



/// Rights of the Child

Youth Report on the Rights of the Child in the Netherlands 2007



///Voices of Youth



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Addendum to:

NGO Report on the Kingdom of the Netherlands to the UN Committee on the Rights of the Child (CRC)

Dutch NGO Coalition for Children's Rights

The Dutch NGO Coalition for Children's Rights partners are:

Defence for Children International
Unicef
The Netherlands Youth Institute
Jantje Beton
Kinderrechtswinkel
Save the Children
Plan Nederland
Stichting Kinderpostzegels Nederland

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'You have to get the chance to say what you gotta say'

(girl, 16)

Introduction

Every five years, the Dutch Government has to report on the situation of children's rights in the Netherlands to the United Nations. Parallel to this, the Dutch NGO Coalition for Children's Rights writes an NGO report. The Dutch National Youth Council (DNYC) believes that the rights of young people are appropriately implemented only if young people themselves feel that this is indeed the case.

Therefore the Coalition decided to add a youth supplement to the NGO report. This Youth Report captures the voice of young people in the Kingdom of the Netherlands. We asked how young people experience their life, whether they know their rights, how they value their rights and whether they have ever had to stand up for them.

The right to participation is one of the main pillars of the Convention on the Rights of the Child. Nevertheless, in the Netherlands, it is also one of the most undervalued and most regularly denied rights. When asked which rights they ever had to stand up for, young people cited the right to express their own opinion more than any other. The Convention states that young people's opinions should not only be heard, but should also be taken into account in all matters that affect them. Only very few matters touch the core of young people's interests as strongly as the observance of their fundamental rights. It is therefore crucial to allow them to participate in the processes that aim at ensuring the fulfilment of these rights.

This youth report is based on the contributions of thousands of young people and includes the Youth Council Panel Report on Children's Rights and other reports prepared by the Dutch NGO Coalition for Children's Rights. Contributions are made by young people who fall under the definition of a child at a particular time during the last five years. Both individuals and youth organisations expressed their opinions through online questionnaires and in-depth interviews. As a result, this report provides a valuable insight in young people's knowledge and views on their rights.

It goes without saying that in general the mainland of the Netherlands is one of the most promising places for a child to grow up. In the 2007 UNICEF overview of child well-being in rich countries, the Netherlands even took a top ranking. As in earlier reports, the 2007 NGO report of the Dutch NGO Coalition for Children's Rights underlines that the Netherlands is a fine place for young people to live. This point of view is also emphasized by the young people we interviewed. As a 12-year-old girl in the Netherlands said: 'Life in the Netherlands is quite good you know'.

On an individual level however, the rights of a large number of young people within the Kingdom of the Netherlands are threatened or violated every day. Young people in a vulnerable position, who depend most on a proper implementation of the Convention, go most often unheard. Unfortunately, it is also this group whose rights are most regularly threatened and impaired. For this reason, the youth report gives particular attention to the experiences of young people in disadvantaged positions. Young asylum seekers, young delinquents, teenage mothers but also youth with a disability, young people from troubled neighbourhoods and many others contributed substantially to the establishment of this report. The differences between the mainland and the overseas territories – The Netherlands Antilles and Aruba – are also disquieting. Young people on 'the Islands', especially those in vulnerable positions, face at times very different realities and problems. Their experiences and opinions are therefore explicitly included.

This report offers a striking illustration of the need for a continuous effort to safeguard children's rights within the Kingdom of the Netherlands.

In the following, we will begin by examining the general principles. After this, we will deal with provision rights, protection rights and participation rights. Not all rights in the Convention will be mentioned: we will discuss only those rights that came up in the in-depth interviews and questionnaires.

General principles

Non-discrimination

Article 2

The Convention applies to everyone whatever their race, religion, abilities, whatever they think or say, whatever type of family they come from.

The non-discrimination principle stands at the core of the Convention on the Rights of the Child. At the same time, many young people still face discrimination on a daily basis.

Youth attitudes towards discrimination

Young people in the Netherlands are aware of what discrimination is and many also understand the significance of this principle. When asked which of the rights they find most important, one out of eight of the young people participating in the Youth Council Panel¹ report named the right to equal treatment. An 18-year-old boy on Aruba told us: 'It is a human right to be treated the same.' And a 16-year-old Antillean teenage mother said: 'In the end we're all equal, even though our skin colour might be different.' Another teenage mom (19) replied: 'That is not completely true, we are all the same from the beginning on!'

In 2005 we have spoken to young people about their own attitude towards others.² As a 15-year-old girl in the Netherlands told us: 'Respect means that you give other people the chance to be themselves'³. Or as another girl (16) said: 'To earn respect means being interested in what someone has to say and show that you understand his or her opinion, even though you do not share it'. At a school for young people with learning difficulties, they mentioned the problems with prejudice. A girl (12) said: 'I do not have anything against Moroccans, but some of them you just cannot trust'. Another girl (12) added: 'There are also bad Dutch people and there are good Dutch people, there are bad people everywhere. The problem is that you hear too much about bad Moroccan people'.

Young people also came up with their ideas to help fight several forms of discrimination. A 16-year-old boy said: 'Young people could help the Minister with the fight against racism if they tell him what they think is going wrong'. Young people also said they would like to understand more of other cultures and religions⁴. As an 18-year-old girl said: 'At school they should explain better what the Islam implies and they should educate more about religion in general'. Or as a 17-year-old boy said: 'The Government could encourage young people to come with ideas to improve the communication between Muslims and people from other religions.' Especially young (second-generation) immigrants value the understanding of each other's religion highly. As a young asylum seeker told us: 'In the Netherlands, people make a big taboo of the Islam'.

Status

At present, particular forms of discrimination against young people still continue. The Dutch NGO Coalition on Children's Rights even states that according to the Dutch Government children without documents do not fall under the International Convention on Children's Rights⁵. Some young asylum-seekers in the Netherlands have the feeling of having no rights at all. 'We simply don't exist and nobody seems to care' (boy, 17). These young people sometimes live in special facilities with their families, some for periods extending to over seven years. They say they often feel discriminated because of their status and their religion. 'We don't have a passport, so we don't have anything, no rights at all' (girl, 17). From his own experience, an undocumented migrant boy stated:

'The Netherlands is quite equitable, but still things happen that shouldn't be allowed, that are not right. For example, throwing single women or families on the street. What should these people do? I understand that there is no room for

1. Youth Council Panel, Children's Rights 2007

2. Youth Council Panel, Respect 2005

3. Youth Council Panel, Respect 2005: 4

4. Youth Council Panel, Respect 2005: 7

5. Dutch NGO Coalition on Children's Rights, 2007: 76

everyone, I accept that and when I would be evicted I would understand that (...). But, in that case it should be done in a decent way. Don't just put people on the station. I experienced that in Ter Apel. You have to get in a police car and you have to put your stuff in blue bags and they drop you somewhere on a station. Then you have to see for yourself what to do.

That's why I actually somewhat hated the police. I still do actually.'

Young asylum seekers do not only experience discrimination in their treatment by (governmental) institutions, but also experience other ways of discrimination. For example as an 18-year-old boy in a centre for asylum seekers said: 'The good thing in this facility is that even though our countries are at war, in here we are all the same, my father gets along with her father and the other way around. Outside the facility it is different, everyone in this small town knows we are from this facility. Whenever something happens it is us being blamed'. On the Islands (undocumented) immigrants are also too often excluded from education and the welfare system. 'My parents came here some years ago, we fled our country, I was only 11. I remember feeling different and not accepted. I was not able to go to school and they used to bully me in the neighbourhood. They still bully me because of my skin colour and I am now in class with children who are much younger than I am', a 16-year-old, former undocumented migrant girl explained.

Country of origin

Almost all young people believe racism occurs⁷. Skin colour, social or religious background and financial situation are also well-known subjects for discrimination. As a 22-year-old Dutch girl stated: 'Young people who are born in the Netherlands but have foreign parents are treated just a bit differently in the stores or by government institutions'. Another girl (12) told us: 'Then they say: go back to your own country! Or they call me stupid Turkish girl'. A girl (12) asked her: 'Where are you from then?' The first girl then replied: 'Well my father is Dutch and my mother is from Columbia'. Yet another girl is afraid that she will be bullied when people find out she is illegal: 'Sorry, but you really can't put my name in that report. I absolutely don't want anyone to know that we are here illegally. Then they'll start bullying me'.⁸

Foreign young offenders on Curaçao also agreed on the fact that they, as foreigners, are being discriminated against. One of the boys (17) said: 'They don't like me in here, I was born and raised in the Netherlands, my parents are from the islands, but because I speak Dutch and English at home, they treat me differently (...). I have only a few inmates I talk to, they are also from abroad, you know (...) it makes me feel very lonely sometimes'.

Sexual orientation

Another reason for discrimination can be a young person's sexual orientation. However, in the Netherlands young people seem to underline the so called Dutch tolerance when it comes to homosexuality. As one participant stated: 'I think that homosexuality is okay, I just don't think it is completely normal, but you have to accept a person for who he/she is' (girl, 18). Notable is that of the Youth Council Panel⁹, almost half of the Islamic participants had no opinion on homosexuality and more than one third condemned homosexuality on the basis of religious matters. Another group among which homosexuality is less accepted are young offenders. Young offenders we interviewed mention that, although it is not a reason for discrimination, homosexuality is not accepted in the group setting they live in.

For example:

'I think it's strange someone is gay, but that doesn't mean that they have to be treated in a strange way' (boy, 16).

6. Braat 2004: 317 K2a

7. 96 %. JIJ Report 2005: 7

8. Braat 2004: 187 K9b

9. 48% & 39%. Youth Council Panel 2006: 12

From our interviews can be concluded that mainly on the Islands there appears to be a predominant negative discourse on homosexuality. This was underlined by a lesbian girl (19) who told us:

'No one actually knows I am gay, I would not tell anyone. On this island you are not accepted when you are gay. I feel that and it makes me sad that I cannot be myself and I cannot talk about my feelings for the girl I like'.

Gender

Young people fortunately experience little gender-discrimination in the Netherlands. This is illustrated by an Antillean boy living in the Netherlands (14) who stated: 'My dad and my mom are equal, they both work and they share the household chores, that is normal here.' A young asylum seeker in the Netherlands (boy, 17) explained: 'People think that in our Islamic belief women are less, but you know what, in the end all men listen to their wives, it is true'. Young people on the Islands believe in equality between men and women. 'My dad doesn't do anything in the household,' a young boy from Aruba revealed (16), 'I mean he never does the dishes and stuff, I think that is unfair, and I will not make my wife and children do everything'. They attributed this tendency to the local perception that girls are 'born' to serve their husbands and houses and raise their children.

Bullying

Another issue that came up during some of our discussions was the issue of bullying. The following quotes underline that it is not always easy to ask for help or stop the teasing. For example: 'I have been bullied very badly when I was younger, I didn't have friends, because I used to be, I was quite big... and uhhh, then they used to push me around and excluded me. I did not really do anything about it, because, when I go to my teacher or so, they would keep bullying me anyway. So, I am really happy to be off that school' (girl, 12). A 16-year-old boy told us:

'I used to be bullied because I couldn't handle it when I lost a game, but that is over now. Sometimes they did something about it at school, sometimes not' (boy, 16).

The right to a name and nationality

Article 7

All children have the right to a legally registered name, and nationality (...).

Article 8

Governments should respect children's right to a name, a nationality and family ties.

Youth attitudes towards identity

The right to a name and nationality, i.e. identity, appears to be of more importance for youth on the Islands than in the Netherlands. However, there are young people in the Netherlands who had to stand up for the right to an identity. Important is that the identity of young people not only includes their name and nationality, but also their identity in a much broader context. Especially immigrants experience difficulties concerning their identity. For example: 'If you ask me, I'll say: I'm nothing, I'm a human being. The Turkish are bad, the Kurdish are bad as well, everyone is bad. So, I say: I grew up in Europe, you know, I am just a human being. You first have to be a human and then, something else'.¹⁰ Another girl explained that you do not have to be born in the Netherlands to feel Dutch.

'I'm born in Italy, but we are stateless because I was born in a camp (...) and not like here in a hospital where they write down the time, that you exist (...). Actually we don't have a home

country. We can say: 'We were born there, but it does not feel like home' (...). And, because I grew up here I feel that this is my home country. You know, although it is not true and that feels kind of stupid.'¹¹

Teenage parents

Another concern with the right to a name and nationality is expressed by a teenage mother in the Netherlands, who shared her frustration with the problems she had to register her baby. Due to the lack of clear regulations, registering her baby appeared to be difficult at her age. 'At the time I delivered the baby I was between the age of 16 and 18. If you're under sixteen and you have a baby, custody automatically goes to the grandparents. If you're eighteen or older, it is you that has custody. But, if you're in between, nobody knows who is the legal guardian of the baby. We had no idea where to go (...). When we went to the municipality to register the baby, nobody knew what to do in case the mother is still a minor' (girl, 18).

Based on our interviews it can be noted that strict regulations make it difficult for young immigrants obtaining the Dutch nationality. On the island of Saint Martin alone, hundreds of children are denied an identity, they are being excluded and invisible on a daily basis. A young teenage mother (18) on Saint Martin told us:

'My twins were born on the plane from Saint Martin to Curaçao, neither of the islands wanted to recognise them. One of them died, unfortunately. How can you bury a child which is not recognised by a state? It was a big issue. My situation was extraordinary I know that, but these things happen all the time on the island. Many illegal people go to the French side to deliver their baby, 'cause then your baby receives the French Nationality you see, but still you cannot go to Dutch schools on this side. It is so complicated you know'.

According to a local organization on Aruba, there are many undocumented people on their island. It recognized the problems with (undocumented migrant) teenage mothers and told us: 'Since there is no accurate data available on this group, no one knows exactly how many there are, but it is considered a problem. Many of the illegal teenage mothers come to us, we don't make a difference on their legal status in our treatment. The problem is that these illegal teenage mothers don't attend school and they cannot register their children either, so the problem goes on. In these groups it is often normal to make babies at a young age, so we have many undocumented babies, more every year'.

Article 7

(...) All children have the right to know and, as far as possible, to be cared for, by their parents.

Youth attitudes to care and love

The right to care and love is linked by many of our interviewees to the right to family life and mentioned by one out of nine Youth Council Panel members as the most important children's right. Those young people in the Netherlands and on the Islands deprived of a healthy family environment, however, value this right even more.

Almost all of them stressed the importance of care and love within the family setting. For example: 'If you don't have parents, they put you in a foster home or in an institution, that can break a child, because you need love from your parents' (girl, 16). A young offender (16) said: 'I don't need a hug, I won't feel comfortable', but he added: 'If you don't have love, it simply goes wrong'.

10. Braat 2004: 239

11. Braat 2004: 240

'Care and love is actually simply a duty for your parents', stated a girl who'd been under custody of youth care (22). Young people also believe that parents' love should be unconditional: 'You have to love your child, even if he's disabled or if he becomes gay', said a young offender (17). Or as one girl (14) living in residential care in the Netherlands explained it: 'I used to think it is normal to have a mom and a dad and to be loved. Then my parents got divorced and all the problems started (...). When my mom found herself a new man, the problems escalated, I ran away from home and now I am in here. Even though I can go back in a few months, it got me thinking'.

Young people also acknowledge the complexity of relationships with parents. A young Antillean boy (14) living in a home for young delinquents in the Netherlands described his feelings for his parents as follows: 'My mom tells me that she loves me, but sometimes she does things that make me doubt that'. It is therefore not surprising that young people suggested programs aimed at strengthening families, preventing abandonment and a restoring approach focused on family. 'You see, it is not me who needs help, well not only me, it is also my parents, they also need to be helped' expressed a girl (14). But one girl (12), attending a school for children with learning difficulties explained that it was not always the parents fault when young people end up in difficult situations: 'Some young people are very difficult to raise'.

Single parent families

Young people living with only one parent underlined the importance of the right to know one's biological parents. Even those who have had bad experiences after finding out who their other parent was, in most cases their father, stressed this significance. One girl (14) in the Netherlands expressed her feelings as follows: 'I didn't know my dad, but now I do, my mom told me who he is (...). Sometimes I wish I didn't know him, because now I cannot dream of having a perfect father any longer, because the last thing he is, is perfect. Now I know why my mom left him (...) but in the end it is still important to know him'.

A boy (15) on the Antilles said:

'I wish I could get to know my father, but I learned he died. I don't even have a name. My mother thinks it is better if I don't know his name, but maybe I will never find out if he actually died already...'. 'I think as a person you want to know where you came from and who you look like, you want to know your roots I think', said another boy (19) from Aruba.

The right to privacy

Article 16
Children have a right to privacy. The law should protect them from attacks against their way of life, their good name, their families and their homes.

Youth attitudes to privacy

Of the Youth Council Panel one quarter is able to name the right of privacy when asked which of the children's rights they know. Another 5% names this right as the most important.¹² In general, in the Netherlands and on the Islands most young people declared that they receive enough privacy in their lives. However some pointed out that parents, by virtue of being their parents, allow themselves to know every little detail of their child's life.

A girl (21) on the Antilles said: 'if they think you're hiding something, that is when they [my parents] start asking around, they start to look into your stuff, because they feel they have the right to know, well I have the right to keep some things for myself'.

Vulnerable groups

Out of all groups, the young people living in residential care and young asylum seekers stress the importance of privacy and their wish to have more privacy in their daily lives most strongly. From our interviews in the Netherlands can be concluded that there are big differences between the available privacy between institutions. Here, we highlight a few concerns from young people.

A girl (14) said: 'Sometimes I am just in my room, writing or thinking and then the leaders come almost right away to ask if I could come down. They don't allow us to be in our room, but sometimes you want a moment for yourself. I think it is good to have the time to think things over (...). Why do we even get a room for ourselves then? It doesn't make sense!'

A boy (19) added: 'you have to ask everything, tell them where you're going and they even open your mail, to check if you don't have debts somewhere or something. I don't know why they do that, my name is clearly written on it'. Several young offenders stressed the value of feeling that you have privacy, in contrast to actually having that privacy. They said they do have their own room which they can lock, but that there is always a fear that a leader might come in unannounced: 'especially at certain moments, at night' (boy, 17). A young asylum seeker (19) expressed his lack of privacy:

'Privacy? What is that? Imagine you live in one room with a few beds, one family, 6 people, my mom in the corner breastfeeding my youngest brother, privacy? We don't know what that is, you think I would invite for example my girlfriend, which I obviously don't have, to come and sit here in our room?'

Provision rights

The right to family life

Article 18
Both parents share responsibility for bringing up their children, and should always consider what is best for each child. Governments should help parents by providing services to support them, especially if both parents work.

Teenage parents

Parents have the responsibility to bring up their children. This responsibility, however, is a very heavy burden for young mothers and fathers. Below you will find some of their issues.

One important matter is assistance. A teenage mom (18) told us she could really use some extra support from the government: 'We were not told which financial benefits I could apply to. If you cannot make ends meet financially, it is the municipality that has to support you. The municipality could arrange more, like an outing for all teenage moms'. Moreover, when thinking of her future she said: 'I have to arrange day care myself when I want to go back to school. Because I want to go back to school, I think I should get priority'. She added: 'Most teenage moms are single and don't get any help'. The right to healthcare is nevertheless good in the Netherlands, she thought. Another teenage mom (19) said she didn't need any support from the father of her baby: 'It is important for my child to know his dad, but still I think I can raise my child alone, I don't expect my guy to help me. I was the one who wanted to keep this baby, not he'.

¹². Youth Council Panel 2007

Another issue these young girls come across is prejudice and other negative reactions from others. While discussing the impact of teenage pregnancy with young people on the Islands, one girl (19) stated: 'People at school and on the streets always look at you strangely because they can see you're too young. Sometimes I felt a bit ashamed but people often forget that there is also a father involved'. Another pregnant teenage girl (16) replied: 'Yeah, that's right, the woman has to carry the belly, not the man. We have to make all the decisions and some are hard I tell you. Guys are just gone or angry and there you are all by yourself, parents angry and no one to fall back on'.

Young offenders

Even though most young people within the Dutch Kingdom grow up in two parent households, more and more children grow up in single parent families. Particularly young offenders expressed their concern on this issue.

Remarkably, none of the twelve young offenders interviewed on Aruba currently has a father at home. As one of them (19) described it :

'My father was never around, he lives on another island, I had my brother who I looked up to, but he got killed (...). I have a son myself now. It is simple, I have two options when I get out of prison; I can either do what my father did or give my son everything he needs, time and love. A son needs a father, you see, I learned my lesson'. Another young offender (19) on Aruba said: 'It is very important to have parents and to see them often. In here I have time to think about that stuff (...). I am in here with my twin brother and our mother has no money to come and visit us that often (...). We didn't have money at home, my mom works in a hotel. She was never there to take care of us, not even in the weekends. So we looked after my little brother who is now three (...). I can't blame her, it is my father who didn't take on his part of the responsibility'.

The importance of this duty for parents to bring up their child in the best interest of that child, was also shown clearly by some young offenders in the Netherlands. These boys all linked the fact that they grew up in a single-parent family or without parents to the problems they're facing now. 'When I was eight or nine, I often had to baby-sit my little brothers until twelve at night, because my mom had to work' (boy, 16). A lack of money was also mentioned as a reason for them ending up in problems. 'If I want a scooter, I have to steal one', (boy, 16)

The right to special care

Article 23
Children who have any kind of disability should have special care and support, so that they can lead full and independent lives.

In this report we interviewed young people with a physical and/or mental disability. Most of them have a good idea of what their (special) rights are. Care and love, having to stand up for your rights, being treated unfairly and differently, and not having the same opportunities as other young people, were topics that were often named during the interviews.

Attitudes towards youth with a disability

It is important to note that young people with a disability themselves often don't feel they should always receive special attention.

They prefer to be treated the same as everybody else, even though they sometimes do need extra care. One of the boys (18) described it this way: 'I think children do not always have to get favours because they are disabled and people think they already have such difficult lives'. Additionally, another boy with disability (17) mentioned: 'At a regular school I felt that sometimes I got excessive attention. Sometimes people are just suck-ups'. A girl (17) adds: 'Once people see there is something different, they either do not pay attention at all or pay lots of attention to it. Sometimes people even start to suck up to me'.

And, how do young people who are not disabled look at young people with a disability? One girl (17) on Aruba illustrated this by saying: 'There is this disabled girl in a wheelchair in my school, they made it possible for her to go to the same school as normal children (...). They don't bully her because the school has set an example on how to treat disabled people'. In response to this, another girl (19) cited: 'Well, that might be true but you know what, you never see them on the streets because there is nowhere to go. They cannot enter many places and I think most of them just stay home, I think that is sad. Compared to disabled young people in other countries, I think I would not want to live here if it were me in a wheelchair'.

Special care

Although young with a disability people prefer not to get too much special attention and rather be treated normally, when it comes to special care, there is still room for improvement according to them. A boy (16) says:

'In some municipalities things are not well organized for disabled children.

Some adjustments take a very long time and then they nag that it doesn't cost enough to be financed by the municipality, for example an adjusted bike. Also, it's a lot of paperwork and they could do it much faster.'

Moreover, on the smaller islands specialised care or special education for youth with a disability is not always provided. On Aruba for instance there is no round-the-clock care for children with a disability. On Saint Martin there is one centre but not enough space, especially for younger people. Because of the lack of facilities these young people end up on waiting lists and are often sent to facilities on Curaçao. A positive development is that on the Islands in recent years several schools have improvised and adapted their building, sports and other facilities for the access of and use by pupils with a disability.

The right to health care

Article 24
Children have the right to good quality health care, to clean water, nutritious food and a clean environment, so that they will stay healthy (...).

In general, young people are positive about the health care they receive. It seems so obvious that only 7% of the Youth Council Panel mentioned health care and aid as the most important right of the Convention.¹³ Unfortunately, the right to health care is not self-evident for all young people in the Netherlands.

Vulnerable groups

Young refugees in the Netherlands face problems with health care. 'There is a doctor here but he comes only twice a week, but when you get to see him he will just tell you to take an aspirin, all set', (girl, 19). Another young asylum seeker (boy, 19) said: 'If you are an asylum seeker they look at you a bit differently, first of all you're an asylum seeker and second you don't have a 'big' insurance. If you don't have a big insurance they don't help you the same way, simple as that'. A girl with a disability (17) also points out this issue of costs: 'Health care is very important. But for some things you just need a big wallet'.

Young offenders told us that the food quality is severely lacking in some institutions. One boy (16) described the food as 'motor oil with a small piece of fish on top'. Another boy (17) said: 'You definitely don't get healthy food there.'

Teen pregnancy

A teenage mom (18) agrees with prices being high, but added that health care is good. One issue that can still be improved, however, is information. She didn't feel informed enough about her and her baby's health: 'I had no idea what to do when I became pregnant. We get sex education but not enough. It needs to be more elaborate, also about STDs¹⁴. All they showed us once was to put on a condom'. Other teenage mothers could more easily find information, e.g. about abortion and what (not) to eat during pregnancy, but they found some information on health care contradictory. Some also added that it is difficult to talk at home about being pregnant.

Young mothers on the Islands also experience this difficulty. On Saint Martin, for example, one out of ten babies are born from mothers between the age of 12 and 18. Still, all teen mothers we interviewed agree that even now sexuality is a big taboo. They often do not know who to turn to or where to find help when they find out they're pregnant.

'I was 14 when I found out I was pregnant. It was mind-blowing! When I finally found the courage to tell my parents they were even more shocked than me.

This was when I was already 6 months. Until then I had never been to a doctor or anything you see, it is a taboo on this island to have sex and to be pregnant as a teen. I was lucky that nothing bad happened. I can't imagine if something went wrong and no one knew' (girl, 16).

Abortion on the Antilles and Aruba is an illegal practice. Terminations of pregnancy are not registered which makes it impossible to know the annual rate of illegal abortion. Teenage mothers told us ending their unwanted pregnancies in a healthy way should have been one of their options. As one girl (17) expressed it: 'I would have done anything to terminate this pregnancy, regardless of how dangerous or stupid it would have been, you should have an option you see, this changes your whole life'. Her experience provides a good example of common patterns that show up in teenage pregnancy stories. Another example comes from an 18-year-old pregnant girl: 'I have no home, I have no money, I have no furniture. I just couldn't have this baby, I had no choice but to make it go away. I will spare you the details, but it was horrible. Now I am pregnant again, I can't go through the same thing I went through, I tell you'. Teenage pregnancy thus is not just a health issue but touches upon many matters such as a lack of information, preventive sexual education inefficacy and access limitations to specific assistance services.

The right to education

Article 28

Children have a right to an education. Discipline in schools should respect children's human dignity. Primary education should be free (...).

Article 29

Education should develop each child's personality and talents to the full. It should encourage children to respect their parents, an their own and other cultures.

Youth attitudes towards education

Education is important to young people. When asked which of the children's rights the Youth Council Panel found most important, 90% named the right to education. This right is also the

best-known one, it was named most often after questioning which rights young people could name¹⁵. On the Islands young people mention that school is not only important for educational purposes, but also for making friends. They agreed that the school environment itself must reflect freedom, tolerance and equality of men and women.

Vulnerable groups

In the Netherlands there are special schools existing for children in need of special care and attention, which include schools for young people with a disability and young people with learning and behavioural difficulties. Some children with learning difficulties were positive about their school, compared to another school in the neighbourhood. 'I believe we get good education' (girl, 12). One of the boys (16) added: 'I am happy to be here, at least this school is not so big and people know you around here'. A boy with autism (17) showed us it is not always easy to get to the right school: 'I couldn't stay at a normal school, so they took me to lots of weird schools, for children with a low IQ. I had to wait for half a year before I could go to school again. At a certain point, not going to school just isn't fun anymore'.

Typically young people from minority groups in the Netherlands and on the Islands experience some inconvenience. On Aruba education is not compulsory by law and consequently many (undocumented) migrants do not attend school. A local organization pointed us to the specific problem on Saint Martin of schools for undocumented migrants which were attended by more than 800 children this year. These schools are not recognised by the government and as a result parents are burdened with all the expenses for their school attendance. In the Netherlands the Dutch government pays school fees for young asylum seekers, however:

'They pay my education because I started before I turned 18, but if I want to change to another discipline, I have to pay myself. Since I am not allowed to work that is impossible (...) so they make it possible to get an education but under certain strict conditions' (girl, 18).

Most schools on the Antilles face high dropout rates due to e.g. teenage pregnancy and retention. A local organization on the Antilles highlighted the need for a monitoring system, which is underlined by other young people on the Islands. For example, one young girl (16) said: 'I know a little girl, she is six years old, she lives in the same street as I do, she does not go to school, and nobody cares. But, I am concerned about her future what if she never learns how to read?' In the Netherlands drop-out is an indication of something particular, something worrisome. Getting back to school isn't easy though. One girl (22) illustrated the difficulties she experienced when she wanted to go back to school. 'I was a drop-out, but I wanted to go back to school. It took me one and a half years to get back in school. It was very frustrating, they sent me in circles. I had a right to a students' allowance but to get this, almost no one knew the requirements, I had to go through many procedures and tests'.

Young offenders also experience limitations in their right to education. One boy (17) who lives in an institution explained to us that he used to go to a fairly high level of high school, but when he moved to the institution he could only choose from vocational training courses. Furthermore, when the young offenders in the institution are being punished for misbehaviour they 'also take away your school. This way you're punished twice over'. Due to administrative problems, a few young offenders on the Islands had no access to education. One of them said:

'I am happy they finally sent me to school, I haven't been to school for 5 months already, I will start when the summer vacation is over'.

15. JIJ 2006: 2, 3

The right to play

Article 31

All children have a right to relax and play, and to join in a wide range of activities.

In 2004 almost three quarters of young people stated to engage in sports. As one girl (15) says: 'it makes you feel more self-confident'. Only 3% of the Youth Council Panel named the right to play, rest and leisure as the most important right of the Convention¹⁶. Almost half of those youngsters not doing sports, say they would like to do so if they get the chance. Reasons for not doing sports, are making homework, a part-time job and doing chores at home.¹⁷ This corresponds with the remark of the Dutch NGO Coalition on Children's Rights which worries about the institutionalising of the leisure time of young people.¹⁸

A particular group that experiences difficulties when it comes to doing sports and other activities are young people with a disability. For example, as one girl (16) told us:

'There [at a normal school] I noticed that it was difficult for the school to give me the same things as to any other child that functions normally. During gymnastics the other children could play, but I was put to the side because they couldn't use me. And I also wanted to do sports. And I really can!'

Protection Rights

The right to protection of (sexual) abuse and violence

Article 19

Governments should ensure that children are properly cared for, and protect them from violence, abuse and neglect by their parents, or anyone else who looks after them.

Article 20

Children who cannot be looked after by their own family must be looked after properly, by people who respect their religion, culture and language.

Article 34

The government should protect children from sexual abuse.

Article 39

Children who have been neglected or abused should receive special help to restore their self-respect.

Youth attitudes towards abuse

Most young people, belonging to different vulnerable groups, mentioned the right to be protected against (sexual) abuse as one of the most important rights to them. They are fully aware of the terrible consequences for victims of sexual abuse. For example: 'Adults have a function as a role model and if they abuse their own child, they give a bad example. The chance that the child itself will start abusing its own child, is big (...). When you have been abused, your self-confidence is completely destroyed' (boy, 16). It is particularly alarming that instead of the estimated 50.000 to 80.000 children, the number of children abused in 2005 is now estimated at 107.200. This implies that on every 1000 children, 30 are abused.

16. Youth Council Panel 2007: 3

17. Youth Council Panel 2004: 5

18. Dutch NGO Coalition for Children's Rights 2007: 77

Youth living outside the family environment

When the home situation of a young person no longer is the best place for her or him to live, he or she is placed in a home replacing situation. Residential care in practice violates the very principles of the Convention, unless carefully regulated. Because of the shortage of adequate facilities young people are often put on waiting lists and sent from one place to another. Unfortunately, young people do not always positively experience these home replacing facilities. A girl (22) said: 'Every two months I got a new guardian, youth care didn't really help me much'. After finally being placed out of his home setting, one boy (19) in the Netherlands described his situations as follows:

'It started when I was still going to primary school, I already had many interviews with Riagg.¹⁹ From then on good things and bad things happened. The only thing you can do is hope for a nice place where you get the right treatment and then hope you get to stay there. But, yeah I have moved so many times already... And then you have to hope you get to go to another nice place again (...). You often have to wait very long before you get the treatment you need. They so often put you in a place where you don't belong, they don't look at you as a person and they don't look at the care you need. They just think, oh here is a spot, let's put him there.'

According to the Dutch NGO Coalition for Children's Rights the policy towards juvenile criminals is stricter than before, which includes quick and tough action. The number of young people in custody increases continuously and waiting lists are long. A related problem which appeared in our interviews is that young people who have been placed in residential care under civil law are often placed together with young offenders sentenced under criminal law. One of the boys (19) in residential care in the Netherlands explained:

'Well sometimes weird things happen, the police brings someone at night and the next morning you have to eat breakfast with that person. How nice is that? You don't know who he is and what he has done, but from now on he lives with you. We have criminals, autistic youngsters, everything put together in one facility, and then they think it's strange we get crazy.'

On the Islands the demand for 'out of home placement' far outweighs the present supply. These young people live at high risk family situations, being structurally neglected, left home alone and some even live on the streets. Furthermore there is often no adequate follow-up system. Once young people turn eighteen they are supposed to leave the facility, for example a foster home, without having an alternative. A boy (19) on the Antilles said:

'I lived in a home for young boys since I was 15, because I had trouble at home. When I turned 18, I had to leave. Now I don't have anywhere to live. I think parents need to take care of their children, but I cannot go back (...). Now I live here for a while, with this guy I met at the church. I can live here for a few months if I behave well, if not I have to go back on the streets and find some other place to stay.'

19. Institution for mental health care

The right to extra protection for refugee children

Article 22

Children who come into a country as refugees should have the same rights as children born in that country.

Youth attitudes towards refugees

Out of all minority and other groups in vulnerable positions, young people feel that the rights of refugee children are protected the least. More than forty percent think the rights of this group are not protected properly. Most of our interviewees in the Netherlands are concerned about the difficult situation young refugees or young undocumented migrants live in and so they are clearly aware of the good position they themselves are in. During an interview at a school for people with learning difficulties, one boy (16) said: 'They should be able to get good education and health care, it is not fair that they cannot go to school or the hospital if they need to'. On the other hand the group agreed that when the Dutch government let all refugees live in the Netherlands, it would be full in here.

On most of the Islands there is no clear immigration policy in which the rights of children are integrated. The main problems of young refugees and immigrants are related to immediate health care and education. Some young people on the Islands however, find it hard to understand why undocumented migrants should receive special care:

'If they come here, they should adjust themselves to our system, they don't even try to speak our language. For example, go to the Mac Donald's here, if I order something in Papiamentu they look at me in a strange way, then I try English and then Dutch. I mean we speak three different languages on this island and they simply resist speaking one, at least one, I mean come on don't stick to that stupid Spanish' (Aruban boy, 17).

The rights for children in prison or court

Article 37

Children who break the law should not be treated cruelly. They should not be put in prison with adults and should be able to keep in contact with their families.

Article 40

Children who are accused of breaking the law should receive legal help. Prison sentences for children should only be used for the most serious offences

Youth attitudes towards justice and delinquency

The Dutch NGO Coalition for Children's Rights regrets that the pedagogic character of youth criminal justice appears to be of minor importance and is concerned about the lack of educational and after-care programs.²⁰ In contrast to this, when it comes to juvenile delinquency, almost half of the young people in the Netherlands stated to be in favour of a zero-tolerance policy.²¹ 'If you did something wrong you should pay for what you did and should not be treated any better. They should just lock you up that's it', a 17-year-old girl on Aruba stated. Young offenders themselves believe they would benefit from good treatment. In line of the Convention, young offenders in the Netherlands also believe it is good they are not detained together with adults, because they feel young people can still be guided into the right direction. Young offenders on the Islands also stressed the importance of special protection for young people in conflict with the law and the value to be detained separately from adults, which is frequently

not the case on some of the Islands.

'That is not a place for young people. If you even get out, you will be worse, you will leave like a criminal, ready to do bad things. In here it is not so crowded and you get the time to think about the stupid things you did wrong and how to change', a young offender (18) on Aruba cited.

Young offenders

Correspondingly there is no youth prison on Saint Martin. Minors who are held in detention at the police station are often locked up with adults, with more than one person in a small cell. On other islands there is no juvenile rehabilitation centre. Young people in conflict with the law are therefore sent to another island, where they are often held together with young people with behavioural or drug problems and are far away from their families. The percentage of female young offenders is fairly low and there are little adequate facilities for girls who break the law on the Islands. Consequently these girls are often locked up in adult facilities. In the Netherlands young offenders of 16 and 17 years old can be sentenced as adults. Consequently they can be locked up in adult facilities. The same can happen on the Antilles due to a lack of alternatives. One of the young offenders (17) on the Antilles said:

'First, I was held with adults and I was frightened, but when I found out that my uncle was also in there, well actually he found out, I was not afraid anymore. He was the one who protected me. Thanks to him I survived in there, the guards don't help you, they themselves are corrupt, you can see them dealing and stuff, but what can I do. My uncle said not to worry about it, it's part of the game, just don't look at them and don't say anything, you know. I hated it in there, I feel much more safe here, here I get more freedom, if you behave at least. The right to be separated from adults is very important, there is where you learn the real bad stuff'.

Some of the young offenders replied that it took a very long time before they received (proper) treatment. One of them (16) said: 'I've been in here for 3 and half years and I still don't receive treatment. You treat yourself because you want to leave as fast as possible'. The young offenders on the Islands experience the same problem. One boy (17) responded: 'Well, if they want us to change, they should give us some help. There is no one here to talk to us, my mind is troubled you know, I need someone to straighten my head. I get out in a couple of months, but I am afraid because my head is troubled, I can't think clearly you see, and they call this place a correction institute'. One of the Dutch young offenders (boy, 16) told us how to get attention: 'If you completely freak out once, they listen to you instantly'. When discussing issues of safety in their institution, one young offender (16) stated: 'When fights break out, leaders run away. We're in charge of security here.' Another boy (17), then reacted by saying: 'But the leaders are not here for our security, they are here for our treatment'.

20. Dutch NGO Coalition for Children's Rights, 2007: 75

21. Youth Council Panel 2005 Juvenile Delinquency: 12

Participation Rights

The right to your own view and opinion

Article 12

Children have the right to say what they think should happen, when adults are making decisions that affect them, and to have their opinions taken into account.

Article 13

Children have the right to get and to share information, as long as that information is not damaging to them or to others.

Youth attitudes towards participation

The Convention constitutes a first step in the direction of equality for adults and children. Yet, especially on the Islands, young people are often still seen as incapable of making their own decisions. This is underlined by one of the girls we interviewed: 'My mom just tells me to shut up and listen to what she has to say because I am only 16'. This so-called age discrimination is confirmed by a local organization on Aruba. The fact that children are younger than adults does not mean they do not have rights and certainly does not justify unequal treatment. Many adults complain to this organization for discussing certain topics so openly with children. Although the Local Youth Parliament also agrees they are not always taken seriously by the community, they say this perception of young people is changing slowly. 'They are becoming more aware of the fact that we have some sensible things to say as well'.²²

Almost half of the Youth Council Panel have had to stand up for their right to their own view and opinion²³. Young people in the Netherlands feel their opinion is important. For example: 'Young people have a very different way of looking at things than grownups, that's why it's important to listen to children' (girl, 22). Being involved in decisions which affect young peoples' lives is just as important: 'When you are sixteen years old, you are already quite mature so you should be able to decide what is and what is not good for you' (girl, 16).²⁴

Youth on being taken seriously

When asked who takes them seriously, it turned out that young people have the feeling their parents take them most seriously²⁵. As a 12-year-old girl said: 'At home I can take part in decision-making'. 'I think that the opinion of young people is important, not only that of their parents' (girl, 12). One of her classmates added: 'They [parents] always think they are right, we as well of course!' (girl, 12). However, young people do not always feel that adults really listen to them. For example: 'Very often, young people are not taken seriously' (girl, 22).

Out of the young people interviewed for the Youth Panel Council report, 58% state that their teachers also take them seriously. But, as one girl (12) at a school for young people with learning difficulties said: 'They listen, but I don't think they will do anything'.

Youth on being involved

Youth participation appears to be neglected by the Dutch Government. Financial support for youth organisations decreases and the government mainly focuses on the 15 % youth at risk²⁶. Luckily there are still decisions on different levels in which young people do have a say. For example, at home 94% of the young people can join in decisions with respect to clothing or looks, 87% can participate in the choice of school and 86% has a say in the choice of friends they associate with. Of all young people, 60% has influence on the time they have to be home at night or where to go on vacation. When asked if young people think there is the opportunity to have a voice in decisions taken at school, one fifth of young people replied they were able to be involved in almost every decision taken at school. More than half of the young people state they are not involved in any talks or decisions in their neighbourhood and municipality. Young people who can join discussions, mostly do this on the occasion of a street party, on places to do sports, a nice square or spot to come together or on a youth centre.²⁷

Freedom of expression

Following the discourse on the thin line between freedom of expression and insulting other people, almost one quarter of young people believe that even insulting statements fall under the right to your own opinion.²⁸ As an Antillean boy (14) living in the Netherlands formulates it: 'My mom tells me I can say whatever I want to say, how I want to say it and when I want to say it'. 66% of young immigrants and second-generation immigrants however believe that freedom of opinion does not include insulting remarks about foreigners. Out of the young natives, more than half agrees with this proposition. As a 16-year-old girl replied: 'You have to make clear what the difference is between freedom of speech and hurting'.²⁹

Vulnerable groups

As appears to be the case with most rights, the right to your own opinion is of extra importance for minorities and other groups in vulnerable positions. One girl with a disability (18) said: 'I think the right to opinion is very important, especially if you're really young'. This particular group mainly has positive experiences with their right to an opinion. For example, one boy with a disability (17) said: 'When you consult, a lot is possible'. A young offender (16) mentioned: 'You can actually talk openly about almost everything'. Young boys living in an institution for youth psychiatry all mentioned they are involved in taking important decisions in their lives such as clothing, school, leisure time and what to eat.

The right to information

Article 13

Children have the right to get and to share information, as long as that information is not damaging to them or to others.

Article 17

Children have the right to reliable information from the mass media. Television, radio, and newspapers should provide information that children can understand, and should not promote materials that could harm children.

'I want to make my own choices. I want to make them myself. You don't always know what your rights are and which choices you can make yourself and therefore choices are being made for you. You do not get enough information. They don't always listen to what you want' (girl, 15).

This girl (placed under ambulatory youth care) illustrates how important information is to fully express your own opinion. To illustrate this, while almost all young people know they have rights, only 30% of the Youth Council Panel is aware of the existence of the Convention on the Rights of the Child.³⁰ Most young people find the right to information important. Some also point out they are well able to get information. For example: 'The right to information is the least important, because in the end you will find out anyway' (boy, 16). Young boys living in a centre for youth psychiatry said they received enough information about things they find important. Another girl (16) said: 'The last years there is more than enough information for young people, on the internet, at youth centres, schools...'

Vulnerable groups

Unfortunately, the situation of some vulnerable groups, such as young asylum seekers, differs from other young people in the Netherlands. They are not being informed enough about their

22. Aruba Youth Parliament

23. 47%. Youth Council Panel 2007: 4

24. JIJ Report 2006: 4

25. 89%. Youth Council Panel 2007: 9

26. Dutch NGO Coalition for Children's Rights 2007: 75

27. JIJ Report 2007: 5-6

28. 23%. JIJ Report 2005: 8

29. 58%. JIJ Report 2005: 8

situation and about what is going to happen to them. As a 19-year-old refugee girl said: 'We definitely don't get enough information about our situation in here, they can send us to any other place they feel like sending us, we just hear, tomorrow you're going here and there, make sure by 9:00 the place is empty'.

Another young asylum seeker (boy, 18) said:

'Let alone on the long run. We've been in this country for years, no one knows when we can leave and live a normal life. You know how that feels, spending your childhood, supposedly the coolest part of your life in a place like this?'

Another group that record a lack of information were teenage mothers in the Netherlands. One girl (18) said: 'We get sex education, but not enough. It needs to be more elaborate, also about STDs. All they showed us once was to put on a condom'. Following, she underlines the importance of internet and said: 'There is a lot of information on the internet, there is a site for teenage moms. I read stories there from other teenage moms'.

30. 95%. Youth Council Panel 2007: 2

Conclusion

In short, the conclusions of this youth report are similar to that of the NGO report: the Kingdom of the Netherlands is a good place for young people to grow up. Young people themselves had a voice in this report and they expressed concern about the groups in vulnerable positions in the Kingdom that experience difficulties.

Firstly, we can conclude that discrimination on different grounds and tolerance seems to be a big issue among young people. In general, young people seem to have a strong feeling of what is right and what is wrong, but they themselves also seem to maintain certain prejudices. At the same time many of them experience discrimination aimed at them on several grounds such as country of origin, religion or sexuality. Equality has definitely not yet been reached. Moreover, (undocumented) migrants both in the Netherlands and on the Islands stress the importance of identity, privacy and education.

Secondly, from the chapter on provision rights we can construe that in general young people in the Netherlands and on the Islands do not have many grievances. However, a few vulnerable groups are of serious concern. Young parents –and in particular teenage mothers– face difficulties in provision of e.g. education and health care and providing their children with a stable life. Another group in a vulnerable position, young offenders, emphasize basic rights such as a stable and caring family life. Lastly, specialized care for young people with a disability or behavioural problems can still be further improved. Relating to the 2007 NGO report by the Dutch NGO Coalition for Children's Rights, young people themselves underline the importance of health care and education.

Thirdly, in the chapter on protection rights, the most worrisome conclusion concerns the violation of the rights of children in vulnerable positions. Examples are young mothers (and fathers), young people with a physical disability, young people in institutions, but most importantly: asylum seekers and young undocumented migrants. During our interviews young people frequently named one of the protection rights as being most important. They all find (sexual) abuse and violence against young people extremely worrisome. This adds to the 2007 reports about child abuse in home situations that presented higher numbers of abuse than ever expected.

Finally, there is room for improvement concerning participation rights of young people in vulnerable positions. Information on sexuality and teenage pregnancy, for instance, needs to be more widespread and easily accessible. Young asylum seekers need to be updated much more frequently about their situation. More generally, young people seem to have the need to learn more about what their rights are and how to use them so that they can actively take part in society and be involved in issues that are of their concern.

In this report young people have been involved in one very important matter that concerns them: their rights. Young people have learned about their rights, have given their opinion on rights and have taken the opportunity to share their experiences with us. We feel that the information in this report and the experiences of these young people are a valuable addition to the 2007 NGO report by the Dutch NGO Coalition for Children's Rights.

Points of concern:

- The continuously vulnerable situation of young undocumented migrants in the Netherlands and on the Islands
- Persisting limitations on the Islands to protect young peoples' rights
- Shortcomings in social care for young people
- The practice of placing juvenile delinquents and young people with behavioural problems together in institutions
- The practice of placing of juvenile delinquents at the age of 16 over together with adults in detention centres

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Annex I: Characteristics of the young people who participated in this report

To gather the information of this report we used several methods:

1. First we have conducted a questionnaire on children's rights among the Youth Council Panel, a group of 458 high school students living in the Netherlands.
2. Secondly, we have talked to 15 representatives and members of local youth organisations and councils in the Netherlands and on the islands.
3. Thirdly, we have contacted 30 national youth organisations and requested them to fill in a questionnaire about what they know of children's rights, what they find important and whether they organise activities concerning the rights of the child.
4. Fourth, we have conducted in-depth interviews with groups of young people in vulnerable positions, those groups that go often unheard. We conducted in-depth interviews with 130 young people, divided evenly over the mainland and the Islands.
5. Lastly, we have used several reports by and on young people that have been published over the last five years. More than a thousand (1085) young people participated in the JIJ (Young People Interview Young People) report of 2005, 1206 contributed in 2006 and 1147 young people took part in 2007. The Youth Council Panel (on Sport) consisted of 763 young people in 2004, 235 young people took part in the survey on Juvenile Delinquency in 2005, 338 contributed to the report on Respect in 2005, and in 2006 the Panel (discussing sexuality and tolerance) consisted of 529 young people.

This adds up to the participation of over 5600 young people in this report.

In-depth interviews:

For this report we interviewed young people from majority and minority groups from both the Netherlands and the Islands (overseas territories: the Netherlands Antilles and Aruba), together called the Kingdom of the Netherlands. Among the groups that we interviewed for this report are:

Young refugees/asylum seekers, young offenders, young (teenage) mothers, youth with a physical, mental disability and/or behavioural problems, young people with drug problems, young people & youth care, local youth councils and national youth organizations, young people with learning difficulties and young people from deprived neighbourhoods, homeless youth, young people under residential or child care.

2007 Youth Council Panel:

The 2007 Youth Council Panel consisted of 458 young people, with an average age of 16 years who divided over eleven schools throughout the country discussed children's rights. The group consisted of 246 girls (54%) and 210 boys (46%) following several levels of high school. More than three quarters of the young people (76%) has parents who are both born in the Netherlands. 24% of the respondents has one or two parents who are born abroad. Most young people from this last group (19% of all respondents) have one or two parents from a non-Western country.