



FACTFILE

Demonstrations and freedom of association

What is the issue?

- Do children have a right to demonstrate? Is there a danger children may be used

Key points

- Children may be excluded from participating in protests or from forming or joining associations simply because of their age
- Curfews restrict freedom of movement and association – and they typically apply only to children. As well as stigmatising and criminalising children, such laws also obstruct them from building relationships and getting involved in society
- Despite broad support for children's rights in general, their civil and political rights are often relegated to secondary status
- Article 15 of the Convention on the Rights of the Child formalises children's rights to freedom of association and assembly, including their right to form and join associations and gather peacefully as well as to associate freely with friends and others in public spaces
- There are some circumstances in which children's right to freedom of assembly may be restricted, but these must be in strict conformity with paragraph 2 of article 15, which says that any restrictions must be “imposed in conformity with the law and ... are necessary in a democratic society in the interests of national security or public safety, public order, the protection of health or morals or the protection of the rights and freedoms of others”.
- However, in many cases arguments about “public safety” and “child protection” have been invoked spuriously to restrict children's right to freedom of assembly.
- There have been well-publicised reports in some countries of the use of children to bolster crowd numbers for political rallies, as well as their involvement in violent protests and general strikes. See, for example, here <http://www.crin.org/resources/infoDetail.asp?ID=16493&flag=news> and here <http://www.crin.org/resources/infoDetail.asp?ID=16493&flag=news>. While coopting children for political or violent ends is itself a violation of children's rights, protections concerns should be, as always, balanced with children's civil and political rights.
- Read our editorial on freedom of association: http://www.crin.org/email/crinmail_detail_popup.asp?crinmailID=3508#ED

Key quotes

- “David Blunkett [former British Home Secretary] said he was 'reclaiming the streets' from young people. I believe we have already stolen the streets from them.” Professor Priscilla Alderson, : <http://www.dailymail.co.uk/health/article-190390/Does-ADHD-really-exist.html#ixzz1MmxKR9Og>
- “The right to participation is relevant to the exercise of all other rights, within the family, the school and the larger community context. ” UNICEF, www.unicef.org/crc/files/Right-to-Participation.pdf