

Children's Rights (B001767)

Course size *(nominal values; actual values may depend on programme)*

Credits 4.0 **Study time 120 h**

Course offerings and teaching methods in academic year 2023-2024

A (semester 2)	Dutch	Gent	group work
			lecture
			peer teaching
			independent work

Lecturers in academic year 2023-2024

De Bondt, Wendy	RE23	lecturer-in-charge
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Offered in the following programmes in 2023-2024

	crdts	offering
Master of Science in Teaching in Social Sciences(main subject Laws)	4	A
Master of Laws in Laws	4	A

Teaching languages

Dutch

Keywords

Human Rights, Child, Minor, Children's rights, ICRC, United Nations, European Union, Council of Europe, Belgium, Flanders, Legal status, Protection, Participation, Best interest of the child.

Position of the course

The course focuses on (the backgrounds of and reasons for) international and national developments and strategies regarding (the improvement of) the social and legal status of the child.

For the criminological sciences programme, the course builds upon the courses '**EU and International Home Affairs, Justice and Security Policy**', 'Substantive Criminal Law' and 'Youth Criminology and Youth Law'. For the law programme, the course builds upon the courses 'International and European Law', 'Criminal law' and 'Human Rights'.

Contents

The attention for children's rights, as it has grown in the past few years, will be situated and explained on the basis of a number of topical courses looking into labour, asylum & migration, armed conflict, health, child friendly justice, education, sexuality and children and family.

PART 1 – GENERAL FRAMEWORK

In the first part a general overview of the children's rights legal framework will be constructed, focusing amongst others on the development of the child image, the legal position of the Belgian minor, the legal framework for the rights of the child and the actors in the child rights landscape.

PART 2 – THEMATIC IN-DEPTH ANALYSIS

A selection of the following themes will be outlined in the lectures. All themes are covered in writing in the handbook. The selection is made on the basis of the trends in the world of children's rights.

- **Asylum and migration** a.o. provisions of the ICRC, complemented with the general comments of the Children's Rights Committee, EU regulation (on qualification, care and return), the Belgian regulations (with a specific focus on guardianship), implications of either or not applying for asylum, and the legal status of the unaccompanied minor refugee.
- **Children and armed conflicts** a.o. provisions of the ICRC, definition of an armed conflict,

analysis of relevant International Humanitarian Law provisions, protection principles from the Geneva Conventions, discussions on the effects of participation of children in an armed conflict (right to participate, prosecution of enlisting and recruiting child soldiers, prosecution of participation), case study on Uganda and Syria

- **Labour, sport and leisure** a.o. provisions of the ICRC, complemented with the general comments of the Children's Rights Committee, provisions of the Treaties of the International Labour Organisation, the European Social Charter, the International Convention on Economic, Social and Cultural Rights, implications for the hiring of children, working conditions, discussion on the difference between problematic and non-problematic forms of child labour. Critically reflecting on children who are active as dancers, sportsmen, actors etc. in the light of e.g. the principles of 'the best interest of the child', age-appropriate, free participation in cultural and artistic life. Right to leisure in relation to other children's rights.
- **Right to education** a.o. discussion on inclusive education and religious symbols in education.
- **Child friendly justice** a.o. discussion of the position of the child and the meaning of participation in criminal proceedings and children's rights and climate change.
- **Children's rights and the digital world** o.a. provisions of the ICRC and General Comment No. 25, discussions on children's rights in relation to privacy and data protection, social work, media and commercialisation of play.
- **Children's rights and physical and sexual integrity** o.a. discussion on male circumcision and the right to health, including a discussion on the obligations under the CRC.
- **Children and family** o.a. a critical look at child marriage and a discussion on children's rights and child poverty from a children's rights perspective.

PART 3 - GROUP WORK AND SEMINAR

Students are given some subjects. In the context of one of these subjects, they should try to find a relevant research question that will be the central question in the critical paper they have to write with one or more fellow students. The different topics covered in this paper will then be discussed during a group meeting, where there will be a debate on these topics.

Initial competences

- Elementary knowledge of the international, European and national institutional context of the reaction to deviance and crime, including criminal policy and the administration of criminal policy
- Knowledge of the relevant sources and their means of disclosure

Final competences

- 1 Having profound knowledge of the general international, European, national and local developments and strategies regarding (the improvement of) the social and legal status of the child
- 2 Knowing the important legal and policy documents and to be able to correctly use the jargon linked to it
- 3 Having insight in and knowledge of the historical, political, economic and sociological context of the problem of children's rights as a relevant specialism for criminology and (criminal) law sciences
- 4 Being aware of the societal role criminologists and lawyers (could) have regarding (the improvement of) the social and legal status of the child
- 5 Being able to reflect in a critical-scientific manner (a.o. through being able to draft a relevant research question and through offering a scientifically researched analysis and logical legal reasoning)
- 6 Being able to discuss topics with co-students and work together as a team to draft a group paper
- 7 Being able to communicate in writing in a structured way on legal and policy developments (a.o. through the drafting of the group paper and the opinion to the essay question regarding the guided self-study on the written exam)
- 8 Being able to orally communicate in a structured way on legal and policy developments (a.o. by explaining the topics mentioned in the paper during the group meeting and by participating in a debate).
- 9 Being able to assess current developments in a balanced, mature fashion

Conditions for credit contract

Access to this course unit via a credit contract is determined after successful competences assessment

Conditions for exam contract

This course unit cannot be taken via an exam contract

Teaching methods

Group work, Seminar, Lecture, Independent work, Peer teaching

Extra information on the teaching methods

Lectures: The material is taught in the form of hearing- and responding lectures. The lectures aim at familiarising students with the principles of the rights of the child. Also, the lectures are aimed at offering students insights into the historical, political, economic and sociological dimension of the rights of the child as developed today. Through the lectures, students will be offered a multidisciplinary perspective on the rights of the child. The self-exploring character is activated by the technique of hearing-and responding-lectures. By asking questions and provoking reactions, active participation and critical thinking is spurred.

Guided self-study: students independently prepare a number of aspects regarding the topics discussed in part two of the lecture series for the written and oral exam, based on the directions provided for and skills picked up during the contact moments.

Group work: students – divided in small study groups – have to formulate a research question, relevant for the course. On the basis of that question, they are to write a critical paper. In this paper, they are to defend a creative viewpoint regarding a relevant question by offering a scientifically researched analysis and logical legal reasoning.

Seminar: students reflect on their research question and the topics covered in their paper during the group discussion. In response to some questions, they explain the topics they have worked out in their paper. The students are also given the opportunity to participate in a debate on these topics.

Independent work: students independently prepare a number of aspects regarding the topics discussed in part two of the lecture series for the written exam, the group work and the seminar based on the directions provided for and skills picked up during the contact moments.

Lifelong learning: Students are informed about relevant scientific activities such as workshops and seminars relevant for the course or internships with actors of the children's rights field.

Learning materials and price

- text book with relevant regulation composed by the lecturer (may be used during the exam) (estimated price €35)
- comprehensive reader with literature composed by the lecturer (may not be used during the exam) (estimated price €20)
- slides lecturer distributed via UFORA complemented with students' own lecture notes
- student papers complemented with the comments made during the discussion in class

References

Included in learning material

Course content-related study coaching

- Continuous feedback/coaching possible;
- Interactive support via Ufora;
- Consultation during office hours

Assessment moments

end-of-term and continuous assessment

Examination methods in case of periodic assessment during the first examination period

Written assessment

Examination methods in case of periodic assessment during the second examination period

Written assessment

Examination methods in case of permanent assessment

Oral assessment, Participation, Assignment

Possibilities of retake in case of permanent assessment

examination during the second examination period is possible in modified form

Extra information on the examination methods

NON-PERIODIC EVALUATION

- **Assignment:** Students prepare a course related paper as elaborated on above.
- **Oral examination:** Students are evaluated on their ability to orally present the line of argumentation developed in their written assignment, and their capacity to orally defend their position and respond to critical questions addressed to them by their co-students.
- **Participation:** Students are evaluated on their ability to (prepare and) formulate critical and relevant questions and their ability to participate ad hoc in the debates.

PERIODIC EVALUATION

The exam will be written. The exam tests the knowledge, insights and scientific thinking abilities and written communication skills of the examiners. The questions aim at testing if the student has gained insights and knowledge relating to the terminology, the relevant structures, the system, and the principles of the course area. Finally, the questions aim at testing if the student can apply the gained knowledge by formulating an opinion regarding a complex legal issue.

Calculation of the examination mark

NON-PERIODIC EVALUATION

60% comprised of 30% course related paper as described above; 30% oral presentation of the line of argumentation developed in the paper, during which the student must show the ability to orally defend a legally sound and well-argued viewpoint; the evaluators will also take account of the competence of the student to provide feedback to co-students, to formulate critical questions and to participate in the debate.

PERIODIC EVALUATION

40% entailing open and short questions. The result of the periodic evaluation is 8 out of 20. The students are required to participate in all evaluations (the periodic as well as the nonperiodic evaluation). Students who do not participate in all evaluations **achieve maximum 7/20 for this course.**

TRANSFER OF PARTIAL SCORES

It is possible to transfer these partial scores (from the non-period-based assessment) to the second examination opportunity. However, the student concerned can also decide not to transfer the partial scores from the non-period-based evaluation. They then commit themselves to redoing these tasks in the second examination opportunity.

Facilities for Working Students

Working students are allowed to hand in their course paper solely in an electronic format. In light of the non-periodic evaluation, it is however essential to be able to be present in (at least) the classes after the Easter Holidays.

Addendum

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