Belgium (communications on education policies only); Croatia; Cyprus; Estonia; Georgia; Greece; Poland; Scotland; Slovenia; Sweden; Ukraine; Wales; Norway; New Zealand (the only non-European response). The office of the Norwegian Ombudsperson for Children informed us of their inability to respond to our request.

38 The Children’s Ombudsmen sent their responses by email. These emails, and most of the underlying documents to which reference is made, are on file with KidsRights and the author of this Note. Fully referencing their responses, beyond revealing which Ombudsmen drew attention to a particular issue, is complex and has not much added value. Thus, where the subsequent main text of this Note refers to Ombudsmen’s positions without references, the source for the material is the specific email received.

39 Jonida Hoxha, ‘Monitoring Report on Child Rights Violations During COVID-19’, Save the Children, Avokati I Popullit, and Swedish International Development Cooperation Agency, Tirana, 2020, pp. 6-7, 11-12. Copy on file with KidsRights and author.

“the Scottish Government adopted several poverty alleviation measures quickly in response to the pandemic (...). Initiatives included the winter support fund for families and children (...) and the provision of free school meals or alternatives during school holidays to address the loss of school meals and the longstanding issue of food insecurity.”

In other cases, the Ombudsmen’s communications reveal that governments were perhaps acting too quickly, at a time when they could not yet fully oversee the consequences of their measures. For example, the Representative of the Commissioner for the Observance of the Rights of the Child and the Family of Ukraine explained that:

“Thus, due to the introduction of quarantine in the country in March 2020, almost 42 thousand children from boarding schools returned to their parents, most of whom were in difficult life circumstances. Such families needed quality social support and targeted financial support.

However, due to poor coordination in the work of the relevant central executive bodies, the education department and educational institutions did not inform the guardianship authorities and the children’s service about the return of these children to their parents’ place of residence.”

No doubt this caused problems for the both the children involved and their parents.

One of the reasons for acting slowly, or in some cases not acting at all, were the quick, and often unexpected changes in the Corona crisis situations that occurred since the outbreak of the pandemic in late 2019. At times this made it difficult to foresee what needed to be done. The lack of specific information on what the pandemic meant, and means, for children also plays a part. According to the Children and Young People’s Commissioner Scotland, “the pandemic has revealed significant and concerning data gaps, making it challenging to assess the impact of the pandemic and State responses on children”. In turn, the Children’s Commissioner for Wales shared references to an interesting series of reports “reflecting on children’s experiences of the pandemic” that were issued to close this data gap for Wales at least somewhat.⁴⁰

Another issue that came up across nearly all the Ombudsmen’s communications that we received is the importance of paying quality attention to the needs and rights of children in situations of vulnerability. Structural inequalities, for example in the ability to afford electronic devices or internet access,⁴¹ or between children in urban and rural areas, often stood (and still stand) in the way of the adequate provision, protection and participation of children in times of COVID. This extends among others to minority children. For instance, in Albania only 19% of Roma children could attend online classes throughout the period with COVID restrictions. In Croatia and Georgia too, Roma children were seriously disadvantaged. Another large group of children that everywhere requires special attention and support are children with disabilities. In Albania, only less than 25% of the children with disabilities could attend online classes.⁴² The Ombudsperson for Children in Croatia reported that children with disabilities were left without services and support, “but also without friends”. To the contrary, according to the Cypriot Commissioner for Children’s Rights, in Cyprus children with disabilities “were given the priority to return

40 <https://www.childcomwales.org.uk/coronavirus-our-work/>. The majority of this work is based on two large scale surveys of children and young people in Wales which provide insight into what they see as the priorities for Government in responding to the pandemic.

41 As one example of a positive government measure taken in this regard, the Cypriot Commissioner for Children’s Rights reported that children without access to online education “were provided with a tablet and internet connection” to enable them to participate. Similar initiatives were reported by the Ombudsman for Children in Poland.

42 Jonida Hoxha, ‘Monitoring Report on Child Rights Violations During COVID-19’, Save the Children, Avokati I Popullit, and Swedish International Development Cooperation Agency, Tirana, 2020, p. 12. Copy on file with KidsRights and author.

first back to their classes” relatively early in the process. Asylum-seeking or refugee children, and children on the move were also reported as especially vulnerable, for instance in Cyprus and Greece.

Most of the Ombudsmen’s communications that we received also underline that there has been a gross lack of child participation in the processes of adopting government Corona measures. According to Croatia’s Ombudsperson for Children: “children were not involved in discussions related to decisions affecting their lives, such as the organization of learning, state graduation exam, the purposefulness of certain epidemiological measures”. The Cypriot Commissioner for Children’s Rights shared that “the State in taking decisions on restrictive measures, did not provide the opportunity to children to express their views”. The Greek Deputy Ombudswoman for Children’s Rights painted a similar picture.

However, in Estonia, according to the Children and Youth Rights Department of the Office of the Chancellor of Justice, while children could have been consulted more, “this year the final exams of elementary and secondary schools were made voluntary and graduating does not depend on taking the exams, thus taking into account the proposals of young people themselves”. And, in some countries, Ombudsmen institutions tried to partially fill the participation gap. The Greek Deputy Ombudswoman for Children’s Rights described the activities of the Ombudsman’s youth council which:

“is not a government initiative but is considered a promising practice that allows children’s views to be heard and included in official recommendations. Children discussed via zoom and in person (depending on the period and the measures applied) a large number of issues relating to their participation, their experience of this period and proposals that will be submitted to the competent authorities, in order to raise awareness on children’s rights and avoid similar violations in the future but also to address children’s needs that emerged because of the pandemic crisis”.

Various specific other children’s rights came up only in some of the Ombudsmen’s communications. However, these still concern important matters. For example, serious limitations to realizing the right to play, perform sports or cultural and artistic activities was mentioned in any case by the Ombudsmen of Andalucía, Albania, Estonia, and Greece. Also, attention was drawn to the harmful effects of Corona-related delays in court proceedings, including in family affairs and domestic violence cases, in Cyprus and Croatia.

The above section clearly shows that ‘even’ many European states had great difficulties in looking after children’s rights during the pandemic. Expectations of above-average performance (if any at all), certainly did not come through, even for the richer among the European states.

4. IMPACT COVID-19 ON THE UN COMMITTEE ON THE RIGHTS OF THE CHILD

Obviously, the work of the UN Committee on the Rights of the Child, the main global monitoring body focusing on children’s rights, was also heavily affected by COVID-19. Nevertheless, quite early on in the pandemic, in March 2020, the CRC Committee teamed up with the nine other UN treaty bodies in issuing a joint call urging states and global leaders to ensure respect for human rights in government responses to the public health threats posed by COVID-19. At that time already, the joint UN treaty bodies called upon states to “continue access to education, particularly for children and adolescents”.⁴³

43 ‘UN Human Rights Treaty Bodies call for human rights approach in fighting COVID-19’, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25742&LangID=E>, 24 March 2020.

In April 2020, the Committee played a useful further role by following up on this generic joint declaration by issuing a more specific warning about “the grave physical, emotional and psychological effect of the COVID-19 pandemic on children” and by formulating 11 concrete action points for states.⁴⁴ Together, these action points form a comprehensive and broadly applicable framework for shaping (and assessing) child rights-based Corona responses and policies. This framework will be further explained and applied in the next section of this Note, by way of special guidance and direction for current and future policy efforts.

According to the newly elected Chairperson of the CRC Committee, Mikiko Otani from Japan, the suspension of in-person Committee meetings imposed by COVID-19 “resulted in the loss of more than 200 meeting hours”,⁴⁵ which makes 25 8-hour working days. This is quite a lot in view of the limited annual meeting time available to the Committee. After the early March 2020 round of the state reporting procedure or ‘constructive dialogues’ considering the state of children’s rights in the Cook Islands, Micronesia and Tuvalu,⁴⁶ the next state party review meetings were postponed and their resumption took a long time. According to a spokesperson of Child Rights Connect, in January 2021 the “Committee was one of only two treaty bodies that had not yet decided to undertake online State reviews” and “[c]ivil society was increasingly worried about this accountability gap”.⁴⁷ Ultimately, only very recently, the Committee restarted the ‘constuctive dialogues’ with states parties. Recently (May 2021), it conducted the first two ever online constructive dialogues, “on a pilot exceptional basis”, with Luxembourg and Tunisia.⁴⁸ This was overdue, for example because of the fact that in January 2021 in total 73 state reports are still awaiting consideration by the Committee. Catching up with this backlog (which existed before the pandemic already and only grew since) will be major challenge, but highly necessary to increase the impact of the CRC state reporting procedure.

On other accounts the CRC Committee managed to keep up various of its core tasks online. All pre-sessional working groups took place online as of June 2020. In the autumn 2020 session, the Committee decided no less than 17 individual complaints, and 8 more followed in the session held in January-February 2021. The work on General Comment 25, on “children’s rights in relation to the digital environment” continued as well and culminated in the publication of the final version in March 2021.⁴⁹ Obviously, the increased reliance on digital means and technologies for all kinds of Corona-related purposes relevant to children, including education, throughout the pandemic, only underlined the importance of this topic.

44 https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/1_Global/INT_CRC_STA_9095_E.docx , 8 April 2020.

45 ‘Committee on the Rights of the Child Opens Online Eighty-Seventh Session, Elects New Chairperson and Bureau’, 17 May 2021, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27099&LangID=E>

46 Unless otherwise indicated, all information provided here on work done in 2020–2021 sessions of the CRC Committee was gathered through https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/SessionsList.aspx?Treaty=CRC and the CRC Committee’s homepage <https://www.ohchr.org/en/hrbodies/crc/pages/crcindex.aspx>.

47 ‘Committee on the Rights of the Child Opens Online Eighty-Seventh Session, Elects New Chairperson and Bureau’, 17 May 2021, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27099&LangID=E>

48 <https://www.ohchr.org/en/hrbodies/crc/pages/crcindex.aspx>.

49 Committee on the Rights of the Child, ‘General Comment No. 25 (2021) on Children’s Rights in Relation to the Digital Environment, UN doc. CRC/C/GC/25, 2 March 2021.

5. A FRAMEWORK FOR CHILD RIGHTS-BASED CORONA AND POST-CORONA POLICIES

At the end of the Corona section in last year's KidsRights Index report we called on governments to ensure that their Corona measures and policies reflected children's rights, including the best interests of the child principle, and the obligation to "do their utmost to (continue to) mobilize their maximum available resources to curb the effects of the pandemic on children and, as soon as possible, to revert back to a comprehensive structural children's rights policy".⁵⁰ The evidence presented in this Note on both the actual and likely deferred negative impact of the pandemic on children and their rights only underlines the continued urgency of this call, one year later still.

And there is no time to waste. Indeed, more than a year has already passed since the start of the pandemic, and that is a long time in the life of a child. So, it is high time for governments to respond where still needed, to learn from and act upon both mistakes and good practice examples, and to try and redress the (anticipated, actual and deferred) negative child rights impacts of the pandemic. As mentioned earlier, in its April 2020 call on states to respect the rights of the child in government measures in response to COVID-19, the UN Committee on the Rights of the Child laid out a set of 11 action points⁵¹ which together form a splendid initial framework through which governments could respond to the Committee's call.

50 KidsRights Index Report 2020, <https://files.kidsrights.org/wp-content/uploads/sites/6/2020/05/25092547/200519-The-KidsRights-Index-report-2020.pdf>, p. 8.

51 https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/1_Global/INT_CRC_STA_9095_E.docx.

11 CHILD RIGHTS-BASED ACTION POINTS FOR CORONA AND POST-CORONA MEASURES BY GOVERNMENTS, ISSUED BY THE UN COMMITTEE ON THE RIGHTS OF THE CHILD ON 8 APRIL 2020⁵²

1. Consider the health, social, educational, economic and recreational impacts of the pandemic on the rights of the child.
2. Explore alternative and creative solutions for children to enjoy their rights to rest, leisure, recreation and cultural and artistic activities.
3. Ensure that online learning does not exacerbate existing inequalities or replace student-teacher interaction.
4. Activate immediate measures to ensure that children are fed nutritious food.
5. Maintain the provision of basic services for children including healthcare, water, sanitation and birth registration.
6. Define core child protection services as essential and ensure that they remain functioning and available, including home visits when necessary, and provide professional mental health services for children living in lockdown.
7. Protect children whose vulnerability is further increased by the exceptional circumstances caused by the pandemic.
8. Release children in all forms of detention, whenever possible, and provide children who cannot be released with the means to maintain regular contact with their families.
9. Prevent the arrest or detention of children for violating State guidance and directives relating to COVID-19, and ensure that any child who was arrested or detained is immediately returned to his or her family.
10. Disseminate accurate information about COVID-19 and how to prevent infection in languages and formats that are child-friendly and accessible to all children.
11. Provide opportunities for children's views to be heard and taken into account in decision-making processes on the pandemic.

⁵² https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/1_Global/INT_CRC_STA_9095_E.docx. All text presented in the text box on this page represents the fully cited opening wording of the CRC Committee's action points.

In line with the philosophy of the Convention on the Rights of the Child at large,⁵³ the Committee's action points are sufficiently general to guarantee relevance across continents, cultures, political systems, and economies, but also provide space for necessary local particularities. Generic and simple as they are, at the same time the Committee's action points are focused enough to bring about a qualitative shift towards more child rights-based interventions. This will be further illustrated below, by presenting a few examples of both 'good' and 'not so good' practice examples relating to selected action points.⁵⁴

Action point 1: Consider the impacts of Corona on the rights of the child

The first action point, pushing the need for governments to consider "the health, social, educational, economic and recreational impacts of the pandemic on the rights of the child"⁵⁵ almost reads as too simplistic to have added value. However, all too often still the opposite is true. Action and reflection on this point is still hugely lacking in relevant government practices all over the world. For example, in December 2020 Dutch Health Minister Hugo de Jonge explained on Dutch public television that one of the reasons for deciding to close the schools in the Netherlands, was to ensure that their parents would reduce their mobility, and stay and work from home as well. Another consideration was the risk of spreading the virus if parents take their children to school.⁵⁶ A large coalition of civil society organizations working for and with children (including Jantje Beton, KidsRights, the Dutch UNICEF Committee, Augeo Foundation) challenged this approach and published a statement urging government:

"not only to start from the virus risk, but also to explicitly include the risks that threaten the development of children and young people in their considerations. We also ask the cabinet to immediately look for alternatives to school closures. Support education by looking broadly and creatively for alternatives. Involve children and young people in this, as do organizations for sports and games. In addition, improve safety at school and make agreements about keeping your distance".⁵⁷

A few months later, when primary schools had reopened, the Dutch children's rights coalition further criticized the government policy on secondary schools. It drew attention to the fact that, after 18 weeks of partial secondary school closures in the Netherlands, the Dutch government in the Netherlands still did not even refer to the full resumption of secondary education in the formal 'Opening Plan' that was place in the spring of 2021. The Dutch children's rights coalition qualified this situation as "alarming".⁵⁸ In the end, secondary schools in the Netherlands are allowed to fully open up again only as of 31 May 2021. They are obliged to do so as of 7 June.

53 See e.g. Karin Arts, 'Twenty-Five Years of the United Nations Convention on the Rights of the Child: Achievements and Challenges', *Netherlands International Law Review* 61(3), December 2014, pp 267-303 at 277-286, DOI: 10.1017/S0165070X14001272.

54 While all action points are important in their own right, and many are interdependent, in view of the scope of this Note, it was not possible to systematically elaborate on all action points. The selection made is random and does not express a prioritization of the issues involved over those connected to action points that are not further addressed here.

55 https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/1_Global/INT_CRC_STA_9095_E.docx.

56 None of these arguments reason from the perspective of children, their best interests, let alone rights at large. See ANP, 'De Jonge: Scholen Ook Dicht om Ouders Thuis te Laten Werken', <https://www.volkskrant.nl/nieuws-achtergrond/live-de-jonge-scholen-ook-dicht-om-ouders-thuis-te-laten-werken-ook-in-rotterdam-protest-tegen-maatregelen-rutte-b39d39ee/?referrer=https%3A%2F%2Fwww.google.com%2F>, 14 December 2020; and NOS, <https://nos.nl/artikel/2360689-de-jonge-scholen-ook-dicht-om-ouders-thuis-te-laten-werken>, 14 December 2020.

57 'Look for Alternatives to School Closure Now', <https://www.unicef.nl/files/Statement%20Scholensluiting.pdf>, 14 January 2021.

58 <https://www.unicef.nl/pers/2021-04-20-unicef-ontbreken-van-scholen-in-openingsplan-is-alarmerend>, 20 April 2021.

In other parts of the world too, as reported earlier on in this Note, school closures prevailed. According to a report published by the Innocenti Research Institute, in March 2021 still, in Latin America and the Caribbean “the majority of classrooms remain closed with no immediate prospect of reopening”.⁵⁹ It is quite clear that these examples are not in line with the CRC’s Committee’s first action point and that the governments involved did not display much attention and priority for the child right to education. In its further elaboration of the first action point, the Committee on the Rights of the Child explicitly explained that, while Corona restrictions may need to remain in place for longer periods of time, they “must be imposed only when necessary, be proportionate and kept to an absolute minimum (...) and reflect the principle of the best interests of the child”. Alternatives did exist. As reported by the Ombudsman for Children in Sweden for instance, in that country there were no national lockdowns for elementary schools or preschools. Children in high school (from the age of 15-16), and upper elementary school (from 13 years of age) received online distance education. And, according to the Swedish Ombudsman: the “schools have been open for those students who have special needs or whom due to other circumstances have not been able to study from home”.⁶⁰ According to a policy advisor of the Flemish Children’s Rights Commissioner,⁶¹ after full school closures in the first Corona wave, in (parts of) Belgium the policy gradually changed to one of keeping schools open, subject to a strict testing policy. This principle of keeping schools open did not prevent that individual students, entire classes or full schools would need to stay at home due to the need to practice COVID-related self-isolation. But that would normally be for a limited period of time only. For making the necessary decisions involved, a “decision tree” was drawn up, which was regularly updated.⁶² In this period, the four highest years of secondary education could only open maximally half-time. The policy advisor of the Flemish Children’s Rights Commissioner emphasized that keeping the schools open during the pandemic took a lot of work, was not simple and required a lot of extra time and energy at all policy levels. A key factor in this seems to have that government communication to schools seems to have been “good and clear”. However, the “website of the Ministry of Education also has pages in which they address the parents. But many parents depend on their children’s school for information and sometimes things go wrong there. We notice this in the complaints we receive”.

More generally, governments probably perform best on the first action point of the CRC Committee if they perform Child Rights Impact Assessments (CRIAs) for all Corona policy interventions that might have a bearing on children. As referred to earlier,⁶³ the Children and Young People’s Commissioner Scotland drew our attention to Scotland’s interesting record, and progress, in this regard:

*“for the first draft of emergency measures in March and April 2020, the Scottish Government were challenged on their lack of CRIAs. Emergency legislation and rapid policy changes have increased the Scottish Government’s focus on the need for effective CRIA to better understand the impact of decisions on children’s rights. The UNCRC Incorporation Bill was recently passed by the Scottish Parliament. One of the provisions of the Act will require the preparation and publication by the Scottish Government of a CRIA for legislation and policy decisions that relate to the rights of children and young people”.*⁶⁴

59 Kim Caarls et al., ‘Lifting Barriers to Education During and After COVID-19: Improving Outcomes for Migrant and Refugee Children in Latin America and the Caribbean’, UNICEF Office of Research Innocenti, Florence, March 2021, p. 5.

60 For source, see footnote 36.

61 The ‘Kinderrechtencommissariaat’ in Brussels. Correspondence on file with KidsRights and the author of this Note.

62 For a January 2021 example, see https://www.vwvj.be/sites/default/files/infectieziekten/infectieziekten_-_info_en_brieven/beslisboom_covid-19_leerlingen_lo_so_20210123.pdf. See also Anouk van Kempen, ‘In Belgium Politicians are Firmly Against the Closure of Schools’, NRC Handelsblad, <https://www.nrc.nl/nieuws/2021/01/28/in-belgie-kiezen-politici-ferm-tegen-sluiting-van-scholen-a4029597>, 28 January 2021.

63 See above, in the section ‘Child Rights Performance Record in Europe’. This information is based on email correspondence on file with KidsRights and the author of this Note.

64 Ibid. This Bill was adopted in March 2021 and will take effect 6 months after royal assent. For its precise content, see <https://www.parliament.scot/-/media/files/legislation/bills/current-bills/united-nations-convention-on-the-rights-of-the-child-incorporation-scotland-bill/stage-3/bill-as-passed.pdf>.

The Scottish UNCRC Incorporation Bill explicitly states that “[i]t is unlawful for a public authority to act in a way which is incompatible with the UNCRC requirements”. Interestingly, this extends to failing to act as well.⁶⁵ In making the mandatory Children’s Rights Scheme to ensure compliance with this provision, the Scottish Ministers must prepare and publish “child rights and wellbeing impact assessments”.⁶⁶ In addition and among other things, they must have regard to:

*“reports, suggestions, general recommendations or other documents issued by the United Nations Committee on the Rights of the Child relating to the implementation of the Convention, the first optional protocol or the second optional protocol by the United Kingdom that the Scottish Ministers consider to be relevant”.*⁶⁷

They must also consult children on the proposal.⁶⁸ Parts 4 and 5 of the Scottish Bill further specify details on the CRC compatibility requirements for Scottish legislation, criminal and other proceedings. This is a very interesting and potential highly impactful way of going about child rights impact assessments and more broadly domesticating the CRC. On the latter, Scotland “is to become the first devolved nation in the world to directly incorporate the United Nations Convention on the Rights of the Child (UNCRC) into domestic law”.⁶⁹ On both accounts, this is an example that deserves to be followed.

After this lengthy discussion of what, due to its comprehensive nature, might be the very most important action point for Corona and post-Corona measures and policy-making issued by the CRC Committee, three other more specific action points will still be discussed briefly here.

Action point 4: Ensure nutritious food for children

Earlier on we already drew attention to the fact that school closures also disrupted school meal services which for many disadvantaged children implies the loss of their most important and nutritious meal of the day. We explained that in total some 370 million children depend on these services. In March 2021, in Latin America and the Caribbean alone, 80 million children were still reported to be without daily school meals.⁷⁰

Contrary to what many people might think, the importance of ensuring the continuity of school meal services is not only an issue in low or middle-income countries. In high-income countries too, this requires attention and action, in ‘normal’ times but certainly in times of a pandemic. The debates in the UK on this matter, usefully supported by the campaign pursued by Manchester United football player Marcus Rashford, resulted in the UK government keeping up and extending free school meal services for ‘disadvantaged’ children, even when schools were closed due to lockdowns or holidays. According to the UK government, its ‘COVID Winter Support grant’ (announced November 2020) was meant to “give disadvantaged families peace of mind and help those who need it to have food on the table and other essentials so every child will be warm and well-fed this winter”.⁷¹

65 *Ibid.* art. 6(1) and (2).

66 *Ibid.*, art. 11(3)(e). The child rights and wellbeing impact assessment is further elaborated in article 14.

67 *Ibid.* art. 12(2)(a2).

68 *Ibid.* art. 13(3)(a).

69 Scottish Government, ‘Landmark for Children’s Rights’, [https://www.gov.scot/news/landmark-for-childrens-rights/#:-:text=Scotland%20is%20to%20become%20the,\(UNCRC\)%20into%20domestic%20law.&text=The%20Bill%20will%20commence%20six,transform%20children’s%20lives%20in%20Scotland.,](https://www.gov.scot/news/landmark-for-childrens-rights/#:-:text=Scotland%20is%20to%20become%20the,(UNCRC)%20into%20domestic%20law.&text=The%20Bill%20will%20commence%20six,transform%20children’s%20lives%20in%20Scotland.,) 16 March 2021.

70 *Ibid.*, p. 7.

71 See ‘Closed Petition: End Child Food Poverty – No Child Should Be Going Hungry’, <https://petition.parliament.uk/petitions/554276>.

Action point 10: disseminate accurate and child-friendly information about COVID-19

In times of paramount health risks and misinformation circulating widely in many societies, accurate and child-friendly information about COVID-19 is crucial for children. Overall, the communications that we received from European Ombudsmen and other sources that we consulted suggest that most governments seriously lag behind on this matter. Some of the material that we gathered about the work of some of these Ombudsmen brings up interesting attempts on their part though. For instance, the Children and Young People's Commissioner Scotland and the Children's Parliament published a child-friendly report on the outcomes of an independent child rights impact assessment of the Corona policies of the Scottish government.⁷² The Netherlands Office of the Ombudsman for Children has an accessible, easy-to-read section on Corona in its website, targeting children directly.⁷³ The Inter-Agency Standing Committee Reference Group on Mental Health and Psychosocial Support in Emergency Settings, composed of more than 50 humanitarian organizations (such as the World Health Organization, the UN, the United Nations High Commissioner for Refugees, the International Federation of Red Cross and Red Crescent Societies, and the NGO Save the Children), published a story book for children from 6 to 11 years old, called *My Hero is You, How Kids Can Fight COVID-19!* In a playful and creative way, "the book explains how children can protect themselves, their families and friends from [the] coronavirus and how to manage difficult emotions when confronted with a new and rapidly changing reality". To reach as many children as possible, many different language versions were published already (up to an impressive total of at least 141 editions in May 2021) or are still in the making. The story book was also published in braille, as an online product, and an audio book.⁷⁴ These are important ways of ensuring the accessibility of child-friendly Corona information (e.g. in terms of languages, formats and age-appropriateness), so that also children with disabilities, children with a migration background, or children without access to the internet can benefit.

While not covered by the tenth CRC Committee's action point, in addition to providing information to children, obviously it is also necessary to reach out to parents, caretakers and professionals working with children with plain and practical information about COVID-19 and children. The latter happens more commonly already. An example is the issuance of various awareness leaflets and a guide to support child protection practitioners to better respond to the child protection risks during the pandemic by Saudi Arabia's (governmental) Family Affairs Council represented by the Childhood Committee, in partnership with UNICEF.⁷⁵

Action point 11: facilitate children in expressing their views and taking these into account in decision-making on Corona responses

According to the UN Committee on the Rights of the Child, this action point entails that children "should understand what is happening and feel that they are taking part in the decisions that are being made in response to the pandemic".⁷⁶ In relation to this point it is interesting to note that the Corona pandemic also seems to have generated a relatively new phenomenon all around in terms of informing and consulting children at the same time: that is, the organization of children's press conferences in which senior government representatives explained the consequences of the pandemic and government

72 Children and Young People's Commissioner Scotland and Children's Parliament, 'Independent Children's Rights Impact Assessment - For Children', no specific place of publication, July 2020, <https://cypcs.org.uk/resources/childrens-version-independent-childrens-rights-impact-assessment-on-the-response-to-covid-19-in-scotland/>.

73 <https://www.dekinderombudsman.nl/ik-heb-een-vraag-over/corona>.

74 News release of the Inter-Agency Standing Committee, 'Children's story book released to help children and young people cope with COVID-19', 9 April 2020, <https://www.who.int/news/item/09-04-2020-children-s-story-book-released-to-help-children-and-young-people-cope-with-covid-19>. Download of the story book available at <https://interagencystandingcommittee.org/iasc-reference-group-mental-health-and-psychosocial-support-emergency-settings/my-hero-you-storybook-children-covid-19>.

75 https://fac.gov.sa/web/upload_dir/content/1609840285.pdf, English version on file with KidsRights and the author of this Note.

76 https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/1_Global/INT_CRC_STA_9095_E.docx.

policies directly to children and/or youth, usually based on questions posed or statements made by the young participants involved. For example, according to information received by email from Estonia's Children's and Youth Rights Department of the Office of the Chancellor of Justice, such press conferences have taken place "regularly" in Estonia since this year (2021) after a new government took up office. New Zealand's Prime Minister Jacinda Ardern, Norwegian Prime Minister Erna Solberg (supported by the Ministers of Children and Families, and of Education and Integration), Finnish Prime Minister Sanna Marin (supported by Ministers of Education and of Science and Culture), Minister Mark Rutte of the Netherlands (supported by the Minister of Health) also used children's press conferences for reaching out to children with Corona information.⁷⁷ Under the influence of this type of new practice, combined with the recent pressure for child and youth participation in climate change affairs,⁷⁸ the case for child and youth participation strengthens. In the Netherlands, this recently resulted in the first-ever consultation of youth by the 'informateur' in charge of exploring the agenda and possible coalitions for a to-be-formed new government. Post-Corona policies were a major item discussed during this meeting.⁷⁹

However, most governments do not have a strong record in terms of providing opportunities for children's views to be heard and considered in decision-making processes, both general and specifically relating to the pandemic. This was for example confirmed in various communications that we received from European Ombudsmen offices, including those relating to Croatia, Greece, and Estonia. Positive exceptions include the Scottish UNCRC Incorporation Bill which, as presented earlier in this section, prescribes government consultation of children in certain legislative and other procedures. The Dutch Ombudsman for Children incorporated children's views on their life during the Corona pandemic in the 2020 version of her regular report *If you Ask Us*. Next to information on the negative impact of the pandemic on children's lives in the Netherlands, she also managed to capture the positive impacts experienced by children. These included having more time to play, positive online contact with friends, adequate parental support for doing school homework, and receiving more attention from parents altogether.⁸⁰ New Zealand's Office of the Children's Commissioner drew our attention to a March 2021 report taking stock of children's rights in the government's COVID responses, in the eyes of children. Similar to the previous Dutch example, here too, mainly negatives but also a few positives were found. The latter included children enjoying having more time with their parents, loved ones or caretakers, and developing stronger relationships with siblings.⁸¹

77 'Jacinda Ardern Holds Special Coronavirus Press Conference for Children', *The Guardian*, 19 March 2020, <https://www.theguardian.com/world/2020/mar/19/jacinda-ardern-holds-special-coronavirus-press-conference-for-children>; 'Norway's PM Holds Coronavirus Press Conference For Kids', 19 March 2020; <https://www.regjeringen.no/en/aktuelt/statsministeren-holder-pressekonferanse-for-barn/id2693657/>; Peter Marten, 'Kids Ask the Finnish Government Questions in Corona Info session', April 2020, <https://finland.fi/life-society/kids-ask-the-finnish-government-questions-in-corona-info-session/>; 'Rutte en De Jonge Staan Kinderen te Woord op Kinderpersconferentie', 16 February 2021, <https://nos.nl/artikel/2368964-rutte-en-de-jonge-staan-kinderen-te-woord-op-kinderpersconferentie>.

78 Káta Dozsa, 'Environmental Citizenship Practices of Children: Pathways of Public Participation in Global Climate Change Governance'. PhD thesis defended at the University of Antwerp (Faculty of Law), 1 April 2021.

79 <https://nos.nl/collectie/13861/artikel/2381530-jongeren-willen-ook-bij-vervolg-formatie-meepraten>, 20 May 2021.

80 Alexandra de Jong and Marit Hopman, 'Als Je Het Ons Vraagt: Thuis in 2020', *De Kinderombudsman*, 20 november 2020, rapportnummer: KOM009/2020, pp. 21-22.

81 The Children's Convention Monitoring Group, 'Getting it Right: Children's Rights in the COVID-19 Response', March 2021, <https://www.occ.org.nz/assets/Uploads/CMG-2021-Pages.pdf>, p. 21.

6. SYNTHESIS AND CONCLUDING REMARKS

This Note broadly took stock of where governments are at now in terms of addressing the current and future child rights implications of the COVID 19-pandemic. Compared to last year, two main new perspectives emerged. First, is the idea that the impact of Corona on children has moved from anticipated to actual effects and is yet to be followed by deferred (or longer-term) effects. This idea was underpinned by a situation sketch on four selected topics: violence against children, vaccination campaigns (non-Corona) for children, education (and the related issue of school meals), and mental health and wellbeing. The second new perspective compared to last year's report is an emphasis on a child rights-based framework for Corona and post-Corona policy-making and implementation.

Overall, and in line with the differentiated child rights obligations formulated in the Convention on the Rights of the Child, one might expect many European states, and especially western European states, to have the capacity to handle the child rights effects of the pandemic well. This expectation prompted us to take a closer look into their child rights performance record, based on communications on the matter that we received from various Children's Ombudsmen offices from across Europe.

The results were sobering. Most of the responding Ombudsmen indicated that, in their view, the European governments involved showed insufficient priority for children and their rights in their Corona policies and response measures. Child Rights Impact Assessments were virtually lacking, and major concerns were expressed about the consequences of the pandemic on education, mental health, poverty, inequalities between, and violence against, children. The precarious position of children in situations of vulnerability, including minority children (such as Roma), children with disabilities or children on the move, was highlighted across most Ombudsmen's responses. Child participation efforts in relation to the adoption and implementation of Corona response measures were scarce, although minor positive concrete exceptions were presented for Estonia and Greece. In various European countries, the rights to play, perform sports and cultural or artistic activities was seriously affected by the pandemic as well.

After a short sketch of the bearing of COVID-19 on the work of the UN Committee on the Rights of the Child, we then explored (in section 5 of this Note) the Committee's 11 action point framework for child rights-based Corona and post-Corona policy-making and implementation, issued in April 2020. We see this as a fitting framework for addressing both the actual and deferred impacts of the pandemic. The first action point merely demands governments to consider the impacts of Corona on the rights of the child. This looks almost as too simplistic to be helpful. However, concrete examples presented (e.g. on school closure policy in the Netherlands and elsewhere) showed that all too often still the opposite is true. The practices of keeping schools open in Sweden and Belgium prove that alternatives were certainly available.

The performance of Child Rights Impact Assessment (CRIA) emerged as a major tool to ensure child rights compatible government measures, legislation and policies. Scotland recently introduced a commendable legislative framework for making CRIA happen.

A further action point (number 4) on ensuring nutritious food for children was explored on the basis of an example relating to school meals in the UK, to press the point that also in high-income countries many children depend on the daily school meal services that were at risk of interruption due to school closures.

The provision of child-friendly information on COVID-19, the subject of action point 10, is an area in which a lot of work remains to be done by governments. To provide some direction on what this could entail, a few examples of child-friendly reports commissioned by Children's Ombudsmen were presented, as well as an interesting project of a children's story book on Corona, that in May 2021 had appeared in more than 140 different languages.

Finally, some child participation practices (i.e. the subject of action point 11) were reviewed, including the children's Corona press conferences organized in some countries, and good practice examples of Ombudsmen reports that were largely based on inputs made by children themselves.

Ultimately, this Note clarifies that the actual and deferred impact of the pandemic is substantial and requires forceful, child rights-based policy responses. The CRC Committee's 11 action point framework provides a comprehensive and practical way for following up. In light of the magnitude of the child rights challenges involved, it is clear though that shaping and implementing the above-outlined Corona and post-Corona policy efforts will require a major effort including the mobilization of substantial financial resources, expertise and human resources. Essentially, it is crucial that the 'enabling environment for children's rights', assessed in domain 5 of the KidsRights Index, is firmly in place and flourishes.

1. GENERAL INTRODUCTION TO THE KIDSRIGHTS INDEX

1.1 WHAT IS THE KIDSRIGHTS INDEX?

Based on the nearly universally ratified United Nations Convention on the Rights of the Child (CRC)⁸², the KidsRights Index⁸³ annually synthesizes the performance records of States Parties⁸⁴ on the most crucial aspects of children's lives for which global and comparable data is available. In its Domain 5, the Index charts in particular how States Parties are faring in creating the enabling environment for facilitating the realisation of children's rights that is required by the Convention. Thus, the Index provides a general overview of country performance on children's rights. It also creates a basis for making concrete evidence-based recommendations on how governments might improve on various aspects of children's rights.

1.2 THE METHODOLOGY OF THE KIDSRIGHTS INDEX (DOMAINS AND INDICATORS)

The KidsRights Index covers five domains with a total of 20 indicators. Based on the UN Convention on the Rights of the Child (CRC), the Index synthesizes the performance records of states on the most crucial aspects of children's lives for which comparable data is available. In addition, the Index charts how states are faring in mobilizing the enabling environment for children's rights that the CRC requires them to have. The five domains that jointly make up the Index are:

- 1. Right to Life**
- 2. Right to Health**
- 3. Right to Education**
- 4. Right to Protection**
- 5. Enabling Environment for Child Rights**

In total twenty indicators together cover the above-mentioned five domains. Thirteen indicators are quantitative and seven are qualitative. The data involved is systematically rated for all the countries included in the Index, by applying a standard calculating method. Countries are ranked on each of the five domains, which generates a comprehensive overall ranking. An overview of all indicators and their precise meaning/content is presented in Annex 1 of this Report.

Domain 5, or the 'Enabling Environment for Child Rights', is an important and distinctive Domain of the KidsRights Index. Closely based on the CRC, it reveals to what extent countries have operationalized the Convention's general principles and the state of their basic 'infrastructure' for making and implementing child rights policy. Further specifications are presented in the next sub-section ('Calculation of scores Domain 5'). The scores on Domain 5 are derived from the Concluding Observations adopted



⁸² UN General Assembly, *Convention on the Rights of the Child*, 20 November 1989, United Nations, Treaty Series, vol. 1577, p. 3, available at: <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>.

⁸³ Hereafter referred to as the 'Index'.

⁸⁴ The term 'State Parties' applies to states that have formally bound themselves to the CRC (through ratification or accession).


by the UN Committee on the Rights of the Child ('CRC Committee' or 'Committee'), the body of independent experts that oversees the implementation of the CRC by its State Parties. These Concluding Observations ('COs') are the final product of the State reporting procedure under the CRC and represent the Committee's views on the level of realization of children's rights achieved in a particular country over the course of several years.

1.2.1. CALCULATION OF SCORES DOMAIN 5

The scores on Domain 5 are generated in the following manner. First, the Committee's Concluding Observations are analyzed for remarks on a country's performance on the seven selected indicators that make up Domain 5:

- 1. Non-discrimination;**
- 2. Best interests of the child;**
- 3. Respect for the views of the child/child participation;**
- 4. Enabling national legislation;**
- 5. Mobilization of the 'best available' budget;**
- 6. Collection and analysis of disaggregated data; and**
- 7. State-civil society cooperation for children's rights.**

For each of these seven indicators, countries are then scored on a scale between 1 and 3. The actual score assigned for each indicator is exclusively based on the language used by the Committee in its Concluding Observations. A score of 1 (or 'bad') means that the Committee made exclusively negative remarks. A score of 2 (or 'average') implies that the Committee made both negative and positive remarks. A score of 3 (or 'good') means that the Committee only presented positive remarks. In case the Committee did not address a particular indicator in the Concluding Observation involved, that leads to a score of NA (for 'not addressed').

The scoring on Domain 5 is performed by two researchers independently. If upon later comparison of their scores it turns out that there are differences between them (which happens relatively rarely because the scoring system is simple and in most cases its application is straightforward), the final score will be determined jointly, after consultation between the two researchers. The specific text in the Concluding Observations on which the scores were based is made available in an overview table available at www.kidsrightsindex.org. 

These scores are then standardized into a mean of the scores received.

1.2.2. CALCULATION OF SCORE DOMAIN 1-4

The scores for Domain 1-4 are also calculated as the mean of the scores on the underlying indicators. These scores are standardized between a minimum of 0.01 and a maximum of 1. If scores are missing for particular indicators, then the Domain score is calculated over the score of the remaining indicators.

A country is not included in the overall Index if the score on Domain 5 'Enabling Environment for Child Rights' is missing, or if more than half of all the Domain scores are missing. The score for a particular Domain is not calculated if more than half of the indicators in that Domain are missing raw data.

1.2.3. CALCULATION OF OVERALL SCORE, RANKS AND CLUSTERS

The total score of the KidsRights Index is calculated as the geometric mean of the scores on the five specific Domains. In general, the geometric mean is used instead of the arithmetic mean, because this makes it more difficult to compensate for low scores on specific Domains. This is justified by the argument that such compensation is not desirable, because all the children’s rights aspects covered are considered more or less equally important. Therefore, an extremely low score in one area of children’s rights, for example on providing an ‘enabling environment for child rights’, cannot be compensated by a high score for example on ‘education’.

The Index is a ranked list of countries, with colour-coding indicating relevant clusters of rankings. Five different clusters each display a similar performance level, as each cluster represents countries for which the scores belong to the same distribution (see figure 1 below). Within a cluster, the scores of countries are thus more similar than across clusters. The clusters are expressed in coloured world maps on www.kidsrightsindex.org.



Figure 1. Colour-coding indicating relevant clusters of rankings

2. THE RESULTS OF THE KIDSRIGHTS INDEX 2021

2.1 OVERALL RANKING

In 2021, Iceland continues to top the KidsRights index.

Rank KRI 2021	Countries/ 182	Score KRI 2021
1	Iceland	0.966
2	Switzerland	0.937
3	Finland	0.934
4	Sweden	0.915
5	Netherlands	0.909 ¹
6	Germany	0.909
7	Slovenia	0.899
8	France	0.892
9	Denmark	0.891
10	Thailand	0.889

Table 1. Top ten of the KidsRights Index in 2021.

¹ Differences in ranking within a cluster, despite having the same score, is because the ranking is based on the complete score received up to 15 decimal points. However, for the purpose of representation, the scores are shown only up to a rounded off figure of 3 decimal points.

Rank KRI 2021	Countries/182	Score KRI 2021
182	Chad	0.146
181	Afghanistan	0.198
180	Sierra Leone	0.218
179	Democratic Republic of the Congo	0.273
178	Papua New Guinea	0.275
177	Equatorial Guinea	0.281
176	Central African Republic	0.290
175	Guinea	0.312
174	El Salvador	0.331
173	Guinea-Bissau	0.355
172	Nigeria	0.356

Table 2. Bottom eleven of the KidsRights Index 2021.

The complete rankings and rankings per domain are available at www.kidsrightsindex.org

2.2 STRIKING RESULTS KIDSRIGHTS INDEX

2.2.1 Striking results due to new scores in domain 5

In the KidsRights Index 2021, Domain 5 on the 'Enabling Environment for Child Rights' has been updated to include all Concluding Observations adopted by the CRC Committee in 2020. The following seven States were assessed in the CRC State Party reporting procedure in 2020, and thus received a new score for Domain 5: Austria, Belarus, Costa Rica, Hungary, Micronesia, State of Palestine and Rwanda. Cook Islands and Tuvalu were also reviewed and received their scores, but these countries do not appear on the Index due to insufficient data.⁸⁵

In 2020, the State of Palestine received its first ever Concluding Observations from the Committee. At the start of those COs, the Committee acknowledged the special circumstances of Palestine and that:

"[...] the ongoing Israeli occupation of the territory of the State party, its building of new settlements and blockade of the Gaza Strip constitute a serious obstacle to the implementation of the rights enshrined in the Convention and lead to grave violations of children's rights [...]".⁸⁶

The Committee also recalled "the obligations of Israel, as the occupying Power, under international humanitarian law and international human rights law" and recognized that the occupation limits Palestine's "effective control of its own territory and its possibilities to ensure children's rights". However, the Committee still underlines that the CRC applies "in the entire territory of the State party" and regretted "the State party's limited progress in resolving internal political issues that negatively affect children's rights and contribute to the political and geographic fragmentation in the State party".⁸⁷

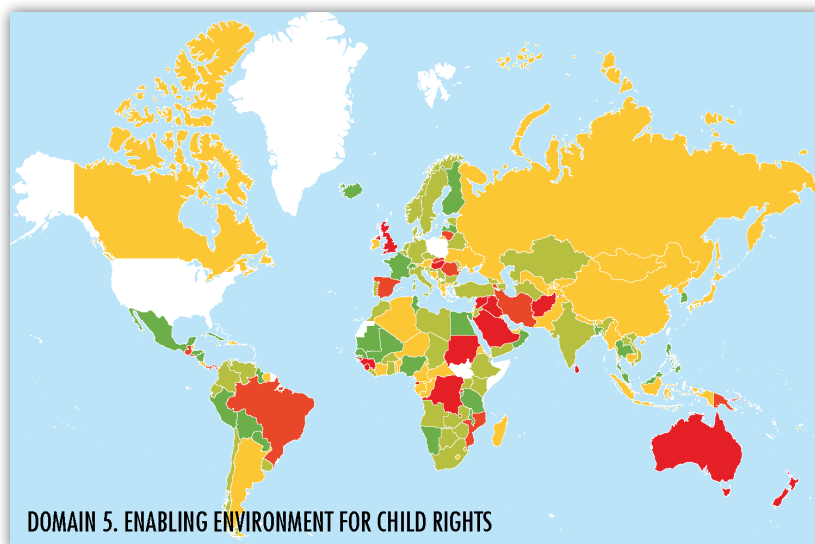


Figure 2. World map domain 5

⁸⁵ Usually, the CRC Committee adopts some 20 to 25 Concluding Observations per year. As noted earlier on page 15 of this report in 2020, the Committee had to postpone the State party reporting process due to the Covid-19 pandemic. Therefore, no Concluding Observations were adopted between mid-April and the end of the year.

⁸⁶ Committee on the Rights of the Child, 'Concluding Observations on the Initial Report of the State of Palestine', UN doc. CRC/C/PSE/CO/1, 6 March 2020, para. 4.

⁸⁷ Ibid.

PALESTINE

In 2021, the State of Palestine is included in the KidsRights Index for the first time. The country's overall position is 104, with a relatively high ranking of 11 in the Domain of Health. The underlying data on health indicates that Palestine has done well on various accounts: 99% of the children are immunized and 'only' 1.4% of children remain underweight. It is also noteworthy that Palestine ranks within the top 100 countries in the Index for the other Domains of Life, Education and Protection. However, the overall rank of Palestine on Domain 5 (the Enabling Environment for Child Rights), is low (rank 145).

The Committee also noted the persistent discrimination against children from Bedouin communities and against girls (especially in matters of custody, maintenance and inheritance).⁸⁸

The incorporation of the CRC into domestic legislation has a significant bearing on the assessment of a country's compliance with children's rights. In relation to this matter in Palestine, the Committee expressed concern about the inadequate legal status of the CRC in Palestine's national legal order and called for a specific timeline to fully harmonize national legislation with the Convention. It also noted that different sets of laws apply to children living in Gaza and other Palestinian territories.⁸⁹

⁸⁸ *Ibid.*, para. 9.

⁸⁹ *Ibid.*, para. 8.

Obviously, the other countries that were reviewed in the CRC State reporting procedure in 2020 also received a new score for Domain 5 in the Index 2021. This significantly improved the ranks of Belarus, Costa Rica and Micronesia for Domain 5, compared to their previous ranking in 2020, while pushing down the ranks of Rwanda, Hungary and Austria.

Micronesia received a considerably higher overall score on Domain 5 (with increases in scores on 4 out of the 7 indicators) compared to its previous round of reporting. The previous COs on Micronesia were adopted a decade ago. The considerable change in the enabling environment for child rights in the country in the meantime is notable.⁹⁰

Overall, countries that received new scores for Domain 5 scored high on the indicator 'Best Interests of the Child' (or the 'BIC' principle). However, 61% of their scores on the indicators of Domain 5 stayed the same as in the previous reporting round. For Hungary, the 2020 COs reveal that the situation has worsened since the country's last reporting procedure in 2014. In fact, Hungary received lower scores for more than half of the Domain 5 indicators.

⁹⁰ Committee on the Rights of the Child, 'Concluding Observations on the Second Periodic Report of the Federated States of Micronesia', UN doc. CRC/C/FSM/CO/2, 3 April 2020.

HUNGARY

Hungary ranks number 141 in the 2021 KidsRights Index. This represents a dramatic fall of 100 ranks compared to last year.⁹¹ This drop mainly results from the scores the country obtained in Domain 5. For the Domains of Life, Health, Education and Protection, Hungary recorded no considerable changes in ranking compared to last year.

The Committee expressed particular concern about the status of Roma children in Hungary. It recommended that Hungary:

"strengthen its measures aimed at eliminating discrimination against Roma children, through the adoption of a national action plan with a particular focus on education, health, child protection services and housing, and to increase support to the anti-segregation working groups created in 2017".⁹²

As stated earlier, enabling legislation protecting children's rights is a crucial component of an enabling environment for children. The Committee noted that, in the period under review, Hungary introduced over 200 amendments to national legislation affecting children's rights in the country. As a result, the Committee recommended that a procedure be put in place to "guarantee that all legislation is fully compatible with the Convention, and make publicly available the results of such impact assessments before and after adoption".⁹³ No change occurred in Hungary's score for the indicator budgetary allocation for children. The Committee recommended Hungary to conduct "regular assessments of the distributional impact of government investment on sectors supporting the realization of children's rights with a view to addressing the disparities in indicators related to children's rights".⁹⁴ This is a crucial observation indeed, for instance since in the KidsRights Index Hungary ranks high on the Domain of Health (rank 6), but much lower for the other Domains (Life, Education and Protection).

91 Hungary ranked number 41 in the KidsRights Index 2020.

92 Committee on the Rights of the Child, 'Concluding Observations on the Sixth Periodic Report of Hungary, UN doc. CRC/C/HUN/CO/6, 3 March 2020, para 16 (b).

93 Ibid., para. 7.

94 Ibid., para 10(b).

2.2.2 Striking results due to new scores in Domain 1-4

Compared to last year, a few countries saw significant change in their overall rank in the 2021 KidsRights Index due to improved or deteriorated scores in one or more of the Domains 1 to 4 compared to last year. Bahrain and Singapore performed markedly better compared to last year. Bahrain and Singapore ranked higher by respectively 30 and 20 positions in the Index 2021. This could be due to several reasons. Both countries reported that 100% of ‘their’ children were registered at birth. In addition, contrary to this year, in previous years Singapore and Bahrain were not given a score under Domain 4, which affected their overall ranking negatively. As explained earlier in the Methodology section of this Report, a country obtains no score for a Domain if data for over half of its indicators is missing.

To the contrary, Libya fell 13 ranks this year compared to the previous year even though it was not reviewed by the CRC Committee in 2020. This was primarily due to a drop of 66 points in the Domain of Health. The underlying raw data indicates that the proportion of “underweight children” in the country increased from 5.6% to 11.7%. In addition, the “rate of immunization” dropped by 24% (from 97% to 73%).

A change in ranking in any particular Domain can also happen without a change in the score received, and thus in the performance record itself. A change can also be the result of other countries included in the Index not doing as well as before and thus scoring lower in a Domain.

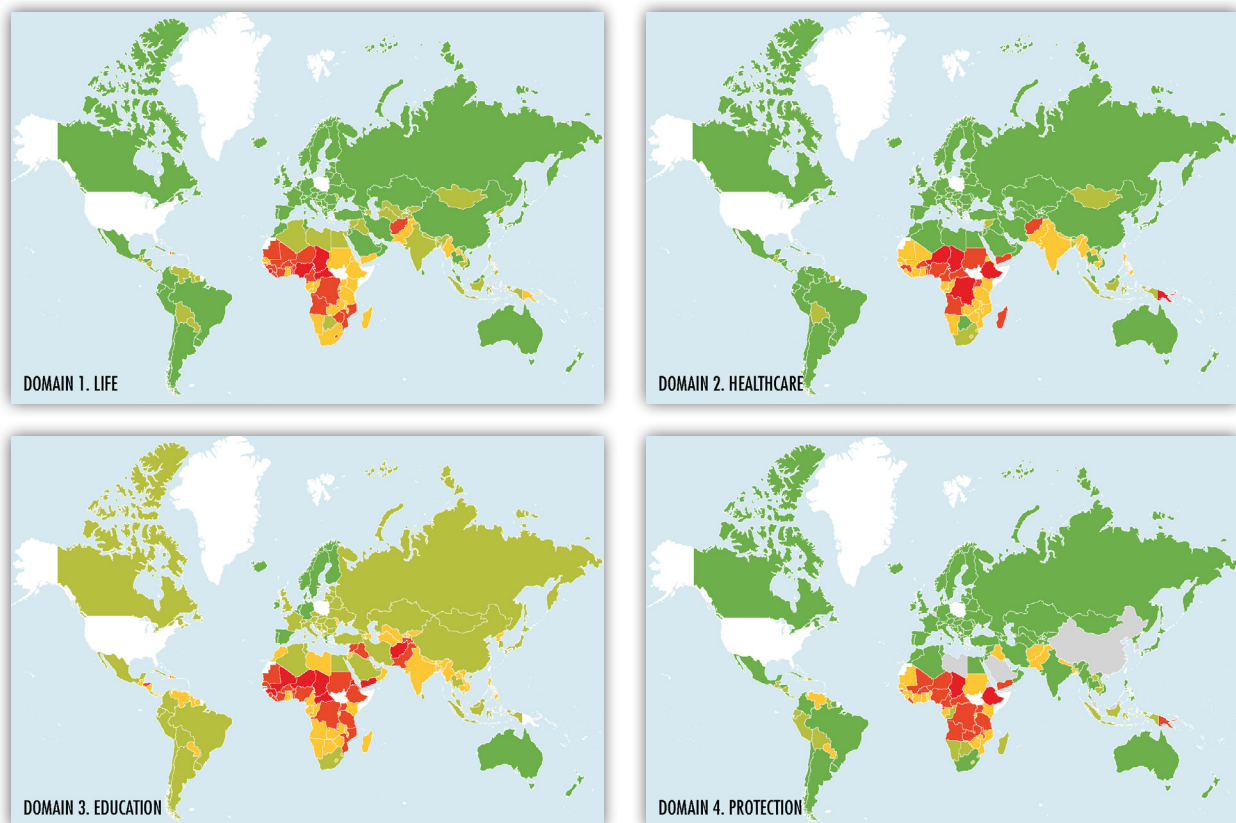


Figure 3. World maps domain 1-4

2.3 OVERALL CONCLUSIONS KIDSRIGHTS INDEX 2021

2.3.1 High Ranking Countries versus Low-Ranking Countries

This year, the ten top ranking countries and the ten lowest ranking countries are the same as last year. Since none of these twenty countries received new Concluding Observations this year, their score for Domain 5 stayed the same and the status quo was maintained due to their scores on Domains 1-4.

The inter-country comparison between the high and low-ranking countries is a new element in this Report. It aims to show the significant differences that exist between the ranks in greater depth. It is noteworthy that the difference in scores between the best performing country overall and the least performing country, as included in table below amounts to 0.821 points.⁹⁵ This is an important difference, considering that the scores range from 0.01 to 1. The score is a significant representation of how the country is performing overall in all the five domains. The gap in the number is an indication, numerically, of the existing gap between the countries performing well and those performing inadequately overall.

Rank KRI 2021	Countries/182	Score KRI 2021
182	Chad	0.146
1	Iceland	0.967

Table 3. Difference between top and bottom-ranking countries

For Iceland and Chad, an inter-Domain analysis was carried out. While Iceland features high in the overall ranking and in the Domains of Life, Protection, Education and 'Enabling Environment', it ranks lower (rank 35) in the Health Domain. Chad ranks consistently low, not only in the overall rankings but also individually in all other Domains.⁹⁶ A further analysis of the data generated in relation to the indicators of Domains 1 to 4 revealed more detailed insight into the status of children's rights and disparities in their compliance under each Domain. For example, the indicator of 'child mortality rate of children below 5' in the Domain of Life is as low as 1.96 per 1000 live births for Iceland, but strikingly high at 113.79 for Chad.⁹⁷

For indicators within the Domain of Education, the 'expected years of schooling' in Iceland is 18 years for boys and 20 years for girls. For Chad this is below nine years for boys and six years for girls. A closer analysis of this particular indicator reveals that the 'expected years of schooling' in all the countries in the top ten of the 2021 Index on average have 15+ expected years of schooling for girls and boys. This is ten years or less for girls and boys for the countries that make up the bottom ten.

Similarly, for the indicator of 'Birth Registration' all high-ranking countries have a 100% birth registration rate, while for the bottom-ranking countries this is below 20%.

The overall gap, on these two indicators only, is wide and can be reduced only through collective effort, international cooperation, and prioritisation of children's rights at a global level.

⁹⁵ This is a rounded off figure, used for the purpose of easy representation and analysis.

⁹⁶ Chad's score on Domain 5 is based on the last available Concluding Observation (2009) and is therefore quite out of date.

⁹⁷ The under-five mortality rate is defined as the probability of dying between birth and exactly 5 years of age, expressed per 1,000 live births.

2.3.2 Developing Countries do not necessarily do better (HDI vs KRI)

The previous KidsRights Index Reports (2018-2020)⁹⁸ already highlighted that developed countries do not necessarily do better than developing countries in terms of the realization of children’s rights. This is among others because, in the CRC Committee’s Concluding Observations and thus in Domain 5, and in line with the philosophy of the CRC itself, countries are assessed with respect to their relative capacity. To highlight this aspect further, this year we compared the Human Development Index (HDI 2020) and the KidsRights Index (2021).⁹⁹

The HDI is published every year by the United Nations Development Program and “was created to emphasize that people and their capabilities should be the ultimate criteria for assessing the development of a country, not economic growth alone”.¹⁰⁰ The calculation of the HDI is based on a combination of four major indicators: life expectancy for health, expected years of schooling, mean of years of schooling for education, and Gross National Income per capita for standard of living. Of these four indicators, two indicators also feature in the KidsRights Index: expected years of schooling for both boys and girls, and life expectancy for health.

The comparison between the HDI and the Kids Rights Index 2021 can potentially highlight that, although countries are doing very well economically or ensuring provisions for the income-earning group in the country, the general environment for the realization of children’s rights still is inadequate. In summary, the countries that are doing well overall in achieving economic growth or human development are not necessarily also doing well in their capacity to meet their obligations under the CRC. One of the key factors here is political will to sufficiently prioritize children’s issues and rights. A comparison of only the top twenty high-ranking countries in the KidsRights Index 2020/2021 and the Human Development Index 2020 shows that, while doing well on the four indicators of development for the HDI, certain countries are not doing as well on (some of) the indicators that specifically relate to children, especially with respect to child rights compliance as per the comments of the Committee, as included in the KidsRights Index. The following specific results of this analysis are especially worth mentioning:

Rank HDI ¹⁰¹ Rank 2020	Rank KRI 2020	Rank KRI 2021	Country	Score HDI	Score KRI	Difference in Ranks 2020
8	135	134	Australia	0.944	0.583	-127
13	169	169	United Kingdom	0.932	0.383	-156
14	168	168	New Zealand	0.931	0.39	-154

Table 4. HDI versus KRI Rank Comparison

98 See section ‘Developed countries are not necessarily performing better’, KidsRights Index Report, 2018, 2019 and 2020.

99 The HDI data from 2020 was used in this analysis since HDI 2021 was not yet published at the time of compilation of this report.

100 <http://hdr.undp.org/en/content/human-development-index-hdi>

101 Source: Human Development Index 2020, <http://hdr.undp.org/en/content/latest-human-development-index-ranking>

2.3.3 Striking Results for Domain 5

This year we also highlight the analysis of indicators within Domain 5 across various regions of the world. The seven indicators of Domain 5 form the qualitative arm of the Index since they are scored on the basis of remarks made by the Committee on the Rights of the Child in the Concluding Observations. These qualitative remarks are presented in a comprehensive text table annexed to the Index. In turn, they are processed into quantitative scores on a scale of 1-3, with 1 being the lowest and 3 being the highest score.

The average number usually ranges between 1 to 2, since countries rarely receive a high score of 3 based on their Concluding Observations.

This year only a limited number of countries received their Concluding Observations which explains the slight changes in the average scores. However, the Kids Rights Index ranking of individual countries receiving their Concluding Observations might change substantially.

The indicators in Domain 5 are presented in more detail hereafter. The world average was calculated on the basis of the combined scores that all countries received on each indicator in Domain 5.

2.3.3.1 Non-Discrimination

The Convention on the Rights of the Child enshrines the principle of non-discrimination in Article 2. Many children all over the world face discrimination, no country excluded.

In the 2020 State reporting procedures, the Committee expressed concerns in general on reports of persistent direct and indirect discrimination of certain (groups of) children. More specifically, it expressed concern about, for example discrimination against Palestinian girls regarding custody, maintenance and inheritance, and against Bedouin communities in Palestine concerning access to services and protection from stigmatization and violence.¹⁰² It recommended Rwanda to ensure full access to education and health services and social services to children in disadvantaged or vulnerable situations, including children with disabilities, children in street situations, children affected by HIV/AIDS, children living in poverty or in child-headed households and children from historically marginalized communities, including the Batwa children.¹⁰³ Hungary was urged to take measures aimed at eliminating discrimination against Roma Children.¹⁰⁴

¹⁰² Committee on the Rights of the Child, 'Concluding Observations on the Initial Report of the State of Palestine', UN doc. CRC/C/PSE/CO/1, 6 March 2020, para. 20.

¹⁰³ Committee on the Rights of the Child Concluding Observations on the Combined Fifth and Sixth Periodic Reports of Rwanda', UN doc. CRC/C/RWA/CO/5-6, 28 February 2020, para. 15 (b).

¹⁰⁴ Committee on the Rights of the Child, 'Concluding Observations on the Sixth Periodic Report of Hungary', UN doc. CRC/C/HUN/CO/6, 3 March 2020, para 16 (b).

The Committee welcomed Austria's work in combating discrimination by including issues of racism, xenophobia and associated intolerances in the national curriculum. However, it noted with concern the persistent direct and indirect discrimination against children in Austria on the grounds of race, disability, religion, national origin and socioeconomic status.¹⁰⁵

None of the countries in the KidsRights Index achieved the highest score on the indicator of non-discrimination. To the contrary, more than 60% of the countries in the KidsRights Index have the lowest possible score on the indicator 'non-discrimination'. The region with the lowest average score in this respect is the Middle East and North Africa (MENA) region.

2.3.3.2 Best Interests of the Child

Half of the seven countries that received new COs and are included in the KidsRights Index 2021 improved their scores on the 'Best Interests of the Child' (BIC) principle in comparison to their previous score. The Committee gave important recommendations to ensure that the 'Best Interests of the Child' can be implemented in all decisions that concern children. In the case of Austria, the Committee noted the amendment of the Civil Code and the inclusion of a checklist with twelve points to safeguard the best interests of the child. However, it also urged the country to carry out impact assessments of laws and policies (before and after adoption) in a consistent manner to ensure that they will regard the best interests of the child as a primary consideration.¹⁰⁶ The Committee underlined that stakeholders and professionals working with and for children should be adequately trained and guided on the BIC principle.¹⁰⁷

In total 25% of the countries included in the 2021 Index received the lowest possible score for this indicator. Asia scored the lowest on this indicator with around 30% of the Asian countries scoring the lowest possible score of 1. The African continent received the highest score on this indicator.



"We cannot achieve sustainable development without ensuring that my rights, my education, and my health is just as important as that of my brothers."

Thandiwe Chama
Winner of the International Children's Peace Prize 2007

¹⁰⁵ Committee on the Rights of the Child, 'Concluding Observations on the Combined Fifth and Sixth Periodic Reports of Austria', UN doc. CRC/C/AUT/CO/5-6, 6 March 2020, para. 16.

¹⁰⁶ *Ibid.*, para. 18.

¹⁰⁷ Committee on the Rights of the Child, 'Concluding Observations on the Combined Fifth and Sixth Periodic Report of Belarus', UN doc. CRC/C/BLR/CO/5-6, 28 February 2020, para. 16 (b).

2.3.3.3 Respect for the views of the child

Article 12 of the Convention on the Rights of the Child embeds the rights of children to form and express their own views, and to have these views given due weight. Nonetheless, in most countries, *respect for the views of the child* is still not self-evident. Not a single country scores the maximum on this indicator. Traditional societal attitudes towards children are one of the major causes of this situation. On this regard, it is interesting to note that Central and Eastern European countries, and Latin America and the Caribbean received the highest score for this indicator, followed by Industrialized Countries in 2021.

The Committee recommends that, even though in various countries children's parliaments are in place, there still isn't enough incorporation of their views in public-decision making¹⁰⁸ for instance in Rwanda and Belarus. The Committee also recommended that the fulfilment of the child right to express their views and have them given due weight, including in public-decision making, is subject to directing adequate budgetary resources towards fulfilment of this right.¹⁰⁹



*"Realizing children's rights more effectively
calls for the perspective, experience and
authority of children and youth themselves."*

Neha Gupta

Winner of the International Children's Peace Prize 2014

¹⁰⁸ *Ibid.*, para. 17; and Committee on the Rights of the Child, 'Concluding Observations on the Combined Fifth and Sixth Periodic Reports of Rwanda', UN doc. CRC/C/RWA/CO/5-6, 28 February 2020, para. 17(b).

¹⁰⁹ *Ibid.*

2.3.3.4 Enabling Legislation

The indicator ‘*Enabling legislation*’ assesses the extent to which a country’s legislation is in conformity with the CRC. Most countries score fairly well on this indicator as such. This is a significant achievement and is widely regarded as a major achievement of the more than 30 years of practice under the CRC.

Based on their most recent COs, a mere 15 countries in total obtained the maximum possible score of 3 on this indicator. Almost 40% of these countries are Industrialised Countries.

In the 2020 Concluding Observations, the Committee on the Rights of the Child again highlighted a few obstacles that are frequently mentioned in relation to enabling legislation such as the lack of full harmonization with the principles and provisions of the CRC (for example in Rwanda and Hungary).¹¹⁰ Overall, of the countries that received new Concluding Observations in 2020, Austria and Hungary were assessed more negatively on this indicator than previously. Their more negative marks in 2020 seem, at least in part, to relate to the fact that the countries did not adequately follow up on all the recommendations made by the Committee on the Rights of the Child in earlier Concluding Observations.



“Justice starts with those who make laws”

Abraham M. Keita

Winner of the International Children’s Peace Prize 2015

2.3.3.5 Best Available Budget/Resources

In the Concluding Observations issued by the CRC Committee in 2020, no country scored the maximum on the indicator of *best available budget/resources*. Especially noteworthy is the fact that Industrialized Countries scored on average the lowest on this indicator. Out of the 182 countries in the Index, 75 countries have the lowest score on the indicator, of which 22 are Industrialized countries (including Austria and Hungary which received new COs in 2020). The fact that Industrialized Countries score below average is likely due to the fact that they are expected to be able to mobilize resources for the realization of children’s rights more easily than poorer countries.

As in previous years, in the 2020 Concluding Observations the Committee again regularly called on States to introduce child rights-based budgeting procedures. It recommended among other things the introduction of a monitoring framework and a tracking system to evaluate the equitability of the distribution of resources allocated for the implementation and realization of children’s rights.¹¹¹

¹¹⁰ Committee on the Rights of the Child, ‘Concluding Observations on the Combined Fifth and Sixth Periodic Reports of Rwanda’, UN doc. CRC/C/RWA/CO/5-6, 28 February 2020, para. 6(a); Committee on the Rights of the Child, ‘Concluding Observations on the Sixth Periodic Report of Hungary’, UN doc. CRC/C/HUN/CO/6, 3 March 2020, para. 7.

¹¹¹ Committee on the Rights of the Child, ‘Concluding Observations on the Combined Fifth and Sixth Periodic Reports of Austria’, UN doc. CRC/C/AUT/CO/5-6, 6 March 2020, para. 8. Committee on the Rights of the Child, ‘Concluding Observations on the Sixth Periodic Report of Hungary’, UN Doc. CRC/C/HUN/CO/6, 3 March 2020, para 10.

2.3.3.6 The need for data collection remains high

Since the first publication of the KidsRights Index in 2013, there is a slight but noticeable decline in the number of missing indicators. Nevertheless, in 2021, data on 298 indicators out of the in total 3.640 measured, is still missing. This amounts to 8% of the total indicators missing.

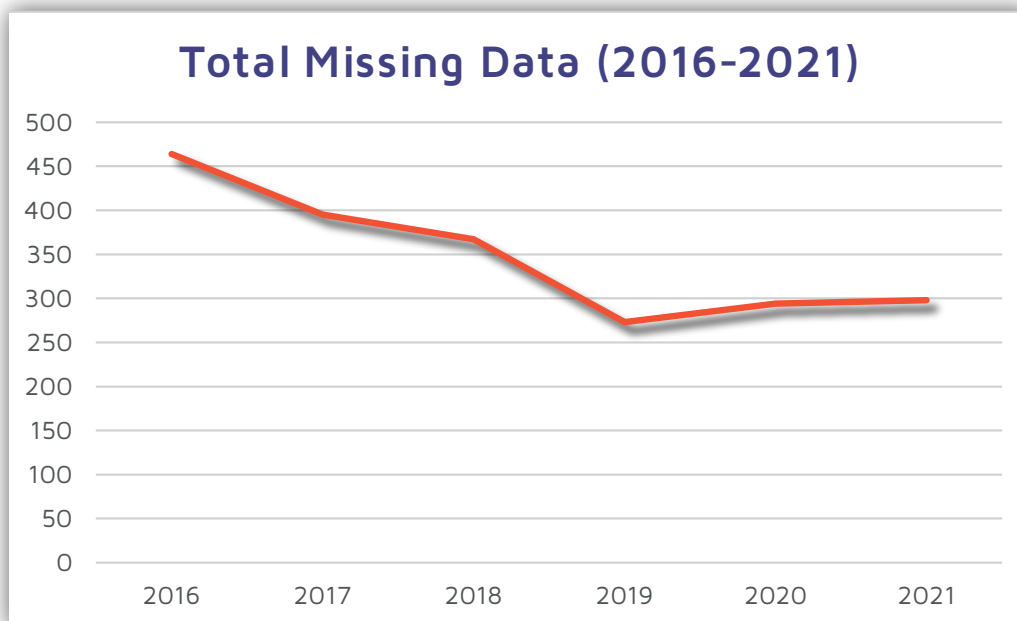


Figure 4. Graph showing total missing data

Better collection, processing and analysis of data can assist countries in recognizing and prioritizing child rights problems, and in tackling them. For example, the better the information available about the specific situations and needs of particular sub-groups of children in a specific location (for example as regards income of their parents or caretakers, sex, age, race or ethnicity, disabilities), the more targeted policy interventions can be.

Almost 36% (65 out of 182) of the countries in the KidsRights Index score low on the indicator 'Collection and Analysis of Disaggregated Data'. Industrialized countries score on average the lowest on this indicator, while in principle these countries definitely have the means to collect and analyze the required disaggregated data. Therefore, the Committee seems to hold them to a high standard.

In 2021, still 10 States Parties to the Convention on the Rights of the Child cannot be included in the KidsRights Index because of too many missing values. These are: The Holy See, Dominica, Poland Saint Kitts and Nevis, Liechtenstein, the Cook Islands, Tuvalu, Monaco, the Marshall Islands, and Andorra.

CONCLUSION

The KidsRights Index ranks States' respect for and compliance with children's rights. A comparison between the Index for different years can show whether States have become more or less compliant with children's rights over the years. The KidsRights Index 2021 continues to highlight that the need for prioritisation of children's rights remains a global concern. Additional efforts are needed worldwide to fulfil children's rights and enable children to grow up and achieve their fullest potential.

The KidsRights Index 2021 shows some similar patterns as last year's Index. For example, Iceland still ranks highest, and Chad lowest. There still remains some significant disparities between the scores reached in different countries for the various indicators. In addition, the Index again shows that developed countries do not necessarily rank better than developing countries. That is mostly due to the score awarded to States for Domain 5 of the Index, for which States are given a score according to their relative capacities and resources.

While the ongoing Covid-19 pandemic has exposed States' various vulnerabilities in respect to children's rights, notably regarding the protection of children in their home environment, their right to education and their right to health, some States Parties' efforts are noteworthy in this regard.

The score for Domain 5 is based on the Concluding Observations received from the CRC Committee. Despite the difficult times, the Committee continued to conduct its reporting rounds and to assess State Parties on their compliance with children's rights according to the UN Convention on the Rights of the Child. In 2020, the CRC Committee issued the Concluding Observations for seven countries which appear in the KidsRights Index 2021, which is fewer than for previous years. Therefore, these 7 countries have received new scores for Domain 5, which has resulted in changes in the ranking of State Parties for Domain 5.

This Index sheds light on the child rights situation in 2020 in countries worldwide. This year's Index is of particular significance as it shows the situation in States during a pandemic, and how States have or have not prioritised respect for children's rights when addressing the challenges it faced.

BACKGROUND INFORMATION

SOURCES USED FOR COMPILING THE KIDSRIGHTS INDEX

The KidsRights Index pools data from three reputable sources: quantitative data published and regularly updated by UNICEF¹¹² and UNDP,¹¹³ and qualitative data published by the UN Committee on the Rights of the Child in the detailed individual country assessments that it adopts for all States Parties to the CRC (the so-called Concluding Observations).¹¹⁴ The KidsRights Index aims at making the data involved more accessible to a broader audience, in an effort to stimulate dialogue about children's rights. Since the United States of America, South Sudan and Somalia are the only States in the world that are not yet a party to the CRC, there is no material for scoring the countries on Domain 5 and thus they cannot be included in the KidsRights Index.

DATA BEFORE 2009

Article 44 of the CRC requires States to report to the UN Committee on the Rights of the Child within two years after joining the Convention, and every five years thereafter. However, as is the case for other UN human rights treaties as well, many countries do not fulfil this obligation. Therefore, the KidsRights Index 2021 includes 17 countries for which the data in Domain 5 is older than ten years. The analysis of children's rights in these 17 countries is thus based on Concluding Observations from 2009 or before (see the table below). This is unavoidable because the countries involved have not presented more recent state reports to the UN Committee on the Rights of the Child. The ranking of these countries may therefore not reflect the current children's rights situation.

#	Rank	Country	Year of Concluding Observations
1	164	Comoros	2000
2	82	Libya	2003
3	50	San Marino	2003
4	179	Equatorial Guinea	2004
5	177	Papua New Guinea	2004
6	117	Bahamas	2005
7	77	Belize	2005
8	149	Uganda	2005
9	118	Kiribati	2006
10	123	Swaziland (country changed name to Eswatini)	2006
11	91	Trinidad and Tobago	2006
12	34	Malaysia	2007
13	161	Mali	2007
14	126	Djibouti	2008
15	55	Bolivia (Plurinational State of)	2009
16	182	Chad	2009
17	79	Philippines	2009

Table 5. 17 countries for which the data in Domain 5 is older than ten years

112 www.data.unicef.org

113 www.hdr.undp.org/data

114 www.ohchr.org/en/hrbodies/crc/pages/crcindex.aspx

ADJUSTMENT OF THE EDUCATION DOMAIN IN THE KIDSRIGHTS INDEX 2018

Because an Index is continuous work in progress, the availability and quality of data and the methodology of the KidsRights Index are reviewed every year. For the KidsRights Index 2018, comprehensive methodological changes were made in the domain 'education', so as to generate a yet higher quality assessment and basis for comparison of country performance records on education. These were applied since. The consequence of these methodological adjustments is that it is not possible to compare the 2018 and later KidsRights results one-on-one to the 2017 and previous results, although overall the differences in rankings caused by the methodological changes are limited. Obviously, all countries have still been compared to each other on the same footing, as was the case in previous versions of the KidsRights Index. Thus, a comparative assessment between countries remains very well possible.






From the 6th KidsRights Index (2018) onwards, the 'education' domain is based on the indicator 'expected years of schooling'. This indicator, which is also used in the Human Development Index (HDI), is a measure of the years of schooling that a child of school entrance age can expect to receive if prevailing patterns of age-specific enrolment rates persist throughout the child's life.¹⁷ As such, the new indicator shows the opportunities for learning or educational development of a child in a specific country. In order to also capture differences between girls and boys, since 2018 the 'education' domain is constructed on the basis of the following three indicators:

1. **Expected years of schooling of girls**
2. **Expected years of schooling of boys**
3. **Gender inequality in expected years of schooling (absolute difference between girls and boys).**

The data for the three indicators of the Education Domain are gathered by the United Nations Development Programme (UNDP) and are available at www.hdr.undp.org/data.

ANNEXURES

ANNEX 1. - DOMAINS & INDICATORS

Domains:		Indicators:	
1		Right to Life	<ul style="list-style-type: none"> • Under five mortality • Life expectancy at birth • Maternal mortality ratio
2		Right to Health	<ul style="list-style-type: none"> • % of under five year olds suffering from underweight • Immunization of one year old children • % of population using improved sanitation facilities (urban and rural) • % of population using improved drinking water sources (urban and rural)
3		Right to Education	<ul style="list-style-type: none"> • Expected years of schooling of girls • Expected years of schooling of boys • Gender inequality in expected years of schooling (absolute difference between girls and boys)
4		Right to Protection	<ul style="list-style-type: none"> • Child labour • Adolescent birth rate • Birth registration
5		Enabling Environment for Child Rights	<ul style="list-style-type: none"> • Non-discrimination • Best interests of the child • Respect for the views of the child/child participation • Enabling legislation • Best available budget • Collection and analysis of disaggregate data • State-civil society cooperation for child rights

ANNEX 2. - REGIONS KIDSRIGHTS INDEX 2021 (182 COUNTRIES)

CENTRAL AND EASTERN EUROPE AND THE COMMONWEALTH OF INDEPENDENT STATES (CEE/CIS) – 20 COUNTRIES

Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Georgia, Kazakhstan, Kyrgyzstan, Macedonia (the former Yugoslav Republic of), Moldova, Montenegro, Romania, Serbia, Tajikistan, Turkey, Turkmenistan, Ukraine, Uzbekistan

ASIA AND THE PACIFIC – 30 COUNTRIES

Afghanistan, Bangladesh, Bhutan, Cambodia, China, Fiji, India, Indonesia, Kiribati, Korea Democratic People's Republic of, Lao, Malaysia, Maldives, Micronesia (Federates States of), Mongolia, Myanmar, Nauru, Nepal, Pakistan, Palau, Papua New Guinea, Philippines, Samoa, Solomon Islands, Sri Lanka, Thailand, Timor-Leste, Tonga, Vanuatu, Vietnam

AFRICA – 45 COUNTRIES

Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Congo, Congo Democratic Republic of the, Cote d'Ivoire, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, South Africa, Swaziland, Tanzania, Togo, Uganda, Zambia, Zimbabwe

INDUSTRIALIZED COUNTRIES – 37 COUNTRIES

Australia, Austria, Belgium, Brunei Darussalam, Canada, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Korea Republic of, Latvia, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Norway, Portugal, Russian Federation, San Marino, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland

LATIN AMERICA AND CARIBBEAN – 31 COUNTRIES

Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Lucia, Saint Vincent and the Grenadines, Surinam, Trinidad and Tobago, Uruguay, Venezuela

MIDDLE EAST AND NORTH AFRICA (MENA) – 20 COUNTRIES

Algeria, Bahrain, Djibouti, Egypt, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Yemen, State of Palestine

COUNTRIES NOT IN THE INDEX¹⁸ – 12 COUNTRIES

Asia and the Pacific: Cook Islands, Marshall Islands, Niue, Tuvalu

Africa: Somalia, South Sudan (which has not ratified the CRC)

Industrialised countries: Andorra, Poland, Liechtenstein, USA (which has not ratified the CRC)

Latin America and Caribbean: Dominica, Saint Kitts and Nevis



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