



FIRST
CHILDREN
AND
YOUNG PEOPLE'S
REPORT

ON UN REPORTING ON THE IMPLEMENTATION OF THE
UN CONVENTION ON THE RIGHTS OF THE CHILD IN GERMANY

A REPORT CARD FOR CHILDREN'S RIGHTS IN GERMANY 2010

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FOREWORD

Dear readers of all ages,

You are holding the first Children and Young People's Report in your hands. It is not only addressing German children and youth (welfare) policy but also, as part of the reporting on the implementation of children's rights in Germany, the UN Committee on the Rights of the Child in Geneva.

As the Child and Youth Welfare Association (AGJ), the central national coalition on children and youth welfare in Germany, we want to reply to the UN Committee recommendations on involving young people in the reporting by presenting an independent report from the perspective of children and young people. Here, those addressed in the UN Convention on the Rights of the Child speak out and knowledgeably contribute their perspectives on the conditions for young people growing up in Germany.

The UN Convention on the Rights of the Child is the human rights agreement which, in 1989, was ratified by most State signatories from the international community. Since 1992, in the course of ratification, the Federal Republic of Germany has been under an obligation to implement the Convention's standards and other measures within Germany. In April 2010, in its Third/Fourth Report, the Federal Government presented its view on the present state of implementing the Convention. With its Supplementary Report, the National Coalition, an organisation under the legal auspices of the Child and Youth Welfare Association (AGJ), presents the view of the non-governmental organisations. The voices of the children and young people in this report provide an expertise which the Federal Government can and should utilise in planning further measures and in its dialogue with young people even before the UN Committee on the Rights of the Child announces its recommendations after hearing all parties.

The Children and Young People's Report is an appeal to politics and the administration on all levels of responsibility in the Federation and the Länder, as well as in the cities and local authorities. However, it is also important for anyone working with young people in schools, youth welfare services and associations or taking decisions that have an impact on them. It calls on parents, grandchildren, brothers and sisters, adults on the street and in virtual space – and not least the children and young people themselves – to take a close look and become active in the different areas.

"My parents say that I have no rights." Whether that's directly said or only thought in the sense of "We have more important things to worry about" realising children's rights requires children themselves knowing what those rights are and adults accepting them, so they can be understood as a personal obligation on actions in private and business life.



I would like to thank all of those who have taken this on and contributed to the Children and Young People's Report. First of all, my thanks go to all the young people who have made their own expertise available in over 3500 returned questionnaires. In particular, I'd like to thank the participants at the two nationwide workshops who, in their free time, carried out and documented 13 research projects for the Children and Young People's Report in the space of only three months.

I would also especially like to thank the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ) for its support for this AGJ project and the funding it has provided.

My thanks also go to the German Federal Youth Council (DBJR) for their help in sending out the questionnaires, choosing the young people for the nationwide workshops and providing the necessary materials.

The First Children and Young People's Report on UN reporting was compiled under considerable time pressure and with limited financial resources. Participation was nonetheless far higher than expected – indicating the enormous interest on the part of children and young people as well as many adults. The adults have supported the young people, at times with considerable personal dedication, and accompanied the process of drafting their contributions. I would also like to thank the many organisations that worked to quickly distribute the questionnaire, started their own information campaigns, and organised appointments with the children to see their mayors to ensure that the children's concerns are also voiced in the very near future as well. You have all already taken a cross-generational step on the road to implementing children's rights.

I hope that these suggestions become a part of tangible improvements for the children and young people that live in this country. As an experienced partner, the Child and Youth Welfare Association (AGJ) will continue to actively work for the implementation of children's rights.

Finally, I would sincerely like to thank Rebekka Bendig for her work as Project Coordinator and as the compiling author of the Children and Young People's Report on UN reporting.

Peter Klausch

Child and Youth Welfare Association (AGJ) Executive Director

01



BEGINNINGS

“The questionnaire has given a new impetus to our children and young people’s awareness not just of their own rights but of the rights of others as well. It led to so many good talks, discussions, and questions that just dealing with the topic was really stimulating and a big help. Thank you!”

FEEDBACK FROM A GIRLS BOARDING SCHOOL

A REPORT CARD ON CHILDREN'S RIGHTS

In 2010, for the first time, an independent Children and Young People's Report has been published on implementing the UN Convention on the Rights of the Child in the Federal Republic of Germany. But what does that mean?

3 BUILDING BLOCKS – 1 REPORT

The rights of children and young people are human rights! But what does that look like in reality?

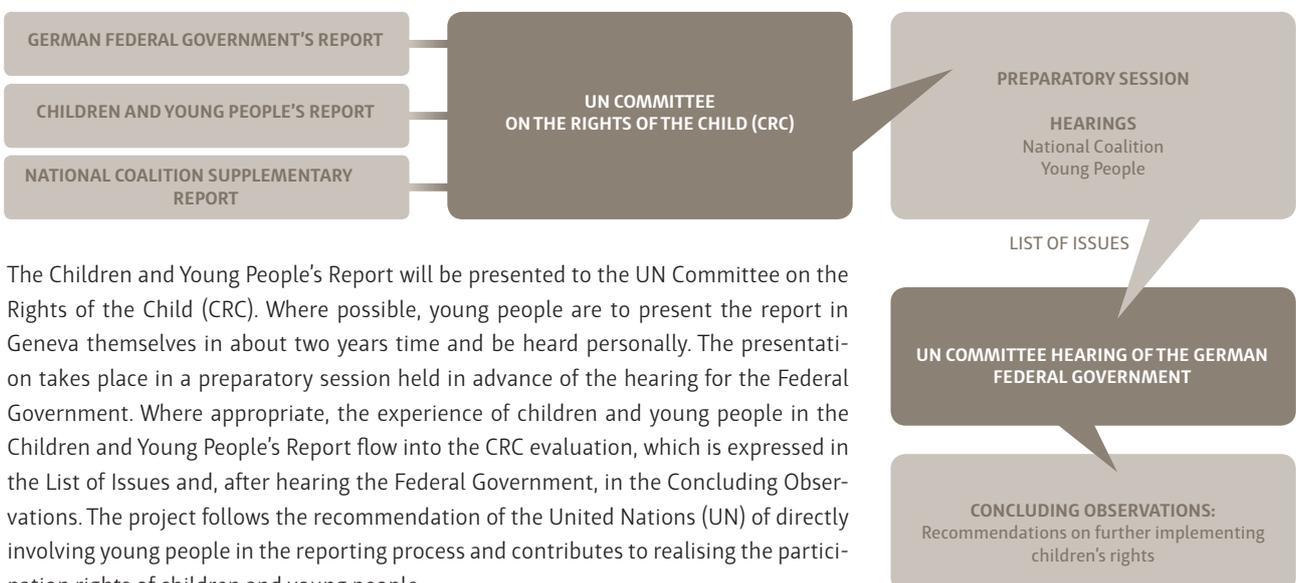
Thousands of young people have played their part in producing this report. Within three months, the Child and Youth Welfare Association (AGJ), the project's lead partner, received over 3,500 questionnaires. In two workshops, a selected group of 27 young people between the ages of 11 and 18 developed their own research projects for the Children and Young People's Report and discussed the findings. The Report also takes into account the results from several children's rights projects over the last years, for instance, the youth involvement project for the National Action Plan "For a Child-Friendly Germany 2005-2010" or the First National Conference for the Rights of the Child.



3 REPORTS – 1 OVERALL PICTURE

The Children and Young People's Report is intended to be one of three reports presented to the UN Committee on the Rights of the Child so that it can evaluate the implementation of the UN Convention on the Rights of the Child in Germany and make recommendations to the Federal Government.

The project for producing the Children and Young People's Report ran for eight months parallel to the presentation of the Federal Government's State Party Report (Third/Fourth Report) as required under Article 44 of the UN Convention on the Rights of the Child and before the submission of the Supplementary Report ("Shadow Report") by the National Coalition for the Implementation of the UN Convention on the Rights of the Child in Germany (NC), an umbrella organisation of over 100 non-governmental organisations.



The Children and Young People's Report will be presented to the UN Committee on the Rights of the Child (CRC). Where possible, young people are to present the report in Geneva themselves in about two years time and be heard personally. The presentation takes place in a preparatory session held in advance of the hearing for the Federal Government. Where appropriate, the experience of children and young people in the Children and Young People's Report flow into the CRC evaluation, which is expressed in the List of Issues and, after hearing the Federal Government, in the Concluding Observations. The project follows the recommendation of the United Nations (UN) of directly involving young people in the reporting process and contributes to realising the participation rights of children and young people.

WHY DO WE NEED THE CHILDREN AND YOUNG PEOPLE'S REPORT?

Objective 1: Children and young people are included as experts on their life-world and the implementation of children's rights. No adult expertise can replace their perspective since only they can report from the standpoint of the affected subject. Their subject status, for which the UN Convention on the Rights of the Child provides the basis, can only be realised in this way. However, this, in turn, leads to the desire to report on the diverse situations of young people in Germany and also give those children a voice who are not used to formulating their own interests and demands. This objective has been achieved through the Report's various building blocks and is also clearly evident in the results. However, this also entails the fact that no single recommendation on a group of topics is capable of speaking for all children and young people in Germany. Nonetheless, as the findings show, there is a surprising amount of agreement between the different interest groups.

Objective 2: The Children and Young People's Report gives a socio-political and youth policy signal for the political participation of young people. In this way, it is an instrument to realise the children and young people's rights to participation.

Objective 3: Within its possibilities, the project seeks to ensure that the perspective of young people provides a decisive basis for policy decisions. Children and young people's participation only truly deserves the name if it leads to consequences and adults seriously have to confront the findings these young people have produced. Article 12 (see p. 21) does not only talk of the child having the right to express his or her views but also explicitly

mentions giving due weight to those views. However, in the case of UN reporting, it may be a considerable time before there are any concretely comprehensible and visible results. As the participants at the nationwide workshops noted, it is a long way to Geneva and then back to the individual child or young person. How, then, can one ensure there is genuine participation? The Children and Young People's Report cannot and should not only have an impact in Germany through what happens in Geneva. Instead, it seeks to promote social debate within Germany and encourage all those to play an active part who can help create conditions appropriate for children and young people. This does not only include decision-makers but also youth welfare organisations, child rights organisations and, not least, committed young people themselves – and this is why the Report has been printed, distributed and made available online. This is also why the Report was not only submitted to the UN Committee but also personally presented to Dr. Kristina Schröder, Minister of Family

Affairs, Senior Citizens, Women and Youth. Under the motto "Worten folgen Taten!?" (Deeds follow words?!?), it was also discussed at the National Coalition's 15th Open Forum. The Children and Young People's Report lives from what you, the reader, does with it.

Objective 4: The process of compiling the Report and the quality of the findings encourage the children, young people and adults involved to continue promoting children's rights on the local, Länder, and national levels. The vast majority of the young people at national workshops on the Children and Young People's Report said something similar to "I've learnt a lot and would like to continue working to support children's rights". They especially mentioned how the mutual exchange of views expanded their own horizons: "Wow! Other people also feel the same way about school!" Or: "I'm shocked that female genital mutilation can occur in such a progressive country, and something needs to be done about it." The questionnaire too, which was processed nationwide, also encouraged discussions on children's rights: "The questionnaire led to intensive discussions in the Rostock Children's City Parliament and the Children's Local Advisory Council."

Rechte haben und Rechte bekommen: Sylter Schüler nehmen an großer Umfrage teil

WESTERLAND Werden in Deutschland die Rechte von Kindern und Jugendlichen geachtet? Um diese Frage zu beantworten, könnte die Bundesregierung Experten fragen. Oder die Kinder selbst. Und genau das geschieht derzeit für den „Kinder- und Jugendreport“. Auch rund 500 Schüler des Sylter Schulzentrums nehmen an der Umfrage teil. In regelmäßigen Abständen muss die Regierung dem UN-Ausschuss für die Rechte des Kindes Bericht darüber erstatten, wie es um die Rechte der Kinder in Deutschland bestellt ist. Erstmals werden für diesen Bericht Jugendliche in ganz Deutschland direkt befragt. Sie sollen 70 Fragen zu ihren Erfahrungen in der Familie, im Wohnort, der Schule oder der Freizeit beantworten. Stehen ihre Interessen an erster Stelle? Wird ihre Meinung gehört und berücksichtigt? Organisiert hat die Umfrage unter den Sylter Schülern Insejungendpfleger Holger Bünthe gemeinsam mit den Schilervertretern des Gymnasiums sowie



„Wäre gut, wenn wirklich was passiert.“ erhofft Sylta Bähr sich von der Umfrage. cns

der Haupt- und der Realschule. „Das Umfragethema betrifft genau meinen Arbeitsbereich“, erklärt Bünthe. „Es geht hierbei um die Präsenz von Kindern und Jugendlichen, um ihre Wünsche und Bedürfnisse.“ Ein Thema, das auch den acht Schilervertretern sehr am Herzen liegt. Zum Beispiel das Recht auf Spiel, Freizeit und Ruhe. In Zeiten von G8 ein schwieriger Aspekt, wie Secina Lotze vom SV-Vorstand des Gymnasiums in den Befragungen festgestellt hat. Eine Rückmeldung, was genau die Umfrage unter den Sylter Schülern ergeben hat, bekommt Insejungendpfleger Bünthe nicht. Nur den im Mai erscheinenden Report mit der Auswertung der deutschlandweiten Befragungen erhält er. Aber bereits jetzt hat die Umfrage etwas gebracht: Die Schüler haben sich, auch durch die begleitende Behandlung in der Schule, mit dem Komplex „Jugendrechte“ auseinander gesetzt. Und nur, wenn sie ihre eigenen Rechte kennen, können sie sie auch verlangen. cns

IMPLEMENTING THE PROJECT BUILDING BLOCKS

As mentioned above, the Report is based on three sources of information:

- 📄 Questionnaire
- 📄 Nationwide workshops and local projects
- 📄 Findings from child rights projects over the last years



QUESTIONNAIRE



The questionnaire asked children and young people across Germany to report on their personal experience. Starting from their familiar environments – family, schools, world of leisure and home – the young people described their everyday experience and evaluated it in terms of whether their rights were respected or infringed. The young people and the adults supporting them could find more details about the project and background information on www.kinder-jugendreport.de. The questionnaire could also be submitted digitally via the web page. The Child and Youth Welfare Association (AGJ) received over 3500 questionnaires. Of these, 1738 were used in a quantitative evaluation and

the others included as random samples on any open questions. This has to be seen as the price to pay for the exceptionally short project period of just eight months and only 75% project staffing. The questionnaire was originally designed for children and young people from the age of nine. The comprehensibility of the questionnaire was tested with children and young people aged between nine and seventeen from a range of school and language backgrounds. Nonetheless, younger children from the age of five have also filled in the questionnaire, in some cases with adult support. The respondent rate was similar for children and young people, although there was roughly a 10% higher return rate from children. Girls also tended to participate slightly more than boys. Given the ambitious length of the questionnaire, completing it entirely was not a requirement; nonetheless, the vast majority of respondents did fill in all of the six-page questionnaire.

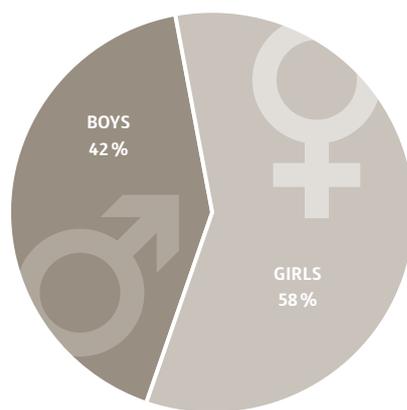
However, some children – and even more adults – criticised the questionnaire’s comprehensibility and length. *“We needed several days to answer all the questions. The children found it difficult to answer everything in one go.”* Some suggested that next time there should be two different versions – a simple version and a more demanding one – so that no child or young person would be under- or over-challenged.

Criticism from partners and youth associations was primarily directly to the short project period of only eight months. Other youth welfare bodies and organisations would have liked to have been more involved in the project.

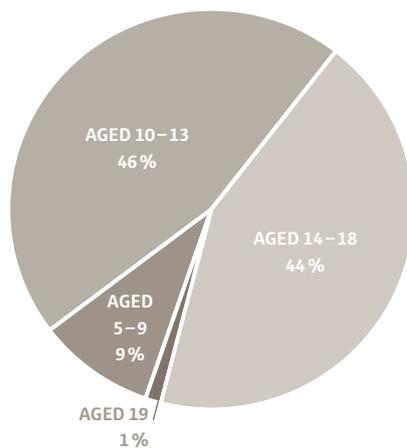
NATIONWIDE WORKSHOPS AND LOCAL PROJECTS

Obviously, there are always children and young people who cannot be reached with a questionnaire. The two workshops and local projects were also organised for this reason, although they were also designed to let a group of young people become more involved in the issues than is possible in a questionnaire.

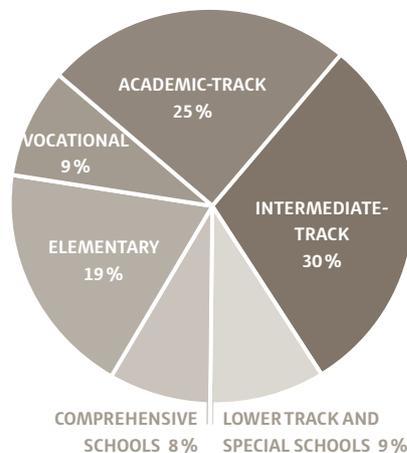
WHO FILLED IN THE QUESTIONNAIRE?



GENDER



AGE



TYPE OF SCHOOL

The participants at the nationwide workshops: Alan, Benedikt, Carla, Finn, Francesca, Frederik, Gina, Halim, Heiko, Ildiko, Janina, Johanna, Julian, Liane, Lina, Lisa, Manuel, Marvin, Melanie, Melanie, Navid, Samantha, Selina, Tobias, Victor, Yngve, Zinar



In a process organised together with the German Federal Youth Council (DBJR), a choice was made of 27 children and young people aged between 11 and 18 from nine German Länder who reflect the diverse situations in which young people are living in Germany today. In only three months, they realised 13 decentralised projects, developed at the first workshop in December 2009, to record the views of young people on the local level. They researched on a peer-to-peer level, describing the lives of children and young people in their environment.

The projects were evaluated and discussed in a second workshop, and have also been incorporated into the Children and Young People's Report. The children and young people additionally nominated their own topics, which were similarly taken up. The young people's topics and recommendations convey an impression of the diversity of children's rights and the very different conditions under which children and young people live in Germany. The details of the individual projects are available at www.kinderjugendreport.de. All the members of the groups were sorry to see the projects come to an end. The children and young people plan to organise further meeting themselves to continue dealing with the implementation of children's rights from the perspective of those affected.

FINDINGS FROM PREVIOUS CHILDREN'S RIGHTS PROJECTS

A Children and Young People's report exclusively based on the questionnaires and the young people's projects from the past months would disregard the existing store of knowledge in Germany on the topic of children's rights. For this reason, associations, local authority children's representatives, Youth Welfare Offices and schools were asked to send the Child and Youth Welfare Association (AGJ) details of children and young people's views from completed children's rights projects so that the findings could be taken into account and flow into the Report. Here, of course, no claim is made to completeness.

The responsible advisor evaluated the results of all three project building blocks, related them to one another and summarised them. Hence, each of the topic areas includes statements drawn from the questionnaires, the national workshops and the results of previous children's rights projects. The final section includes a list of the documents used and a summary of the youth involvement project for the National Action Plan for a Child-friendly Germany.

The Report is based exclusively on statements by children and young people. It does not claim to meet set criteria of scholarship.

In conclusion, the first Children and Young People's report has revealed the enormous interest among young people and the adults supporting them in youth welfare and school. Simply producing the First Children and Young People's report is a success in further spreading the message of children's rights and encouraging local-level discussions and debates. The return of the questionnaires and involvement in the workshops clearly show that, across all educational levels, the Länder, and rural and urban areas, all children and young people – in this Report, aged between five and 18 – have something to say about children's rights.



02



CHILDREN'S RIGHTS IN THE FAMILY

"As a 16-year-old, I wish I had more freedom to decide on things I'd like to do. My parents still make too many decisions for me."

YOUNG MAN FROM LOWER SAXONY, AGE 16

B+ FOR THE FAMILY

"I'm doing very well. Nothing needs to change at home for me." "I think my family's great." The overwhelming majority of young people find the children's rights situation in their families positive. They understand that not everything can be the way they want it all the time, and they trust the first and most important people in their lives: *"My parents do get on my nerves sometimes, but I think that's normal at my age and my parents only want the best for me."* *"The things I have to do are normal, everybody else has to do them too."* *"I don't think anything has to change; I have my rights and you can't get by in later life without highs and lows either."*

The workshop participants thought it was positive that a lot of information on bringing up children and their rights is available for interested parents, and the subject of children's rights is receiving a lot more public attention. They came to the conclusion: *"Children have a say in many families, they are asked for their opinions and parents discuss things with them in conflict situations."*

The evaluation of the questionnaires, however, shows that there are still deficits in implementing children's rights despite the positive overall assessment, so that there is certainly still a need for improvement in families. Children and young people most frequently see violations of the right to co-determination and free expression of opinion, closely followed by the right to privacy and respect and the right to rest, recreation and leisure. One matter of concern is that almost one third see their right to equality and equal opportunity violated sometimes or often. And every fifth child does not grow up in a non-violent environment, even though the Act Condemning Violence in Education (Gesetz zur Ächtung der Gewalt in der Erziehung) has now been in force for ten years, anchoring a "right of the child to be brought up without violence" in the German Civil Code.

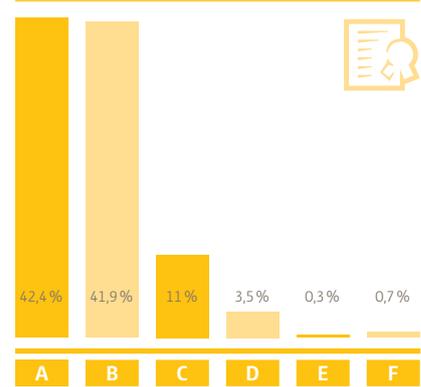
THEY SHOULD ASK ME NOW AND THEN AND ACCEPT MY OPINION

Almost 40 % of the young respondents see their right to co-determination violated sometimes or often, and almost one third see their right to freedom of expression infringed. *"When we want to do something in the family, I'm only allowed to make a suggestion, but I can never help decide."* *"I wasn't allowed to decide for myself which school I wanted to go to, for example."* *"When I want to go out with friends in my free time, for instance, but I'm not allowed to because my parents don't like them."* *"I'm not usually allowed a say in decisions at mealtimes."* *"It doesn't matter what he wants, [that's] what my parents say sometimes."*

Above all, children and young people want more co-determination in everyday family matters: *"Children should have the right to help decide what happens (for example with the home)."* *"When the family goes on an outing, the children should have a say in where they go."* *"I should have more of a say in what we do at the weekend, and my parents should be in a good mood more often."* *"I want to be allowed to stay home once or twice a year [and not have to go to sports]."* *"[It should be your] own decision when it's time to tidy up."*

PRIVATE! LEAVE ME ALONE NOW AND THEN!

In every tenth questionnaire, the children and young people referred to a lack of respect for their privacy, often in conjunction with a need to be "left in peace". This criticism is firstly concerned with a lack of respect for private space and secrets, for instance postal privacy: *"When you're in your room and a carer knocks at the door and doesn't wait for a 'Come in,' but just walks straight in. And when you say no but he/she comes in anyway."* *"[When] there's a raid [room check in a children's home] and they go through your stuff. They can do that kind of thing to you."* *"I always have to leave my door open."*



FAMILY GRADE

What grade would you give for the implementation of children's rights overall in your family?

"My opinion isn't taken seriously and it's attacked, so I'm violated by them not respecting my opinion and putting it down."

Secondly, the right to privacy is also violated when children get older and want to be alone in the bathroom: *"Nobody respects the fact that I want to be on my own on the toilet."* In particular, parents of the opposite sex should be sensitive to this: *"Dad comes in when I'm in the shower..."*

"For me, the bathroom and my bedroom are part of my private sphere, but just like everyone else says, my entire family is constantly coming in my room without knocking. And my mother just searches my room now and then when I'm not at home and opens my diary and reads it. And the best thing is: in the end she tells me she's read it in my diary!"

Cramped living space makes it more difficult to respect privacy: *"I don't have my own room." "Sometimes my sister has visitors and then I can't go in our bedroom. That's so annoying." "Privacy is often or sometimes violated through too little space at home, often without any chance to be alone."*

The children and young people frequently link privacy and self-determined time in their statements: *"When I come home after two hours' training and want a bit of peace and quiet just listening to music, my mother comes in my room and nags me to do homework or learn vocab." "My right to rest and leisure is sometimes violated by my mother/other people like teachers making too many demands [on me]. Or arranging things I don't know about." "Sometimes my mother doesn't accept it when I want some peace and quiet and I'd just like to stay at home and relax instead of going to choir with her."*

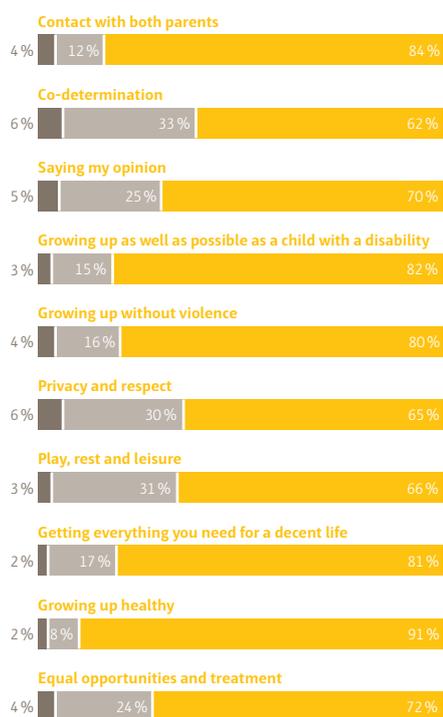
The children and young people list what ought to be improved, suggesting various measures that can be taken in every family:

- ✎ *"The right to rest and leisure is violated because my mother is slightly too strict on the subject of schoolwork, so I can't have much leisure time. We ought to agree between ourselves and set certain times for schoolwork."*
- ✎ *"[Draw up a] household rota"*
- ✎ *"I'd like to be allowed to lock my bedroom door when I like and I'd like my parents to respect my privacy and at least not go through my things and read my diary any more!"*
- ✎ *"They should knock before they come in my room."*
- ✎ *"When they notice I want to be alone, they should leave me alone."*

IT HURTS WHEN THEY HIT ME

Every fifth child or young person states that their right to grow up free from violence is sometimes or often violated in their family. This is also reflected in the outcome of the children's rights elections held with hundreds of children at primary schools by the Children's and Young People's Bureau of the Berlin borough of Marzahn-Hellersdorf over a number of years. After being informed about children's rights, the children in the borough vote on the ones that seem most important to them. The right to a non-violent upbringing has come in top several years running.

"There's just too much violence in families that isn't seen. It's not good when children have to lie if their parents have beaten them black and blue. My friend is treated that way." "[My rights are violated] by violence and no right to have a say." "My father often slaps me, my opinion is never accepted, so I'm not allowed to discuss a subject." "I sometimes get hit, for example if I get bad marks at school." "I often get in trouble if I'm not good at school or come too late. And I often get hit too."



RESPECT FOR CHILDREN'S RIGHTS IN MY FAMILY

These rights are

- almost always respected
- sometimes violated
- often violated

COMMENT FROM A YOUNG WOMAN

A story on the subject of sexual violence

A young woman now aged 18 explains what it means when a child is affected by several violations of rights, including sexual violence. With the support of social workers and her integration into a youth club and a youth association, she is now embarking on living her own life without violence.

*I can't defend myself...
He touches me in forbidden places.
I tell him to stop, he carries on.
I can't defend myself, I'm so scared.
Memories and images come up, he carries on.
He says: "I love you, you're sooo cute, my little princess!"
He doesn't stop. I can't defend myself.
He strokes my body, he doesn't stop.
I take his hand and hold it tight, as tight as I can.
I can't defend myself.
He says: "I want to spoil you, want to eat you up!"
I'm scared and I can't defend myself.*

My parents got divorced when I was just four years old. My brother got ill, so we had to move out of our village to a terrible part of town. My mother had to take him to different doctors all the time. I was on my own a lot even as a small child. My brother started hitting me more and more. And when he wasn't hitting me, he'd lock me in somewhere.

After our second move, when my brother had to move in with my father, my father started doing bad things to me. Whether it was the places and the way he touched me, the way he watched porn and masturbated in front of me or always called me when he was in the shower...

When we moved house, I not only lost only my self-esteem, but also all my friends. I was still very young and now I lived on the other side of town. When we moved, my mother went into deep depression because my brother had gone. On my first day at a normal school I was pushed, spat at, hit and insulted. It stayed that way until I left that school after five years. Then I went to the girls' refuge for the first time when I was 12, because I couldn't take it at home any more. They still sent me home though. When I was 13 I drank too much alcohol every day with my friends, took drugs again and cut myself. That calmed down when I was, let's say, 16 years old.

My father had met his old girlfriend from school when I was 12, and he married her a year later. He started a new family with her, where I wasn't welcome, at least not for him. Nearly two years ago I brought charges against him for what he did, to protect my sister who was two at the time. His wife got a divorce. My family decided they didn't want to know me any more and they've hated me ever since.

Now I'm 18 years old. I've had a session with a street worker once a week for the past three years. I do volunteer work in a youth association, which I represent on the town youth board. I have a good relationship with my "stepmother" and I'm allowed to see my little sister regularly. I've been in psychotherapy for over a year. I'm involved in social work for children and young people, and I help others with a similar story. A year ago I finished lower-track school with a good grade of 1.4. I'm doing work experience with the rescue service and starting training as a children's nurse.

The right to a life without violence is also violated within the family by brothers and sisters: *"I'm the youngest in the family and my (step) brothers and sisters have the say over my life. (...) They hit me with tennis racquets, kick me and punch me. My parents know about it, but they never do anything."* *"That my brother always hit me and my parents hardly ever said anything."* These children's wishes are quite clear:

✂ *"They should stop hitting me."*

✂ *"My parents should listen to me and maybe make compromises and not flip out straight away."*

✂ *"Sometimes my brothers hit me. Parents ought to stop them."*

Many children and young people are also concerned about other young people's wellbeing. They call for measures to protect children:

✂ *"I would tell the Chancellor that when parents treat their children badly, the parents have to be punished."*

✂ *"There ought to be a guarantee that children are treated well in every family. Parents who can't cope should get a social worker/helper."*

Children and young people not only suffer from physical violence. More than a quarter of children and young people see their right to equal treatment and equal opportunities violated in the family, and every tenth comment complains about unequal treatment of brothers and sisters within the family: *"My sisters usually get preferential treatment, and when they suggest something they want to do, that's what we do. Apart from that nobody listens to me any more when they're talking."* *"My little brother (13) doesn't have to do as much housework as me and my sister."*



... AND THEN HER PARENTS CALL HER A LOSER

Both in the questionnaires and at the workshop, young people complained that their parents pass on the pressure to succeed they feel themselves to their children: *"You have to be better than the other pupils, than other people, so that you make something of yourself."* *"If I take a long time to do my maths my mum shouts at me."* *"My pocket money gets docked because of school."* *"I get in trouble [because/when] I'm not good at maths."* *"My sister's really good at school and my parents expect the same from me."*

It hurts to be compared to brothers and sisters: *"Parents should never do that. It puts you down and kills your self-confidence."* But pressure not only arises between siblings. Even without possibilities for direct comparisons, parents can pressurize their children through overly high expectations. *"Only children get much more pressure from their parents. They only want the best for their children, but sometimes it's borderline how much pressure they put on sometimes. Like if a friend of mine gets a bad grade for example, then she hardly dares to go home and then her parents call her a loser if she even gets a B."* The wish: *"My mum shouldn't put so much pressure on me because of school or other things."*

WHEN PARENTS ARE SEPARATED

"When parents are separated, the relationship to the parent you don't live with isn't as trusting – the trust goes away. You only get support from the parent you live with"

And there's another thing that hurts children and young people: when parents involve them in their own arguments and conflicts. That happens particularly easily when the parents are separated. The participants in the national workshops also exchanged their experiences: *"My father says bad things about my mother and my mother says bad things about my father. And I'm caught in the middle and don't say anything."* *"My mother says bad things about my father and then we tell him, and then she says, for example, if we don't come home from my father's on time she'll go to court."*

Competition between parents is a burden on the children. Conflicts over contact are sometimes carried out at the children's expense. Some parents instrumentalize their children in their arguments. *"I know a boy, and nobody knows what parent he'll be with the next week. That means he has problems organizing his life in general as well."*

THE RIGHT TO BOTH PARENTS



Yngve, Carla and Frederik from the national workshop conducted a survey of 480 primary school pupils in Bavaria and Lower Saxony: "What shocked us was that over 25 % of the children with separated parents don't have the chance to see both parents."

In the questionnaires, 16 % of the children and young people stated that the right to contact with both parents is sometimes or often violated. In some cases, the cause is long distances, some have been banned from contact, while others write that the parent himself or herself is not interested in them.

"I don't see my father enough. He lives too far away for me to visit him at the weekend. I'd really like to spend more time with him." *"My brother and I think it's a shame that we live without our mother."* *"My mother doesn't like it when I say I'd like to visit my real father again. She thinks he's bad company for me."* *"I've been banned from having contact with my father."* *"I don't have contact to my biological father, even though I'd like to, but he doesn't want contact."*

A story on the subject of divorce**Child:** Marie (imaginary name)**Mother:** teacher, child lives with her, she wants the best for the child**Father:** earns good money, expects excellent educational results

Marie comes home from school. "Mum, mum, I got a B!" she calls happily. Her mother answers: "That's good, darling! Do you want to call Dad and tell him?" Marie rings her father soon afterwards and tells him happily that she got a B. But his reaction is very different: "Only a B?? Oh, you can do better than that! Next time you come here we'll do some proper revision for school."

Marie puts the phone down sadly. Her mother hears her lying down on her bed and crying. She sits down next to her, strokes her back and asks why the tears. "Dad doesn't think my grade's good at all. He said he'd do some proper school revision with me next time I visit him," says Marie with a sob. She doesn't answer the question of what's so bad about revising with her father, and she wipes the tears away with a tissue. Her mother gives her a hug and promises her she can always talk about all her problems with her. The two of them lay the table together and start eating dinner.

Marie's mother looks her in the eyes and asks her again if she doesn't want to talk about the problem. Marie looks worried and says quietly that she doesn't feel comfortable with her dad because he puts her under pressure.

After dinner, Marie hears her mother on the telephone. She listens in and hears her mother arguing with her father. "Do you know what you're doing to Marie? You're suffocating her under your pressure!" she shouts at him. "What are you trying to achieve?" she replies. "Nonsense, Marie's doing really well at school! She'd never have to repeat a year with HER grades! Now you listen to me: either you stop putting so much pressure on Marie right now, or you won't get to see her regularly any more!" Marie hears her mother shouting. She turns away and hides under her bedcover. She sobs quietly to herself: "I've done everything wrong. I'm not good enough at school for Dad, and now Mum and Dad are arguing because of me as well."

"I live in a residential group. I can't ever get hold of the youth services department. I want more contact to my parents." "I don't have the right to go to my parents when I want to! I just don't want to live here, but nobody here cares!"

TALK TO US AND LISTEN TO US!

Melanie interviewed 80 children from school years four to six in her project. In most families, the family members talk to each other to find solutions. However, there are only rules in four families, with democratic votes. There are no discussions at all in 12 families, 21 children say they "always have to obey".

Talking to one another, listening and showing respect: one third of the suggestions from the questionnaires are related to everyday communication and understanding, the right to express an opinion and co-determination in the family. The children frequently long for serious and respectful communication. The magic word is "listening".

"When I'm telling a story or want to clear something up, I'd like honest attention." "Everyone should let the others say their piece. Everyone can describe how they see things." "You ought to listen to all suggestions." "When I say what I think I shouldn't get told off every time."

The young people don't only want to be listened to in cases of conflict. Many of them want to have more time and peace and quiet for talking in the family: *"We should have a conversation talking about the whole week." "(...) my mother should calm down:" "(...) more patience."* And as a basis for communication, the word trust comes up frequently: *"We have to trust each other more often."* To build that trust, many children and young people want to have more time with their parents: *"I'd like to do more things together." "Spending more time with both parents."*





All in all, many respondents (especially children) said: "There shouldn't be so much arguing." Young people are less scared of arguing itself, but do want discussion on more equal terms: *"A discussion when we have differences of opinion and not that my parents say: Because we say so!"* *"If parents are finding their children stressful, some parents have to ask themselves why that is, but instead they hand out punishments and other things. They should respect the children the way they are. Just be relaxed about things more often."*

Recommendations from the national workshops

- ✂ *More public information about support programmes and raising children for families where things aren't going well.*
- ✂ *Parents have to take more time for children, because it's very important for a lot of things: trust, co-determination. There should be better conditions for reconciling family and working life to help this.*
- ✂ *There is generally too much pressure to succeed from society, which parents pass on to children and young people.*
- ✂ *Children should have more of a say in separations/divorce.*
- ✂ *Children should be listened to more, especially when it comes to contact to their parents.*

At the First National Conference for the Rights of the Child, in the participation in the National Action Plan or at the Falken youth organization's Children's Rights Camp, children and young people call for more family time and co-determination in very different contexts.

"More time for me, my parents and for us: children and young people call for working times to be arranged to allow parents enough time to look after their children, help them with their homework and go out together."
(Falken Children's Rights Camp)

"More co-determination: children and young people want to be really involved in all decisions that affect them. Regardless of whether it's about where to go on summer holiday or moving house."

From the Children's Rights Camp held by the Falken socialist youth organization

"The right to upbringing means good upbringing and not all children get that, because parents don't take enough time for their children." "Many parents don't let children have a say at home and that starts with what they cook." "When parents get divorced, children and young people don't have enough say on custody." "In foster families, children and young people only have limited rights to co-determination."
(First National Conference for the Rights of the Child)

"Children and young people also call for more time for the family and think improved working time arrangements are needed. Every family should spend more time (more holiday time) together." "Nobody is disadvantaged in the family and everyone has the same rights, discussions are solved in a normal way without major arguments." (Youth participation project on the NAP)

WHEN THE FAMILY DOESN'T WORK ANY MORE: LIVING IN HOME INSTITUTIONS

Not all children and young people live with their families. There can be various different reasons for this. The residential youth social institutions have the task of offering these young people a positive place to live and opportunities to develop, enabling contact to their parents in such a way that protects the children and young people's rights and wellbeing.

Tobias and Samantha, who carried out a survey of 49 young people in Marienthal House, where they both live themselves, report a lot of positive experiences at their institution. They feel they are well supported and have opportunities for co-determination. *"Most carers stick to the right to privacy." "There are therapy programmes and care." "There are lots of leisure activities (riding, archery, trampoline). As long as you stick to the rules of the home, you have a lot of free time and you can use it."*

However, discussion with other young people and reports of other young people's experiences with residential institutions make it clear that this is an exemplary institution. The young people think: *"Many homes wouldn't even have let us do a survey."* They would like to see their good experiences transferred to other homes.

In the questionnaires sent out nationwide, young people call attention to violations of children's rights. For example, they report that contact to parents is restricted as a sanction: *"If you do everything you can so that you can go home but then something comes up, we're only allowed home for one day and that's crap."* What improvements are necessary? *"Children should be allowed home to their parents whenever they like!" "Privacy should be observed better, including in homes." "You hardly have any peace and your private sphere is often violated, for example if you're getting into trouble at home, the carers always intervene. You have a lot of rules and you're not often allowed to say what you think about them and have a say yourself."*

"A girl at our home is getting bullied and the whole home gets drawn in and they cancel our family visits if we don't want to join in."

Apart from this, children and young people state that their rooms are checked and searched without notice. They call these checks "raids" and see them as an interference in their privacy, as mentioned above.

The survey of young people "Successful Participation in Home Life", carried out in 2007 by the Social Education Institute within the charity SOS Children's Villages and the Munich Institute for Practice Research and Project Consulting, also found that there are "positive approaches to participation. (...) On the other hand, over one third of the young people feel they are extensively excluded from participation, and that they cannot get involved in particular in the areas immediately affecting their lives."
(Sierwald, W., in: *Dialog Erziehungshilfe*, issue 2/3-2008)

Recommendations from the national workshops:

- 🔗 Homes must also observe the legislation (private sphere, participation) and must not isolate themselves.
- 🔗 Obligation on all homes to observe children's rights.
- 🔗 Include participation for young people in homes (in a more binding form) in the law.



THE ARTICLE ON PARTICIPATION FOR YOUNG PEOPLE IN THE UN CONVENTION ON THE RIGHTS OF THE CHILD



Article 12 deals with “respect for the views of the child”. This report often refers to this article in the UN Convention on the Rights of the Child. Children and young people want to be listened to more in all areas of life, to be told about their opportunities for co-determination and to be actually allowed to take part in decisions. Young people’s participation in the matters that affect them is also a major concern in the UN children’s rights convention. This was one reason why the UN Committee on the Rights of the Child expressly recommended involving young people in the reporting on the implementation of the children’s rights convention.

Information on the UN Convention on the Rights of the Child and the progress of implementation in Germany, processes, current discussions and teaching material are available on the website of the National Coalition for the Implementation of the UN Convention on the Rights of the Child in Germany: www.national-coalition.de.

ARTICLE 12 OF THE UN CONVENTION ON THE RIGHTS OF THE CHILD

“Respect for the views of the child”

(1) States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

(2) For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

03



CHILDRENS RIGHTS IN THE PLACE WHERE THEY LIVE

“Playground for 10 to 16-year-olds. Bungalow for seclusion, more traffic lights, cycle paths and zebra crossings, being asked every year for co-determination, children’s supermarket, youth parliament.”

GIRL FROM BERLIN, AGE 10

THE FUTURE OF TOWNS AND COMMUNITIES

Grade B or a 2.5 – that's the average children and young people gave their place of residence. In cities or small towns, urban or rural areas, more than half the children and young people frequently don't see any chance to influence the decisions that affect them directly in the place where they live. Over 40 % see their right to equal opportunities and equal treatment in conjunction with their place of residence as sometimes or often violated. And over a third of the children and young people see deficits in the implementation of almost all other children's rights.

In 5 % of the comments, children and young people express full satisfaction with their place of residence: *"My village has everything you need." "It can stay this way if you ask me." "Our village has a lot of countryside." "Everything's actually OK. We have sports grounds, places to chill..."*

Many children and young people see both strengths and weaknesses in the place where they live. One typical statement: *"We're all happy here (24 children live on my road), our playground often gets burned in some places; I once got hit by a homeless man."* Many of the questionnaires mention the fact that other children live nearby, and that this is an important factor for feeling good. Children and young people notice positive developments in their residential area and take part in them: *"Until recently, youngsters didn't have a place to meet up. Now they've opened a youth meeting point. There was also an evening for children and what they want to change."*

The main regional differences are between rural and urban areas. Young people in the countryside would like to get around more independently and rely on public transport to do so. Children and young people in these areas are even more strongly affected than those in towns and cities when there are not enough leisure, support and shopping facilities nearby: *"There aren't enough interesting places for children and young people, leisure activities are often too expensive or impossible to reach, busses go there at the weekend but not back, at least not after 7 pm." "There should be lots of playing fields and parks and a youth centre. There should be bus connections and not just [the] school bus." "There should be more shops in our village, I often have to travel a long way to buy something."*

Yet even in cities, there is a limit to mobility. The radius in which children can get around independently is not yet large enough for them to freely choose where they play. They rely particularly heavily on their immediate area to offer the structures to meet children's needs. In a survey of over 1000 primary school children, children from the Berlin district of Wedding, an area with many social problems, stated that the free facilities close to their homes where they feel comfortable because there are adult staff are important for them. They suffer particularly from dirt, insecurity and violence in their area. (Study from 2007, carried out by the Arbeit, Bildung, Forschung, ABF e. V. association)



PLACE OF RESIDENCE GRADE

What grade would you give for the implementation of children's rights in the place where you live?

"It would be a good idea to set up a place for young people where they can meet and discuss changes in the village and have a say."



INVOLVE US!

Almost half the children and young people have found that the free expression of opinions is sometimes or often restricted in the place where they live. And even when they can express their opinion – what use is that if nobody takes any notice? *“I have the right to present my own opinion. Except nobody listens and above all, nobody takes it seriously.”* The majority of the children and young people say that too many things that affect them directly are decided over their heads. *“Children and young people aren’t asked for their views when cycle paths, playgrounds and parks are planned.” “When they build something new, like a playground, they don’t ask a single child or young person!” “Children aren’t asked about building works at school! Children aren’t asked when they build houses on their playing fields!” “The mayor in our village doesn’t talk to children and young people.”*

“We should involve young people better in life, since they often feel excluded. Many young people feel caught off guard when something’s decided without us, the town’s future, even knowing.”

The majority of the children and young people say that too many things that affect them directly are decided over their heads. *“Children and young people aren’t asked for their views when cycle paths, playgrounds and parks are planned.” “When they build something new, like a playground, they don’t ask a single child or young person!” “Children aren’t asked about building works at school! Children aren’t asked when they build houses on their playing fields!” “The mayor in our village doesn’t talk to children and young people.”*

When young people had hoped to change something and fail because of adults, it’s a frustrating situation: *“Co-determination = zero, suggestions are rejected, few young people stand up for their rights > nothing comes out of it anyway.”*

“Co-determination = zero, suggestions are rejected, few young people stand up for their rights > nothing comes out of it anyway.”

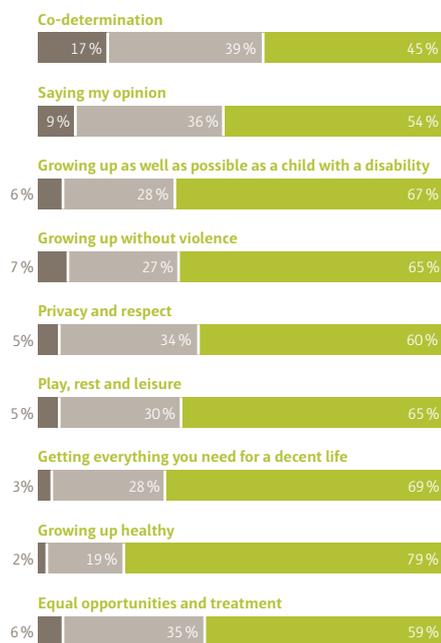
In some questionnaires, however, there are reports of positive experiences: “You always have a say in our village.” “I visit my neighbour, he’s the mayor, and tell him my ideas.”

A large number of children and young people seem to have no idea of what chances they might have for co-determination within their local authority. The second most frequent reply to the question “What is necessary for you to have a say in your town/borough/village?” was: *“Be a member of the community, at least 18 years old.” “Don’t know, because we’re not allowed to.” “I’d have to be over 18 – which I find stupid – to have a say or a vote.” “No idea!” “You have to be the mayor.” “I didn’t know I could! Someone should explain it all exactly to me!”*

A few young people said: *“I don’t need to have a say! It’s fine the way it is!”* But a large majority called for more co-determination: *“We children should get a chance to have a say on things that affect us.” “I’d like to have a say when a children’s playground or a sports hall is built, for example.”*

And the children and young people have a wealth of ideas about how to influence what happens in their surrounding area:

- ✎ *“Active people/young people who work for rights, and a youth council.”*
- ✎ *“Children’s parliament made up of almost all age groups, 4 to 16 years.”*
- ✎ *“Let young people vote in mayoral and local council elections to see what’s important to them.”*
- ✎ *“We’d need a group of children, e.g. a club for ‘town rights for children’, who would send someone to council meetings.”*
- ✎ *“Maybe a kind of children’s mayor, who works for children’s interests.”*
- ✎ *“The council could do a survey of young people now and then, about what they want for their local area.”*
- ✎ *“We could write a letter to the mayor.”*
- ✎ *“Petition”*
- ✎ *“A meeting with the people who violate the rights.”*
- ✎ *“Right to co-determination from 14 or 16”*
- ✎ *“A place where children and young people can turn when they don’t like something.”*
- ✎ *“There should be something like a children and young people’s office everywhere, so that children are taken into account too and can present their opinions.”*



RESPECT FOR CHILDREN’S RIGHTS WHERE I LIVE

These rights are

- almost always respected
- sometimes violated
- often violated

- ✎ *"A space where you can always go and there are people there you can talk to, a children's office."*
- ✎ *"Children and young people's rights house, where children of a certain age group can go. Or special new children's rights signs."*

Some children and young people recommend that adult decision-makers form their own impression and come into active contact with the lives of younger residents: *"That the mayor comes by the school once a week."* *"Closer contact to children and young people."* *"The mayor should do a bit more, he hardly ever has drop-in hours."*

Many children and young people are already active and have experienced various forms of participation: *"We have a village newspaper where I can write what I think. We do the newspaper ourselves."* *"I'm on the editorial board of Spitzer [a magazine for children by children], because I can have a say there."* *"The school council in Ravensburg is very good and important."* *"Children and young people's forum already exists."* *"I'm in the children and young people's parliament and sometimes I put my hand up to comment if I don't like something."* *"You have to contact the youth department or the mayor or the children and young people's parliament."* *"In Amöneburg we have a children and youth council, and if young people and children want to change something they have to either come to us or join us themselves."*

"A kind of children's town hall should be set up. It should work like the pupils' council here at our school. An adult is the mayor and the children can express their wishes etc. there. And then they're sent to the family minister or someone similar."

There are many statements about one important prerequisite for involving young people, such as: *"More respect and recognition for young people."* *"Mutual respect from both old and young."* *"We have to respect each other and respond to everyone's views."*

KEEP US INFORMED!

"I don't find out when something is built or demolished. I only find out when it's already been built or torn down." Those who want to get involved have to know that it is possible and how to go about it. Children rarely read newspapers, and they do not find text-laden brochures attractive. They suggest:

- ✎ *"That someone explains our co-determination to us children using pictures or real-life examples."*
- ✎ *"That there's a place where everything's explained clearly."*
- ✎ *"Better information on current subjects discussed on the council. In general, there should be clearer explanations for outsiders of what it's exactly about."*
- ✎ *"More information on who to contact." "Being informed about what you can do in your town." "Children's surgery with Mr. Platzeck [the mayor, the council, etc]."*

Many young people find it important that they don't have to gather all the different information themselves, but are actively informed so that they can decide where to get involved: *"You should be informed by post when something new is being built."* *"I'd like it if things like that were announced via the school."*



WE NEED OUR OWN PLACES

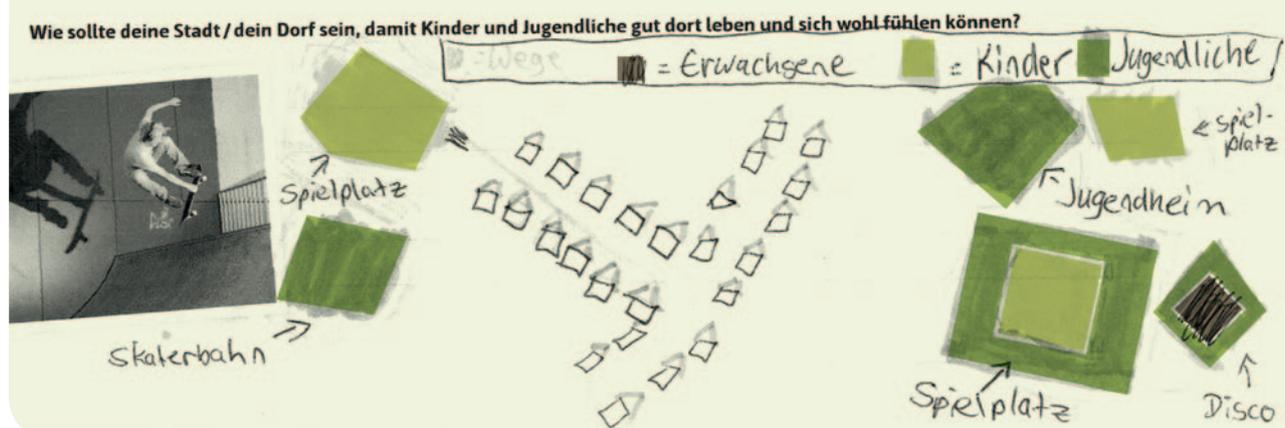
"Our building has very thin walls so the noise gets through to our neighbours easily. My brother's not allowed to play football in the garden because the neighbour doesn't like it, but he doesn't have any other option as there's no football pitch that's open to the public." "Our janitor often tells me off when me and my friends laugh too loudly in the play area." "It would be good if there was a place for young people where they could meet in the afternoons/evenings (similar to a youth club)." "We often get driven away from a lot of places or told off. Since my neighbours once wanted to hit us with a baseball bat, I don't feel very safe any more." "No matter where we go to meet up, talk and have fun, we get moved on."

In answer to the question of what ought to change in the place where they live, two thirds of the children and young people gave statements about places for young people:

- 🔗 They would like more good quality, i.e. clean and interesting places to play and spend time.
- 🔗 They would like leisure activities that are generally accessible and affordable or free of charge.
- 🔗 They would like places where nobody can drive them away.

COMMENT FROM THE QUESTIONNAIRES

Places for children and young people



For existing places, they would like: *"More play opportunities for small children, playgrounds that are clean – no dog poo, broken glass, graffiti." "More playgrounds where there aren't any alcoholics."* But the playground isn't the only place where children and young people spend time. They would also like more acceptance in their immediate area: *"That you're allowed to play in the backyard." "Design backyards for bigger children."*

PLACES FOR CHILDREN – PLACES FOR YOUNG PEOPLE

Both in the questionnaires and at the workshops, the children and young people were concerned about conflicts between younger children and youths. In many of these cases, they not only present their own needs, but also think of the other age group and their requirements. *"There should be more playgrounds built for little kids and places where the older ones can meet without anyone objecting." "There definitely has to be a youth club, a skater park and a playground for the younger ones." "That youths have a place of their own and don't chase us away any more." "The few playgrounds and sports grounds are sometimes occupied by 'dangerous' youths -> you're scared to go there." "More places where you're allowed to smoke. Because of the younger ones, places for older kids to run wild." "That there's more space to meet up. A place for young people that gets cleaned now and then and where there are rubbish bins." "Playgrounds for children over 10."*

Particularly in conjunction with cramped living space, children and young people also need a roof over their heads: *"Less broken playground equipment; more spaces for children when the weather's bad."* *"Youth clubs should be set up where young people from different age groups can hang out (almost) any time. You need social workers to make sure everything runs smoothly. And make sure that young people with different cultural backgrounds can live together without problems cropping up."*

But it's also about opportunities for young people to simply be together: *"A hut where you can shelter from the rain and maybe have a barbecue, but not with major supervision."*

Based on their discussion of the survey of almost 500 primary school children, the children and young people at the national workshops recommend:

- ✦ *The quality and state of playgrounds should be monitored. To stop older children hanging round on younger children's playgrounds, there should be more facilities and activities for young people.*
- ✦ *In general, children should be more involved in planning their local surroundings.*

"There should always be a public space or building. You should always be welcome at this contact point and especially find information and support there."

POCKET MONEY ACTIVITIES, SUPPORT FOR FAMILIES WITH LESS MONEY

"More leisure facilities for young people, including ones for that are cheap, since not all families have the same amount of money." *"Everything shouldn't always cost so much, because my mother can't buy that much."* *"Free activities for children."* *"The activities, i.e. cinema, sport, etc., should be cheaper."*

What may be a small amount of pocket money for some is a significant part of the family income for others. Around one fifth of the comments deal with financial issues – not just for leisure activities:

- ✦ *"More social support for families"*
- ✦ *"There are far too many poor people."*
- ✦ *"More money should be donated for poor children."*
- ✦ *"Above all, children whose parents don't earn a lot should get support. Disabled children should be supported too."*

And the young people at the First National Conference for the Rights of the Child also call for:

- ✦ *Street kids need help.*
- ✦ *Leisure facilities, sports clubs, and music schools have to be retained and more young people's houses must be built.*
- ✦ *Older children need more space to play outside and everyone needs more parks.*

OUR NEEDS COUNT TOO!

Many of the children's and young people's comments show their concern that their interests frequently come last in town and village planning and in social interactions: *"Lots of new buildings are built in our town. No one cares any more what might help young people in their free time. Sports grounds have to make way for new homes."* *"Recently they tore down a children's playground and put up a pensioners' playground in its place."* *"The best playground was demolished."* *"That trees were cut down even though lots of children were against it."* *"I live on a small estate. It's always clean there but very boring! There aren't any activities. The older people often tell us children off, ban*





us from playing, complain when we're too noisy. We're never allowed to help decide anything." "If someone pushes in at the supermarket, they think, it's only a kid."

Living in an attractive holiday resort doesn't mean that children and young people feel totally contented either: "The tourists think they're the greatest and they're allowed to do anything." "Less commerce. More focused on residents instead of tourism."

GREEN, CLEAN, BARRIER-FREE AND SAFE

Some wishes come up again and again in all surveys, children's rights elections and conferences: the desire for nature and green areas, cleaner and varied surroundings, in which children with disabilities can join in as well, an environment in which young people can feel safe, and less pollution. "There should be lots of nature and freedom." "An indoor swimming pool," "a cinema," "a little place to shop". "Disabled people in wheelchairs can't cross the road from one pavement to the other, as there aren't any ramps." "Less noise from trucks and polluting fumes."

"Children and young people are angry that playgrounds and sports grounds are full of litter with rubbish all over the ground. And then many people let their dogs do their business everywhere."

(Die Falken Children's Rights Camp)

SAFE AND NON-VIOLENT

Every seventh comment on the place of residence in the questionnaires deals with the subject of safety and violence in the place where children live. Firstly, violence and threats among children and young people: "I was waiting at a bus stop and two girls came along on the other side. I looked at their shoes for a moment and they immediately called me a slut, and when they got to me they hit me." "The big kids always hit me outside. They hate me. They puncture my footballs."

"They should make the area a bit nicer and more interesting to encourage children of my age away from the computer, into parks, and so on. Apart from that there are very few places that are peaceful or they're not freely accessible."

Threats and violence from adults are addressed just as often: "A man spoke to me, he said: 'Just come with me.'" "Once I went shopping along a path, and a drunk man came along and told me to go with him."

They demand from adults: "More attention from adults, as there are a lot of fights!" "School [should] be located between lots of escape places (shops, bakers...) – rescue islands [on the way to school]." "More checks on the streets and in dark corners where lots of drunk men hang out (pubs)." "In addition, the police should be present at the times when children are on the way to and from school." "No more alcohol." "Alcohol in public. There should be zones where alcohol is banned." "More street lamps on paths that aren't streets." "Lit streets to give children a safe walk to the school bus."

A LITTLE BIT FRIENDLIER, PLEASE!

Respect and friendliness towards young people is not automatic. "Village people are sometimes unfriendly, as they often look askance at you or don't say hello back." "Young people are only ever seen negatively!" "Many people, especially old people, have prejudices against children!!! You're often ignored or given dumb looks in public if you wear different clothes or look different."



COMMENT FROM HALIM AND LINA
FROM THE NATIONAL WORKSHOP

"Violence is my world, even though it shouldn't be."

Interview in Hamburg-Wilhelmsburg

Halim und Lina: Hello, what's your life like as a young man from an ethnic minority here in Hamburg-Wilhelmsburg?

Erol: *Not good at all. There are as good as no perspectives for us foreigners here, even though more than 75 % of the people aren't of German origin themselves. If you're between 12 and 17 you can hang out in the youth club in your free time. But if you're older you just hang round on the street, get drunk or stoned or go to the amusement arcade to pass the time.*

Halim und Lina: What would you do if someone gave you trouble?

Erol: *As I said, we older ones are often on the street. Violence is my world, even though it shouldn't be. I grew up with violence and threats, and if someone gave me trouble, I'd never put up with it. I'd beat him to a pulp straight away, so even his friends wouldn't recognize him.*

Halim und Lina: What do you like here, and what don't you like?

Erol: *Here in Wilhelmsburg everything's dirty, if you ask me, because it's crawling with too many immigrants so the state hardly does anything at all. The German taxpayers take the mickey out of us because we get unemployment benefits or social welfare. The politicians are all talk, none of them do anything; they all only think of themselves and just stand by and watch. They just think: if you don't pay the rent you get chucked out. It's the same with the political system: If you don't contribute anything, you don't deserve any rights.*

Halim and Lina, who live in the area themselves, consider this interview highly typical; many young people would answer just as Erol did, they say. Many young people can't see any perspectives for themselves. Lots of things bother them about their area, but they don't know what and how they could change anything. They appeal to adults to act as contact persons and react. "Young migrants in particular [meaning young people with Turkish, Arab and Eastern European ethnic backgrounds] still respect older adults." From their own experience, they say: "Sometimes young people need clear statements and instructions – on the street, at school." Even the children from these family backgrounds, they say, often act disrespectfully; Halma and Lina think they need adults to teach them respectful behaviour and manners to give them a chance in society.

The following recommendations developed out of the national workshops:

- ✂ *Expand youth clubs and keep them open for older youths to give them an alternative to the streets*
- ✂ *Equal education opportunities for all young people: create perspectives for children and young people from ethnic minorities*
- ✂ *Free German language courses*
- ✂ *Improve teachers' didactics/teaching methods*
- ✂ *Possibilities for 18-year-olds to attend "normal schools"*
- ✂ *Conflict training*
- ✂ *Better living conditions, clean cities*
- ✂ *Children have to learn manners and behaviour to give them a chance in society*
- ✂ *Some young people need clear orders and instructions from adults to motivate them*
- ✂ *Involvement of older people (adults) as authority*

"Right to equal opportunities and treatment: our neighbours are all of German origin and sometimes I get the feeling they have something against us." "Fat people are often bullied because of their appearance." "People don't accept me because I go to special school." "When you're disabled, you often get teased by other children or they talk about you behind your back."

Young people wish for: *"A friendly country." "People should pay us more consideration and the neighbours should be nicer." "People ought to be nicer, not shout so much."*

TRAFFIC AND TRANSPORT

"Outside the primary school in my village is a very busy road. An application was made for a traffic light, and rejected in the end. Now there's a traffic light on another road, which is no use to the school children."

"When cars drive along the road and want to turn off and they don't indicate, then there can be an accident or a car drives too fast or across a red light. The air's not so good because of the exhaust fumes. There's far too much traffic." "There's a main road almost next door to my home. So there's no peace and quiet and the motorway's not far away. With all the exhaust fumes (almost like smog in the summer) it's not a very healthy way to grow up." "Car drivers often ignore children on bikes' right of way, e.g. at junctions."

Children can't see as far as adults and they are harder to see, so they're particularly at risk in traffic. Major roads without traffic lights considerably restrict their mobility. Noise and exhaust fumes contradict their need for healthy time spent playing in fresh air. They call for:

- ✂ "My town should be more bike-friendly, extend and improve the cycle paths."*
- ✂ "Safety for pavements, enough traffic lights."*
- ✂ "Less cars/noise, more play streets [with priority for pedestrians and a low speed limit]."*
- ✂ "Larger fines for people who blow exhaust fumes right at the pavement."*
- ✂ "You shouldn't have to be afraid any more when you cross the road. Because of the crazy car drivers."*

AFFORDABLE MOBILITY IN CITIES AND ELSEWHERE



Children and young people want to be mobile. Especially in rural areas, this is difficult: *"A bus stop in the village would be good, with bus routes as well." "More possibilities to visit friends, e.g. driving a car without an accompanying adult from the age of 17, more use of shuttle buses or trains, our train runs once an hour; lower prices instead of raising them." "Our village is a long way from the town and the paths to the station (to get to school) are constantly flooded and I wish there was a paved path."*

"According to the WVG (transport company), school pupils suddenly aren't school pupils any more from year 11, and so not entitled to a bus ticket for school pupils." Larger towns do have the infrastructure, but fares are too expensive for many children and young people: "Make the tickets cheaper, because we (children) aren't allowed to drive cars and if we want to go somewhere we always have to take the train, the underground, the bus or the tram."

The manifesto of the youth ambassadors from "Young Cities Now!" summarizes many of these wishes. Participation – Living Together – Chilling – Sport – Art, Music & Co. – Mobility: these are the headings under which young people from all over Germany thought about an overall concept for cities to suit young people's needs. The central point is the overall design of cities together with young people, in which they can pursue their sporting and artistic interests and share them with other residents. They would like to see environmentally friendly mobility free of charge, and more self-determined use of their time. (www.youngcitiesnow.de)



04



CHILDREN'S RIGHTS AT SCHOOL AND DURING TRAINING

"When it comes to school, you get a lot of hassle. The entire family suffers and you're never really left in peace."

YOUNG WOMAN FROM BAVARIA, AGE 14

LEARNING AND LIVING AT SCHOOL

Over half of the children and young people see school as violating their right to play, leisure and peace and quiet, as well as their right to privacy and respect. The figures are similar for the right to co-determination, equal opportunities and equal treatment, and the free expression of opinion. Well over one third of them see school as limiting the rights of children with a disability, the right to a non-violent upbringing and the right to healthy and proper conditions for their development. More than a quarter of the children and young people doubt whether school really teaches them the skills they need for their later lives. The young people gave school an overall B grade, or a 2.5.

It is noticeable how the strain and the pressure pupils experience at school is expressed in all areas of their lives. It leads to trouble and arguments in the family, too little free time to do what they want and conflicts brought out on the way to school, and even results in adverse effects on their health from stress and worry, noise and lack of exercise, as well as from furniture encouraging a poor posture. In terms of time and emotions, school is a central site for children and young people and it influences all other areas of their lives. This is reflected in the vast number of resolutions, position papers and other documented statements by young people outside the Children and Young People's Report. The findings of surveys in this area and the demands they have generated are nearly always very similar from the Young Fire-fighters and the Bildungsstreik alliance to the nationwide workshops for children and young people.

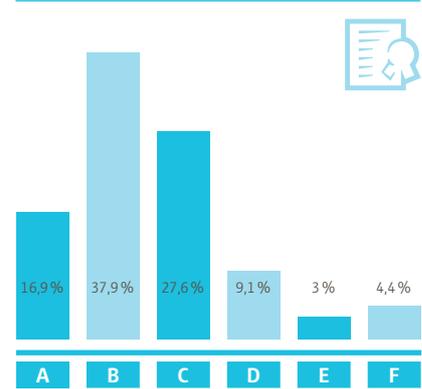
In contrast, in just over 10% of the written comments, children and young people express their satisfaction with the children's rights situation at their school: *"My rights are not violated in any way." "At the moment, I can't actually think of any violation of children's rights at school. I go to an independent school and I'm very happy there, there's a relaxed relationship between teachers and pupils and I enjoy learning."*

If you ask children and young people about the kinds of violations of children's rights at school, they usually largely report on experiences connected with human relations. Comments about the teachers' behaviour – above all, unequal treatment and a lack of respect – occur slightly more often than comments on social relations among their peers, where exclusion, insults and violence are the primary topics. Co-determination is also a very important issue. In terms of children's rights, the so-called core business of school – the content and structure of lessons and other general conditions only comes second in the ranking after co-determination. But young people also have something to say on this as well.

LEAVE US THE FREEDOM TO LIVE AND LEARN!

"I never have the time to play with my friends, because I either have a pile of homework to do or have to learn for school, or I'm ill from all the stress at school. I never have any time to enjoy my hobbies in peace, without thinking about school." "I often have to learn for school on Sundays or in the holidays." "G8! In winter, I often have to go to school when it's dark and then come home again when it's dark!" "Not always having lessons for as long, because we almost have no free time any more." "More free time at school and more time outside in the fresh air." "Longer breaks to rest and recover, a school cafeteria (warm lunches)."

But children and young people not only suffer from the pressure to achieve and succeed; many of them often no longer have sufficient time to recover properly between lessons or pursue their own chosen activities after school. Pupils at academic-track schools often say they would like the reduction from 13 to 12 years at school to be reversed.



EDUCATIONAL INSTITUTIONS GRADE

What overall grade would you give your school or training centre for the way they are implementing children's rights?



EXCERPT FROM THE AMBERG YOUTH CONVENTION

All-day schooling – a help or a hindrance?

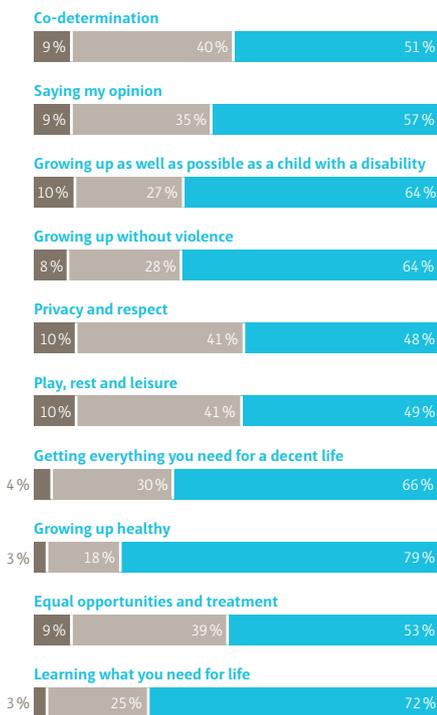
How are things at the moment?

When Thomas (17) arrives at school at 7:25 in the morning, he has a long day ahead of him. He has six lessons with a break of a total of 30 minutes before around 1 pm. During the lunch break, which is just under an hour, the pupils can voluntarily join in working groups, eat their lunch or start their homework. Afterwards, Thomas 'only' has another three hours of lessons – though these usually also include subjects requiring a considerable degree of concentration, e.g., French and Maths. He finishes school around 5.30 and then has to do homework for school as well when he gets home.

The "All-day Schooling" working group thinks that this model reduces the strain on parents, but it certainly does not support the pupils activities in sports, their social contacts or involvement in youth organisations.

What ought to change?

The model of all-day schooling as such should be kept, because it binds young people more to the institution of school during the day. It facilitates identification with school as a major site in their lives and increases the possibility of positive influences. Nonetheless, more attention needs to be given to how the lessons are divided over the day. More emphasis should be placed on sports, social activities and general education, particularly in the afternoon. The object here must also be to encourage involvement in voluntary work.



OBSERVING CHILDREN'S RIGHTS IN SCHOOLS OR TRAINING CENTRES

These rights are

- almost always respected
- sometimes violated
- often violated

Young people at other types of schools complain that they often only get home in the late afternoon, or even in the early evening, and then still have to do their homework. Many children and young people would like to have *"More leisure time and less pressure at school"*, *"fewer lessons in the afternoon"* and *"homework to be done at school and not in your free time"*.

The Young Fire-fighters, a youth organisation primarily widespread in rural areas with 260,000 members, recently held the Amberger Jugendkonvention (Amberg Youth Convention). They hope the discussions with young people in the association will provide an impetus in debate, and point out that the time outside standard lessons is not just for recreation but also to allow young people to join in voluntary activities and benefit from the many opportunities to learn which they offer.

WE WANT TO BE TREATED FAIRLY!

In the questionnaires, the right to equal opportunities and equal treatment is looked at from different perspectives. The children and young people mention personal components as well as social inequalities. The most frequent criticism of teachers is their unequal treatment of pupils.

"Pupils who do well are treated better than the others. And instead of motivating the people who are not so good, they are torn to pieces even more! That's just so much not on!!! It only makes the pupils angry and encourages a couldn't-care-less attitude!!"
"I think it must somehow be possible for teachers to be completely neutral when they give grades." *"All pupils should be treated in exactly the same way and teachers shouldn't have favourites."*

While the unequal treatment of pupils was the issue mentioned most, it was closely followed by the young people's criticism of a lack of respect and the impression that they are not listened to. Young people experience a lack of respect in quite different ways: they report futile attempts to be taken seriously as discussion partners, disrespectful remarks, being shouted at, being made to look stupid and shown up in front of the entire class, and even individual cases of teaching staff making sexually suggestive remarks or "pawing" them.

"My teacher tipped everything out of my satchel." *"If you write a note in the lessons, most teachers either read the note themselves or else read it out aloud."*

"There are teachers who say to the pupils: 'You're stupid!' I don't think something like that is right." And in some schools that old familiar situation is still in evidence: "You can't go to the loo even when you're desperate".

Some children and young people would like a trusted third person they could turn to for support in conflict situations. They would also like the teachers to have a positive attitude towards them. *"The teachers should listen and treat all the children with respect." "You should be allowed to tell teachers what you think without getting into trouble."*

WE WANT EQUAL OPPORTUNITIES!

From their own experience or observing what is going on around them, children and young people realise that educational opportunities are not equally distributed – and this inequality is not simply due to personal conduct but to social differences as well. They also notice that children with disabilities have a more difficult time.

"Teaching materials are often very expensive, books cost 30 euros." "For people with disabilities, it is difficult to go to some

schools." "Pupils ought to be looked after more if they aren't able to cope with their lives. Show pupils their possibilities. There should be social education workers at all schools." "More attention should be paid to children from ethnic minority backgrounds." "There should be fresh and free or very cheap fruit."

Young people at the First National Conference for the Rights of the Child noted: "There are no equal opportunities at school, since anyone who doesn't have enough money doesn't get a good education." Under the heading of "Equal opportunities through education", the Children and Young People's Report on the NAP (National Action Plan "For a Child-Friendly Germany 2005-2010") calls for providing individual support for young people to prepare them for life and minimise social inequalities. This ought, for instance, to take place in school in a new subject called "Life" where, with the help of innovative teaching methods, practical topics needed in life would be dealt with such as... "for example, preparing a tax return or compulsory insurance" (Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ) 2006, p. 16). In addition to a raft of measures such as co-determination rights, training professional educational specialists and all-day schooling, the youth are also calling for special support for extra-curricula education and training for young people.

COMMENT FROM THE NATIONAL WORKSHOPS

Two Experiences of Bullying

In summer 2008, I found I had a voice mail message on my mobile. As always, I picked up the message. Unfortunately, it was a threatening call from someone clearly saying he was going to go for me with a butterfly knife. To begin with, when I heard it, I was simply speechless. I called my parents right away and they listened to the message as well. My mum was furious and rang the number of the person who had left the message, but she found she was talking to a family of perfect strangers. Together with the other family, my mum then tried to find out where there was some possible connection. After a while, we found out that the family was friends with one of the people from my school.

Once we knew that, we rang up the guy from my school. We asked him if he'd left the message, especially since his voice sounded very much like the voice on the message. He denied it, so my dad rang up the police. The duty officer told us to go to the nearest police station as soon as possible since, as he said, this was a very topical case. So that's what we did. When we arrived at the police station, we described what happened and filed charges. The next day I went off to school as always and told the head teacher, who always welcomed the pupils in the morning, what had happened. They organised a class meeting straight away and we had a long discussion with the school management and my classmates.

In the summer holidays, I then met up with the principal and the guy who'd made the call and we found a solution we could all live with. After discussions with the school management and the police, who'd

been involved from the start, the boy who rang me up was put on probation and given a recommendation to start therapy. I thought the best thing of all was that my school had reacted so well and the situation was clearly resolved!!!!

Report on a True Story of Cyber-bullying

It all started when discriminatory remarks were published in the Schülerverzeichnis (schuelervz.net) social networking site against Jewish pupils by other classmates from school. The Jewish children were verbally abused and insulted for their religion. This kind of Nazism was discovered by the teachers of the school in question, who have access to the network, and made public. There was an immediate reaction; internal school meetings were called to discuss the situation with the perpetrators and the victims, and the police were also called in. In addition, the school newspaper published a number of articles on this issue, some even dealing with this case concretely. In the end, the people chiefly responsible were expelled from school which, in my view, is totally justified. Far too often there is no reaction to bullying, and especially not to cyber-bullying. Many teachers ignore this form of discrimination and, in some cases, teachers make the situation worse and can even play a decisive role in encouraging the bullying of pupils. We not only want to see more attention paid to bullying, but are calling for the proper response as described in this story. We are also calling for tough consequences for bullies. That's the only way to make sure that bullying isn't a part of everyday school life in future.

The youth involvement project on the NAP run by the German Federal Youth Council (DBJR) called for a change in the education system: "Prejudices are created through the division into lower, intermediate and academic track schools. We are calling for a unified school system throughout Germany."

The young people involved in the Young Fire-Fighters are saying:

Something has to change!

"The way young people perform at school is directly linked to their feeling of confidence and fairness at school. That means that attacks and bullying have to be punished more severely. The aim must be not only to use sanctions against pupils but also to make teachers more aware of their responsibilities as well. The parents are another authority needing to be integrated into the discussions. In addition, schools should offer more mediators and liaison teachers."

HELP US TO GET ON WELL WITH EACH OTHER!

"My classmates call me names and beat me up" "They insult me and exclude me." These sentences and others like them appear regularly in the questionnaires, either as comments from the perspective of the victims or as a general description of the situation. Children and young people suffer from being teased and not accepted because of the colour of their skin, their shape, a disability or simply because others are looking for a victim. Frequently, physical violence also plays a role. And even those not directly affected are sending out a clear message to the adults at school: *"Don't look the other way when there is bullying and violence." "The teachers don't protect you. The older kids lash out and not one of the teachers does anything." "The teachers shouldn't always say: sort it out among yourselves." "Where there is bullying, there needs to be better and more active intervention by adults."*

Here, it's not just about intervention and sanctions against the culprits. Outside the acute situation itself, children and young people also want the space and opportunities to solve conflicts together: *"At least a one-hour lesson with all the class where you talk about problems without embarrassing the ones being picked on." "When you say stop, they should actually stop." "Sitting together in a circle at school and being able to say what you think."*

"At least a one-hour lesson with all the class where you talk about problems without embarrassing the ones being picked on." "When you say stop, they should actually stop." "Sitting together in a circle at school and being able to say what you think."

With young people communicating far more through the new media, the last years have seen an increase in bullying here. The children and young people at the national workshops exchanged experience and views on this issue. They concluded that since adults often haven't mastered these modes of communication, they rarely intervene. From the point of view of the participants, there is an urgent need for action and an information campaign.

WE WANT TO BE PART OF DECISION MAKING!

Although they make up the largest group at school, pupils often have far too little say in what happens there. On the right to co-determination, there was a tick for "sometimes" or "often violated" on over half the questionnaires. More often than not, the suggestions for improvements at school are related to co-determination and, as is evident not least from the questionnaires, the pupils were also applying their particular expertise to all the topics on school. They want to be involved in decisions on the content and methods of lessons, the design of the school yard and classrooms, and the school furniture and fittings. Some even have entire educational plans ready to contribute. In any case, they want to be asked and listened to: *"All the children should be asked what they want and what they don't want. Teachers need to pay more attention to the children." "There should be a major referendum on important issues where everyone can vote." "Before anything is to be changed in school policy, a survey ought to be carried out beforehand among the pupils, for example, on the first two years of secondary school as a trial phase, or on introducing all-day schooling."*

Co-determination boards are prescribed under the laws on schools in the German Länder. However, for many children and young people, they are not enough as the sole form



There are no violations of children's rights, it's all OK.

12%

Teacher behaviour (unequal treatment, lack of respect)

24%

Aggression and exclusion among pupils

21%

Co-determination

18%

Time pressure and pressure to get good grades

8%

Content and structure of lessons

7%

External factors (noise, food, cigarette smoke)

5%

Rooms and school yard

5%

RIGHTS VIOLATIONS

In which ways are your rights at school violated?

of co-determination: *“At our school, it’s actually only the special committees which take decisions on how something is to be done. As a normal pupil, for example, not on the student council (SMV), you hear very little about things and you can forget taking a part in decision making.”*

WE WANT TO LEARN ... FOR OUR LIVES!

Many pupils criticise: *“You learn lots of pointless things, it would be better to focus more on general education and discuss current issues and events – a topic like a shooting rampage is simply ignored even though the pupils think about it.”* *“In the way we have to learn it, I’ll never need maths ever again in my life ...”*. They want to spend their valuable time with issues and ways of learning preparing them optimally for the future. Here, the words most often mentioned are projects and applied learning.

WE NEED ROOMS TO LIVE AND LEARN!

“The inside of our school is rather colourless and there are grills over all the windows on the ground floor like in a prison. More colour would make the school building more vibrant and cheerful.” *“The school should be more colourful, that’s something the pupils could also do themselves. Renovate the toilets – they stink!”* *“The school yards should have more places where you can just come back to yourself.”*

Schools are increasingly important in the lives of children and young people, especially as all-day schooling is introduced or lessons extended into the afternoon in the wake of reducing the number of school years. But they are places some adults would indigently describe as an absolute disgrace if they had to spend the entire day there. Of course, that’s not true for all schools; but the frequency of this topic in the questionnaires shows that inadequate rooms and space at school are not an exception. As a rule, pupils complain about the state of the toilets, uncomfortable desks and chairs, and a lack of anywhere to keep private things safely. They often express a desire for a quiet room where they could withdraw.

“We want lessons more based on teamwork than competition, and we want sustainability taught in all subjects at school.”

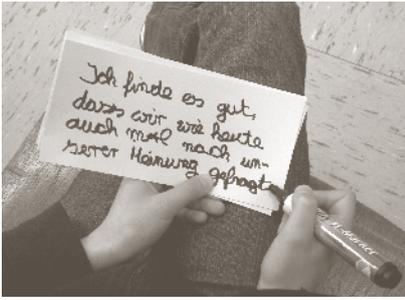
From the youth involvement project on the NAP

ASK US! WE HAVE THE EXPERIENCE AND THE IDEAS!

Ideas for a better school generated more comment in the questionnaires than any other topic. It became clear just how much children and young people see the school as a site of learning and living where they can link practical learning concepts with good social and spatial conditions. Three examples:

- ✦ *“The high school leaving certificate (Abitur) after 12 years of school has to be done away with. School books have to be available cheaper/free for everyone, there needs to be additional material as well. Social aspects have to be done away with by creating a dedicated school subject, GOOD projects. The grades for behaviour and punctuality have to be abolished. Classes need to be smaller – less than 25, teachers have to be better trained, with more applied practice. Teachers should be checked and appraised with consequences for the bad ones.”*
- ✦ *“Smaller classes, get rid of the trial phase for the first two years of secondary school, more further training for teachers, more applied teaching, project weeks, a new structure for lessons, revamp the school system: don’t only talk about it for thirty years, but actually do it!”*
- ✦ *“Ensure healthy food is available, teachers ought to be able to make lessons valuable educationally and treat pupils fairly and so on, too many hours free – I’m in school until 5 pm for six lessons of 45 minutes each – that happens a lot.”*

Marvin and Heiko from the national workshops talked to a lot of pupils, developed their own questionnaire and evaluated nearly 400 questionnaires. In their discussions, the two young researchers discovered that some teachers really do treat their pupils with respect and pupils are also given individual assistance if they can’t keep



up in the lessons. When children and young people do know about children's rights, they often have that knowledge from school. And sometimes new approaches to participation are also put into practice. The workshop participants have summarised the need for action in a position paper – demands and recommendations for the enhanced implementation of children's rights at school:

- ✦ *Our first demand is for a unified educational system throughout Germany since it is a clear violation of equal opportunities for all children if, for example, universities classify the results of the university entrance exams (Abitur) in various Länder differently because they rank the exam requirements as more or less stringent.*
- ✦ *A unified system would definitely make our educational system more transparent and clearer standards would ensure important topics are not neglected.*
- ✦ *We believe pupils should be allowed to take part in decisions on everyday school life. This includes the structure of the curriculum, a right to have in a say in the design of the school building and the schoolyard.*
- ✦ *To improve the learning climate, we want to see smaller classes, better equipment in the schools (e. g. beamers, more comfortable chairs) and less class teaching, with more projects and alternative forms of lessons instead.*
- ✦ *We can't understand how some children can be judged on their later achievements and school career after the fourth grade. Many children need more time for their development. That's why we are calling for a longer primary school phase leading to secondary schools on the basis of integrated comprehensive schools, since that overarching school system allows pupils a long phase of development.*
- ✦ *To prevent bullying or intimidation by teachers and give pupils more opportunities to express their criticism, we would like to see, as a basic principle, each school class with two class teachers.*

Students Alliance-Demands

- 1** *One school for everyone – abolish the multi-tiered school system*
- 2** *Free education for all*
- 3** *More teachers, smaller classes*
- 4** *Stop business sector influence on schools!*
- 5** *Cancel the reduction in school years! And get rid of the G8 high school leaving exam (Abitur)!**
- 6** *Stop repression against pupils*
- 7** *Support a more democratic educational system!*

(The Students Alliance presents details about the organisation (in German) on its own website at www.bildungsstreik.net)

The Bildungsstreik (educational strike) Students Alliance of pupils and students founded in 2008, which arranges various nationwide activities and demonstrations, has a list of demands that look extremely similar. In common with all other interest groups, they cannot speak for all the pupils in Germany; nonetheless, their figures do show that at least 270,00 young people supported their demands in 2008 and 2009.

Aside from such structural demands as unifying the educational system, there are already examples in Germany of positively responding to the deficits and demands schools with pupils extensively included in decision-making procedures, teachers and pupils encountering each other with respect, self-organised conflict resolution

through school mediators and class councils, buildings suited to the needs of children with healthy food provided in the school's own cafeteria, and the use of interdisciplinary and inter-year projects on applied topics. However, the fact that only 10% of the completed questionnaires come from schools with satisfied pupils and that, in contrast, children's rights violations are reported throughout Germany in all types of school also shows that many improvements and innovations have not yet become mainstream.

* G8 stands for the reduction of secondary school from 9 to 8 years before pupils take the high school leaving certificate (Abitur).



05



CHILDREN'S RIGHTS IN FREE TIME ACTIVITIES

"I'd like to have more time for my friends and need less time for studying. After 6 to 10 hours a day, I don't want to put another three hours into homework, but instead have more time to invest in social activities."

YOUNG MAN FROM THURINGIA, AGE 13

FREE TIME AT LAST!

The majority of children and young people take a positive view of how children's rights are implemented in their free time activities. Over two-thirds awarded an A or B, grade 1 or 2. The overall grade for the implementation of children's rights in leisure time activities was a B, a grade of 2.1. Less than 10% gave it a D, grade 4 or worse. The main criticisms voiced by most children and young people relate to the lack of free time they can call their own, and the costs of certain leisure time activities. The lowest grades tend to be awarded by older children from 10 and over and adolescents.

There are wide variations in the individual amount of leisure time children and young people have and the time they can use as they choose. Some children and young people report only having one hour of free time a day, while others say they have over six to seven hours a day at their disposal. This divergence is indicative of the very diverse situations in which children and young people are living. The inequality in available free time runs across all age groups and levels of education. Here, it would be fruitful to have a differentiated scholarly view of the lives of children and young people and their possible leisure activities.

ACTIVE AND INTERESTED IN LOTS OF DIFFERENT THINGS

In the questionnaires, most children and young people describe a wide range of leisure interests. They take advantage of the diverse opportunities offered by the new media, join sports clubs and play together with friends outside. The majority of children and young people also like reading, drawing, writing or making things: *"In my free time, I most like meeting up with my friends. I love dancing and that's why I'm also in our local carnival association, it's just a lot of fun to dance there. If the weather isn't so good, I usually stay home and read, since I'm very keen on reading as well. I also really like chatting with my friends."* *"Football, annoying the girls, Nintendo (but unfortunately I'm only allowed half an hour), Lego Star Wars"*

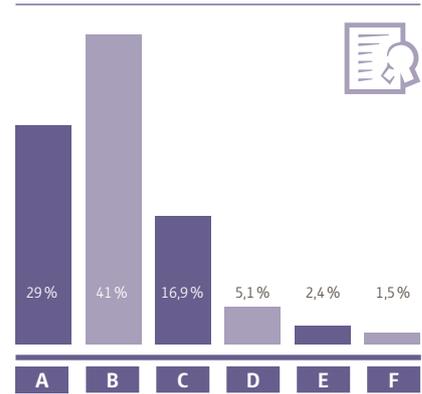
WE NEED TIME OUT

Spending time with friends is clearly ranked first among favourite activities, well ahead of all others. Yet there is also a considerable need for rest and relaxation due to the lack of time mentioned in the chapter on "Children's Rights at School". *"There's not a lot of free time during term time since we always have rather long school days, and when I get home I immediately have to start preparing for the next day and doing my homework."* Aside from a wish to spend more time with friends, children and young people frequently expressed a desire to have time out *"more time for me", "simply to be able to switch off"*.

TIME FOR CREATIVITY AND HELPING OTHERS

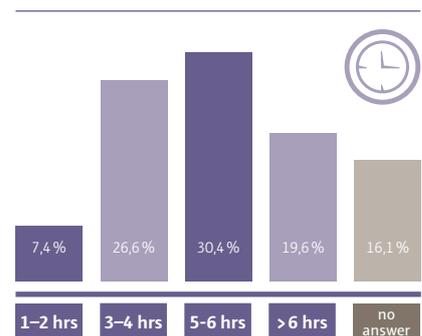
When there's only enough spare time to recover for the next day at school, creativity suffers: *"Riding, photography, reading, being creative and, for example, painting, making things with felt, sewing. Unfortunately, I never get around to these things during term time, because I don't always have the peace and quiet for them, and then the holidays are the time for any creative impetus. Playing the guitar, scouts and acting."*

Time is needed to spend on friendships and on helping in voluntary associations: *"I'd like to have more time for my friends and need less time to study. After 6 to 10 hours a day, I don't want to put another three hours into homework, but instead have more time to invest in social activities."*



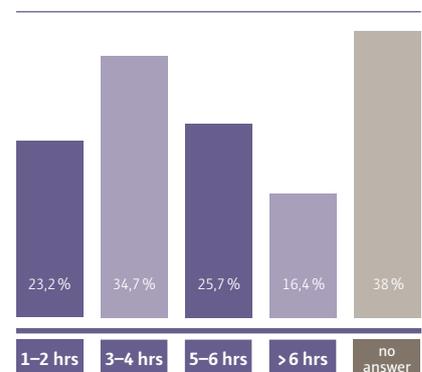
LEISURE TIME GRADE

What overall grade would you give for the implementation of children's rights in your leisure time?



DAILY FREE TIME

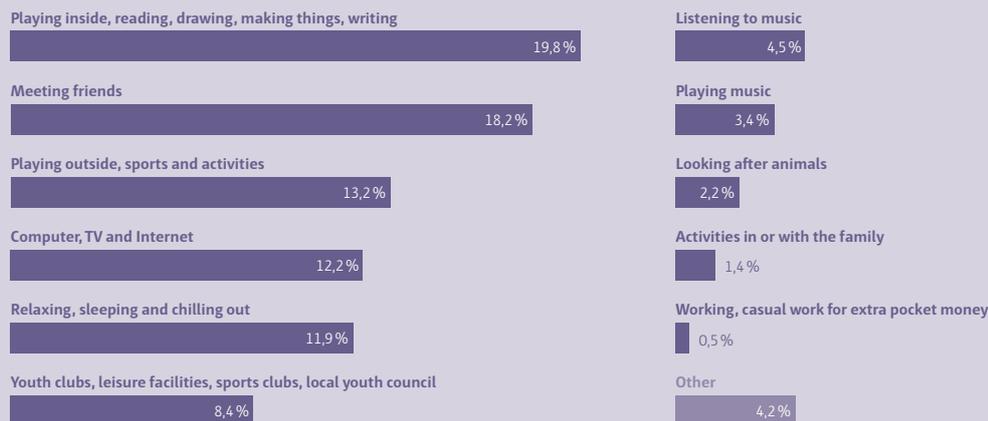
How many hours of free time do you have everyday?



OWN FREE TIME

How many hours of free time do you have everyday where you can decide what you want to do yourself?

Leisure time activities of children and young people



Many children's rights and participation projects call for volunteer work not just to be praised, but also made possible and acknowledged as having an educational value. "All-day schools are an obstacle to volunteer work. We are calling for volunteers in associations and activities to be supported, and for volunteer work to be feasible alongside school."

(Youth involvement project on the National Action Plan (NAP) for a Child-Friendly Germany 2005–2010)

"Youth participation has to be acknowledged as a place of learning for young people. This also includes acknowledging these activities in school reports and the schools supporting them."

(Children and Young People's Report on the NAP. BMFSFJ (ed) p. 17)

And the children and young people at the First National Conference for the Rights of the Child would like to see volunteer work actively supported: *"We would reward social behaviour and found more youth groups."*

FREE AND OPEN TO ALL

Equal opportunities is a principle that should also apply to leisure activities. Many position papers and answers in questionnaires call for making this a reality. *"Not everyone can pay for sports associations and music lessons."* Even the reduced rates in clubs and music schools exclude a lot of children and young people from participating in these opportunities for individual self-realisation. For many young people, going to the swimming pool or cinema, or visiting a museum, has become a luxury.

Many comments also underline the importance of an infrastructure providing free sporting activities which young people can then use spontaneously. *"More sports fields for playing football. Not such expensive activities."* *"The youth centres should also be open at the weekend."* *"Older children also need places to play and we all need more parks."*

And the children and young people at the First National Conference for the Rights of the Child are appalled at the unequal criteria in the allocation of state funds: *"Money has to be available for*

leisure facilities for children and young people instead of for saving banks. The leisure facilities, sports clubs and music schools need to be kept and more youth centres have to be built. There ought to be low admission prices for cultural events for children and young people." As another aspect of equal opportunities, they add: *"Holiday activities always ought to be inclusive and include children and young people with disabilities."*

FREE SPACES

In the Children and Young People's Report on the National Action Plan (NAP) "For a Child-Friendly Germany 2005-2010", the term 'free spaces' signifies much more than leisure activities. The young people who drew up the report consider this point to be so important they have named it as an extra field of action alongside the six main topics established for a child-friendly Germany by the then Federal Government. "The aim is to create a suitable provision of activities for children and young people and to meet their needs. They would like to have places and spaces where they feel well. Moreover, (...) a child has to be allowed simply to be a 'child'." This sentence becomes even more significant in the present debate on education where individual support for children is frequently only looked at in terms of how this can benefit society in future.

In contrast, the young people who compiled the Children and Young People's Report on the NAP hope to see, notwithstanding the present care and support, conditions created which facilitate self-organised activities. These would include free use of rooms in schools and youth centres for youth groups just as much as opening up school yards for afternoon use and establishing spaces where graffiti would be allowed. In addition, they would like to see skills courses where young people could learn social, organisational and democratic skills to enable them to act on their own behalf as far as possible.



06



GROWING UP AND HEALTH

“The mental strain in the 10th grade is extreme since there’s so much pressure from the final school exams. That makes everyday life pretty stressful and the strain is often more than you can cope with. You’re not protected against cigarette smoke since you’re always smoking passively as well.”

YOUNG MAN FROM HESSE, AGE 16

GOOD CONDITIONS – BUT NOT FOR EVERYONE

Children and young people have the right to grow up healthy, with everything they need for their development. This right covers a number of very different aspects. Children and young people take it as meaning that not only their basic needs are met, such as healthy food and clothing, but also their right to equal participation in social life and, for instance, taking part in a class trip. They regard a healthy environment, clean air and tolerable levels of traffic noise as important conditions. And they point out that too much stress and time pressure has a significantly negative effect on their mental well-being.

They see their living conditions and health as generally good to very good and rate their situation as very positive, awarding an overall B, a grade of 1.9, only slightly lower than for the implementation of children's rights in their families. 40% see their rights as optimally implemented, and that view is underlined in a third of the written comments: *"I have healthy food every day, my home is cleaned every day, I get new clothes every month, sufficient sleep, etc."* They repeatedly mention that their parents do everything in their power for them, even when money is tight.

Nonetheless, hundreds of other written comments show that, in some cases, there is a very definite need for action. The Munich Children's Right Ballot in 2005 also clearly indicated the importance of the right to health: 3000 children voted this as their most important right, putting it in top place closely followed by the right to play, free time and peace and quiet. (Press release by the Munich Children's Representative)

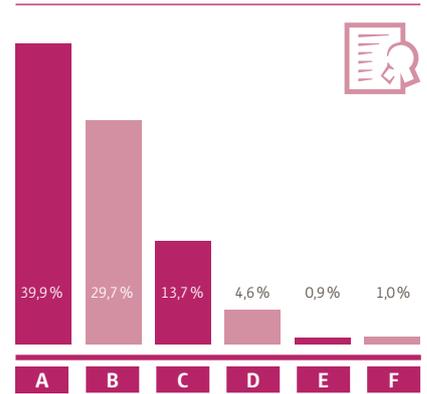
PASSIVE SMOKING IS BAD FOR US

The danger and nuisance of passive smoking is a topic which young people are especially concerned about. *"My parents smoke in the car when I'm with them."* *"My mother, my brother and his friends smoke all over the house."* *"Whenever I play a game with Mum or Dad, they smoke at the same time."* *"I come into contact a lot with smokers, for instance at bus stops, and then I'm breathing in that smoke and stink afterwards."* *"How can I get rid of my parents' cigarettes? I ask myself."*

The questionnaires contain a wide range of ideas on how to improve the implementation of the right of children and young people to grow up healthy. There are numerous calls for a general ban on cigarette manufacturing since young people have noticed that, despite an awareness of the health risks, parents and young people do not manage to stop smoking. The one or other young person would like the exact opposite and advocates the smoking age to be lowered to 16 again. Others are tolerant towards smokers and would only like to be protected against involuntary passive smoking. *"Smokers should be more careful and find places to smoke where not so many children go past."*

TOO MUCH STRESS IS BAD FOR YOUR HEALTH

Every sixth written comment in the questionnaires deals with the strain that young people are exposed to through the pressure and worry primarily caused by school and, to a lesser extent, by their parents' own stress and lack of time. *"The school puts me under pressure and I'm afraid to go to school."* *"School shouldn't go on so long during the day, it would be better to re-introduce G9. G8 creates a lot of stress and that's why some*



LIVING CONDITIONS GRADE

What overall grade would you give to the implementation of your rights to proper living conditions and growing up healthy?

"My parents smoke. I live with my mother, she always smokes in the kitchen. Sometimes, the food tastes of smoke."

people are no longer that good at school." "Sometimes I have simply too little time for everything at school and everything at home. Then I'm always worried that I'll never manage to do all the things I have to do. But somehow I do manage it in the end." In this context, many of the comments point out the consequences for health and social behaviour. "I think school should make fewer demands on you and not put you under as much pressure. I've already collapsed from stress once and I've haven't properly recovered yet." "The mental strain results in violence, quarrels and stress."

"Worries about school, bullying, and the stress that causes. I also think there's not a lot of help available."

It's noticeable how often children and young people do not only talk about stress but also their anxieties. "Anxiety, pressure and stress. I suffer from that quite a lot. The teachers and parents should make more allowances for the children's abilities."

Many would like to see the information flow between teachers improved at school: "Teachers don't keep to the timetable and don't coordinate things. So when you're in school until 5pm, you can still end up with two hours homework and no free time." "There should be less pressure at school, for example, the teachers could coordinate such things as when they give class tests or impromptu writing assignments... so that you don't have so many things to do in the week." It's even worse when the pressure to do well at school is accompanied by a fear of other pupils. "The school puts me under pressure, I'm absolutely terrified of fights at school, and afraid of being bullied."

Children and young people talk about their fears about the future mainly in relation to jobs and careers. Will I get a traineeship? Will I find a job? And here too, they would also like support, for example, as preparation for work or the chance to be able to talk about their fears.

"Sometimes, my parents let out their anger and worries on me." Even if the school is the main stress factor in the life of young people, they are also others. Above all, they often suffer from the pressure their parents are under. They complain that their parents have no time for them: "... that my parents never do anything with me", "they hardly ever have any time and never listen to me", that their parents transfer their own worries about the future onto them and the atmosphere in the family suffers from their parents' stress and lack of time, and from their financial worries.

MAKE HEALTHY SCHOOLS!

Since children and young people spend a large part of their day at school, one of topics which often came up is the fact that they often do not have any warm meals during the week. Where schools do have a cafeteria, the quality and price of the food often comes in for criticism. "If you have to stay for afternoon lessons, you can't get a warm meal at school." "An entire school day without a warm meal, the only food and drinks you can get come out of the vending machines or from the local supermarket – chocolate or the refrigerated section..." "Poor and even unhealthy food in the school canteen; poor air circulation in the school, drafts, windows that aren't airtight, mould, too cold." Other negative health factors mentioned in connection with school are the lack of exercise, furniture that's bad for your back, bullying and violence (see the chapter on "Children's rights at school and during training").



No violations of rights, it's all OK

30,8 %

Unhealthy food

6 %

Cigarette smoke

16,9 %

No money for the swimming pool, class trips, holidays ...

12,1 %

Environmental pollution, e.g., noise, exhaust gases

5,4 %

Insufficient medical care, two-class health system

4,1 %

Violations of children's rights in the family

5,5 %

Stress, anxiety, pressure

16,4 %

Violence

2,6 %

Addicted adults

2,3 %

Exclusion, mobbing

2,3 %

Unhealthy rooms

1,6 %

VIOLATIONS OF RIGHTS

In which way was your right to proper living conditions and health violated?

POVERTY EXCLUDES AND IMPEDES OUR DEVELOPMENT

Some people can count themselves lucky: *"We are well off and I can say what I like."* In contrast, though, many comments say: *"We never have enough money to go to the swimming pool and other things. No holiday!" "There's never enough money to do things. You always have to do the maths again and again, especially if you are on social welfare, as my mother is. The money I earn for my free time is taken off our social welfare payments."*

In every eighth comment, the children and young people note that their rights are limited by their financial situation. 18% of the suggestions to improve the children's rights situation in this report call for financial support either as transfer payments for the families or as the provision of free services such as free school lunches, homework tutoring, leisure activities, cheaper flats for families with children or advice services. Here, many children and young people who are better off themselves also want to see a fairer division of money and chances to participate.

"I think that families with children are disadvantaged, above all when it comes to looking for flats and finding nursery school places." "Children who only have one parent should be given more support, since they often don't have the money they need because only one parent is working." "Clubs (sports clubs) should be cheaper." "You could give more money to sponsor class trips or excursions or make it all cheaper." "Provide more money for parents (social welfare). It is hardly possible to raise a large family on these welfare rates! Please do something!"

"My mum has too little money so we can hardly ever buy any new clothes and I have to share a room with my sister. I don't get a warm meal at home that often."

A HEALTHY ENVIRONMENT NOW AND IN THE FUTURE

Young people in the youth involvement project on the National Action Plan for a Child-friendly Germany appealed to *"... major corporations to stop the destruction and extinction of animal species and their habitats."*

Through the questionnaire, young people recommend the Chancellor to *"Stop climate change now because we children live longer than adults!"* And the young people at the First National Conference for the Rights of the Child presented a grim picture of the future if action is not taken quickly: *"You won't be able to play outside anymore because pollution is increasing. Raw materials will become scarcer and that will lead to more poverty. With nature constantly being pushed further away, children and young people hardly have any relationship to it any more."*

But a healthy environment is not only important for the future. Children and young people are already complaining now about the negative impact of traffic noise, exhaust fumes and garbage. *"There's no protection against exhaust fumes because I live on a main road." "When I go to school in the morning, I can't go along my street because of the exhaust fumes."* They would like to see car-free Sundays, larger low-emission zones, solar-powered cars, a ban on night-time flights, increased use of public transport and abandoning the use of GM technologies in food.



SUPPORT IN CASES OF ILLNESS



Children and young people take a positive view of Germany's policy of statutory health insurance and generally feel they are well taken care of. However, criticism is directed to the different treatment of patients with a private or statutory insurance and the long waiting times at doctors' surgeries and in hospital. Children and young people with chronic conditions also complain about the lack of support.

"Non-private patients are disadvantaged, for example, you don't get your brace paid for." "My brother has a fructose intolerance and we have to spend a lot of money on his food. Why is living healthily so expensive?"

They would also like to see preventive measures: *"Many parents don't know enough about nutrition. That's how they feed their kids, and then the kids have to live with the consequences later." "More support for parents to raise their children properly and healthily."*

"Children and young people with disabilities or illnesses don't receive any disadvantage compensation at school and so their chances of finding a training place are not as good."

Comment from the First National Conference for the Rights of the Child

Another point deals with the family and work balance when a child falls ill: *"My father had to work a lot earlier on to earn the money for us and so he couldn't afford not to go to work only because his daughter was ill. I had to go to nursery school and to school as well even when I still had a cold. That was awful."* Even though the position on this point has already been regulated by law and parents can present a doctor's sick note to their employer, it may well still be worth looking at this area more closely to see whether parents can in fact generally use this possibility.

07



OTHER TOPICS

“The Chancellor ought to talk to children personally. She should go into a school unannounced and in disguise for a day and see what actually happens there. More contact to socially deprived areas to help the children there!”

YOUNG WOMAN, AGE 14

THESE ARE URGENT ISSUES WE CARE ABOUT!

The topics in this chapter were also mentioned by children and young people at the national workshops and in the questionnaires, and dealt with in on-site projects. The results of the national workshops discussions are presented below.

GROWING UP TOGETHER WITH AND WITHOUT DISABILITIES

"In my primary school, I was in a class with children with disabilities and good friends with them too, but there are so many people, including children, who make fun of people with disabilities or with a different skin colour!" Many comments on the questionnaires call for measures to ensure equal participation in society for children and young people with disabilities. Schools should be made wheelchair accessible and people on the street should be tolerant and ready to help. However, as Julian and Frederik from Kindernetzwerk e. V. and ADHS Deutschland reported at the national workshops from their own experience, there is frequently a lack of understanding and support, especially when a disability is not visible at first sight. This is also confirmed by some comments on the questionnaires where children and young people find it "unfair" and hard to understand when, for example, the work of children with dyslexia is not included in the results of dictations. Such examples show the need for information and efforts to make integrated living accepted as a matter of course. Benedict's research shows just how fruitful this would be. At his school, children with and without disabilities learn together. He has interviewed fellow pupils on their experiences, and compiled the information in a series of reports and here we are presenting his report on Marlene as an example.



CONTRIBUTION FROM THE NATIONAL WORKSHOPS

A sample report on disabilities and school

Marlene is a pupil in the seventh grade at a small private school in Derksen in Munich. That sounds quite normal – but it isn't. Due to a medical error, Marlene has suffered from a severe disability since she was born in 1996. She has dystonic athetosis. She can't do a lot independently. She gets around in an electric wheelchair and has very limited motor functions – she can paint on a computer using a joystick, and can only come to school with a support assistant who works together with her on a computer with a special programme. Until Marlene was able to do that, she had to have a lot of different therapies, had to practice a lot and her parents had to practice with her too. Marlene can talk, sometimes clearly and sometimes not so clearly. She reads a lot, and with her brother or friends from school she likes to play chess, cards, board games and computer games. Marlene is very funny and laughs a lot. She's annoyed by the fact that she can't control her hands, which writhe around, and that she often wakes up at night from the pain in her leg.

Marlene is now in her third year at our inclusive academic-track school and, in contrast to the special school for pupils with physical disabilities she was at before, everything is at last going a bit faster. She has a clear goal – she wants to take her A levels. Our school is small. Each class has around 22 pupils and up to five pupils in a class can have a disability. So a class could have, for example, one or two children with impaired hearing, or children with a physical disability, ADHD, metabolic diseases, autism and so on.

Marlene finds it much better to be able to take part in normal life and not to live a closed life with other people with disabilities. Unfortunately, in our school, as she found out, there are no doors opening automatically, the toilets aren't as big, and there are no therapies inside the school. Marlene is quite at home in the school and feels her rights are respected by the teachers and pupils. She has a lot more friends here than in her previous school. Marlene is especially happy when children come to her house to play. She thinks the people at her school are nice and helpful.

YOUNG REFUGEES IN GERMANY AND INTEGRATING YOUNG PEOPLE FROM ETHNIC MINORITY BACKGROUNDS

"Just imagine you're put out in the street as a child in India and have to survive." Alan and Zinar from Jugendliche ohne Grenzen (JOG - Young people without borders) use this imaginary situation as a comparison with the very real fate of a young man whose family fled to Germany from war and persecution when he was a baby and who was deported to his foreign 'home country' when he was 16. His situation is legally possible because

young people of 16 are treated as adults in asylum procedures. Zinar und Alan, who gave a presentation on their involvement in JOG at the national workshops, know from their own experience the conditions some children and young people in Germany are living under and how their rights are being violated.

RECOMMENDATIONS FROM THE NATIONAL WORKSHOPS

The need for action on migration and integration

- Make it possible for children and young people with a tolerated asylum status to attend secondary school, take up a traineeship or go to university.*
- Guarantee equal treatment by revoking the reservation entered when ratifying the UN Convention on the Rights of the Child.*
- Allow special treatment for young people travelling alone to help them cope with an especially difficult situation. Provide additional educational services and intensive language courses to help young people to settle in quickly.*
- Abolish the residence obligation to facilitate integration into society.*
- Inform the general public about the difficulties and legal restrictions to help dismantle prejudices and encourage understanding. Make a start at school. Since this is a difficult subject, it should be initially introduced in the Economics and Politics lessons.*
- Prevent clerical officers from treating those affected in an arbitrary way. Set up a supervisory authority to ensure migrants are treated fairly, e.g., young people travelling alone are not deliberately assessed with a higher age so they do not fall under juvenile law.*

"I've got a lot of friends who were very good at school and then they were deported. You're waiting for the day you get deported. It makes people ill, and pupils can't concentrate on learning at school. I've experienced it myself." "The hostels for asylum seekers are not youth hostels, you can't imagine having any privacy there. You have to imagine what it's like to spend years with four people in a small room. You can't feel like a child there. And you aren't a child there. You get your food package and maybe there's some roast pork in it sometimes even if you are a Muslim, or some soft bananas, and either you eat it or you don't."

"It's hard not to have the same rights as other children and young people, you feel excluded from life. Secondary schools are not obliged to take children with a tolerated asylum status. No business is going to give you a job and invest in training a young person with a tolerated status. A friend of mine has had a tolerated status for 15 years. She's found a traineeship and can't start her training because she's under a residence obligation and can't even travel 20 kilometres away from the place she has to stay."

The Bremer Declaration by Jugendliche ohne Grenzen on the UN Convention on the Rights of the Child states:

"(...) in reality the tolerated children of asylum seekers have their children's rights massively curtailed. The residence obligation on people with a tolerated status does not allow them to move freely outside the district. Travelling outside that district is only possible with the permission of the immigration authorities and involves considerable costs. As a result, children and young people cannot de facto take part in class, study or club trips outside their district; this prevents them from taking an active part in social life and denies them the chance of further training. If the authorities do grant children and young people permission to travel outside the district so they can take part in these trips, they still often can't go because they don't have the money. Asylum seekers receive 30% less than the standard ALG II rates for unemployment pay. (...) Khaled D from Berlin, who is 22 years old, came to Germany from Syria nine years ago with his mother and four brothers and sisters. When they arrived, his age was assessed to be older than he actually was so he was separated from his family and put into a different asylum-seekers hostel. After the medical checks, which took a week, they agreed he was actually 14 as declared and he was allowed to join his family again. (...) The right to protection from violence is being violated for the children and young people deported



to such crisis and war regions as Iraq, Kosovo, Afghanistan, Syria, Lebanon, Sri Lanka, Congo and the Sudan. The young people of Roma background deported to Kosovo are facing a void when they arrive. There are no habitable houses and the general population discriminates against people belonging to the Roma minority. There is no work, no training and hardly any schools.

The report on implementing children's rights in Germany, written from the perspective of Jugendliche ohne Grenzen, is supplemented by numerous personal accounts and experiences as well as appeals for help, and is available on www.jogspace.net and www.hier.geblieben.net."

It is not only young people without a secure residence status who are facing difficulties, but also young people from ethnic minority backgrounds. The questionnaires contain numerous comments on their problems: *"I think teachers never really take a proper look when a foreign child is in the school. They just automatically give them bad marks, without trying to help them."* *"Children from other countries should get more support,"* *"No discrimination against foreigners."* *"Measures need to be taken to ensure that children from ethnic minority backgrounds are better integrated in Germany."*

The Young Fire-fighters are now actively encouraging integration in their own association, and presented their efforts at the Amberger Jugendkonvention (Amberg Youth Convention). The young people discovered that their organisation has relatively few children and young people from ethnic minority backgrounds. So the Young Fire-fighters created an entire campaign to encourage them to join and, in this way, are playing their part in supporting integration in society.

FEMALE GENITAL MUTILATION IN GERMANY

Johanna has dealt extensively with the topic of genital mutilation: *"Female genital mutilation is seen as a problem occurring in the counties of the South. But through migration, genital mutilation has also come to Europe and Germany too. There are around 30,000 women immigrants in Germany who have suffered genital mutilation. The ritual is usually carried out in the girls' home countries but some girls have undergone this procedure in Germany as well. It is hard to believe but there are also doctors who offer female genital cutting. In Germany, female genital mutilation may be unlawful but it is not explicitly forbidden."* Many of the young people at the national workshops had never heard about this topic before, and they were shocked and appalled.

CONTRIBUTION FROM THE NATIONAL WORKSHOPS

Recommendations on female genital mutilation

- 1 General public information campaign
- 2 Mandatory lessons on the topic at all schools
- 3 A clear law banning female genital mutilation
- 4 Statutory health insurance schemes should take over the costs of an operation to help women who have suffered genital mutilation
- 5 To help the women affected, the subject of the genital mutilation of girls has to be included in educational, medical and legal training.
- 6 A general duty of notification when someone notices that girls or women are affected by or threatened by genital mutilation.
- 7 A genital examination as part of all preventive health checkups. *(There are different views on this demand. Some young people see it as being too intrusive in the right to privacy of girls not affected. Others are concerned that it might lead to the girls being kept away from doctors altogether.)*
- 8 The threat of genital mutilation in another country should be a valid reason for granting asylum in Germany.

CREATING REAL COMMUNITIES – INVOLVING EVERYONE IN A COMMUNITY

The issue of involvement in decision-making processes runs through all parts of life. The desire for co-determination played a major part in all life areas addressed in the questionnaires. In their survey of 173 children and young people, Ildiko and Finn from the national workshops have found that often the possibilities of involving children and young people go unrecognised.

"To play a serious part in decision-making processes, young people and children first have to be taken seriously."

"This is primarily due to the demands, often very substantial, placed on participating children and young people as well as the very bureaucratic approaches to the chances for participation. Many children and young people have already been active and involved before they decide to take part in a children and young people's parliament. Moreover, the model of the children and young people's parliament, councils and similar bodies often brings with it the danger of children and young people making demands on local politicians which cannot be met or only be met

at a higher level. The widespread "politicians in conversation" format where politicians often skilfully avoid answering questions from the children and young people is also off-putting." (from the Project Report)



The young people at the national workshop discussed this issue. Some are active in youth parliaments and think that they provide a good starting point together with other forms of participation: *"Children and young people in Germany are involved. There are youth parliaments, and other possibilities for involvement can be developed."* Money is essential if things are to be changed in towns or villages. But the financial means are often insufficient: *"Children and young people ought to be given money to implement projects."*

Youth parliaments rely on adults to accompany the process and open up possibilities of action. *"Fortunately, there are people who support our children and young people's parliament"* because *"It's hard to push through your own point of view against adults."*



This also requires a fine balance between support and paternalism when adults put their ideas of participation into practice. *"Participatory structures are created by adults. Children and young people are often not interested in the forms of participation offered by adults."* When the adult forms dominate, many young people feel excluded or not addressed. *"The participation of children and young people is elitist."* *"There are nearly only academic-track school pupils in our participation projects. Lower-track pupils don't take part at all."* *"Our youth parliament has just one pupil from a lower-track school."* That's why young people are demanding: *"All young people from all types of schools have to be involved."*

"Creating real communities – Involving everyone in a community." For the young people, the national workshop was just such a community. The participants came from all parts of Germany, from different cultural backgrounds, and from fundamentally different social and educational strata, met each other here – and learnt from one another. To ensure this kind of respectful exchange can become a part of everyday life, they are advocating: *"Schools have to be put together to create a community. Some subjects can be taught together."*

CONTRIBUTION FROM THE NATIONAL WORKSHOPS

Youth parliament photo story

The participants wanted this photo story to give a clear idea of how they imagine a serious model of a youth parliament equipped with decision-making powers and funds so it can really achieve something.



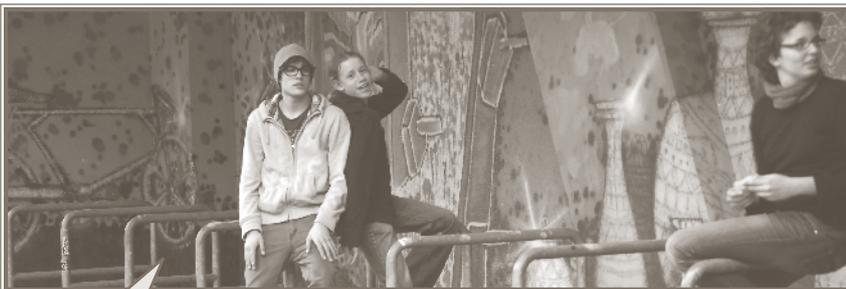
Navid, Tobi and Ben are real football fanatics. They meet everyday after school to play football.



As there's no football pitch in the area, they play on an empty yard.



They often run into problems with Mrs Smith, the neighbour. Whenever the ball flies over the wall and lands in her yard, she gives them a real talking off.



For some time Navid, Tobi and Ben have known it can't go on like this. While they are digesting their last dressing down from Mrs Smith, they suddenly have a brainwave. The children and young people's parliament! The parliaments represent the interests of children and young people are in touch with the local politicians and have a budget to implement projects specifically for children and young people.



They immediately decide to present their 'kickabout' project to the children and young people's parliament.



The parliament has a long and extensive debate on the idea. "Do we have any money to build a kickabout area?" "Do we really need another football pitch in our town?"



The decision - another kickabout area will be built.



The new kickabout area is finished. And of course the first people to play there are Navid, Tobi and Ben, together with the participants at the children and young people's parliament!

MAKING CHILDREN'S RIGHTS INFORMATION AVAILABLE IN AN APPROPRIATE FORM FOR CHILDREN AND YOUNG PEOPLE

While many young people are unaware of the chances they have to participate, many don't even know about children's rights at all as Yngve, Carla and Frederik found out in their survey of 480 primary school pupils in Bavaria and Lower Saxony. Other young people also reported similar experiences at the national workshops. They proposed the following measures:

CONTRIBUTION FROM THE NATIONAL WORKSHOPS

Recommendations on Information on Children's Rights

- To ensure children become familiar with children's rights, it should be a mandatory part of the curricula. Children's rights should be discussed from the first grade on and dealt with in subsequent years, e.g. in the 4th, 8th and 10th grades, with the aim of building on the pupils' existing knowledge and extending it.*
- A project day taking an inter-class approach to the topic could be held every year.*
- The information on children's rights must be provided in a way suitable for children and young people, i.e., using examples reflecting children's lives. It should be illustrated with pictures and conveyed in an interesting, fun way, possibly in an open form, e.g., project learning without grades – so that the children and young people can express themselves more openly and more critically.*
- Another idea would be to have extra-curricula Children's Rights Groups at schools initiated by the pupils and supported by teachers. It would also be good if one member of the teaching staff was appointed as a contact for children's rights.*
- Young people could also give lessons to younger pupils on children's rights.*
- Crucially, children should not only be given information about their rights, but actually shown how they can help themselves if their rights are violated (who to turn to in their school, village and town, and which organisations to contact, e.g. the 'Nummer gegen Kummer' child helpline). It should also become clear from learning about child's rights that "it's not all perfect" here either; children's rights are not only violated in other countries – there are also problems in children's rights implementation in Germany as well.*
- It is important in general to strengthen children so they have the courage to talk about their difficulties, e.g., at home. This also requires a trusting atmosphere at school, and the time and space to talk about these things with each other.*
- Children's rights lessons also require further training for the teachers, the dissemination of information to teachers on the materials appropriate for children and young people, and more school books, work books, etc., dealing with this topic.*



08



CHILDREN'S RIGHTS POLICY DEMANDS

PAST AND PRESENT

"We have a right to put forward our own opinions and want to accept the opinions of others. We're encouraged to do that and we're listened to."

YOUNG PEOPLE AT THE ST. VINCENT CHILDREN'S CENTRE

A SELECTION FROM THE LAST FIVE YEARS

The individual chapters of this report include results from the following children's rights projects which took place over the last five years:

- ✦ *Children and Young People's Report on the National Action Plan "For a Child-Friendly Germany 2005-2010 (NAP), published in 2006 by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ)*
- ✦ *German Federal Youth Council (DBJR) Children and Youth Involvement Project on the NAP*
- ✦ *First National Conference for the Rights of the Child of the National Coalition for the Implementation of the UN Convention on the Rights of the Child in Germany*
- ✦ *The Munich Children's Rights Ballot, Children's Representatives*
- ✦ *Children's Rights Ballot Berlin, Marzahn-Hellersdorf, Children & Young Person's Office*
- ✦ *Children's Rights Camp "Hand in Hand for Children's Rights", socialist youth organisation SID- Die Falken*
- ✦ *Amberger Jugendkonvention (Amberg Youth Convention) Deutsche Jugendfeuerwehr (Young German Fire-fighters)*
- ✦ *Activating survey among children in Berlin-Mitte (Wedding), Arbeit, Bildung, Forschung e. V.*
- ✦ *Declaration by the Bildungsstreik (educational strike) Students Alliance*
- ✦ *Survey of young people as part of the AFET dialogue – Successful Participation in Everyday Life in Homes, SOS Kinderdorf Social Education Institute (SPI) and Institut für Praxisforschung und Projektberatung Munich*
- ✦ *The Bremer Declaration by "Jugendliche ohne Grenzen" on the UN Convention on the Rights of the Child*
- ✦ *Manifesto by the Young Ambassadors of "Young Cities Now – Jugend.Stadt.Labor", IAS – Jugend-Architektur-Stadt e. V.*

This selection only represents a small number of the children's rights projects over the last years. The list is intended to highlight both the very similar statements on certain key themes and also show how the many different aspects in young people's lives require a differentiated approach to implementing the UN Convention on the Rights of the Child in Germany.

"On World Children's Day, every mayor should publicly read children's rights out loud."

Comment from the First National Conference for the Rights of the Child



CHILDREN HAVE RIGHTS, CHILDREN HAVE AN OPINION, CHILDREN HAVE A LOT OF DEMANDS

German Federal Youth Council (DBJR) Children and Youth Involvement Project on the National Action Plan "For a Child-Friendly Germany 2005-2010" (NAP)

Jasmin-Marei Christen, Project Manager

In over 100 projects, young people discussed and debated children's rights as part of the project to involve children and young people in the process of the "National Action Plan (NAP) on implementing children's rights in Germany 2005-2010". The project, coordinated by the German Federal Youth Council (DBJR), documented both large and smaller actions on the NAP's six main areas by youth groups, organisations and associations. (...)

In 2009/10, in addition to these projects, as part of the participation project the DBJR also organised the active involvement of young people in the Ministry's six themed events to mark the conclusion of National Action Plan. The young people took part as experts at

the six themed events on the NAP, creatively presenting extensive analyses and recommendations on the particular issues, and repeatedly proving in their discussions with the adult participants that they are qualified discussion partners.

Children's rights are important to children and young people because, in their view, they can change and improve a lot of things. At the same time, they are well aware that the UN Convention on the Rights of the Child is often not implemented thoroughly enough. They are calling for the protection of the environment both at the international and the local levels. At school, they want to see sustainability integrated as a cross-sectional task and to have more time for teamwork and more time for each other. They regard support for individual learning and a good working atmosphere just as important as space for breaks and free time. Children and young people want to learn – but they want to learn individually and they want to be supported.

Children and young people are also calling for more time for families – and this makes their views on better working times important. Their recommendations for action cover a wide spectrum from the integration of young people from ethnic minority backgrounds to better conditions for activities in voluntary work. They want to see prejudices and violence among young people combated by more day care centres and other facilities for children and young people.

It is also clear that many children and young people are interested in politics. They are not only calling, for example, for the voting age to be lowered but also want more equality at school, and politicians to pay more concrete attention to young people. They regard open access to computers as absolutely essential. Young people want to play a part in decision making and are calling for voting rights for all, as well as free spaces and self-determined leisure activities. They support securing the basic needs for all people and ensuring that people can afford proper and healthy food. They have also repeatedly called for such important changes as more green spaces instead of streets, as well as free public transport.

The project participants frequently complained of the responsible adults only talking instead of acting. However, they did not let this discourage them but plan to ensure their demands continue to be heard. The German Federal Youth Council (DBJR) NAP project came to an end in mid-2010; children and young people will continue to speak up for their rights – as experts in their own area of life.

THE 10 KEY CHILDREN'S RIGHTS

The UN Convention on the Rights of the Child has 54 Articles in total. You can find all the Convention's Articles explained simply at www.kindersache.de (in German).

The 10 most important rights are:

- 1** *Children and young people have a right to equal opportunities and equal treatment.*
- 2** *Children and young people have a right to grow up healthy and receive everything they need for their proper development.*
- 3** *Children and young people have a right to go to school and learn what they need for life.*
- 4** *Children and young people have a right to play, leisure and rest.*
- 5** *Children and young people have a right to both parents and a secure home.*
- 6** *Children and young people have a right to a private sphere and respect.*
- 7** *Children and young people have a right to grow up without violence.*
- 8** *Children and young people with disabilities have a right to be properly looked after and supported.*
- 9** *Children and young people who have to flee from war and violence into other countries have a right to special protection.*
- 10** *Children and young people have a right to express their opinions and be listened to. They have a right for their opinions to be taken into account.*

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First Children and Young People's Report on UN Reporting on the Implementation of the UN Convention on the Rights of the Child in Germany

A Report Card for Children's Rights in Germany 2010

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Gender Neutral Usage:

The author has tried to ensure the Report uses a consistent gender-neutral language yet is still easily readable. The text therefore uses plural forms or alternates between 'she' and 'he'. The original quotes from the children and young people have not been changed. To enhance understanding at some points, author's notes have been added [in square brackets].

