



**LAUNCH OF LAWASIA SIEM REAP PRINCIPLES AND DECLARATION ON CHILDREN'S RIGHTS  
SINGAPORE, 22-23 NOVEMBER 2013**

A public launch of the *LAWASIA Declaration on Children's Rights and the Siem Reap Principles* at a seminar in Singapore on 22 and 23 November saw attendance of representatives of children's groups, the legal community, government and others from around the Asia Pacific region.

The seminar was opened by President of LAWASIA, Mr Isomi Suzuki (Japan) who, in his remarks, paid particular tribute to Mr John Pascoe, the Chief Judge of the Federal Circuit Court of Australia and Patron of the LAWASIA Family Law and Family Rights Section. Chief Judge Pascoe continues to be the driving force behind the *Principles* and the actions that have followed in promulgating them.

The *LAWASIA Declaration on Children's Rights and the Siem Reap Principles* are an initiative emerging from the 4<sup>th</sup> *LAWASIA Children and the Law Conference*, held in Siem Reap, Kingdom of Cambodia in 2011. They were endorsed and adopted by the LAWASIA Council, representing the peak legal bodies of 30 countries of the ESCAP region.

The *Siem Reap Principles* were drafted so as to be relevant to all children, to be consistent with *UN Declaration on the Rights of the Child* and to be a tool to facilitate lobbying of governments in the LAWASIA region.

The *Principles* were introduced by Mr Philip Sim (Australia), in place of Chief Judge Pascoe, who was prevented from attending the launch occasion.

The material presented by Mr Sim reflected on the sad reality of the forms of abuse, violence and neglect suffered by many children in the world today and the necessity of the *Principles* as a mechanism to offer protection.

It was noted in this context that Australia had recently appointed national children's commissioner and had amended the *Family Law Act* to give greater voice to children and to recognise their need for protection. It had enacted legislation that criminalised sex tourism by Australians outside Australia, although a challenge in enforcement was evident, with only a few prosecutions occurring.

The *Siem Reap Principles* were a further step towards recognising and acting against child abuse in any form or circumstances that would continually remind governments of their obligations.

The keynote address, given by Professor Leong Wai Kum from the National University of Singapore, well-known both at home and abroad as an advocate of the rights of families, focused on *The Child as 'Becoming' and as 'Being'*.

She spoke of the launch of the *Principles* as being a crowning achievement for LAWASIA, affirming the need to urge governments to pass laws that encompass and are consistent with the *UN Declaration* in order to ensure the optimal upbringing of every child.

Professor Leong noted, however, a need to recognise the difficulty of passing laws that regulate relationships, in particular the ongoing, delicate and continually dynamic relationship between a parent and a child, provoking thought about when governments should have a role in involvement in these relationships.

She provided an historical context of legal protection of the rights of the child, noting that formerly, the only interest in the law that protected the child was found in criminal law and suggesting that protection against criminal acts was only a start.

She observed that in common law, until recently, the child was basically invisible on the assumption that parents would always do the right thing by their children.

She identified higher levels of interest for a child - their developmental interests, and their autonomy, including the right to be considered as an individual, to have and to express views and to have input into decisions that affect their lives.

She emphasised that children should not be viewed as those who were becoming adults, whereupon they will have rights, but as beings who have existing rights that must be protected.

Ms Diane Swales, UNICEF Regional Advisor on Child Protection in East Asia and the Pacific of spoke, reinforcing the ongoing need to promote the rights of children and to protect children.

She highlighted the work of UNICEF since its inception after World War 2, noting its focus on child protection, and indicating that there has been great improvement in many regions. She indicated concern, however, at the lack of a functioning system to record data in respect of child protection issues.

Ms Swales suggested that although family relationships are essentially a private matter, there is also public interest in those relationships, and that interest gives states the right to enact laws in this area.

She emphasised the significant difference in the brain development of children that precluded treating them as little adults. She drew attention to the effect of violence and the loss of early nurturing on the physical development of children, citing data indicating that children who witness domestic violence are three times more likely to have drug problems as adolescents.

Ms Swales provided examples of media campaigns against various forms of abuse, observing that abuse of boys is as prevalent as abuse of girls. While such campaigns may be effective, she noted the significant lack of good evidence-based research and evaluation as a necessary

follow-up.

Delegates viewed excerpts from the anti-slavery film, *Not My Life*, which provided shocking examples of child slavery in both the developed and developing countries. Further visual background in the scourge of child slavery was provided by a moving photography display from EmancipAsia, an organisation dedicated to combatting modern slavery.

Dr Rinchin Chopel, Director General South Asia Initiative to End Violence Against Children (SAIEVAC) based in Bhutan and Ms Shrinkhala Thapa, Project Coordinator at Plan Nepal for Fighting against Child Trafficking (FACT) and Missing Child Alert (MCA) made presentations on their work in the South Asian region, where poverty contributed significantly to the challenges in providing universal child protection.

Similar presentations on Singapore-based initiatives in support of children's welfare and rights were provided by Ms Alison Chang, from Club Rainbow, a support network for children suffering from chronic and life-threatening illness and Ms Deborah Chew, co-founder of Project Happy Feet, a charity that assists children in need in developing Asian countries.

While the launch of the *LAWASIA Siem Reap Principles* ensured the attention of a range of those involved in the protection of children's rights and welfare, the work in promoting them must continue at all levels and assisting that work will be an ongoing focus for LAWASIA.