

STATES OF JERSEY



GAZA CEASEFIRE (P.7/2024) – CHILDREN’S RIGHTS IMPACT ASSESSMENT

Presented to the States on 29th January 2024
by Deputy M. Tadier of St. Brelade

STATES GREFFE

CHILDREN’S RIGHTS IMPACT ASSESSMENT (CRIA)

PART 1: SCREENING

Name and title of Duty Bearer:	Deputy M. Tadier of St. Brelade
Type of Duty Bearer: (Minister, Elected Member or States Assembly Body)	Elected Member
Assessment completed by (if not completed by duty bearer):	Members’ Resources Team
Date:	26/01/2024

<p>1) Name and brief description of the proposed decision The subject of your CRIA may be a proposed law, policy or proposition and in accordance with the Law is referred to in this template as the ‘decision’</p> <ul style="list-style-type: none"> • What is the problem or issue the decision is trying to address? • Do children experience this problem differently from adults? <p>THE STATES are asked to decide whether they are of the opinion –</p> <p>(a) to express their profound sadness and dismay at the extent of loss of civilian lives in Gaza and Israel, to condemn the taking of hostages and all acts of aggression which violate international law and result in the death of civilian lives, especially children;</p> <p>(b) that a permanent ceasefire should be established; that all hostages and those held under unlawful detention should be released;</p> <p>(c) and that international law should be adhered to, in order to stop further significant loss of civilian lives and avoid genocide;</p> <p>(d) that the eventual outcome of South Africa’s case against Israel at the International Court of Justice be supported;</p> <p>(e) that a diplomatic solution to end the conflict, including an immediate end to the military occupation of Palestine, should supported by the UK Government and its allies in order to secure stability and a lasting peace in the region;</p> <p>(f) and to request that the Government of Jersey express the view of the Assembly on this matter to the UK Government.</p> <ul style="list-style-type: none"> - The proposition seeks to put forward the consensus of the Assembly and to express the views of the Assembly in relation to the conflict - Whilst the proposition in itself is in principle, the effect of the conflict on children and young people will be used as the basis of this CRIA
<p>2) Which groups of children and young people are likely to be affected? Groups of children could include early years, primary or secondary education; young adults; children with additional learning needs; disabled children; children living in poverty; children from particular ethnic backgrounds; migrants; refugees; care experienced children and LGBTQ+ children</p>

As noted above, the proposition in itself is in principle, therefore the effect of the conflict on children and young people will be used as the basis of this CRIA.

All children and young people on both sides of the conflict in Gaza will be affected by the current hostilities.

3) What is the likely impact of the proposed decision on children and on their rights?

- Identify any potential positive OR negative impacts and include indirect impacts on children and their rights as described in the UNCRC
- Will different groups of children be affected differently by this decision?

On an international scale, the proposition aims to add the Assembly’s voice to those calling for a ceasefire and to do our bit to help the children and young people impacted by the conflict.

On a local level there is a learning benefit to our own children and young people, demonstrating that whilst we may be a small island we can still stand up for others.

4) Is a full Child Rights Impact Assessment required?
If you have identified impacts on children and their rights, a full CRIA should be completed. If no impacts are identified then a Full CRIA is not required, but please explain your rationale and how you reached this conclusion

Yes.

If screening determines that a full CRIA is needed, complete Part 2

Part 2: FULL CHILD RIGHTS IMPACT ASSESSMENT

5) What will be the impacts (positive or negative) of the proposed decision on children’s rights?

For each of the UNCRC articles described below, click to identify any that may be relevant

Category	UNCRC Article	Impact?	
		YES	NO
Guiding Principles	Non-discrimination (Art 2)	<input type="checkbox"/>	<input type="checkbox"/>
	Best interests of the Child (Art 3) to be a top priority	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Right to Life survival and development (Art 6)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Respect for the child’s views (Art 12)	<input type="checkbox"/>	<input type="checkbox"/>

Civil Rights & Freedoms	Right to birth registration, name and nationality (Art 7)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Right to an identity (Art 8)	<input type="checkbox"/>	<input type="checkbox"/>
	Freedom of expression (Art 13)	<input type="checkbox"/>	<input type="checkbox"/>
	Freedom of thought, conscience, and religion (Art 14) Every child has the right to think and believe what they choose	<input type="checkbox"/>	<input type="checkbox"/>
	Freedom of association (Art 15) Every child has the right to meet with other children and to join groups and organisations	<input type="checkbox"/>	<input type="checkbox"/>
	Right to Privacy (Art 16) including family and home life	<input type="checkbox"/>	<input type="checkbox"/>
	Access to information from the media (Art 17) Right to access reliable information from a variety of sources, in a format that children can understand	<input type="checkbox"/>	<input type="checkbox"/>
	Protection against torture or other cruel, degrading or inhumane treatment or punishment (Art 37(a))	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Family Environment and Alternative Care	Respect for the responsibilities, rights and duties of parents (or where applicable, extended family or community) to guide their child as they grow up (Art 5)	<input type="checkbox"/>	<input type="checkbox"/>
	Responsibilities of both parents in the upbringing and development of their child (Art 18)	<input type="checkbox"/>	<input type="checkbox"/>
	Children must not be separated from their parents against their will unless it is in their best interests (Art 9)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Family reunification (Art 10)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Abduction and non-return of children abroad (Art 11)	<input type="checkbox"/>	<input type="checkbox"/>
	Right to a standard of living that is good enough to meet the child's physical and social needs and support their development (Art 27)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Special protection for children unable to live with their family (Art 20)	<input type="checkbox"/>	<input type="checkbox"/>
	Best interests of the child in the context of Adoption (Art 21)	<input type="checkbox"/>	<input type="checkbox"/>
	Review of treatment whilst in care (Art 25) If a child has been placed away from home for the purpose of care or protection (for example, with a foster family or in hospital), they have the right to a regular review of their treatment, the way they are cared for and their wider circumstances.	<input type="checkbox"/>	<input type="checkbox"/>
	Protection from violence, abuse or neglect (Art 19)	<input type="checkbox"/>	<input type="checkbox"/>
Recovery from trauma and reintegration (Art 39) Children who have experienced neglect, abuse, exploitation, torture or who are victims of war must	<input type="checkbox"/>	<input type="checkbox"/>	

	receive special support to help them recover their health, dignity, self-respect and social life.		
Basic Health and Welfare	Rights of disabled children (Art 23)	<input type="checkbox"/>	<input type="checkbox"/>
	Right to health and health services (Art 24)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Right to social security (Art 26)	<input type="checkbox"/>	<input type="checkbox"/>
	Right to adequate standard of living (Art 27)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Education, Leisure and Cultural Activities	Right to education (Art 28)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Goals of education (Art 29) Education must develop every child's personality, talents and abilities to the full	<input type="checkbox"/>	<input type="checkbox"/>
	Leisure, play and culture (Art 31) Every child has the right to relax, play and take part in cultural and artistic activities	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Special Protection Measures	Special protection for refugee children (Art 22)	<input type="checkbox"/>	<input type="checkbox"/>
	Children and armed conflict (Art 38 and Optional Protocol #1) Governments must do everything they can to protect and care for children affected by war and armed conflict.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Children and juvenile justice (Art 40) Right to be treated with dignity and respect, right to legal assistance and a fair trial that takes account of age.	<input type="checkbox"/>	<input type="checkbox"/>
	Inhumane treatment and detention (Art 37 (b)-(d)) Children should be arrested, detained or imprisoned only as a last resort and for the shortest time possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Recovery from trauma and reintegration (Art 39) Children who have experienced neglect, abuse, exploitation, torture or who are victims of war must receive special support to help them recover their health, dignity, self-respect and social life	<input type="checkbox"/>	<input type="checkbox"/>
	Child labour and right to be protected from economic exploitation (Art 32)	<input type="checkbox"/>	<input type="checkbox"/>
	Drug abuse (Art 33)	<input type="checkbox"/>	<input type="checkbox"/>
	Sexual exploitation (Art 34)	<input type="checkbox"/>	<input type="checkbox"/>
	Abduction, sale and trafficking of children (Art 35)	<input type="checkbox"/>	<input type="checkbox"/>
	Protection from other forms of exploitation including for political activities, by the media or for medical research (Art 36)	<input type="checkbox"/>	<input type="checkbox"/>

	Children belonging to a minority or an indigenous group (Art 30)	<input type="checkbox"/>	<input type="checkbox"/>
	Optional Protocol on the sale of children, child prostitution and child pornography	<input type="checkbox"/>	<input type="checkbox"/>
	Optional protocol on the involvement of children in armed conflict	<input type="checkbox"/>	<input type="checkbox"/>

6) Information and research What evidence has been used to inform your assessment?		
Evidence collected (include links to relevant publications)	What did the evidence tell you?	What are the data gaps, if any?
Hamas Hostages	<p>Inhumane treatment and detention (Art 37 (b)-(d)) Children should be arrested, detained or imprisoned only as a last resort and for the shortest time possible.</p> <p>A number of the children have been released from captivity however others remain.</p>	Exact numbers of detainees
Gaza has become a graveyard for thousands of children UNICEF	<p>Children and armed conflict (Art 38 and Optional Protocol #1) Governments must do everything they can to protect and care for children affected by war and armed conflict</p> <p>“Our gravest fears about the reported numbers of children killed becoming dozens, then hundreds, and ultimately thousands were realized in just a fortnight. The numbers are appalling; reportedly more than 3,450 children killed; staggeringly this rises significantly every day.</p>	Number of deaths, number of injured, number of those made homeless/deprived of basic utilities

	<p>“Gaza has become a graveyard for thousands of children. It’s a living hell for everyone else.”</p>	
<p>Gaza has become a graveyard for thousands of children</p> <p>UNICEF</p>	<p>Right to a standard of living that is good enough to meet the child’s physical and social needs and support their development (Art 27)</p> <p>“This is what one of my UNICEF colleagues, Nesma, who lives and works in Gaza said. She has two children, 4yr old Talia, and 7yr old Zain: It breaks my heart to see children around me strive for a cup of clean water and cannot find it. Zain keeps asking for regular water.</p> <p>“She means safe drinking water, not salty water which is the only option right now and is making 7yr old Zain and many other children sick.”</p>	<p>Number of those made homeless/deprived of basic utilities</p>
<p>Support and Aid</p> <p>UNICEF</p>	<p>Right to education (Art 28)</p> <p>Students across the Gaza Strip have been affected by displacement and attacks on schools, losing access to safe places to learn. These children will fall behind and grow up without the skills they need and at greater risk exploitation and abuse.</p>	<p>Further information about access to Education</p>
<p>Support and Aid</p> <p>UNICEF</p>	<p>Right to health and health services (Art 24)</p> <p>“And through it all, children remain cut off from psychosocial care. Even before this latest</p>	<p>Further information about access to Health</p>

	<p>escalation, more than 500,000 children in Gaza were identified as needing mental health and psychosocial support. Today, every child has been exposed to deeply distressing events and trauma, marked by widespread destruction and displacement. Meanwhile, parents and caregivers are themselves under intense mental strain.”</p>	
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<p>7) Engagement with children What groups of children and young people (or those who speak on their behalf, such as social workers, teachers or youth workers) have been directly or indirectly involved in developing the decision?</p>		
Groups consulted	How they were involved	What were the findings?
No direct engagement was undertaken.		

<p>8) Assessing Impact on children’s rights Based on the information collected and analysed above, what likely impact will the proposed decision have on the specific children’s rights identified in question 5)?</p>		
Relevant UNCRC Articles (rights) identified in Q5	Describe the positive or negative impacts on these rights	Which group(s) of children are likely to be affected?
<p>As this is an ‘in principle’ proposition this section is hard to establish. The actual effect of this proposition is just the letter to the UK Government. The impact of a Ceasefire on all the Articles identified in Q5 would be positive, allowing the provision of health and social support for the impacted Children and Young People.</p>		

<p>9) Weighing positive and negative impacts</p> <ul style="list-style-type: none"> If a negative impact is identified for any area of rights <u>or</u> any group of children and young people, what options are there to modify the 		
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proposed decision to mitigate the impact? Could any positive impacts be enhanced?		
There are no negative impacts – both internationally and on a local level, the impacts identified are positive.		

10) Conclusions In summary, what are your key findings on the impact of the proposed decision on the rights of Jersey children?
The specific impact on Jersey children is negligible, though the proposition would help local children to view the Article of the UNCRC in a more immediate and recognisable manner

Addendum – additional information –

Speech to the European Parliament at the plenary joint debate 20 November 2023 - Children first - strengthening the Child Guarantee, two years on from its adoption - Reducing inequalities and promoting social inclusion in times of crisis for children and their families: [You can view the speech here](#)

Armed conflicts, poverty, climate change, violence against children both in the real world and online, lack of access to education and health care, and to psychological and social support so needed in the crises of recent years still deprive children of their rights and their childhood across Europe. These issues shape and also influences subsequent generations, which means that it also determines the future of all of us.

There are over twenty armed conflicts taking place around the world today, and children always pay the highest price in such conflicts. I want to strongly emphasise today - children in Ukraine, children in Gaza and Israel, in Sudan and wherever adults fight their wars, have the same right to live, to grow up and develop being safe, loved and respected. This right is universal, inalienable and does not depend on which country and on which side of the wall the child is born.