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A First step towards
the monitoring of
children's Human Rights:
constructing CHILDEX, an
international index of
children's Human Rights.

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RESUMEN

SE PROPONE UN ÍNDICE INTERNACIONAL DE DERECHOS HUMANOS DE LOS NIÑOS (CHILDEX) con los objetivos primarios de monitorear los derechos de los niños en todos los países y de generar conciencia sobre estos derechos. A pesar de los programas de UNICEF para promover el bienestar de los niños, sus derechos no constituyen una prioridad para la comunidad internacional o para las Naciones Unidas. Mientras que índices como el Proyecto de Monitoreo Internacional de Derechos de los Niños (IMCRP) y la Medida de Riesgo del Niño (CRM) miden ciertos factores relacionados a los derechos de los niños, estos índices no realizan una evaluación abarcadora de los derechos de los niños en cada país. Se propone un índice compuesto, el Índice Internacional de Derechos Humanos de los Niños (CHILDEX), que combina los principales indicadores de los derechos de los niños. Tratados y declaraciones internacionales establecen la importancia de los derechos de los niños. Para lograr el cumplimiento de estos derechos, es fundamental monitorearlos. CHILDEX atiende la necesidad de monitorear específicamente los derechos de los niños, tal y como están propuestos por la Convención de Derechos del Niño de las Naciones Unidas.

Palabras Claves: Derechos humanos, CHILDEX, UNICEF

ABSTRACT

AN INTERNATIONAL INDEX OF CHILDREN'S HUMAN RIGHTS (CHILDEX) IS PROPOSED with the primary goals of monitoring children's rights in all countries and strengthening international awareness about children's rights. Despite UNICEF's programs to promote their welfare, children's rights are not a priority for the international community or the United Nations. While the International Monitoring Children's Rights Project (IMCRP) and the Child Risk Measure (CRM) measure certain factors related to children's rights these are partial indexes that do not give a thorough assessment of children's rights in each country. A composite International Index of Children's Human Rights (CHILDEX) is proposed that combines major children's rights indicators. International conventions and declarations establish the significance of children's rights. Monitoring these rights is essential for achieving compliance. CHILDEX addresses the need for specific monitoring of children's rights as proposed by the United Nations Convention on the Rights of the Child.

Key words: Human Rights, CHILDEX, UNICEF

INTRODUCTION

Considering that children constitute a vulnerable sector of the population that needs special protection's it is proposed that children's rights be measured and monitored independently from overall human rights'. A diversity of indexes such as the Human Development Index (HDI) developed by the United Nations Development Program (UNDP) and the Freedom Index developed by Freedom House have been proposed to measure human rights. These indexes represent significant contributions for human rights monitoring, addressing "human development" and "political/civil rights".² However, these indexes do not specifically monitor or address children's rights.

Some children's rights indexes, such as the International Monitoring Children's Rights Project (IMCRP) and the Child Risk Measure (CRM), that measure certain factors related to children's rights have been proposed. The IMCRP monitors the implementation of the Convention on the Rights of the Child. The CRM measures the level of risk that children are exposed to. A Children's International Human Rights Index (CHILDEX) is proposed that specifically measures children's rights. While HDI and FI might include children in their overall measurement, they do not specifically measure children. In line with the United Nations Committee on the Rights of the Child (CRC) objectives, CHILDEX addresses the need for specific monitoring of children's rights. Unlike the IMCRP and the CRM which measure specific factors in children's rights CHILDEX provides a general measure of children's rights. The significance of children's rights has been already established and accepted by international community through international conventions and declarations. Monitoring these rights is essential for achieving compliance. UNICEF's *Implementation Handbook for the Convention on the Rights of the Child* (2002) provides guidelines on the implementation on the law, policy and practice of the Convention but an index that monitors implementation of the Convention on the Rights of the Child has yet to be created.

Despite the limitations to its analytical capacity CHILDEX is useful for comparative purposes and to follow-up individual state's progress. Claude and Jabine (1992) state that while the importance of qualitative perspectives on human rights cannot be denied, the selective and discriminate use of statistical approaches to the topic is useful. Moreover, these authors state that measurement (of human rights), although it might not represent the central feature, must play a role in studying, assessing, and planning for human rights³.

In accordance with the model of the Convention on the Rights of the Child, CHILDEX emphasizes civil and political rights over social and economic rights. The majority of the Convention of the Rights of the Child articles must be considered under the civil and political rights category⁴. CHILDEX attempts to establish a balance between both categories of rights.

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CHILDREN'S RIGHTS IN THE INTERNATIONAL SYSTEM

The Convention on the Rights of the Child (1989) bounded signatory states to implement children's rights and established a monitoring mechanism under the UN Committee on the Rights of the Child (CRC). Twenty one years after the international community adopted the Convention progress regarding implementation of children's rights has been slow. Even in liberal democracies, the situation is far from ideal in terms of enforcement⁵. Reported violations of children's rights and of humanitarian laws applicable to children include: 1) recruitment of children into armed forces and irregular forces, 2) violations against humanitarian rules that protect them in conflict situations, 3) child labor and enslavement, 4) child pornography and prostitution, 5) trafficking of children, 6) child abduction, 7) civil rights violations, 8) torture and mutilation, and, 9) attacks against children during war ⁶.

Table 1. IGO's that Protect International Children's Rights

Inter-Governmental Organizations

UNICEF
UN Committee on the Rights of Child (CRC)
The UN Special Representative on Children and Armed Conflict
International Labor Organization (ILO)
World Health Organization (WHO)

Table 2. International Tribunals that Protect Children's Rights

Tribunals

International Criminal Court (ICC)

The international response to massive violations of children's human rights has not been as forceful as the situation requires. It has come mostly from some Inter-Governmental Organizations (IGO's) such as UNICEF, the UNCRC and International Labor Organization (ILO) and Non-Governmental Organizations (NGO's) such as Amnesty International (AI), Human Rights Watch (HRW), International Save the Children Alliance and Defense for Children International. International enforcement mechanisms of children's rights law are still weak. Their efficiency could be improved if other organizations, such as the UN Security Council and ILO become involved⁷.

Children's rights violations could be considered no less threatening to international peace than Iran's weapons' programs. These violations generate immense potential for future conflict⁸. A large number of contemporary conflicts have an origin in human rights violations⁹. However, the international community has not forcefully implemented any measures to enforce children's international rights law. The UN Security Council has not undertaken an effective response against child slavery in Sudan or violations of humanitarian rules perpetrated against children in Chechnya by Russia.¹⁰

Table 3. NGO's that Advocate Children's Rights Protection

Non-Governmental Organizations

International Save the Children Alliance
Defense for Children International
International Committee of the Red Cross (ICRC)
Human Rights Watch

The Security Council passed resolutions on children and armed conflict (UNSC Resolution 1460 (2003) and UNSC Resolution 1612 (2005)). However, these resolutions are more declarative than action-oriented and only establish a "reporting" mechanism as a way to enforce humanitarian laws with respect to children. While greater attention has been placed on children's rights by the UN, as reflected in the 1990 UN World Summit for Children and the 2002 Special Session on Children, children's rights are still marginalized in multilateral organizations.

The Security Council has not considered the possibility of enacting sanctions or conducting operations to protect these rights. Considering that the UN Security Council has widened its definition of "threats" to international peace and security, it could decide to consider gross violations of children's rights as a course of action to implement policies¹¹. The UN Security Council cannot act on every human rights violations issue; nevertheless, it could, for ethical reasons, adopt a more effective policy against genocide, trafficking and slavery affecting children. This issue is important not only from an ethical standpoint but also from a political perspective since it could represent a potential threat to international peace and security.

Despite the fact that political decisions have a very large impact upon children's lives, children are still denied of political rights and civil rights such as the right to make claims in a court or to have a voice in public affairs¹². The absence of recognition for their rights "...weakens the position of children seeking redress against violations of rights and diminishes the likelihood of formal channels for so doing"¹³ Both at the national and international levels, children lack voice or representation.¹⁴ This lack of recognition of civil and political rights limits the capacity of the international system of human rights protection to function properly. Children do not

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make use of this system to demand protection of their rights. Taking into account the limited efficiency of IGO's to execute human rights conventions and non-recognition of children's rights in the internal legislation of many states "(t)he tasks of monitoring governments' compliance, publishing data on violations, lobbying for governmental action, educating people about human rights conventions, and organizing grassroots initiatives fall largely to networks of human rights NGOs, making them key actors in the implementation process."¹⁵

Table 4. Conventions and International Instruments that Protect Children's Rights

Conventions

Declaration on the Rights of the Child
Convention on the Rights of the Child
IV Geneva Convention
Statute of Rome

Table 5. Summits On Children's Rights

Summits

1990 World Summit for Children
2002 Special Session on Children

INTERNATIONAL LEGAL DEFINITION OF THE CHILD

According to the Convention on the Rights of the Child (article 1), a child is defined as every human being below the age of 18, unless majority is achieved earlier in a particular state. The Convention does not address the issue of when childhood begins. This is a reflection of the lack of international consensus on this issue. What the Convention certainly undertakes is that, once a child is born, he/she is entitled to all the rights guaranteed in the Convention. The Convention warrants certain rights to every child: 1) no capital punishment under 18, 2) no military recruitment below 15, 3) establishment of minimum age for employment, 4) criminal responsibility, and, 5) compulsory education. By avoiding setting an age when childhood begins, the Convention not only guarantees universal recognition but also leaves every state free to choose when and how to define when childhood begins.

CONVENTION ON THE RIGHTS OF THE CHILD PROVISIONS RELATED TO CHILDEX

The United Nations Convention on the Rights of the Child is a thorough treaty that establishes a wide variety of rights pertaining to children. As it is children-specific, its provisions relate to issues that are relevant to children and would be unusual to other sectors of the population.

Table 6. Provisions Uncommon and Innovative in the International Convention on the Rights of the Child and Included in Response to the Particular Needs of the Child (Article)

Best Interest of the Child (3)
Parental Guidance and the Child's Evolving Capacities (5)
Birth, Registration, Name, Nationality and the Right to be cared for by Parents (7)
Preservation of Identity (8)
Separation from Parents (9)
Entering or Leaving Countries for Family Reunification (10)
Illicit Transfer and Non-Return of Children Abroad (11)
Respect for the Views of the Child (12)
Child's Right to Appropriate Information (17)
Parents' Joint Responsibilities, Assisted by the State (18)

Other provisions are comparable to rights internationally recognized to other sectors. These rights could be found in human rights conventions such as the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights.

Table 7. Convention On The Rights Of The Child Articles Found In The International Covenant On Social, Economic And Cultural Rights (Article)

Non-discrimination against Children for any Reason (2)
Child's Right to Health and Health Services (24)
Child's Right to Benefit from Social Security (26)
Child's Right to an Adequate Living Standard (27)
Child's Right to Education (28)
Protection for Children of Minorities or Indigenous People (30)
Protection against Child Labour (32)

The inclusion of civil rights within the Convention on the Right of the Child confirms that these rights are recognized to every individual by the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights and that these apply also to children. Article 14 also confirms that the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights guarantee civil rights to all citizens, including children.

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Table 8. Articles of the Convention on the Rights of the Child Found in the International Covenant on Civil and Political Rights

Child's Right to Life (6)
Child's Right to Freedom of Expression (13)
Child's Right to Freedom of Thought, Conscience and Religion (14)
Child's Right to Freedom of Association and Peaceful Assembly (15)
Child's Right to Privacy (16)
Torture, Degrading Treatment and Deprivation of Liberty (37)

A significant number of the Convention on the Rights of the Child articles are related to the CHILDEX indicators (international conventions, civil rights, education, health, public affairs, female children, humanitarian protection, and poverty).

Table 9. Convention on the Rights of the Child Provisions Related to CHILDEX Indicators

<i>CHILDEX Indicators (Convention on the Rights of the Child Articles)</i>
<i>Enforcement of Civil Rights/Participation in Public Affairs</i>
Child's Right to Freedom of Expression (13)
Child's Right to Freedom of Thought, Conscience and Religion (14)
Right of the Child to Freedom of Association and Peaceful Assembly (15)
<i>Enforcement of Civil Rights</i>
Torture, Degrading Treatment and Deprivation of Liberty
Children of minorities or indigenous peoples (30)
Child Labour (32)
Children's Civil Rights (37)
Rehabilitation of Child Victims (39)
Administration of Juvenile Justice (40)
<i>Education</i>
Right of the Child to Access Appropriate Information (17)
<i>Female Children's Rights/Participation in Public Affairs</i> ¹⁶
Child's Right to Protection from All Forms of Violence (19)

*Children's Poverty*¹⁷

- Refugee children (22)
- Child's Right to Benefit from Social Security (26)
- Child's Right to an Adequate Standard of Living (27)

Health

- Health and Health Services (24)

Education

- Right to Education (28)

Humanitarian Protection of Children

- Protection of Children Affected by Armed Conflict (38)

IMPLEMENTATION OF THE INTERNATIONAL CONVENTION ON THE RIGHTS OF THE CHILD

While it is one of the most universally ratified human rights conventions, actual implementation of the Convention on the Rights of the Child has had an insignificant impact in the lives of children in some states¹⁸. According to Kilkelly, the CRC has prioritized the establishment of structures and systems for monitoring and coordinating implementation of the convention. The author explains that this has been done in the European Court of Human Rights, the Inter-American Court of Human Rights and national courts in Canada and the U.S.A. The CRC has promoted greater respect for children's rights by encouraging greater legal reliance on children's rights values throughout the domestic and international legal systems¹⁹. "Nondiscrimination" and "Best Interest" have acquired the standard of customary international law²⁰. Universal ratification makes reliance on its provisions relatively uncontroversial²¹.

CHILDREN'S RIGHTS INDEXES

Children's rights conventions and UN Summits on children's rights are fundamental in building an implementation policy and strategy on children's rights. However, monitoring also plays a significant role in strengthening this regime. "Indicators for implementation of human rights are essential for developing a strategy for the promotion and protection of those rights and, indeed, for democratic development."²². Consequently, children's rights indexes are essential in pursuing a global children's rights policy.

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Table 10. Comparison of Children's Rights Indexes: Childwatch International Monitoring (Children's Rights Project), Child Risk Measure, and CHILDEX

<i>Index</i>	<i>Variable(s) Measured</i>	<i>Indicators</i>
Childwatch International Monitoring (Children's Right Project)	Compliance with the International Convention on the Rights of the Child Indicators Childhood Social Indicators Child Rights Indicators	Economic, Social and Cultural Rights
Child Risk Measure	Child Risk Underweight, Schooling,	Mortality,
CHILDEX	Children's human rights by country, Child Labor	Education, Health,

CHILDWATCH INTERNATIONAL MONITORING CHILDREN'S RIGHTS PROJECT

Other children's rights indexes preceed CHILDEX. These are mostly related to UNICEF. The Indicators for Children's Rights Project, later known as the Childwatch International Monitoring Children's Rights Project was developed to monitor the Convention on the Rights of the Child (CRC). This index was proposed in 1993 by the Swedish and British Save the Children, the CRC, UNICEF and Childwatch International to identify and develop indicators for the use in monitoring implementation of the Convention on the Rights of the Child²³. This index was created as a method to measure to what extent states parties were implementing the convention. Thus, the index had a practical and very specific purpose. The index takes into account that the Convention establishes rights and conditions that are very difficult to measure and that some concepts, such as "the best interest of the child" in the CRC are not clearly defined. In fact, this concept is open to interpretation by national tribunals.

CHILD RISK MEASURE

The Child Risk Measure is another index developed by UNICEF that measures the level of risks that a child faces as well as the chances of a "full and healthy development" that a child has in every individual country. The indicators utilized in this index include:

- 1) Under-five mortality
- 2) Moderate or severe underweight
- 3) Primary schooling
- 4) Likelihood of risk from armed conflict
- 5) Likelihood of risk from HIV/AIDS

"One limitation of the Index is that it does not incorporate a number of important risks that children face in industrialized countries, such as alienation and loneliness, which are quite difficult to measure."²⁴ Other factors that affect adolescent development (i.e. child labor, sexual exploitation, lack of family support) do not form part of this composite index²⁵.

There are indicators that the CRM does not measure. The risks derived from political instability, which can lead to genocide and other variants of gross human rights violations (e.g. ethnic cleansing, torture, state terrorism, extrajudicial executions, abduction by state security forces) that affect children are not included. The risks derived from social violence and exposure to delinquency are not accounted for either. In a significant number of states children confront a high probability of being forcefully recruited into criminal organizations or abducted for ransom and other purposes. Even a moderate risk on these indicators presents a significant concern considering the grave consequences derived from these human rights violations. An indicator measuring child risk should take these variables into account, which are not uncommon and represent a very serious risk to children's physical and emotional welfare.

While the Index is useful in terms of measuring "risk", a variable that affects children, it does not measure the overall children's rights situation. Nevertheless, the CRM is a useful index as it provides a measuring instrument of risk affecting children. Despite recognizing its limitations, UNICEF has decided to publish its results "in order to launch an idea and a discussion."²⁶

CHILDREN'S INTERNATIONAL HUMAN RIGHTS INDEX (CHILDEX)

An International Index of Children's Human Rights (CHILDEX) is proposed that could contribute to monitoring the evolution of children's rights universally. Furthermore, a children's rights index could potentially induce governments to improve their children's rights standards. Public opinion and international pressure can have a positive impact in terms of pressuring governments to abide by international human rights standards.²⁷

INDICATORS

CHILDEX is made up of eight indicators that measure different categories of rights found in the CRC and that consider the main dimensions of children's rights. While it does not cover the full range of rights included in the CRC, CHILDEX includes some of the most important internationally recognized categories of human rights contained in the CRC, such as education,

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gender equality, civil rights, health, political participation, labor rights, humanitarian protection, socio-economic rights, child abuse, and children's participation in public affairs.

Some articles of the CRC cannot be measured. There is no reliable data for most countries on the rights covered by these articles. Moreover, some of these articles would be, by their own character, very difficult to measure (e.g. privacy, honor and reputation). These include article 3 (best interest of the child), article 5 (parental guidance), article 16 (privacy, honor and reputation), article 18 (both parents' common responsibility), article 21 (adoption), article 23 (rights of mentally and physically disabled child), article 31 (right to play), article 33 (protection from narcotic drugs), article 34 (sexual exploitation), and, article 35 (trafficking of children).

Many convention provisions reflect those of the UN's more general human rights instruments, but the CRC also recognizes rights specific to children, such as the right to play, the right to maintain regular contact with both parents, and the right to protection from abuse, neglect and ill-treatment²⁸. CHILDEX includes rights that can be more easily measured, that are generally recognized as basic to international standards, and that are universally found in human rights conventions. Its indicators reflect those aspects that are most essential to the rights of the child.

1. Ratification of International Conventions that Protect Children's Rights

International conventions are an essential indicator because they protect children's rights universally. International instruments protecting children's rights were adopted lately compared to other human rights conventions. It was not until 1989 that a major convention on children's rights, the Convention on the Rights of the Child, was adopted. Two additional protocols protect children against human traffic, prostitution and pornography and from military recruitment respectively.

The International Convention on the Rights of the Child protects children against any type of discrimination based on race, colour, gender, language, religion, political opinion or any other consideration. The Convention recognizes the supreme right to life of every child. The Convention also guarantees other basic liberties like: 1) the right to a name and nationality, 2) the right to preserve the identity, 3) the right to express opinions, 4) liberty of expression, 5) liberty of thought, conscience and religion, 6) liberty of association, 7) protection of the children privacy, 8) right to security and protection by the state against abuse, 9) special protection to refugee children, 10) the right not to be tortured, and, 11) the right not to have his/her liberty curtailed. It also provides protection against violations of International Humanitarian Law such as forced recruitment or participation in armed hostilities.

Regarding individual protections in cases of criminal law, the Convention guarantees the child's fundamental liberties such as: 1) presumption of innocence, 2) that the accused child be informed of the accusations that are being made against him/her, 3) legal assistance for his/her defense, 4) the right to receive Justice diligently, 5) that his age circumstances are taken into consideration, 6) the right not to be forced to declare nor to declare himself/herself guilty, 7) a right to have the case submitted to an impartial, neutral tribunal, 8) a right to receive adequate translation if the case is conducted in a language different to his/her native tongue, and, 9) the right to privacy throughout the process. The Convention also establishes that the state parties

shall take measures to: 1) establish children-specific institutions for the administration of justice, 2) a minimum age for establishing responsibility for criminal accusations, 3) the adoption of measures that may substitute a criminal case, and, 4) the adoption of measures that can serve as a substitute for internment. It also establishes a minimum age for marriage consent.

There are also the International Labour Organization conventions against child labour (No. 182) and a convention (No. 138) that establishes a minimum age for work. These conventions are all children-specific. Other instruments include the *Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children*. There are also other international instruments that, while not specifically directed to children, contain some articles that particularly protect children. These include: the *Convention Relative to the Protection of Civilian Persons in Time of War* (1949) also known as the IV Geneva Convention, and the *Second Optional Protocol Aiming at the Abolition of the Death Penalty* (1989).

This indicator is important because the adoption of international instruments creates an obligation by the signatory states to enforce rules that protect children's rights. Signing international conventions compels states to change their internal legislation to protect children's rights. It is imperative that the international community negotiates children-specific conventions to advance children's rights because these conventions underline the importance of these, bring the issue into the attention of the international community, recognize children's character as world citizens and create an international legal mechanism that allows denouncing violations of international obligations.

2. Enforcement of Children's Civil Rights

Despite its significance, no international consensus on enforcing children's civil rights has been reached. Even the states where human rights legislation and enforcement is most advanced do not thoroughly recognize civil rights to children. While almost every state has ratified the Convention on the Rights of the Child, enforcement of these rights is limited. Children's access to courts or to children's ombudsmen ranges from very limited to non-existent, resulting in an impossibility to counteract discrimination and civil rights violations. Major civil rights violations reported by NGO's and IGO's against children include: 1) sexual exploitation, 2) slavery, 3) torture, 4) forced-recruitment, 5) violation of humanitarian rules as applicable to children, 6) child abuse, 7) child trafficking, and, 8) child labour. Some international legislation exists that guarantees certain civil rights to children.²⁹

3. Access to Education and Intellectual Development

Children's levels of education and intellectual development are an indicator of a state's policy towards children, and reflect to what extent their rights are a priority. Investment in education correlates with children's welfare³⁰. Education has been measured mainly in terms of literacy, even though there are other factors relating to children's education that also deserve attention. Most states invest greater resources in defence than in children's education, indicating the marginal importance that children's rights receive³¹. According to the ILO, 200 million children are currently involved in child labour.

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4. Access to Health Services

This indicator concerns one of the most urgent issues related to the rights of the child. Though there has been an increasing advancement in child-mortality reduction in all regions, most states in Sub-Saharan Africa, South Asia, Middle East and North Africa, East Asia and Pacific, Latin America and the Caribbean, and Central and Eastern Europe and the Commonwealth of Independent States still do not invest enough resources on children's health, resulting in unnecessary deaths and suffering for children who are particularly vulnerable to health problems.³² In 2007, 9.2 Million children died globally before reaching age 5. Many children die from lack to vaccination, lack of hygiene or dehydration. These issues could be solved with relative ease. But their persistence demonstrates how misplaced political and economic priorities are in most states and internationally.

5. Children's Voice in Public Affairs

States allow extremely limited or no voice to children in public affairs. It is only recently that institutions have been created that allow children some means of expression and redress through public institutions such as the Children's Ombudsmen. These were first established in Scandinavian states (i.e. Sweden, Norway and Denmark). States and regional jurisdictions like Australia, Austria, Belgium, Bolivia, the Canadian Provinces, Colombia, Costa Rica, France, Guatemala, Hungary, Iceland, Ireland, Italy, Macedonia, New Zealand, Nicaragua, Northern Ireland, Philippines, Portugal, Puerto Rico, Romania, Russian Federation, South Africa, the Spanish Autonomous Communities, Sweden and Wales have followed the example of Scandinavian states by establishing Children's Ombudsmen or parallel institutions³³. Some, like Finland and Israel have NGO-funded institutions.

Children's voice in public affairs remains highly limited by the reluctance to consider their interests seriously³⁴. While the establishment of Ombudsmen offices opens a space to children's affairs in public debate, there are still major limitations placed on children's capacity for voicing their concerns. Moreover, the majority of states lack even a Children's Ombudsmen-like institution.

6. Rights of the Female Children

Female children's rights are an indicator of how far a state has advanced in terms of achieving equality for all its citizens. Female children's rights are even more threatened than male children's rights. This tendency is reflected in unequal access to education, health and other basic rights³⁵. Some states restrict female children's advancement under cultural or religious justifications making it very difficult for them to ever achieve equality or to improve their social status³⁶. Some instances of female children's rights violations are particularly serious. These include: 1) forced female circumcision, 2) forced marriage with male adults, 3) discrimination in educational opportunities, 4) sexual slavery, and 5) continuous sexual abuse³⁷.

7. Child Military Recruitment and Violation of Humanitarian Rules that Protect Children

This problem has become widespread, particularly in Africa, Asia and the Middle East, though it also affects Europe and the Americas. Instead of receding, the problem has aggravated in the last decades. The easy accessibility to light weapons and the uncontrolled arms trade has made it easier to manipulate children for these purposes³⁸. Children are kidnapped and recruited into both armies and irregular forces. They usually perform the worst functions in these armies, acting as servants and first rank soldiers³⁹. Conflicts generate large-scale violations of human rights, including situations of mass murder, torture and genocide in which children become the main victims. Consequently, child recruitment and humanitarian rules violations constitute an essential indicator in measuring children's rights.

The international community has tried to correct this problem by adopting the Optional Protocol on the Involvement of Children in Armed Conflict. States that sign this protocol are required to report regularly on the measures that they have undertaken in order to implement the Protocol. The Protocol rises from 15 to 18 the age at which forced recruitment into the armed conflict is permitted. The Protocol, adopted in 2000, has been signed by 80 states and ratified by 4. Child-recruitment is considered a Crime against Humanity by the International Criminal Court (ICC) (Statute of Rome (1998)) and a violation of International Humanitarian Law (IHL) by the International Committee of the Red Cross (ICRC) (Comité Internacional de la Cruz Roja, 2003c). Landmines are another serious situation that threatens the application of humanitarian rules as applied to children. Children are particularly vulnerable to landmines, which represent "an insidious and persistent danger" to children⁴⁰. The situation is especially grave in Afghanistan, Angola and Cambodia, which "have suffered 85 per cent of the world's landmine casualties"⁴¹.

8. Measures to Correct Children's Poverty

Children are particularly vulnerable to poverty because of their dependence and lack of independent income. Over 600 million children live in absolute poverty world-wide. Poverty limits the possibility of progress for children and is correlated to other violations of human rights such as child labour and child trafficking⁴².

CONSTRUCTING CHILDEX

CHILDEX is a composite index based on thirteen indicators. The indicators are classified into three categories that include human needs, participatory rights and humane governance indicators. Human needs emphasize social goods essential for human subsistence⁴³. The human needs indicators include: 1) child education, 2) child health, and, 3) child poverty. Participatory rights imply respect for basic human dignity, such as the right to personal liberty, security and survival, and claims to equality through participation and guarantees against discrimination⁴⁴. Within this category are included indicators such as: 4) children's participation in public affairs, 5) implementation of children's civil liberties, 6) rights to humanitarian protection, and, 7) rights of female children. Lastly, it has also been considered necessary to include humane governance indicators⁴⁵ that imply greater enforcement of international rules⁴⁶. This indicator, related to the adoption of international law instruments, legally binds governments to implement these rights

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and provide guarantees to children citizens. The humane governance indicators included are: 8) international conventions protecting children's rights.

A sample of 169 states was selected. Data derived from Inter-Governmental Organizations (IGO's), the United Nations Children's Fund (UNICEF) in particular, was obtained to calculate the index for this sample. Data obtained allowed calculating CHILDEX for 161 of these states. Data was incomplete for 8 countries (Cook Islands, Lesotho, Liechtenstein, Micronesia, Niue, Solomon Islands, Tonga, and, Western Sahara) for which CHILDEX could not be determined. Results include a large sample of sovereign nations. Non-sovereign territories have been mostly excluded, not for lack of relevance, but for difficulty in obtaining data. UNICEF and other relevant IGO's do not usually provide data about these territories.

A rank from 1 (low) to 10 (high) was assigned to each state for every indicator based on a scale in which those factors considered most significant were assigned values. For example, the ranking on the International Instruments Indicator was assigned based on the number of children-relevant treaties that a country has signed or ratified. Table I illustrates the values that were assigned based on the children's rights conventions signed or ratified.

Table II. Factors Considered in Determining the International Instruments Indicator

<i>Convention</i>	<i>Value</i>
Convention on the Rights of the Child ⁴⁷	4 points on ratification, 2 points on signing, 0 points on failure to ratify or sign
Protocol on the Recruitment of Children	2 points on ratification, 1 point on signing, 0 points on failure to ratify or sign
Protocol on Sale, Pornography and Prostitution	2 points on ratification, 1 point signing, 0 points on failure to ratify or sign
International Labor Organization (ILO) Convention 182 and Convention 138, protecting children from child labor	2 points on signing both 1 point on signing one, 0 points on signing none

Some are composite indicators, such as the Right to Humanitarian Protection/Child Recruitment Indicator. This indicator was determined taking into consideration a number of the factors (Table II) considered relevant.

Table 12. Factors Considered in Determining the Values of the Humanitarian Protection/ Recruitment Indicator

<i>Child Recruitment Situation</i>	<i>Values</i>
Child Recruitment	6 points on no recruitment-no conflict or political terror 5 points on no recruitment-political terror 3 points on voluntary recruitment-no conflict 2 points on forced recruitment-no conflict 1 point on forced recruitment-political terror or conflict
Level of Political Terror	2 points on high political terror or war violence that children are exposed to 1 point on some political terror and war violence and level of war violence 0 points on no terror and no war violence that children confront
International conventions that protect children from military recruitment	2 points on ratification of Protocol on Child Recruitment 1 point on signing of Protocol on Child Recruitment 0 points on failure to ratify or sign Protocol on Child Recruitment

The Female Rights' Indicator was determined taking into consideration female children's education and health levels as compared to male children's levels.

Table 13. Factors Considered in Determining the Values of the Female Children's Indicator. This Indicator's Value is Calculated by Averaging Both Factors.

<i>Female children's literacy rates (%)</i>	<i>Values</i>
90-100	10
80-89	9
70-79	8
60-69	7
50-59	6
40-49	5
30-39	4
20-29	3
10-19	2
0-9	1

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Female children's under-5 mortality ranking *Values*

170+	10
150-169	9
130-149	8
110-129	7
90-109	6
70-89	5
50-69	4
30-49	3
10-29	2
1-9	1

With regard to the children's health indicator, the factor taken into consideration was the under-5 mortality rank. This factor is considered essential because under-5 mortality is used as an indicator of overall children's health. "The under-five mortality rate is chosen by UNICEF as its single most important indicator of the state of a nation's children"⁴⁸.

Table 14. Factors Considered in Determining the Values of the Children's Health Indicator

Under-5 mortality rank *Values*

4-10	10
11-15	9
16-20	8
21-25	7
26-35	6
36-44	5
45-60	4
61-80	3
81-120	2
121+	1

Children's primary school attendance is the fundamental factor in determining the education indicator. Providing primary school education is considered a preeminent objective in children education. "Primary education for all is not only a right; education has a major positive effect on the well-being of children and adults"⁴⁹.

Table 15. Factors Considered in Determining the Values of the Education Indicator

<i>Children attending primary school (%)</i>	<i>Values</i>
90-100	10
80-89	9
70-79	8
60-69	7
50-59	6
40-49	5
30-39	4
20-29	3
10-19	2
0-9	1

The CHILDEX for each state was estimated from the arithmetic mean of 8 of the 13 indicators originally selected. Data for the other five was not found or was incomplete. The CHILDEX for each state was subsequently ranked and classified according to the scale represented in table VI.

Table 16. Values and Levels in the Children International Human Rights Index

<i>CHILDEX</i>	<i>Level</i>	<i>Description</i>
10-9	High	These states reflect concern about children's rights. Some of them have established institutions specialized in monitoring these rights. They reflect high values in almost every indicator. Some violations are always probable.
8-7	High-Medium	High-medium states have applied policies that attempt to correct children's rights abuses, but violations persist on different indicators.
6-5	Medium	Medium-level states have implemented policies concerning children's rights but have omitted almost completely other policies that are also essential to preserve these rights.
4-3	Low-Medium	These states reflect severe problems regarding children's rights. They rank low on most indicators, though they might rank medium on a few.
2-1	Low	These states reflect grave and extreme children's rights abuses. Their alarming situation merits international mobilization.

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States were then classified by geographical-political regions. Then, CHILDEX was also determined for each region and these were also ranked. CHILDEX expands the number of indicators that have usually been used in previous indexes. It transcends the basic needs and participatory rights approaches to include rights to humanitarian protection as well as international conventions.

CONCLUSIONS

A Children's International Human Rights Index (CHILDEX) is proposed to measure and compare the application of internationally recognized children's rights in every state. The need for the index has been established as an instrument that measures the effectiveness in the application of the Convention on the Rights of the Child. Enforcement measures are needed to strengthen the application of the Convention on the Rights of the Child. The proposed Children's International Human Rights Index (CHILDEX) has the objective of monitoring the effectiveness in the enforcement of the Convention.

CHILDEX has been designed under the ethical perspective that there is no valid reason to marginalize children from the human community or to deny them their citizenship rights. Excluding children from exercising their rights contradicts universally-accepted standards of human rights and democracy. By measuring application of human rights indexes to children, CHILDEX aims at narrowing an existing gap in relation to indexes applied to children's rights. Previous indexes of children's rights were limited to measuring children's "risk" or other limited aspects. CHILDEX objective is to thoroughly measure children's rights universally. It is expected that the analysis of children's rights from an International Relations perspective can contribute to an enhanced analysis of children's rights.

NOTAS

- 1 M. Ensalaco and Majka, L. eds.(2005). *Children's Human Rights:Progress and Challenges for Children Worldwide*. Oxford, Rowman & Littlefield.
- 2 M. Green. (2001). "What We Talk About When We Talk About Indicators: Current Approaches to Human Rights Measurement" *Human Rights Quarterly* 21, p.1082.
- 3 R.P. Claude and T.B. Jabine (1992). *Human Rights and Statistics: Getting the Record Straight*. Philadelphia, University of Pennsylvania Press.
- 4 UNICEF. (2002b). *Implementation Handbook for the Convention on the Rights of the Child*. New York, UNICEF.
- 5 S.A. Hewlett. (1993). *Child Neglect in rich nations*. New York, UNICEF.
- 6 Human Rights Watch. (2006). *Children's Rights*. (www.hrw.org/children/).
- 7 Childwatch International Research Network. 1993. *Indicators for Children's Rights.Project Proposal*, 29 November 1993. *Proposal for a Project to Identify and Develop Indicators for the Use in Monitoring the Implementation of the Convention on the Rights of the Child* (www.childabuse.com/childhouse/childwatch/cwi/projects/).
- 8 A.J. Jongman. (2001). "Mapping Dimensions of Contemporary Conflicts and Human Rights Violations," in Institute for International Mediation and Conflict Resolution. *World Conflict and Human Rights Map 2001*,p.1.
- 9 *Ibid*.
- 10 The Security Council has expressed "concern" for child recruitment and for sexual abuse against female children in Sudan but without any corresponding action. (UNSC Resolution 1591 (2005) and UNSC Resolution 1714 (2006)) It has not pronounced itself on child slavery in Sudan as a threat to international peace and security. The Security Council has not even passed a resolution on the Chechnyan conflict.
- 11 V. Hawkins (2003). "Measuring UN Security Council Action and Inaction in the 1990's" *African Security Review* 12 (2), p. 64-65.
- 12 UNICEF. (1997). *Ombudswork for Children*. Innocenti Digest (i). Florence, UNICEF. (www.unicef.org-icdc.org/publications/).
- 13 *Ibid*.
- 14 UNICEF. (2002d). *The State of the World's Children 2002: Leadership*, p. 38-39.
- 15 J.M Gerschutz. and M.P. Karns, (2005). "Transforming Visions into Reality: The Convention on the Rights of the Child", in L. C. Majka and M. Ensalaco, *Children's Human Rights: Progress and Challenges for Children Worldwide*. Oxford, Rowman & Littlefield, p. 32.
- 16 A Female Children's Rights indicator is necessary since the female children are subjected to so many forms of violence (19). The rights of the female children are also protected under the indicator on Children's Participation on Public Affairs (children's ombudsman).
- 17 Refugee children rank among the poorest.

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- 18 U. Killkelly, (2005). "Strengthening the Framework for Enforcing Children's Rights: An Integrated Approach" in L. C. Majka and M. Ensalaco, *Children's Human Rights: Progress and Challenges for Children Worldwide*, p. 53.
- 19 *Ibid*, p.55.
- 20 *Ibid*.
- 21 *Ibid*.
- 22 N. Thede, (2001). *Statistical Journal of the United Nations ECE* 18, p. 259.
- 23 Childwatch International Research Network. (1993). *Indicators for Children's Rights. Project Proposal*, 29 November 1993, p.2. *Proposal for a Project to Identify and Develop Indicators for the Use in Monitoring the Implementation of the Convention on the Rights of the Child* (www.childabuse.com/childhouse/childwatch/cwi/projects/).
- 24 UNICEF. (1999). *The Progress of Nations 1999*, p.1. (www.unicef.org/po99/diceleag.htm).
- 25 *Ibid*, p.1.
- 26 *Ibid*.
- 27 Public opinion can have a positive impact in terms of pressuring the international community to act in favor of human rights. Though the UN Security Council has reacted slowly and lately to Darfur's genocide, its policies have responded largely to international public opinion.
- 28 U. Killkelly, *Op.Cit*, p.54.
- 29 In view of the alarming humanitarian situation of children's civil rights certain measures should be adopted such as having the human rights NGO's reporting a special chapter on children's rights, adopting a convention on humanitarian rights applied to children and giving children greater voice in international and public affairs.
- 30 UNICEF (2002b), *Op.Cit*, p.431-432.
- 31 M. Ensalaco, *Op.Cit*, p. 20-21.
- 32 UNICEF has established a programme for achieving the concrete goals of the International Convention on Children's Rights.
- 33 UNICEF (1997), *Op.Cit*, p.14-19.
- 34 UNICEF (2001a). *Independent Institutions: Protecting Children's Rights*, p. 13-14. Innocenti Digest (8). Florence, UNICEF (www.unicef.org-icdc.org/publications/).
- 35 UNICEF (1993). *A Time for Action: Girls, Women and Human Rights*, p. 1-11.
- 36 *Ibid*, p. 3-4.
- 37 UNICEF (2002b), *Op.Cit*, p. 31-34.
- 38 S. Machel, (1994). *Impact of Armed Conflict on Children*. New York, UNICEF, p. 6.
- 39 *Ibid*, p. 6-7.
- 40 *Ibid*.
- 41 *Ibid*.
- 42 UNICEF (2002b), *Op.Cit*, p. 379.
- 43 R. P. Claude and B.H. Weston, (ed.). (1989). *Human Rights in the World Community: Issues and Action*. Philadelphia, University of Pennsylvania Press, p.116.
- 44 *Ibid*, p.46.

- 45 The concept of governance implies a transformation of the international political order and institutions that would allow enforcement of international legal rules and would subordinate sovereignty to universal rules.
- 46 R. Falk, (1989). "Theoretical Foundations of Human Rights", in R.P. Claude and B.H. Weston, (ed.). *Human Rights in the World Community: Issues and Action*, Philadelphia, University of Pennsylvania Press, p. 29.
- 47 Greater value is attributed to the Convention on the Rights of the Child than to other conventions because it is the most significant and thorough convention on children's rights. It represents the accepted international standard for children's rights. The other conventions are specialized.
- 48 UNICEF (2002b), *Op.Cit.*, p. 352.
- 49 UNICEF (2001b). *Progress since the World Summit for Children: A Statistical Review*, p.10.

APPENDIX

COMPARATIVE QUANTITATIVE DATA ON CHILDEX BY STATES

Quantitative data is provided that allows a comparison on values obtained by each state as well as their rankings on CHILDEX. Moreover, the tables provide values obtained by each state on other indexes, such as the Freedom Index and the Human Development Index. The data provided was used for undertaking the correlation tests.

DATA ON EUROPE AND NORTH AMERICA

European and North American states reflect the highest indexes on CHILDEX. This is the only region where some states obtain values in the High level (9-10), which reflect concern about children's rights. Some of these states have established institutions specialized in monitoring these rights. These states reflect high values in almost every indicator. The median in the European and North American region is established at the High-Medium level, reflecting policies that attempt to correct children human rights abuses, but where some violations persist on different indicators. Some European states also rank in the medium level.

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Table 1. CHILDEX World Rank, CHILDEX, FI and HDI values for European and North American States

<i>State</i>	<i>CHILDEX World Rank</i>	<i>CHILDEX</i>	<i>FI</i>	<i>HDI</i>
Sweden	1	9.63	10.00	9.41
Belgium	2	9.57	10.00	9.37
Norway	3	9.50	10.00	9.44
France	3	9.50	10.00	9.25
Denmark	3	9.50	10.00	9.30
Italy	6	9.25	10.00	9.16
Portugal	7	9.25	10.00	8.96
Ireland	8	9.13	10.00	9.30
Switzerland	9	9.00	10.00	9.32
Austria	9	9.00	10.00	9.29
Finland	9	9.00	10.00	9.30
Germany	9	9.00	10.00	9.21
Netherlands	9	9.00	10.00	9.38
United States	14	8.88	10.00	9.37
Slovenia	15	8.86	10.00	8.81
Malta	16	8.71	10.00	8.56
Luxemburg	17	8.63	10.00	9.30
United Kingdom	17	8.63	10.00	9.30
Canada	19	8.50	10.00	9.37
Hungary	19	8.50	10.00	8.37
Cyprus	21	8.43	10.00	8.91
Andorra	22	8.40	10.00	-
San Marino	22	8.40	10.00	-
Spain	24	8.29	10.00	9.18
Croatia	25	8.25	9.00	8.18
Monaco	26	8.20	-	-
Liechtenstein	-	-	-	-
Slovakia	29	8.00	10.00	8.36
Czech Republic	34	7.86	10.00	8.61
Lithuania	35	7.71	10.00	8.24
Estonia	36	7.63	10.00	8.33
Serbia & Montenegro	37	7.50	8.00	-
Greece	40	7.43	10.00	8.92
Latvia	41	7.38	10.00	8.11
Romania	44	7.29	9.00	7.73
Bosnia-Herzegovina	47	7.14	5.00	7.77

Poland	48	7.00	10.00	8.41
Bulgaria	48	7.00	10.00	7.95
Macedonia	48	7.00	7.00	7.84
Albania	60	6.63	7.00	7.35
Russian Federation	76	6.00	4.00	7.79
Ukraine	78	5.86	5.00	7.66
Georgia	83	5.63	5.00	7.62
Moldova	83	5.63	3.00	7.00
Azerbaijan	98	5.13	3.00	7.44
Belarus	102	5.00	2.00	8.04
Armenia	102	5.00	5.00	7.29

† Freedom House publishes a yearly Freedom Index. These results correspond to 1999-2000. The Freedom House's Index has been transformed into the 1-10 system.

DATA ON LATIN AMERICA

Most states in Latin America rank in the Medium level. Medium-level states have implemented policies concerning children's human rights but have omitted almost completely other policies that are also essential to preserve these rights.

Table 2. CHILDEX World Rank, CHILDEX, FI and HDI values for Latin American States

<i>State</i>	<i>CHILDEX World Rank</i>	<i>CHILDEX</i>	<i>FI</i>	<i>HDI</i>
Barbados	29	8.00	10.00	8.88
Bahamas	29	8.00	10.00	8.12
Uruguay	29	8.00	10.00	8.34
Costa Rica	37	7.50	10.00	8.32
Chile	41	7.38	10.00	8.31
Belize	41	7.38	10.00	7.76
Mexico	45	7.25	9.00	8.00
Argentina	48	7.00	7.00	8.49
Trinidad/Tobago	48	7.00	7.00	8.02
Panama	54	6.88	10.00	7.88
Venezuela	54	6.88	6.00	7.75
Peru	59	6.75	8.00	7.52
Dominican Rep.	60	6.63	9.00	7.37
Cuba	63	6.57	1.00	8.06
Brazil	64	6.50	7.00	7.77
Paraguay	65	6.38	6.00	7.51

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El Salvador	70	6.25	8.00	7.19
Guyana	72	6.13	9.00	-
Colombia	72	6.13	6.00	7.79
Honduras	72	6.13	7.00	6.67
Guatemala	79	5.75	7.00	6.52
Ecuador	86	5.50	7.00	7.31
Suriname	92	5.38	10.00	7.62
Nicaragua	94	5.36	7.00	6.43
Bolivia	98	5.13	10.00	6.72

DATA ON AUSTRALIA & PACIFIC STATES

There is a high degree of variability in this regional group, but a majority of states rank in the medium level.

Table 3. CHILDEX World Rank, CHILDEX, FI and HDI values for Australia & Pacific States

<i>Country</i>	<i>CHILDEX World Rank</i>	<i>CHILDEX</i>	<i>FI</i>	<i>HDI</i>
Niue	-	-	-	-
Australia	29	8.00	10.00	9.39
Cook Islands	-	-	-	-
Tonga	-	-	-	-
Palau	62	6.60	-	-
Micronesia	-	-	-	-
Marshall Island	85	5.57	10.00	-
Samoa	91	5.40	9.00	7.75
Timor Leste	114	4.75	7.00	-
Kiribati	126	4.33	9.00	-
Solomon Islands	-	-	-	6.32
Papua New-Guinea	142	3.33	10.00	5.48

DATA ON ASIA

Asia states reflect a normal statistical curve, with most states on the medium and lower-medium levels. States at the Lower-Medium level reflect severe problems regarding children's human rights. They rank low on most indicators, though they might rank medium on a few. Indicators for Asia are particularly disturbing for child labour.

Table 4. CHILDEX World Rank, CHILDEX, FI and HDI values for Asian States

State	CHILDEX World Rank	CHILDEX	FI	HDI
Japan	28	8.14	10.00	9.32
Korea, Rep.	28	8.14	9.00	8.79
Kuwait	37	7.50	5.00	8.20
Brunei Darussalam	46	7.17	3.00	8.72
United Arab Emirates	54	6.88	3.00	8.16
Bahrain	58	6.86	4.00	8.39
Israel	66	6.43	9.00	9.05
Malaysia	68	6.29	4.00	7.90
Oman	69	6.25	3.00	7.55
Philippines	76	6.00	8.00	7.51
Thailand	79	5.75	8.00	7.68
Lebanon	86	5.50	3.00	7.52
Kyrgyzstan	86	5.50	3.00	7.27
Jordan	86	5.50	3.00	7.43
Viet Nam	92	5.38	1.00	6.88
Turkey	97	5.14	6.00	7.34
Mongolia	98	5.13	9.00	6.61
Kazakhstan	102	5.00	3.00	7.65
Maldives Islands	102	5.00	3.00	7.51
China	102	5.00	1.00	7.21
Bangladesh	102	5.00	5.00	5.02
Saudi Arabia	111	4.86	1.00	7.69
Indonesia	111	4.86	6.00	6.82
Tadjikistan	113	4.83	3.00	6.77
Iran	120	4.57	3.00	7.19
Nepal	123	4.43	5.00	4.99
Palestine Autonomy	124	4.40	-	-
Irak	124	4.40	1.00	-
India	127	4.25	9.00	5.90
Pakistan	134	3.75	3.00	4.99
Laos	136	3.63	1.00	5.25
Bhutan	140	3.38	3.00	5.11
Uzbekistan	142	3.29	1.00	7.29
Yemen	142	3.29	3.00	4.70
Afghanistan	142	3.29	2.00	-
Turkmenistan	145	3.25	1.00	7.48
Korea, Dem. P. Rep.	148	3.20	1.00	-
Cambodia	151	3.00	3.00	5.56
Myanmar	155	2.67	1.00	5.49

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DATA ON AFRICA

Africa presents the most alarming indicators in CHILDEX. Most states are in the lower-medium level. Moreover, five states rank in the Lower level, the highest concentration in any continent. The states in the lower level reflect grave and extreme children's rights violations. Moreover, Africa reflects a disturbing pattern in the Child Military Recruitment and Violations of Humanitarian Law indicator.

Table 5. CHILDEX, FI and HDI for African States

<i>State</i>	<i>CHILDEX World Rank</i>	<i>CHILDEX</i>	<i>FI</i>	<i>HDI</i>
Seychelles	48	7.00	7.00	7.86
Libya	54	6.88	1.00	7.60
Botswana	64	6.50	9.00	-
South Africa	67	6.38	10.00	6.84
Tunisia	72	6.13	3.00	7.40
Madagascar	79	5.75	7.00	4.68
Gabon	79	5.75	5.00	-
Namibia	86	5.50	8.00	6.32
Senegal	95	5.25	8.00	-
Morocco	95	5.25	4.00	5.89
Benin	98	5.13	9.00	4.11
Zimbabwe	102	5.00	3.00	5.55
Egypt	102	5.00	2.00	6.23
Malawi	110	4.88	5.00	-
Mali	114	4.75	8.00	3.80
Kenya	114	4.75	5.00	5.08
Tanzania	117	4.63	6.00	4.15
Uganda	117	4.63	4.00	4.09
Burkina Faso	117	4.63	4.00	-
Ghana	121	4.50	8.00	5.56
Mozambique	121	4.50	6.00	-
Gambia	128	4.14	4.00	-
Algeria	129	4.13	3.00	6.83
Nigeria	129	4.13	5.00	4.63
Niger	131	4.00	5.00	2.92
Sierra Leone	132	3.88	4.00	2.52
Equatorial Guinea	132	3.88	1.00	5.55
Zambia	132	3.88	5.00	4.20
Mauritania	135	3.75	4.00	7.61

Guinea Bissau	137	3.63	2.00	3.31
Chad	139	3.50	3.00	3.67
Congo, DR.	139	3.50	2.00	-
Lesotho	-	-	8.00	5.10
Cote d'Ivoire	146	3.25	3.00	3.96
Central African Rep.	146	3.25	4.00	3.71
Liberia	150	3.13	6.00	-
Eritrea	150	3.13	1.00	4.08
Angola	152	3.00	3.00	4.05
Guinea	152	3.00	3.00	3.94
Ethiopia	155	2.75	4.00	3.09
Togo	157	2.50	4.00	4.71
Congo	158	2.29	4.00	5.07
Somalia	159	2.00	1.00	-
Sudan	160	1.88	1.00	4.77
Western Sahara	-	-	-	-

CONCLUSION

These results reflect the individual value for the CHILDEX for each state. The value for each state has been calculated based on the construction of the index as presented in the manuscript on Constructing CHILDEX, an International Index of Children's Human Rights.

REFERENCES

- Arroyo Rojas, W. (2010). *A First Step towards the Monitoring of Children's Human Rights Constructing CHILDEX, an International Index of Children's Human Rights*.
- Bellamy, C. (1999). "The roll of the dice", in UNICEF. *The Progress of Nations*, p. 1-3.
- Berry, N. (1997). *War and the Red Cross: The Unspoken Mission*. New York, St. Martin's Press.
- Childwatch International Research Network. (1993). *Indicators for Children's Rights. Project Proposal*, 29 November 1993. *Proposal for a Project to Identify and Develop Indicators for the Use in Monitoring the Implementation of the Convention on the Rights of the Child* (www.childabuse.com/childhouse/childwatch/cwi/projects/).
- Claude, R.P. and Jabine, T.B. (1992). *Human Rights and Statistics: Getting the Record Straight*. Philadelphia, University of Pennsylvania Press.
- Claude, R. P. and Weston, B.H. (ed.). (1989). *Human Rights in the World Community: Issues and Action*. Philadelphia, University of Pennsylvania Press.
- Coalition to Stop the Use of Child Soldiers. *Child Soldiers Global Report, 2004*. (www.child-soldiers.org/document_get.php?id=966).
- Comité Internacional de la Cruz Roja. (2001). "Los niños en la guerra," *Revista Internacional de la Cruz Roja* 83 (842), p. 1-7.
- Comité Internacional de la Cruz Roja. (2003a). *Cuadro sinóptico de las disposiciones del DIH aplicables específicamente a los niños*. Ginebra, CICR, p. 1-12.
- Comité Internacional de la Cruz Roja. (2003b). *Documento de trabajo para los delegados ante las fuerzas armadas y de seguridad relativo a la protección de los niños en situaciones de conflicto armado y de disturbio*. Ginebra, CICR, p. 1-16.
- Comité Internacional de la Cruz Roja. (2003c). *Los niños en la guerra*. Ginebra, CICR, p. 1-3.
- Comité Internacional de la Cruz Roja. (2003d). *Niños soldados*. Ginebra, CICR, p. 1-15.
- Comité Internacional de la Cruz Roja. (2003e). *Privados de Libertad*. Ginebra, CICR, p. 1-30.
- Committee on the Rights of the Child. (1991). *General Guidelines Regarding the Form and Content of Initial Reports to be Submitted by States Parties under article 44, paragraph 1(2), of the Convention: 30/10/91. CRC/C/5* (www.unhcr.ch/tbs/doc.nsf/).
- Convention on the Rights of the Child (1989) in UNICEF. (2002b). *Implementation Handbook for the Convention on the Convention on the Rights of the Child*. New York, UNICEF, p. 660-666.
- Corradini, L. (2001). "Niños encadenados," *El Correo de la UNESCO*, June, p. 38-39.
- Duverger, M. (1981). "La oligarquía de la dirección", in Blondel, J. et al. *El Gobierno: Estudios comparados*. Madrid, Alianza Universidad, p. 153-159.
- End Corporal Punishment. (2006). *States with Full Abolition*. (www.endcorporalpunishment.org/pages/progress/prohib_states.html).
- Ensalaco, M and L. Majka, eds. (2005). *Children's Human Rights: Progress and Challenges for Children Worldwide*. Oxford, Rowman & Littlefield.

- Espert, F. (1988). *Situation Analysis: Children in Especially Difficult Circumstances*. Bogotá, UNICEF.
- Falk, R. (1989). *Theoretical Foundations of Human Rights*, in Claude, R.P. and Weston, B.H. (ed.). *Human Rights in the World Community: Issues and Action*. Philadelphia, University of Pennsylvania Press, p. 29-41.
- Flekoy, M. G. (1991). *A Voice for Children: Speaking Out as Their Ombudsman*. London, Jessica Kingsley Publishers.
- Freedom House. (2005). *Freedom Index*. (www.freedomhouse.org).
- Jongman, A.J. (2001). "Mapping Dimensions of Contemporary Conflicts and Human Rights Violations," in, Institute for International Mediation and Conflict Resolution. *World Conflict and Human Rights Map 2001*.
- Galtung, J. (1969). "Violence, Peace and Peace Research" *Journal of Peace Research* 6, p. 167-191.
- Gerschutz, J.M. and Karns, M.P. (2005). "Transforming Visions into Reality: The Convention on the Rights of the Child", in Majka, L. C. and Ensalaco, M. *Children's Human Rights: Progress and Challenges for Children Worldwide*. Oxford, Rowman & Littlefield, p. 31-51.
- Global Initiative to End Corporal Punishment. (2007). *States with Full Abolition* (www.endcorporalpunishment.org/pages/frame.html).
- Green, M. (2001). "What We Talk About When We Talk About Indicators: Current Approaches to Human Rights Measurement" *Human Rights Quarterly* 21, p. 1062-1097.
- Hawkings, V. (2003). "Measuring UN Security Council Action and Inaction in the 1990's" *African Security Review* 12 (2), p. 61-70.
- Hewlett, S.A. (1993). *Child Neglect in rich nations*. New York, UNICEF.
- Human Rights Watch. (2006). *Children's Rights* (www.hrw.org/children/).
- International Criminal Court. (1998). *Rome Statute of the International Criminal Court*, p. 1-77 (www.icc-cpi.int/library/about/officialjournal/Rome_Statute_120704-EN.pdf).
- International Labor Organization. (2005). Convention No. 138 ratified by 135 countries (www.ilo.org/ilolex/cgi-lex).
- International Labor Organization (International Program on the Elimination of Child Labor). (2001). IPEC Action against Child Labor 2000-2001: Progress and Future Priorities (www.ilo.org/public/english/standards/ipecc/index.htm).
- Institute for International Mediation and Conflict Resolution. (2001). *World Conflict and Human Rights Map 2001*. Washington, D.C.
- Jongman, A.J. (2001). "Mapping Dimensions of Contemporary Conflicts and Human Rights Violations," in, Institute for International Mediation and Conflict Resolution. *World Conflict and Human Rights Map 2001*.
- Killkelly, U. (2005). "Strengthening the Framework for Enforcing Children's Rights: An Integrated Approach" in, Majka, L. C. and Ensalaco, M. *Children's Human Rights: Progress and Challenges for Children Worldwide*. Oxford, Rowman & Littlefield, p. 53-80.
- Machel, S. (1994). *Impact of Armed Conflict on Children*. New York, UNICEF.
- Office of the High Commissioner for Human Rights. (2006). *Committee on the Rights of the Child: Monitoring children's rights*.

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- Office of the High Commissioner for Human Rights, (2005). *Convention on the Rights of the Child (Ratifications)* (www.ohchr.org/english/countries/ratification/11.htm).
- Peces-Barba, G. (1993). "La universalidad de los derechos humanos," *Tiempo de Paz*, 29-30: p. 10-17.
- Ramphal, S. (1999). "Debt has a child's face," in UNICEF. *The Progress of Nations 1999*, p. 27-29.
- Reiss, H. (1988). *Kant's Political Writings*. Cambridge, UK, Cambridge University Press.
- Ressler, E., Tortorici, J.M., Marcelino, A. (1993). *Children in War: A Guide to Provision of Services. A Study for UNICEF*. New York, UNICEF.
- UN Committee on Human Rights. (1998). "Committee on the Rights of the Child to Meet in Geneva" Press Release HR/4350, January, p. 5-23.
- Saulle, M.R. and Kojanec, F. (eds.) (1995) *The Rights of the Child: International Instruments*. Irvington-on-Hudson, New York, Transnational Publishers.
- Thede, N. (2001). *Statistical Journal of the United Nations ECE* 18, p. 259-273.
- United Nations Development Program. (2004). *Human Development Index 2004* (www.undp.org).
- UNICEF. (1990). *Children and Development in the 1990's: a UNICEF sourcebook on the occasion of the World Summit for Children. September 29 and 30, 1990*.
- UNICEF. (1992). *Children and Agenda 21*. Geneva, UNICEF.
- UNICEF. (1993). *A Time for Action: Girls, Women and Human Rights*: p. 1-11.
- UNICEF. (1994). *Anti-personnel land-mines: a scourge on children*.
- UNICEF. (1997). *Ombudswork for Children*. Innocenti Digest (1). Florence, UNICEF (www.unicef.org-icdc.org/publications/).
- UNICEF. (1999). *The Progress of Nations 1999* (www.unicef.org/pon99/diceleag.htm).
- UNICEF. (2001a). *Independent Institutions: Protecting Children's Rights*. Innocenti Digest (8). Florence, UNICEF (www.unicef.org-icdc.org/publications/).
- UNICEF. (2001b). *Progress since the World Summit for Children: A Statistical Review*.
- UNICEF. (2001c). *We the Children*.
- UNICEF. (2002a). *Adult Wars, Child Soldiers*. (www.unicef.org/emerg/files/AdultWarsChildSoldiers.pdf).
- UNICEF. (2002b). *Implementation Handbook for the Convention on the Rights of the Child*. New York, UNICEF.
- UNICEF. (2002c). *Special Session on Children*. (www.unicef.org/specialsession/about/index.html).
- UNICEF. (2002d). *The State of the World's Children 2002: Leadership*.
- UNICEF. (2002e). *The World Summit for Children* (www.unicef.org/specialsession/about/world-summit.htm).
- UNICEF. (2002f.) *UNICEF's Priorities for Children 2002-2005* (www.unicef.org/ceecis/pub_priorities_en.pdf).
- UNICEF. (2003a). *Estado Mundial de la Infancia 2003*.
- UNICEF. (2003b). *IPEC's strategy to eliminate child labor*.
- UNICEF. (2003c). *Sesión Especial de las Naciones Unidas a favor de la Infancia: Informe de seguimiento del primer año*.

UNICEF. (2003d). *UNICEF Annual Report 2003*.

UNICEF, ILO, World Bank Group. (1998). *Understanding Children's Work: An Inter-Agency Research Cooperation Project*.

UN High Commissioner for Human Rights. (2003). *Status of Ratification of the Convention on the Rights of the Child*.

(www.unhcr.ch/html/menu2/6/crc/treaties/status-crc.htm).

"*Universal Declaration of Human Rights*," in Brownlie, I. ed. (1983). *Basic Documents in Human Rights*. Oxford, Clarendon Press, p. 250-256.

United Nations. (1990). *World Declaration on the Survival, Protection and Development of Children and Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s*.

(www.unicef.org/wsc/declare.htm).

United Nations Development Program. (2004). *Human Development Index 2004*.

(www.undp.org).

United Nations High Commissioner for Human Rights. (2003). *Status by treaty*

(www.unhcr.ch/tbs/doc.nsf).