

# **Access to health care and social protection for displaced children –a child rights approach**

Dr.(habil) Maria Herczog Ph.D.  
ISSOP konferencia Children on the  
Move  
Budapest, 29 September 2017

# UN CRC on the rights of the child to health care and social protection

- **Article 6 (Survival and development):** Children have the right to live. Governments should ensure that children survive and develop healthily – regardless of their status
- **Article 20 (Children deprived of family environment):** Children who cannot be looked after by their own family have a right to special care and must be looked after properly, by people who respect their ethnic group, religion, culture and language
- **Article 22 (Refugee children):** Children have the right to special protection and help if they are refugees (if they have been forced to leave their home and live in another country), as well as all the rights in this Convention

# UN CRC on the rights of the child to health care and social protection

- **Article 24 (Health and health services):** Children have the right to good quality health care – the best health care possible – to safe drinking water, nutritious food, a clean and safe environment, and information to help them stay healthy. Rich countries should help poorer countries achieve this.
- **Article 38 (War and armed conflicts):** Governments must do everything they can to protect and care for children affected by war. Children under 15 should not be forced or recruited to take part in a war or join the armed forces. The Convention's Optional Protocol on the involvement of children in armed conflict further develops this right, raising the age for direct participation in armed conflict to 18 and establishing a ban on compulsory recruitment for children under 18.

# General comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health

- 8. In order to fully realize the right to health for all children, States parties have an obligation to ensure that children's health is not undermined as a result of discrimination, which is a significant factor contributing to vulnerability
- 11. Children in disadvantaged situations and under-served areas should be a focus of efforts to fulfil children's right to health. States should identify factors at national and subnational levels that create vulnerabilities for children or that disadvantage certain groups of children. These factors should be addressed when developing laws, regulations, policies, programmes and services for children's health, and work towards ensuring equity.
- Individual children's best interests should be based on their physical, emotional, social and educational needs, age, sex, relationship with parents and caregivers, and their family and social background, and after having heard their views according to article 12 of the Convention.

# Transforming our world: the 2030 Agenda for Sustainable Development

## 2015

- We are meeting at a time of immense challenges to sustainable development. Billions of our citizens continue to live in poverty and are denied a life of dignity. There are rising inequalities within and among countries. There are enormous disparities of opportunity, wealth and power.
- We resolve to take further effective measures and actions, in conformity with international law, to remove obstacles and constraints, strengthen support and meet the special needs of people living in areas affected by complex humanitarian emergencies and in areas affected by terrorism.
- To promote physical and mental health and well-being, and to extend life expectancy for all, we must achieve universal health coverage and access to quality health care. No one must be left behind.
- We will cooperate internationally to ensure safe, orderly and regular migration involving full respect for human rights and the humane treatment of migrants regardless of migration status, of refugees and of displaced persons.

# Special protection needs

- Recruitment to armed forces, sexual exploitation abuse and violence, forced labour, adoption in irregular conditions, discrimination within the temporary communities thus resulting in difficulties in access to health care, education and leisure are some of the numerous risks faced by displaced children.
- Misplaced children can also become victims of discrimination and many of their fundamental rights may be violated due to their displacement
- The recognition of the rights of these children in exile is essential whether it is the right to food, health care, education, social protection. Having lost everything, education and play, personal attention represents the opportunity for them to have a better life once they return from exile and all children should be entitled to this vital requirement with special attention paid on the most vulnerable children facing health problems, disability etc.

# Thank you for your attention!

