



Right to be children

2023-2024
Report on Child Rights



Marist International
Solidarity
Foundation ETS

FMSI
For the benefit of children



SECRETARIAT OF SOLIDARITY

Marists
of Champagnat

Index

1. Marist Brothers, the Secretariat of Solidarity and FMSI: International Advocacy for Child Rights.
2. What is the UPR?
3. Reports submitted by FMSI from 2007 until 2024.
4. UPR 2023-2024 Highlights.



Marist Brothers, the Secretariat of Solidarity and FMSI: International Advocacy for Child Rights

The Institute of the Marist Brothers and the Marist International Solidarity Foundation ETS (FMSI) are deeply committed to advocating for the rights of children and young people in the most vulnerable conditions. In 2007, FMSI and the Marist Brothers made the decision to engage in the defense of human rights by actively participating in mechanisms provided by the United Nations, including the Universal Periodic Report (UPR).

Working in collaboration with the Secretariat of Solidarity, **they strive to raise awareness about the importance of defending human rights**, particularly for those who are most at risk. This commitment aligns with the Marist charism, which focuses on the education of children and young people across 80 countries worldwide.

To achieve their goals, both the Secretariat of Solidarity and FMSI engage in various United Nations advocacy mechanisms. Among these, the Universal Periodic Report is a key tool, allowing them to present reports and recommendations to the United Nations. The active engagement of civil society organizations in the UPR process, coupled with collaborative networking

and partnerships with other stakeholders, is paramount for enhancing the process's effectiveness and inclusivity. These interactions facilitate a broader exchange of insights, resources, and advocacy efforts, ultimately promoting a more thorough examination of human rights situations and a more robust framework for governments to address them.

FMSI has held special consultative status with the UN Economic and Social Council (ECOSOC) since 2011. This status enables active participation in UN conferences, meetings, and working groups dedicated to child rights. Leveraging the collective expertise of the international Marist network, FMSI plays a crucial role in shaping global standards and international agreements concerning the human rights of children and young people.

Both FMSI and the Secretariat of Solidarity of the Marist Brothers welcome opportunities to collaborate with local communities to help them prepare and submit UPR that advocate for and protect the rights of children in their respective countries.



What is the UPR?

The Universal Periodic Review (UPR) is a unique process within the United Nations Human Rights Council that is designed to assess the human rights records of all United Nations Member States. It is a mechanism for **reviewing and improving the human rights situation** in individual countries.

As its name suggests, UPR means:

- **UNIVERSAL:** All 193 UN Member States are expected to participate in the UPR process. It is a peer-review mechanism, which means that countries are reviewed by their fellow Member States.
- **PERIODIC:** The UPR process operates on a fixed cycle, with each country being reviewed approximately once every four to five years. The review is based on a predetermined schedule, and each country's review is conducted during a specific session of the Human Rights Council.
- **REVIEW** of the human rights practices in the country under review.

Before their review, the country is expected to prepare a national report that outlines its human rights situation and efforts to improve it. Each report is based on information from the government, civil society organizations, and other stakeholders.

Other countries, as well as civil society organizations, can submit information and reports on the human rights situation in the country under review. **The participation of civil society in the UPR process plays a pivotal role in strengthening the accountability of governments and advancing the protection of human rights.** Civil society organizations, with their diverse expertise and grassroots connections, act as supervisors, advocates, and

conduits for the voices of populations in marginalized and vulnerable conditions. They provide valuable information, analysis, and recommendations to the UPR, helping to shed light on human rights violations and challenges, while also promoting transparency, engagement, and collaboration between states, civil society, and other stakeholders. Through their active involvement, civil society enhances the credibility and effectiveness of the UPR mechanism, ultimately contributing to the advancement of human rights and the well-being of individuals and communities around the world. These submissions provide additional perspectives and insights.

During the review session at the UN Human Rights Council, the country under review presents its national report, and other Member States can ask questions, seek clarification, and make recommendations. This is an interactive dialogue where constructive feedback and recommendations are provided.

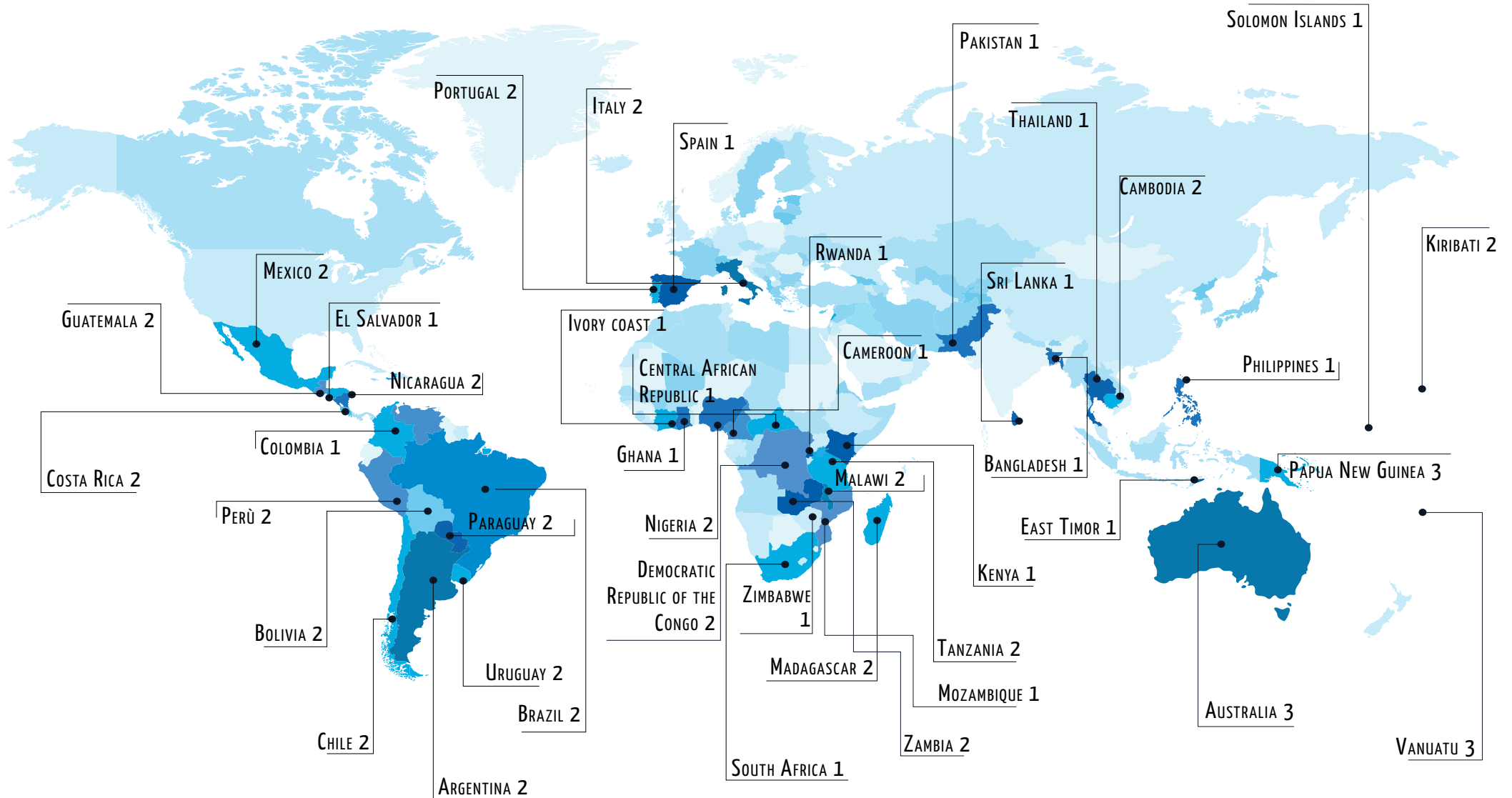
Following the review, the Working Group Report is prepared, summarizing the discussion and including recommendations made by other countries. The country under review is expected to formally accept or note these recommendations.

The reviewed country is encouraged to implement the accepted recommendations and report on progress during subsequent UPR cycles.

The Universal Periodic Review is a significant mechanism for promoting and protecting human rights globally. It encourages countries to engage in self-assessment, peer learning, and accountability in the field of human rights. It also provides a platform for dialogue and cooperation among countries to improve their human rights records.

Reports submitted by FMSI* from 2007 until 2024

*Since 2019, UPR reports were submitted in collaboration with the Secretariat of Solidarity





1029

**Recommendations
presented by FMSI in
70 UPRs**

542

**Recommendations
addressing issues raised by
FMSI were accepted by the
States examined**

482

**Recommendations
addressing issues raised by
FMSI were considered by
the States examined**

Reports submitted by FMSI* from 2007 until 2024

*Since 2019, UPR reports were submitted in collaboration with the Secretariat of Solidarity

2007:

Guatemala

2009:

Cambogia
Vanuatu

2010:

Kenya
Kiribati
Malawi

2011:

Australia
Solomon Islands
Papua New Guinea
Tanzania
East Timor
Zimbabwe

2012:

Brazil
The Philippines Islands
Guatemala
Pakistan
Peru
Sri Lanka

2013:

Central African Republic
Nigeria

2014:

Bolivia
Cambodia
Chile
Italy
Madagascar
Nicaragua
Democratic Republic of the
Congo

2015:

Australia
Rwanda

2016:

Papua New Guinea
Paraguay
Tanzania
Thailandia

2017:

Argentina
Brazil
Ghana
Peru
Zambia

2018:

Chile
Ivory Coast
Costa Rica
Mexico
Nicaragua
Portugal
Uruguay
Vanuatu

2019:

Bolivia
El Salvador
Italy
Madagascar

2020:

Spain
Kiribati
Malawi
Australia
Mozambique
Paraguay

2021:

Papua New Guinea

2022:

South Africa
Zambia
Argentina

2023:

Bangladesh
Cameroon
Colombia
Nigeria
Mexico
Vanuatu
Uruguay

2024:

Costa Rica
Dem. Rep. of the Congo
Portugal

UPR 2023-2024 Highlights

In the year 2023, **FMSI and the Secretariat of Solidarity have successfully collaborated to submit a total of 7 UPR reports.** These reports, a result of close partnerships with various stakeholders, were presented for **Nigeria, Mexico, Colombia, Bangladesh, Cameroon, Vanuatu, and Uruguay.**

To date June 2024, **FMSI and the Secretariat of Solidarity have successfully collaborated to submit a total of 3 UPR reports** for **Costa Rica, Portugal, Democratic Republic of Congo.**
In the following UPR sessions, a report will be submitted for: **Madagascar, Italy, Bolivia** and others to be defined.



Bangladesh | March 2023

Human Rights in Bangladesh: The Situation of Children and Their Families in the Tea Gardens of Sylhet

Children in the tea gardens of Sylhet experience very serious human rights challenges. Compared to other children in the mainstream community, children in the tea gardens are found to be deprived of their rights as human beings due to the different reasons underlying the socio-economic conditions of their families. Parents of the tea garden children have meager earnings, as low as below 2 dollars per day. Unlike children from the mainstream community, tea garden children are the most exploited in terms of child labour and the most neglected with regard to the quality of education they receive. Available data shows that 61.4 per cent of tea garden workers and their children are living in an economic vulnerable condition, which is almost three times the national poverty rate, while the rate of extreme poverty in the tea garden area is estimated at 42.7 per cent. As a consequence of this extreme poverty, many parents take their school-age children with them to work in the tea garden so as to earn a little more income. This assertion is validated by the data that shows that the percentage of tea-garden children aged 5-17 involved in child labour is 29.8 percent in Habiganj, 15.6 percent in Moulvibazar and in 19.3 percent Sylhet, while the national average is 6.8 per cent. Tea-garden children mostly work as substitutes of or in addition to a family member in order to keep a steady income and to secure more income. Other available data indicates that the average span of schooling in the tea garden areas is 2.9 years, compared to the national average of 6.2 years; implying that the dropout rate from schools in the tea garden is higher than the national one.

Key concerns addressed:

- a. **Corporal Punishment.**
- b. **Child Labour.**
- c. **Forced Child Marriages.**
- d. **Access to Quality Education.**



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Cameroon | April 2023

Equity of Access to Education and Increasing Quality of Education

Statistics presented by the Ministry of Basic Education revealed that the Government made relevant progress in improving the education system. The 2022 national school map revealed that Cameroon had more than 14,000 public schools and nearly 8,000 private primary schools. This represented an increase of 3,423 in four years. Also, in 2022, there were 93,773 teachers in public secondary schools and 90,845 in the public basic education sector. Despite this considerable effort, there are still many challenges related to teacher management, poor quality of education, and equitable access to school, particularly in areas affected by armed conflict.

The Global Partnership for Education (GPE) recognizes that while external aid can go a long way toward filling funding gaps, the sustainability of education systems and outcomes depends on national efforts to finance education and ensure sound public financial management systems. To this end, Cameroonian authorities are called upon to make more efforts to achieve Sustainable Development Goal 4 (SDG 4), which aims to ensure inclusive and equitable quality education and promote lifelong learning opportunities for all.

Key concerns addressed:

- a. Right to basic and secondary education.**
- b. Girls and Women's Right to Education.**
- c. Children's right to go to school during armed conflict emergencies.**
- d. Quality of Educational Provision and Learning Conditions.**



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Colombia | April 2023

Equity of Access to Education and Increasing Quality of Education

In Colombia, a study by UNICEF and Universidad de los Andes has revealed that one-third of the child population faces multiple dimensions of poverty. The study identified overcrowding, lack of access to green spaces and water, and road traffic accidents as critical issues. Rapid urbanization, driven by both economic growth and the internal armed conflict, has concentrated 75% of the population in cities, leading to poverty and challenges related to living conditions in new neighborhoods. These areas lack recreational and cultural spaces for children, and parents often leave them unsupervised due to work demands. Substance abuse, violence, and stigmatization further affect children's well-being.

Key concerns addressed:

- a. **The right to leisure, play and recreational activities appropriate to their age and to participate freely in cultural life and the arts, in a safe environment.**
- b. **Protect children from the use and trafficking of narcotic drugs and psychotropic substances.**



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Mexico | June 2023

The Rights of Children, Adolescents and Youth in Mexico

In Mexico, child disappearances are a significant issue, with 7,382 minors, mostly females, missing from January 2019 to March 2023. Although a search protocol exists, coordination challenges hinder its effectiveness. Child recruitment by criminal groups is another concern, impacting an estimated 145,000 to 250,000 children in 2023. This is linked to violent environments, marginalization, and lack of opportunities, with insufficient legislation and policies allowing these groups to act with impunity. There's also a rise in violence against girls and adolescents. Migration of children and adolescents has increased, straining social assistance centers, and educational programs have suffered due to budget cuts, the digital divide, and increased dropout rates. Additionally, labor reform has led to job uncertainty, requiring policies promoting equality and support for youth defending human rights.

Children, adolescents and young people, in addition to suffering specific violations of their rights due to their age and development, are directly and indirectly affected by the serious human rights violations, violence, and impunity that Mexico is currently facing.

Key concerns addressed:

- a. **Children and adolescents: Ratification of the Third Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure; Comprehensive System for the Protection of Children and Adolescents; Disappearance; Recruitment and use by criminal groups; Several Forms of Violence; Migration.**
- b. **Youth: Education; Labor Conditions; LGBTI; Youth human rights defenders; Indigenous people; Political Participation.**



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Nigeria | July 2023

Human Rights in Nigeria

Nigeria, a signatory to the Convention on the Rights of the Child since 1991, is committed to upholding children's rights and integrating comprehensive social protection into its development plans. The Child Rights Act of 2003 was introduced to enhance the living conditions of Nigerian children, focusing on addressing their critical needs. Despite these efforts, there are persistent gaps in social protection, particularly for children and adolescents facing vulnerabilities, including human trafficking.

Additionally, Nigeria grapples with addressing the rights and welfare of the approximately 25 million people with disabilities. While positive steps have been taken through legal protections, implementing them remains a challenge, necessitating a heightened awareness of disability as a developmental issue and improving access to essential services. Children with disabilities often face marginalization due to societal attitudes and structural limitations, making it difficult for them to access healthcare and education.

Key concerns addressed:

- a. Children in vulnerable conditions.**
- b. Right to education.**
- c. Child abuse and exploitation.**
- d. Rights of people with disabilities.**



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The Situation of Children and Their Families in the Republic of Vanuatu

The Vanuatu Education System is grappling with several challenges, despite support from the government and diplomatic partners. Notably, the Shefa Province boasts the highest Net Enrollment Rate (NER) for secondary schools at 51%, but most of these schools are in rural areas, with only a small fraction located in urban centers like Port Vila and Luganville. The Ministry of Education and Training's survey revealed that parents struggle to meet school fees, a major obstacle to education.

There is a strong interest among parents and students in vocational and technical schools, but limited access and awareness hinder enrollment. Students in rural areas face multiple barriers, including financial difficulties and geographic challenges. At the secondary level, more females are enrolled than males, and dropout rates are higher among males.

A significant gender disparity is observed in vocational program enrollment, with more males than females participating. Various factors contribute to these challenges, such as the financial burden of school fees, lack of parental support for education, geographical barriers, and disabilities that affect access and inclusion. Natural disasters further disrupt education, leading to the relocation of communities and the use of school buildings as evacuation centers. The report, based on concrete experience and the elaboration of recommendations with the direct participation of local children, teenagers and adolescents, is focused on the situation of the children in the Republic of Vanuatu.

Key concerns addressed:

- a. Right for education.**
- b. Right for protection.**
- c. Right for health and services.**



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Uruguay | September 2023

Eradicating Poverty and Promoting Quality Education, especially for adolescents

Between 2019 and 2021, poverty increased in Uruguay. The National Institute of Statistics reports that poverty went from 8.8% of the population in 2019 to 11.6% in 2020, reducing to 10.6% in 2021. Notably, poverty, especially for children and adolescents aged 6 to 17, almost doubled, with 19.4% in the 6 to 12 age group and 18.8% in the 13 to 17 age group. In 2022, the National Institute for Educational Evaluation (INEED) assessed the pandemic's impact on adolescents' educational journeys. They found higher absenteeism among vulnerable contexts and highlighted the need for actions ensuring adolescent attendance and engagement in the education system. The report also points to a lack of coverage for adolescents in terms of nutrition and mental health within the education system. This violates their rights and affects the quality of education.

INEED's 2022 report underscores the need for improved education policies and coordinated efforts with social policies targeting disadvantaged sectors. While the socio-economic and cultural composition of the student population hasn't changed significantly, complex situations have emerged, particularly in schools from more vulnerable contexts.

Key concerns addressed:

- a. Integrate nutrition and mental health care for adolescents into the education system to ensure their right to the minimum necessary conditions for learning.**
- b. Ensure the right to food for adolescents in schools.**
- c. Provide mental health prevention services for young people.**



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Human Rights in Costa Rica

In Costa Rica a central concern is the situation of public education, addressing issues such as access to school materials, transportation to schools, educational quality, class suspension, school infrastructures, care of classroom materials, and discipline. The importance of teacher training and authority is also noted, recognizing the challenges they face and the need for more training to improve educational quality.

Additionally, young people face several difficulties in accessing university and other age-appropriate resources, especially those living far from cities with fewer economic resources. The cost of transportation, food, and accommodation are significant barriers. Costa Rica is also facing a growing sense of insecurity and violence, especially in public spaces that become unsafe at certain times of the day, along with an increased presence of groups consuming or trafficking drugs.

Another concern is the increase in traffic and road infrastructure, which directly affects the lives of young people by reducing their time for recreation and play, a fundamental right of children. The situation of people with disabilities is equally highlighted, recognizing improvements in training related to this reality but emphasizing the need to continue working on the training of families and other involved groups.

Key concerns addressed:

- a. **Right to education.**
- b. **Violence against children.**
- c. **Right to health.**
- d. **Youth rights.**
- e. **Discrimination.**
- f. **Sexual exploitation and trafficking.**
- g. **Transportation and road infrastructure.**



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Human Rights in Democratic Republic of Congo

In the Democratic Republic of Congo, classrooms are overcrowded due to the lack of new school constructions negatively affecting educational quality. Although some schools have been built or rehabilitated, infrastructures need significant improvements, including the construction of libraries. Schools are often not prepared to receive children with disabilities or special needs.

The armed conflict in the eastern region of the DRC has worsened the educational situation. Many schools have been attacked, occupied, or closed due to insecurity, affecting more than 900,000 students according to UNICEF. Additionally, more than 300 schools are used as shelters for displaced people, preventing their educational use.

The training and motivation of teaching staff are also a concern. Although efforts have been made to improve continuous teacher training, many are not adequately prepared, and salaries are insufficient.

Regarding human rights and civic education, progress has been made in the capital and urban areas, but in rural areas, the population, especially young people, lacks sufficient knowledge of their rights, making them vulnerable to abuse. Birth registration is another challenge, with only 40% of children under five registered and only 13% with a birth certificate due to lack of access and knowledge of procedures in rural areas.

Children displaced by conflict face interruptions in their education and are more exposed to violence and mental health issues. Displaced families find it difficult to integrate into new environments, affecting their children's education. Persistent problems include accusations of witchcraft against children, child labor, especially in mining, and economic and sexual exploitation. Violence against children remains common despite efforts to address it.

In terms of health, although initiatives like free maternity care have been promoted, child health costs remain an obstacle for many families. Violence against women is also a serious issue, especially in conflict zones, and the lack of data hinders the creation of effective programs.

Finally, gender equality remains a challenge, with women facing inequalities in education and employment, and youth facing health problems related to alcohol and drug consumption. Minorities and indigenous peoples also face discrimination and marginalization.

Key concerns addressed:

- a. **Right to education.**
- b. **Birth registration.**
- c. **Vulnerable children.**
- d. **Women's rights.**
- e. **Youth rights.**
- f. **Indigenous and minority rights.**



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Portugal | April 2024

Human Rights in Portugal

Portugal is encouraged to continue promoting the rights of people with disabilities and adopt additional measures to expand welfare and assistance services for children with disabilities.

Regarding access to education, although it is a right for children with disabilities, Portugal needs to do more steps to facilitate and make this access more effective. The Portuguese government was urged to continue working to ensure easier access to basic social services for people with disabilities, especially those with less family or institutional support. Moreover, the residential centers have to ensure that people with disabilities are informed of all their rights and able to exercise them.

The “Compilation of UN information” document of Portugal also referenced the importance of ensuring that children in residential care or foster families receive the necessary attention to fully develop as individuals with full rights. The Portuguese government and other countries were urged to consider the importance of people in residential care, especially children and young people, including specific measures for their comprehensive development.

Regarding the right to education, Portugal needs to increase efforts to combat discrimination against minority groups in access to education and to implement measures to reduce school dropout rates among children in disadvantaged situations. The Portuguese government was also asked to promote educational opportunities for the immigrant population, especially children and young people.

Key concerns addressed:

- a. Rights of people with disabilities.**
- b. Care centers.**
- c. Immigration and vulnerable groups.**



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2023-2024
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