

Life Under Coronavirus: Children's Views on their Experiences of their Human Rights

Laura Lundy, Bronagh Byrne, Katrina Lloyd, Michelle Templeton, Nicolas Brando, Mary-Louise Corr, Evie Heard, Lucy Holland, Mandi MacDonald, Gerry Marshall, Siobhan McAlister, Catherine McNamee, Karen Orr, Dirk Schubotz, Emilia Symington, Colm Walsh ^a, Kristen Hope ^b, Prathit Singh ^c, G. Neill ^d, Laura H. V. Wright ^e

^a) School of Social Sciences, Education & Social Work, Queen's University, Belfast, Northern Ireland, UK

L.Lundy@qub.ac.uk (corresponding author)

^b) Terres des Hommes

kristen.hopeburchill@tdh.ch

^c) CovidUnder19 Initiative

prathitsingh570@gmail.com

^d) School of Applied Social and Policy Sciences, Ulster University, Coleraine, Northern Ireland, UK

ga.neill@ulster.ac.uk

^e) School of Social and Political Science, University of Edinburgh, Edinburgh, Scotland, UK

lauahv.wright@gmail.com

Abstract

Children have a right to have their views sought and given due weight on all matters affecting them, including at times of emergency and crisis. This article describes the process and findings of the ground-breaking CovidUnder19 survey ("Life Under Coronavirus") which was co-designed with children for children, capturing the experiences of over 26,000 children in 137 countries as to the realisation of their human rights during the first six months of the COVID-19 pandemic. Key findings are discussed through the lens of the CRC's four general principles, read alongside children's rights, inter alia, to education, play and to be protected from harm. It argues

that governments and public bodies should have sought children's views – not just because they were under an obligation to do so – but because such engagement, now and in crises to come, provides an early warning system that enables decision-makers to mitigate some of the adverse consequences of their responses for children and their rights.

Keywords

children's rights – COVID-19 – coronavirus – participation

1 Introduction

Children have a right to have their views sought and given due weight on all matters affecting them, including – and, as we will argue, especially – at times of emergency and crisis. The UN Committee on the Rights of the Child ('the Committee') has stressed that the right should be enjoyed by children individually and as a group, observing that children's views should be sought any time that their views might improve the quality of the solutions (UN, 2009, para.27). The Committee also underlines that the right to be heard in Article 12 of the UNCRC 'does not cease in situations of crisis or in their aftermath' (UN, 2009, para.125). States' responses to the COVID-19 pandemic is one of the situations where there were (and are) clear and grave consequences for children's enjoyment of their human rights, and thus an obligation to engage with them quickly and directly. There was (and, at the time of writing, still is for the foreseeable future) a compelling imperative to seek their views about what has affected their enjoyment of their rights during the pandemic but also, and equally important, their views as to what their governments and others should do to ensure that their rights are being realised to the greatest extent possible.

The CovidUnder19 initiative was born out of the human rights imperative to seek children's views and engage with them so that they can inform and shape national and international responses to the crisis for and with children. A total of 34 partners were involved in CovidUnder19, including universities, international and national non-governmental organisations (NGOs), interagency networks and youth-led initiatives, with operational presence in over 100 countries.¹ The partnership was formed as a joint endeavour to ensure that

¹ The initiative was led by Terres Des Hommes, the Centre for Children's Rights at Queen's University Belfast and the Office of the Special Representative to the Secretary General on

children's views and experiences were sought and used to inform responses to the crisis. Many of the initiatives to seek children's views that emerged at the beginning of the pandemic were issue-specific, not rights-focused and/or using approaches that would capture only a small number of children's views or would lack methodological, including ethical, rigour (see, for example, the RCPCH (2021) website for an overview of research studies intended to capture children's views). Crucially from a rights-based perspective, these consultations were not designed by children for children and were largely concentrated in countries with high levels of resource and established civil society and knowledge generation infrastructures. The CovidUnder19 study was a global study co-designed with and for children that aimed to capture children's experiences and views on the realisation of their human rights.

This article describes the process and some of the overarching findings of a global CovidUnder19 survey – Life Under Coronavirus – that captured the views and experiences of 26,258 children in 137 different national contexts. It begins by describing the methodological approach, noting the significant opportunities that came through the global partnership and direct involvement of children as well as the inevitable challenges of co-producing and running an online survey in 28 languages (including an easy read version for children with intellectual disabilities) in such diverse social contexts. This is followed by an account of some of the key findings, analysed through the lens of the four general principles of the UNCRC read in conjunction with children's other substantive rights, including their rights to education, play, access to health care, information and to be heard. In line with the child-rights based approach adopted throughout the process, the adult research team's analysis integrates the interpretations of the data that were developed with the study's child advisors. The article concludes by reflecting on of the lessons learnt in this unprecedented

Violence Against Children. The full list of CovidUnder19 partners (in alphabetical order) is as follows: CELCIS; Child Helpline International; ChildFund Alliance; ChildHub; Child Rights Connect; Child Rights Coalition Asia; Defence for Children International; Eurochild; Global Kids Online; Group Development Pakistan; The International Lesbian, Gay, Bisexual, Transgender, Queer & Intersex (LGBTQI) Youth and Student Organisation (IGLYO); the International Institute of Child Rights and Development (IICRD); International Young Catholic Students; Joining Forces; KidsRights; Learning for Well-being Foundation; the London School of Economics (Media & Communication); Pathfinders for Peaceful, Just and Inclusive Societies – Justice for Children /Justice for All; Plan International; Save the Children; SOS Children's Villages; State of Youth; Teens4World; Terre des hommes Foundation; Terre des Hommes International Federation; University of Leiden; University of Strathclyde; World Association of Girl Scouts and Girl Guides; the World Organization of the Scout Movement; WorldVision.

process – the largest ever global survey of children's rights developed with children for children – as well as the wider implications of engaging with children at times of crisis and emergency. It includes a contribution authored by one of the members of the Young People's Research Advisory Group (YPRAG).

1.1 *Methodology and Methods*

The research process applies a unique children's rights-based research (CRBA) methodology developed by the Centre for Children's Rights at Queen's University Belfast (Lundy and McEvoy, 2012a and 2012b). This adapts the Statement of Common Understanding of a Human Rights-Based Approach for research with children (Lundy and McEvoy, 2012a) to ensure that human rights are the focus of the study, that the methods adopted are rights-respecting and that children's capacity to claim their rights is built and facilitated. Core features of this in practice include the following: the primary focus of the research questions is on children's enjoyment of their human rights; data is disaggregated as far as possible to capture differences across groups and inter-sectionally; children are afforded open space to speak about the issues that are important to them (in addition to the use of closed questions); and children are not just asked about their experiences, but also what they want their governments to do to ensure that their human rights are realised. A further crucial dimension of the CRBA is that children are involved throughout, working alongside the adult researchers in Children's and Young People's Research Advisory Groups (CRAGS and YPRAGS) – an approach pioneered by the Centre for Children's Rights at Queen's and now used widely by other researchers across the world (see, for example, Collins *et al.*, 2020). CRAGS and YPRAGS are offered opportunities to contribute to: choice of research question; choice of methods; interpretation of the data and dissemination.

In all cases CRAGS and YPRAGS should be as representative as possible of the children who are the focus of the research (Lundy, McEvoy and Byrne, 2011), a requirement that creates particular challenges in the context of a global survey. We began by consulting 270 children (M=121; F=142) from 26 countries, recruited across our global network of partners, to find out what they considered other children should be asked in the survey. Project partners were supplied with guidelines on how to conduct the consultation with children and a standard feedback template was supplied. The team mapped the children's suggestions against the existing questions that had been drafted by the adult researchers. New questions were added to reflect the interests of children; for example, many children wanted to ask questions about the impact on examinations and assessments. Some of the children's suggestions were excluded on ethical grounds, incompatibility with the use of a questionnaire or due to a

lack of direct relevance to children's rights. Feedback was given to all children as to what was changed or not and why. An international YPRAG comprised of 18 children² (M=9; F=5; 4 not known, all aged 8–18 years) was recruited via the global partners working directly with children. The YPRAG refined the survey, for example, by changing the wording or order of questions and helping identify priority areas and changing the length of the survey for different age ranges. The survey was made available online in 28 versions – 27 different languages³ and an Easy Read version (in English) for children and young people with intellectual disabilities. The survey was delivered using the platform Questback and the link was widely publicised using social media and through the partner organisations. It was open between May and July 2020 during what was for the majority of the children who responded a period of lockdown and school closures.

The survey was designed for children aged between 8 and 17 years to be accessed online. However, some partner organisations were able to facilitate participation through paper versions or by assisting the children by giving them access to their own laptops/computers. In total 26,258 children from 137 countries across all five UN regions responded to the survey. However, while the reach was considerable, it is important to note its many limitations, not least that it does not capture the experiences of younger children and that, in spite of the partners' efforts to bring it to children who did not have access to the internet, it will not have been viable for many children to complete it online. It was therefore always understood that the survey could not provide a representative sample of the global child population. The lack of representativeness is one of the main disadvantages of online surveys as identified in a recent review carried out by Evans and Matur (2018). They contend that internet populations are skewed in relation to respondent attributes. According to Pierce *et al.* (2020), this non-probability sampling approach limits the extent

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- 2 The members list of CovidUnder19 YPRAG (in alphabetical order) is as follows: Alesha (Indonesia); Ali Hassan (Pakistan); Athar (Indonesia); Brian (Zimbabwe); Diana (Bolivia); Emil (Indonesia); Esther (Kenya); Fahad (Pakistan); Fahrani (Indonesia); Fariha (Pakistan); Filip (Serbia); Firman (Indonesia); Januka (Nepal); Jeffrey (Philippines); Juan (Nicaragua); Kenizeh (Pakistan); Lavender (Kenya); Mélodie (Spain); Michelle (India); Naval (Australia/Indonesia); Prathit (India); Reece (South Africa); Ruby (Myanmar); Splendour (Nigeria); Veronica (Guatemala); Vio (Indonesia).
 - 3 The 27 different languages were: English; French; Spanish; Arabic; Hindi; Bengali; Hebrew; Urdu; Italian; Dutch; Hungarian; Romanian; Nepali; Thai; Portuguese; Russian; Filipino; Khmer (Cambodian); Japanese; Greek; Korean; Malay; Albanian; Swahili; Cantonese; Mandarin (Traditional); Mandarin (Simplified).

to which the findings can be generalised, particularly when recruitment is through social media, organisational membership lists and service providers. The authors suggest that these methods tend to attract respondents who are motivated, already engaged with the issue and therefore willing to take part (Pierce *et al.*, 2020). Cognisant of these drawbacks, particularly in relation to the recruitment of participants through social media and partner organisations who advocate for children's rights, the findings presented in this paper cannot be assumed to reflect the views of all children. Nonetheless, the value of this method of recruitment is that it provided many children in diverse social contexts (many of whom live in a context where they were otherwise unlikely to have had their views sought) to take part and convey their experiences during coronavirus.

The survey consisted of approximately 61, mainly closed-end,⁴ questions (on the advice of the YPRAG; 8–10 year olds had an abbreviated version). The first section collected demographic information including age, gender, country and details about their status (e.g. whether they had a disability, were LGBTQi+, a migrant or an asylum seeker) and their living arrangements (e.g. they were living with their families or in foster or residential care or a centre for migrants). Four questions were open-ended which allowed the children to give their views in their own words. These were as follows:

- Imagine that you can speak to your government. What advice would you give them to help them make sure that children's rights are protected during the Coronavirus crisis?
- What do (or did) you like most about the Coronavirus lockdown?
- What do (or did) you dislike most about the Coronavirus lockdown?
- What are you looking forward to MOST when the Coronavirus crisis is over?

A facilitators' pack was developed in English, French, Spanish and Dutch to guide practitioners and fieldworkers on how to access and support children ethically. They brought the survey, in digital and paper formats, into many different contexts to increase the participation of seldom heard groups, such as, children who identify as LGBTQ+, children with disabilities, children in detention, living on the street, on the move and in migrant and refugee camps.

Members of the Centre for Children's Rights analysed the data and at the time of writing have developed 12 thematic briefings/summaries, in collaboration

4 Two questions on internet use from the EU Kids Online survey were included with kind permission from Professor Sonia Livingstone.

with CovidUnder19 partners and the YPRAG. The thematic briefings cover topics such as: the rights to participation and information; adequate standard of living; safety and violence; education; and play, rest and leisure. There are specific briefings capturing the views and experiences of children with disabilities; migrant and asylum-seeking children; and those that identified as LGBTQI+.⁵

In line with the CRBA, and to include children's involvement in interpretation of the data, an online Children's SkillzCamp was established, for which 85 children and young people, recruited across the global partners, registered (from countries including Australia, Brazil, Myanmar, Nigeria, Peru, Philippines, Romania, Serbia, Spain, India and Zimbabwe). A core group of 12 children was able to attend most online sessions which were made available in English with Spanish translation. Tasks to engage with both the quantitative and qualitative data were created for the children to carry out offline, individually or as part of a group, and follow up sessions were held to discuss the results and their interpretations, which were forwarded to the adult researchers and integrated into the thematic briefings.

Online working with an international group of young people during a global pandemic had its challenges. International time zones, the availability of translation, and consistent and reliable access to the digital world prevented some children from engaging in all sessions. All sessions were recorded and posted on an online platform so other members of the group could engage asynchronously. Partner organisations were also directed to the recordings to assist them with further engagement and to enable further analysis of country specific data. A facilitation guide will be developed that will include a guide to the approach.

2 Findings

The data from the survey were analysed in a number of ways: under specific substantive rights; for particular groups; and in individual national contexts. A set of briefing papers was produced for each of these and together these papers comprise the final report of the survey. In this article, however, we discuss the data using the four general principles of the UNCRC as an

5 The briefings can be found at <https://www.qub.ac.uk/research-centres/CentreforChildrensRights/CCRFilestore/Fileupload,1008874,en.pdf>, along with technical annex A (demographics of survey respondents) and technical annex B (headline findings by UN region). At the time of writing, they are available in Spanish, French and Arabic at <https://www.tdh.ch/en/media-library/documents/covidunder19-results>.

overarching framework for reflecting on children's accounts of the realisation of their human rights during coronavirus. The four general principles – non-discrimination (Article 2); best interests (Article 3); life, survival and development (Article 6); and the right to be heard (Article 12) – have been identified by the Committee as being of fundamental importance in a rights-based approach and as having cross-cutting significance for the realisation of children's other human rights (UN, 2003). We acknowledge the criticism that the four general principles are sometimes used as a short-hand for the UNCR as a whole and that this is not just misguided but has the potential to undermine the necessary focus on other substantive human rights (Hanson and Lundy, 2017). Addressing this concern, we are employing the four principles as a convenient and comprehensive lens to explore the research findings in relation to children's other substantive rights, including their rights to play, education, access to health care, protection from harm and information. Moreover, Article 2 aside (since it is not a standalone right), Articles 3, 6 and 12 are human rights in themselves as well as enjoying cross-cutting application. In the sections that follow, we present global findings from across the CovidUnder19 survey results, focusing on each of the four general principles to capture (a) the extent to which children's experiences reflect the rights-based approach that these principles examined individually and together proffer and (b) their suggestions to governments and others as to what needs to happen to ensure the realisation of their human rights.

2.1 *Non-Discrimination*

The principle of non-discrimination is a recurring theme in international human rights law (Besson, 2005). Article 2 of the UNCR obliges States parties to ensure that all children are able to enjoy the rights articulated across the UNCR without discrimination based on a range of grounds. This encompasses both direct and indirect forms of discrimination. While many of the grounds for discrimination under the UNCR are similar to those set out in human rights treaties that have preceded it, it is also distinct in several ways. Article 2 of the UNCR extends the grounds for discrimination to both the characteristics and status of the child as well as those held by the child's parents or legal guardian. It is also significant in that the grounds for discrimination under Article 2 UNCR includes disability for the first time in international law (Lundy and Byrne, 2017; Byrne, 2012).⁶ While not explicitly stated in Article 2,

6 These grounds for discrimination set out in Article 2 extend to a child's, or his or her parent/legal guardian's race, colour, sex, language, religion or other opinion, national, ethnic or social origin, property, disability, birth or other status.

the expression “other status” has been interpreted by the Committee to include sexual orientation and gender identity (Sandberg, 2015). More recently, the Committee has explicitly recognised children who are lesbian, gay, bisexual, transgender as well as children who are intersex (UN, 2016).

Article 2 of the UNCRC is not a standalone right; rather, it must be read in conjunction with substantive UNCRC rights. The findings highlight that responses to COVID-19 had a differential impact on different groups of children with respect to a range of UNCRC rights. This was particularly the case for those groups of children who were already vulnerable to breaches of their rights. Here we present examples of instances where children appear to be discriminated against in exercising their other UNCRC rights on the basis of some of the grounds set out in Article 2 UNCRC.

The pandemic has had a direct impact on children’s ability to exercise their right to an *effective education* (Article 29 UNCRC) on an equal basis with others. While the majority of children (61 per cent) indicated that their education was better before coronavirus, the extent of negative impact was diverse. For example, 41 per cent of all respondents said that being able to get support from their teachers was better before coronavirus, however this rose to 64 per cent for asylum-seeking children and 62 per cent of migrant children. The shift from in-person schooling to online learning was especially difficult for children living in poverty and children from rural areas. Those who had poor or no access to the internet were much more likely to say that access to good education was better before the outbreak (69 per cent and 84 per cent respectively) while children with disabilities found it challenging to access online materials in the same way as their peers:

I feel they [government] need more to work on right to education. Seeing that I live in a rural community where it is hard to access internet ... It is a challenge to learn online (GIRL, 14, ZAMBIA).

The Committee has emphasised that children should be able to exercise their *right to play, rest and leisure* without discrimination of any kind (Article 31). Factors for an optimum environment for children to realise their Article 31 rights as identified by the Committee include freedom from stress, an environment secure from social harm and violence, availability of rest appropriate to their age and development, and availability of leisure time, free from other demands (UN, 2013: 6). The ability to enjoy free time where they lived was not consistent across all groups of children:

Due to social distancing, we hardly go out. We need entertainment and play. If our government can stream a free child-friendly, eco-friendly

version of Kids TV Channel. In this way, children can still enjoy their time at home. But right before that, the government must make sure every child in the country has access to electricity. Please (GIRL, 17, MYANMAR).

The majority of children who responded (56 per cent) said they were less able to speak to their friends since the beginning of the pandemic – a consequence of school closures and lockdown restrictions. Being less able to speak to friends was heightened for younger children aged 8–10 (67 per cent); perhaps due in part to not being able to access age appropriate social media platforms in the same way as older children or without adult support. Similarly, fewer children with disabilities said they had friends they could talk to if they needed support (46 per cent) compared to children without disabilities (51 per cent). This is concerning given that 11 per cent of children with disabilities, along with 12 per cent of those who identified as LGBTQ+, were more likely to say that they felt less safe in their homes/where they lived since the beginning of the pandemic (11 per cent compared to children generally 9 per cent). For example:

I suffer domestic abuse because I'm a trans person. I don't have any support from my family, and I have no friends (GIRL, 17, CHILE).

Article 19 of the UNCRC states that children have the *right to be protected from all forms of violence, and abuse*. While most children who responded to the survey reported hearing, witnessing or experiencing less violence (52 per cent), or the same levels of violence (39 per cent), as they had done prior to the pandemic, some groups of children experienced higher levels of violence than others. 22 per cent of children from migrant communities; 20 per cent of children living in a detention centre, refugee camp or homeless centre; 20 per cent of children seeking asylum;⁷ 19 per cent of children who identify as LGBTQ+; and 14 per cent of children with disabilities said they had heard, witnessed or experienced more violence than before the pandemic. This compares to 9 per cent of all children.

Finally, it was evident that children were experiencing breaches of their *right to an adequate standard of living* (Article 27 UNCRC). Once again, children from already marginalised groups bore the brunt. For most children, the ability of their family/guardian to meet their needs did not change following the start of the pandemic. In contrast, a majority of migrant children (58 per cent) and

7 Note that there is an overlap in these categories as children were asked about their status (e.g. migrant or asylum seeker) and their living arrangements (e.g. in a camp or detention centre).

asylum-seeking children (56 per cent) said their family had less money to meet their needs since coronavirus while almost half of children with disabilities said their family had less money (46 per cent):

I would urge the government to do more for the Roma Ashkali and Egyptian communities because we are in an even more difficult economic and social situation. The pandemic has aggravated our economic situation even more as family members have lost their jobs (GIRL, 11, ALBANIA).

Across children's rights and children's lives it is clear that the negative impacts of coronavirus do not fall equally. Children from groups that are already more likely to experience breaches of their rights appear to be disproportionately impacted by coronavirus. While this negative impact extended to a range of "vulnerable" groups, children from migrant communities and refugee and asylum seeking children were at particular risk of breaches to their rights during the pandemic.

2.2 *Best Interests (Article 3)*

Article 3(1), the only part of the provision that has been identified by the Committee as a general principle, requires that in all decisions affecting the child, their best interests will be a primary consideration (UN, 2013). The provision was one of the least contentious of the rights in the UNCRC since it is already common in many domestic legal frameworks (Vandenhoele and Turkelli, 2020). The essence of the provision is that when decisions are being made that affect children, their interests (and not just those of their families, for example) are not just part of the considerations but a "primary" consideration. While they are not paramount, they should be both present and significant. Eekelaar and Tobin (2019: 97) suggest that the best interests principle demands not just the elevation and consideration of children's best interests, but also a *process* by which such decisions may be justified and communicated to children, an approach also emphasised by the Committee who have stressed that Article 3 is also a procedural requirement (UN, 2014). That process must include a consideration of children's views.

The survey did not include a specific question asking children whether they thought that their best interests were a primary consideration during the response to coronavirus. On reflection, we could and should have worked with the YPRAG to develop and include a closed question along the following lines: 'do you think that children's interests are important to your government when they are making decisions during Coronavirus?'. We would anticipate from the data that we have in response to other open-ended questions that this would

be a resounding no. When asked what advice they would give to government, many children suggested that governments did not have children in mind when making decisions or that what was happening to children in terms of their rights to education, play or safety did not seem as important to governments as other things:

I would tell them to stop and think about other issues that need attention and make a checklist of what problems are important such as protecting children's rights and making them feel safe (GIRL, 12, UK/WALES).

I would tell them that they need to suck up their pride and look to the other nations that are doing better than we are at handling this. They are acknowledging the needs of everyone – and that includes the children of a community/state/nation. I do not feel that my government does a good job doing that (GIRL, 13, USA).

The Committee has emphasised that there is no hierarchy of rights in the Convention: 'all the rights provided for therein are in the "child's best interests" and no right could be compromised by a negative interpretation of the child's best interests' (UN, 2013, para. 4). Reflecting this, many of the children's responses listed several areas of children's lives that they considered were being neglected and stressed the need for governments to give direct consideration to these:

Our country's economy is degrading by which some children are starving because of no income of their family, Some are suiciding, Some are not getting to join online classes because of no internet access and even some [who] are getting to join it they are not having good studies as before and those whose examination was stopped by COVID-19 pandemic, their studying has so much stopped or they are being demotivated about exams and some children aren't even safe at home; they are being raped or abused! Our government should think of these things rather than other things which are not so important and ensure child rights (BOY, 14, NEPAL).

Some children criticised what government were prioritising instead of children's interests, notably the economy or public health:

Its all economy this economy that, and we are still told to social distance but you can do anything that costs money but you can't do anything that is

free like just go to a friends house or to the skate park ... they just want us to spend money and pretend to care about our health and not spreading the virus (GIRL, 15, ENGLAND).

A number of responses captured some of the underpinning theory of the best interests principle – that children's interests are often invisible or considered of less importance than those of adults. Moreover, some suggested that children should have even greater priority during coronavirus:

Think of Children and teens before taking a decision. I know that in society politics and money influence more, and this is the reason why politicians do not see children, and only care about money (YOUTH, 17, ARGENTINA).

Understand that their decision will impact us more than anyone because we are the ones that will have to live with this virus for many years to come (GIRL, 17, ITALY).

A crucial dimension of making a best interests determination is ensuring that children's views are sought and taken seriously: Article 3 must be read with Article 12 of the UNCRIC (UN, 2014). Children's views on the realisation of Article 12 during coronavirus are discussed below. However, it is notable that many children's responses naturally connected decisions about their best interests to a requirement to ask them what they need:

The government needs to remember that there are many vulnerable children out there that need to be listened to. The government should not assume what children need but ask them. A child's right to be listened to is crucial at the moment (GIRL, 15, NORTHERN IRELAND).

What Article 3 means in practice has tasked legal scholars and practitioners for decades (Eekelaar and Tobin, 2019). That said, children's responses often offered politicians practical approaches for implementing Article 3 and ensuring that children's interests are at the core of policy responses to the pandemic:

I would tell politicians when they are making laws to do that with the heart of mothers and not of politicians (GIRL, 12, BOLIVIA).

They have to feel, speak, think and hear like a child to take the right decisions for children (GIRL, 17, PAKISTAN).

The Committee has said that states should –

explain how the right has been respected in the decision, that is, what has been considered to be in the child's best interests; what criteria it is based on; and how the child's interests have been weighed against other considerations, be they broad issues of policy or individual cases (UN, 2013, PARA. 6).

While we do not have statistical data on the children's views on this, there is ample evidence in the children's open-ended responses that they were not aware or indeed convinced that their governments had paid attention to children's interests or had given them sufficient weight when making key decisions such as the closure of their schools and play and leisure facilities. That in itself is a powerful indicator of a lack of a child-rights based response to the crisis.

2.3 *The Right to Survival and Development (Article 6(2))*

Article 6(2) requires governments to do all they can to ensure children survive and develop to their full potential. The preamble to the convention recognises that a positive family environment is central to this. Governments must employ measures to eradicate the conditions that impact negatively on children's physical and mental health, and positively influence their emerging biological, social, emotion, cognitive, intellectual and personality processes (Buck, 2014; Blakemore, 2019). Peleg suggests that the implementation of Article 6, 'requires assessing any actions that can impact on children's development in the present, during the process of development and in the future once the process has come to a resolution' (2019: 207).

While children may be at lower risk of contracting and being seriously ill or dying from COVID-19, their responses to the survey – correlating with what is now a growing body of other evidence (see, for example, Masonbrink and Hurley, 2020) – indicated from the very outset that their experiences were placing them at high risk from both a physical and cognitive development perspective. There are critical developmental periods across childhood when crucial maturational processes are sensitive to certain environmental stimuli (Robson, 2002; Steinberg, 2014). The length of the crisis and the nature of the responses undertaken (e.g. lockdowns and restrictions which caused disruption to everyday life and general uncertainty) mean that few children will not have experienced adverse impacts at critical junctures in their development. Participants described many negative impacts on them and their families. Forty-one percent expressed concern that parents/ guardians had less money to meet their needs with 20 per cent experiencing food shortages, and 21 per cent less able to access critical health services:

A huge number of children are more and more becoming victims of the insensitive digital learning and of poverty. During these times, the parents of children are losing their jobs, many households are unable to have food to eat, many do not afford to even support their families' needs, and many do not have access to the internet and technological devices. Many children will be left behind! (GIRL, 17, PHILIPPINES).

In addition, they were absorbing information, directed towards adults, about death and disease on a global scale and at the same time, many felt blamed for spreading the virus. The combination of all these factors left children feeling worried (39 per cent) and fearful about their own right to life (Article 6(1)) and survival (Article 6(2)) as well as the health and risk to family members.

We are likely to be experiencing worry, anxiety and fear and this can include the types of fear that are very similar to those experienced by adults, such as a fear of dying, a fear of relatives dying, or a fear of what it means to receive medical treatment (GIRL, 15, INDIA).

The Committee refers to adolescence as a period of transition and an opportunity for instilling resilience, self-control and other beneficial life skills that can determine a person's lifelong success and happiness (UN, 2016). It can also be a time when emerging conditions can develop into serious disorders, even though children in this age group are less likely to seek help (Steinberg, 2014; McAteer *et al.*, 2017). Many described how they missed sports and activities (56 per cent of all children and 67 per cent of children aged 8–10) and identified the worst thing about coronavirus as missing their friends. This sense of loss also related to physical closeness and an inability to hug family and friends and missing key milestones like birthdays. While a move to online education was in place to ease the effect of school-closures and learning disruptions, some children lacked supportive home-learning environments and reliable internet connections and equipment to benefit from this.

I didn't have the chance to graduate from high school, I can't have the prom night party and the tour with all of my friends, I have to cancel a lot of holiday plans, I really miss hanging out with my friends (GIRL, 17, INDONESIA)

I think that during quarantine, the schedule of every child changed for worse, starting with the education, communicating with friends, less time outside, alimentation, spiritual state etc. First of all, I want to mention the fact on-line classes did not have the effect and the degree of information and necessary knowledge due to the fact that a lot of children did not have

the possibility (financial) to use the internet and the needed device, such as a phone or a laptop. Secondly, the on-line classes done on the mobile phone had a negative impact on our eyesight (GIRL, 14, MOLDOVA.)

School closures, lack of play/sports and isolation from their peers and wider family, were all identified as the things they liked least about coronavirus. Moreover, it is during these activities that children develop a sense of self-worth that only their peer group can offer and that allows them to keep in contact with some supportive and trusted adults. It is this sense of loss and missing out that may have had the greatest impact on their mental health and emerging sense of self (Carpenter, 2020):

Now, more than ever, teenagers are suffering from anxiety. We have to do too much work for school. My eyebrows began to fall off because I'm so worried I won't pass my course. There are many who think about suicide ... some demand too much from us ... I have no internet connection and can't talk to my friends, that makes me feel very depressed ... I feel bad not being able to see my family and friends (GIRL, 14, COSTA RICA).

Ensuring children's development during times of crisis – and in particular lockdowns – can be challenging. However, the children provided many suggestions for politicians to consider that might keep them safe and mitigate the impact of coronavirus restrictions on their development. This is just one of many examples:

Well a heads up to the schools would have been better. But i guess they also didn't know that is was going to be this big. I would have organised more sport things for children because every club closed down. Also i would've opened up the libraries for children who don't have a quiet place to study (GIRL, 17, NETHERLANDS).

2.4 *The Views of the Child (Article 12)*

Article 12 places an obligation on States parties to assure that children have the right to express their views freely and have these views given due weight. The extent to which it created a right of participation for groups of children has been disputed (Doek, 2020). However, the Committee has said that it applies to children as individuals and children as a group and that States parties should, 'carefully listen to children's views wherever their perspective can enhance the quality of solutions' (UN, 2009, para. 27).

The factors that curtail and impede the fulfilment of children's right to be heard are well-established (Lundy, Tobin, Parkes, 2019) The Committee notes that its implementation, 'continues to be impeded by many long-standing practices and attitudes, as well as political and economic barriers' (UN, 2009, para. 4). The survey reaffirmed the extent to which the fulfilment of children's right to be heard hinges precariously on multiple intersecting factors, including geographical location, children's place of residence and children's self-identification as having a disability or being part of the LGBTQ+ community. Some 35 per cent of children said that they did not know if they were being listened to by their governments, while a further 38 per cent considered that their voices were not taken into consideration by their government, when making decision related to the COVID-19 crisis. These number increase when filtering responses by certain salient intersecting factors: 48 per cent of children with disabilities considered that their voice was not taken into account, and 51 per cent of those identifying as LGBTQI+ considered that their right to be heard was not protected. When specifically asked about whether or not they felt that their governments were listening to children when making policy decisions about how to manage the COVID-19 crisis, only 20 per cent of children gave positive responses. Many children characterised this as age-based discrimination and/or as an injustice that resided in adults' assumptions regarding childhood as a life-stage in which individuals are not capable of forming relevant views about the world:

Age doesn't define maturity. Sometimes children are more mature than adults and that should be understood. Because we are children we are not heard but adults must understand that sometimes we understand much better than they do (GIRL, 14, COSTA RICA).

We are not being asked about what should be done for us even if we post something on social media about our needs or how we feel they will either ignore it saying "they are little children they haven't seen the world. They don't know about these things let them talk" or take decisions that do not go with our needs. In order to protect our rights our voices have to be heard and taken seriously. Make our voice your choice (GIRL, 17, PAKISTAN).

Many children reported feeling forgotten by their governments because little effort was made to communicate with them about the drastic changes that they were experiencing – school closures, confinement and isolation. They raised their concern with the lack of willingness from their governments in taking their perspective into account when making decisions about school closures, and how to ensure their access to their education online. Some felt

that insufficient efforts were made to communicate with them directly, and to disseminate child-friendly information about the pandemic and its effect on children's everyday lives. They adamantly encouraged political leaders to make the effort of addressing the child population and their interests directly:

All information is sent to parents, I would like information to be better sent and adapted to children and teens (BOY, 12, CANADA).

I admire how Jacinda Arden made sure to specifically address the children and make a point to try to reassure them that the Easter bunny is an essential worker. I think the best way to do that would be to hold a press conference where she would answer questions from children (GIRL, 13, USA).

Moreover, despite most of the children surveyed showing reticence towards using social media as a source of news (75 per cent showed scepticism of the information shared through social media), they valued and encouraged use of this channel as a way to communicate more effectively with the young population, to receive feedback from them, and for children to organise among themselves.

Using social media to organize ourselves is more efficient than older methods (GIRL, 13, USA).

Using social media, I have been able to learn lots more about politics, privilege and world issues which I have not previously considered (GIRL, 17, ENGLAND).

In short, there was an overwhelming concern with how and when governments (and the adult population generally) allowed children to participate and be heard during the crisis. There was widespread agreement appealing to the need of urgent action by governments in order to uphold their obligation to fulfil children's right to be heard (and concomitant right to seek, receive and impart information) during the pandemic and in the post-pandemic world.

Children are not as clueless as you think they are. They have a voice, and no voice should be shut out. Being a child doesn't mean our voices are less credible, moreover, it should serve as an insight as to what the situation on sectors that you may have forgotten or have not given much importance is like (BOY, 10, PHILIPPINES).

3 Views of one Member of the YPRAG

3.1 *Why is it Important/Valuable to Seek Children's Views During Crises?*

A simple answer to this question would be that children's views must be taken into account when decisions taken concern their well-being. However, there is also a wider perspective that must be taken into consideration. During crises, every decision taken by governments not only affects the adults in particular, but more generally has an impact on the community that surrounds children. A sudden shift in the organisation and operation of the community that a child is surrounded by is bound to have an immediate impact on children's well-being as children often depend on their families and communities for a large number of needs. Taking the example of the COVID-19 crisis, not only were children impacted due to decisions which directly affected them – for instance the closing of school – there was also a discontentment among children over how they were treated by the community. The following quote from the CovidUnder19 Survey sufficiently reflects such discontentment:

Stop telling people we are vectors. It hurts our feelings and makes us sad. I want to see my friends and my nana and grandad ... Please tell the shops I'm not a germ infested brat like the man said so I can go into shops and help mum ... shops think I'll make everyone sick by helping my mum (BOY, 8, IRELAND).

It becomes important to seek children's views not only because of the direct implications that decisions during crises have, but also because there are numerous indirect impacts of such crises on children. In a world which is very "adult-centric" when it comes to decision making, and where children's views are excluded from the public discourse, the guarantee of children's right to be heard by the UN Convention of Rights of the Child would be futile if their views are not considered during times of crises.

There emerges, thus, a need to listen to children's views inclusively and globally, especially during times of crises. I feel CovidUnder19 has been the perfect and the only platform which has valued how children felt during the COVID-19 crisis and more importantly, communicated these views to stakeholders, besides giving them a dimension of a systematic study and research.

3.2 *What is the Best Way to ensure that Children's Views can be Expressed and Taken into Account?*

The best way to ensure that children's views are expressed and taken into account, according to me, entails a three dimensional view: primarily, giving children a platform which makes them feel empowered, included, and their voice respected; secondly, linking children across various communities in an inclusive and child-friendly space; and thirdly, by involving and entitling children and youth with responsibilities and initiatives to be involved for the cause of their own identities as children as well as ensuring that their voices are heard by conveying them to relevant stakeholders.

In my opinion, CovidUnder19 initiative has aptly included all the three dimensions of including children's views and facilitating its expression in the best way possible. By giving children an empowering platform of expression through the survey and skill camp, by connecting children and young people from across the globe and including them in data analysis processes for analyzation of the survey and by linking children with stakeholders across governments and civil societies directly, CovidUnder19 has been a conducive platform for children's views to be expressed with all its empowerment and boldness. Initiatives as these serve as a hope for children's voices to be heard and their concerns addressed. Besides, I see this platform as a step not only towards accounting for children's voices and turning young people into young "advocates", but also towards creating a more inclusive and a more diverse platform beyond what it stands as today.

A fourth dimension which can be added to the aforementioned dimensions, could perhaps be the need for giving these opinions a methodological and research-based approach and in my opinion, CovidUnder19 stood out remarkably in terms of giving a research base to the experiences and concerns of children around the world. This enabled the children involved to give out a strong message in a united voice which was based on evidence drawn out of the survey.

I thus feel that CovidUnder19 could be considered as one of the best practices when it comes to accounting for children's views during a time of a crisis.

4 Conclusions

Children's right to be heard is not 'the gift of adults' (Lundy, 2007), rendering it optional in times of crisis and national or indeed global emergencies. Likewise, implementing the best interests principle means that states must

have children front and centre when taking decisions about public health and safety always, but especially when they impact on children's enjoyment of their other human rights, such as the rights to education, play and to be protected from harm. What the CovidUnder19 study shows is that children, right across the world, felt that their governments were not considering children as a priority and were definitely not seeking their views when crucial policy responses to the pandemic were formulated and implemented. The effects of this on their right to development, as reported by participants, were, are and will continue to be profound. As Peleg has suggested: 'We should care for children's life at the present time, and realise that children's futures include not only their adulthood, but also their childhood and their future while still being children' (2013: 540). Moreover, the findings add to a growing body of evidence that the impacts of COVID-19 did not land, are not felt equally and that many children (especially those living in poverty, children with disabilities, migrants, asylum seekers and refugees) were disproportionately adversely affected.

Not only does the survey indicate a widespread breach of states' commitments under Article 12 of the UNCRC, the findings underline the fact that the failure to involve children was short-sighted. Children quickly and readily gave accounts of their lives that captured the profound consequences of some of their governments' choices on children and their families. Many governments came to similar realisations at a later stage and began to implement strategies that echoed the children's views that they needed to get back to school, out to play and that governments needed to provide ways of supporting their families financially and keeping them safe. Adopting a rights-based approach that included children's perspectives right from the outset may have mitigated some of the economic and social harms which are now widely acknowledged. Life Under Coronavirus demonstrates that children were ready, able and willing to advise governments about how to respond.

The study also has wider implications for ensuring children's participation, and therefore understanding their experiences of their rights, at times of crisis. What was achieved by civic society – NGOs, academia, children – in a short time and with very limited resources was phenomenal. This is the first truly global survey, co-designed with children, focused on the full spectrum of children's rights with comprehensive disaggregation and open space for children to give their views as rights-holders as to what they wanted from their governments. Its primary limitation was inevitably in its reach. While it was never going to be or intended to provide a "representative" sample, with the active support of governments, a similar tool could be translated into every language and reach millions of children via official state networks (such as schools),

not just for COVID-19 but for other situations of emergency and general policy responses.

COVID-19 generated a spate of research on children's experiences at the national level but few of these were conducted by and for governments. That in itself raises an issue about the ongoing relationship between civil society and the state. There has to be scope for both: opportunities for children and young people, as a core part of civil society, to lead or take part in initiatives that hold their governments to account – especially at times of crisis – and established mechanisms where states actively seek children's views – especially at times of crisis. The key learning from the response to this particular global crisis is that children's rights were largely disregarded in the pursuit of the wider public interest. While it is, of course, possible for children's best interests to be outweighed by other concerns (such as protecting public health), that must be decided in a way that is in itself human rights compliant. That entails ensuring that the restrictions on children's rights (especially to education, play and development) were necessary and proportionate. Those decisions need to be made from evidence, and that evidence should include the experiences and perspectives of children themselves. Moreover, CovidUnder19 underpins the need to do this as early as possible. Had states engaged with children, and bearing in mind the precautionary principle (that states have an obligation to take steps to reduce or eliminate threats to the protection of fundamental human rights even if the degree of threat is uncertain), some of the profound adverse consequences might have been mitigated or avoided. Taking decisions without them is not just an affront to human rights but a short-sighted approach to policy development (Byrne and Lundy, 2019).

Key learning from CovidUnder19 and responses to coronavirus for other global and national emergencies is this: at times of crisis, children's rights, including their right to have their views sought and given due weight, are not a dispensable luxury but an indispensable entitlement. States that have established formal and informal mechanisms for realising children's rights and enabling children to participate in decision-making will be better able to respond in times of emergency, not just quickly but effectively. While the data from CovidUnder19 was gathered during the first wave of lockdowns, the imperative of involving children remains and not just for current or future waves but for the aftermath. The Committee has observed that children's participation in the wake of emergencies, 'helps them to regain control over their lives, contributes to rehabilitation, develops organizational skills and strengthens a sense of identity' (UN, 2009, para. 127). CovidUnder19 demonstrates that children in every context are not just willing and able to contribute to decisions that affect them when States are responding to emergencies including global health

crises, but are aware that this is an entitlement for all children and critical to an effective response:

Talk to children themselves and ask them what they need. The government needs to remember that there are many vulnerable children out there that need to be listened to. The government should not assume what children need but ask them. A child's right to be listened to is crucial at the moment (GIRL, 15, NORTHERN IRELAND).

References

- Besson, S., "The Principle of Non-Discrimination in the Convention on the Rights of the Child", *International Journal of Children's Rights* 2005 (13(4)), 433–461.
- Blakemore, S. J., *Inventing Ourselves: The Secret Life of the Teenage Brain* (Doubleday, 2019).
- Buck, T., *International Child Law* (3rd edn.) (Routledge-Cavendish, 2014), 131.
- Byrne, B., "Minding the Gap? Children with Disabilities and the United Nations Convention on the Rights of Persons with Disabilities", in M. Freeman (ed.), *Law and Childhood Studies: Current Legal Issues* 2012 (14), 419–437.
- Byrne, B. and Lundy, L., "Children's rights-based childhood policy: A six-P framework", *The International Journal of Human Rights* 2019 (23(3)), 357–373.
- Carpenter, B., "A Recovery Curriculum: Loss and Life for our children and schools post pandemic", 2020: <https://www.evidenceforlearning.net/recoverycurriculum/>. Accessed 11 February 2021.
- Collins, T. M., Jamieson, L., Wright, L. H., Rizzini, I., Mayhew, A., Narang, J., Tisdall, E. K. M. and Ruiz-Casares, M., "Involving child and youth advisors in academic research about child participation: The Child and Youth Advisory Committees of the International and Canadian Child Rights Partnership", *Children and Youth Services Review* 2020, 109.
- Eekelaar, J. and Tobin, J., "The Best Interests of the Child", in J. Tobin (ed.), *The UN Convention on the Rights of the Child: A Commentary* (Oxford: OUP, 2019), 73.
- Evans, J. R. and Mathur, A., "The value of online surveys: a look back and a look ahead". *Internet Research* 2018 (28(4)), 854–887.
- Ghosh, R., Dubey, M. J., Chatterjee, S. and Dubey, S., 2020. "Impact of COVID-19 on children: special focus on the psychosocial aspect", *Minerva Pediatrica* 2020 (72(3)), 226–235.
- Hanson, K. and Lundy, L., "Does Exactly What it Says on the Tin?: A Critical Analysis and Alternative Conceptualisation of the So-called 'General Principles' of the

- Convention on the Rights of the Child”, *The International Journal of Children’s Rights* 2017 (25(2)), 285–306.
- Lundy, L., (2007). “ ‘Voice’ is not enough: conceptualising Article 12 of the United Nations Convention on the Rights of the Child”, *British Educational Research Journal* 2007 (33(6)), 927–942.
- Lundy, L. and Byrne, B., (2017) “The four general principles of the United Nations Convention on the Rights of the Child: the potential value of the approach in other areas of human rights law”, in Brems, E., Desmet, E. and Vandenhole, W., *Children’s Rights Law in the Global Human Rights Landscape: Isolation, Inspiration, Integration* (Routledge, 2017).
- Lundy, L., McEvoy, L., and Byrne, B. (2011) Working With Young Children as Co-Researchers: An Approach Informed by the United Nations Convention on the Rights of the Child. *Early Education and Development*, 22:5, 714–736, DOI: 10.1080/10409289.2011.596463
- Lundy, L. and McEvoy, L. (2012a), “Childhood, the United Nations Convention on the Rights of the Child and Research: What Constitutes a ‘Rights-Based’ Approach?”, in, M. Freeman (ed.), *Law and Childhood*, Oxford, Oxford University Press, 2012), 75–91.
- Lundy, L. and McEvoy, L. (2012b), “Children’s rights and research processes: Assisting children to (in) formed views”, *Childhood*, 2012 (19(1)), 129–144.
- Lundy, L. Tobin, J., Parkes, A., “The Right to Respect for the Views of the Child”, in Tobin, J. (ed.), *The UN Convention on the Rights of the Child: A Commentary*. Oxford: Oxford University Press, 2019), 397.
- Masonbrink, A. R. and Hurley, E., Advocating for children during the COVID-19 school closures. *Pediatrics* 2020 (146(3)).
- McAteer, J., Pringle, J., Mills, K. L., Jepson, R., Anand, N., Hogg, E. and Blakemore, S.J., *A systematic review of adolescent physiological development and its relationship with health-related behaviour* (Edinburgh: NHS Health Scotland, 2017): <http://www.healthscotland.scot/media/1737/a-systematic-review-of-adolescent-development-and-health-behaviour.pdf>.
- Peleg, N., “Reconceptualising the child’s right to development: Children and the capability approach”. *The International Journal of Children’s Rights* 2013 (21(3)), 523–542.
- Peleg, N., *The child’s right to development* (Cambridge University Press, 2019).
- Pierce, M., McManus, S., Jessop, C. John, A., Hotopf, M., Ford, T., Hatch, St., Wessely, S. and Abel, K. M., “Says who? The significance of sampling in mental health surveys during COVID-19”, *The Lancet* 2020 (7(7)), 567.
- Robson, A. L., “Critical/Sensitive Periods”, in Salkind, N. J. (ed.), *Child Development* (Gale Virtual Reference Library. New York: Macmillan Reference USA, 2002), 101–3.

- Sandberg, K., "The Rights of LGBTI Children under the Convention on the Rights of the Child", *Nordic Journal of Human Rights*, 2015 (22(4)), 337–352.
- Steinberg, L., *Age of opportunity: Lessons from the new science of adolescence* (Houghton Mifflin Harcourt, 2014).
- United Nations (1989), *United Nations Convention on the Rights of the Child* (Geneva: United Nations, 1989).
- United Nations Committee on the Rights of the Child (2005), General Comment No. 07: *Implementing Child Rights in Early Childhood* (UNCRC/C/GC/7/Rev.1, 2006), para. 10.
- United Nations Committee on the Rights of the Child (2009), General Comment No. 12, *The Right of the Child to be Heard* (UNCRC/C/GC/12) (Geneva: United Nations, 2009).
- UN Committee on the Rights of the Child (UNCRC) (2013), General Comment No. 14: *The right of the child to have his or her best interests taken as a primary consideration* (Article 3, para. 1), UNCRC /C/GC/14 (Geneva: United Nations, 2013).
- UN Committee on the Rights of the Child (2016), General Comment No.20: *The rights of the child during adolescence*, UNCRC/C/GC/20 (Geneva: United Nations, 2016).
- Vandenhoe, W. and Turkelli, G., "The Best interests of the Child", in Todres, J. and King, S. M. (eds.), *The Oxford Handbook of Children's Rights Law*. (Oxford: Oxford University Press, 2020), 205–222.