

Decisions and Views of the Committee on the Rights of the Child

Children in War Zones and Children's Rights

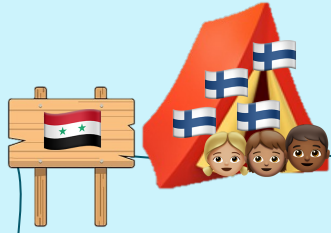
The case of:
P.N., K.K. and O.M. (on behalf of
S.N., Mh.K., Mu.K., S.M., K.M
and J.M.) vs. Finland



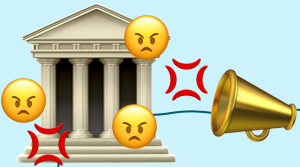
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The original version of this work has been prepared by Lisa Achien'g Odhiambo, Ana Luisa Orlandi Maryssael de Campos, Tatiana Pinilla Blanco and Jiali Zhou as part of their studies in the Master of Laws: Advanced Studies in International Children's Rights of Leiden University, Academic Year 2022/2023. The published version concerns an edited version published by the Leiden Children's Rights Observatory.

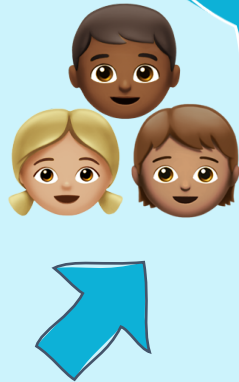
S.N. et al v. Finland



This case is about children  that are **nationals from Finland**  but born in Syrian Arab Republic . There is a conflict  in Syria  and these children were **trapped at a refugee camp**.



In September 2019, their aunt and grandmothers , on behalf of them, and also of other 33 Finnish children , came to the committee on the Rights of the child because **Finland**  **was not helping them to leave the camp and go to Finland**.



These children asked the committee to help them because they have many rights that Finland was not respecting!  



In the end, the committee decided that **Finland did not respect:**

 **children's right to be Alive** (Article 6(1))



 **children's right not to be treated in a cruel and harmful way** (Article 37(a))



Also, the committee  asked Finland to:

- 1) **Act right now**  for these children to go back to Finland and live in a better condition
- 2) Help the children **to adapt**     in Finland
- 3) Help them **while they are still in Syria**

Who are the children of the complaint?

We were born in Syria.



these children and the other 33 Finnish children that were also in the camp

But we are Finland nationals



What happened to these children?

There is a conflict  in Syria  The country is not safe for children right now.

The children and their mothers were trapped in a refugee camp  due to the conflict.

The living conditions in the camp were bad . There were too many people, and They did not have enough health care , enough food , there was no  clean water to drink, and no heating in the winter...

What rights did these children's family members believe Finland hasn't respected?

The government of Finland  did not respect some articles from the UNCRC: [\(What is UNCRC? click here\)](#)

Right to be treated in the same way - Article 2

Right to live  and survive  - Article 6(1)

Right to be protected from violence  - Article 19

Right to special protection and right to be helped if children can't live with their family - Article 20

Right to good quality health care , clean water , and enough food  - Article 24

Right to have a safe home , food  and clothing  - Article 27

Right to education  - Article 28

Right not to be treated in a cruel and harmful way - Article 37(a)

Right to receive physical and psychological help if hurt , neglected, or badly treated  - Article 39

What is the committee on the Rights of the child? [\(click here to learn more about the committee\)](#) **!?**

The committee  on the Rights of the child is a group of 18 adults from all over the world who examine if the rights of children are being respected and make decisions when countries did not respect their rights.

How can the committee help children? **!?**

Through OPIC! OPIC is the Optional Protocol to the convention on the Rights of the child on a communications Procedure. It is a form created by the committee on the Rights of the child for children to complain when countries are violating their rights.

 But it is important to know that children can only seek help from the committee when they have already tried to resolve the problem in their own countries, and they did not help enough!

* Sometimes OPIC is called OP3, but it is the same thing 
[\(click here to learn more about OPIC\)](#)

GOING BACK TO THE FINNISH  CHILDREN'S PROBLEM...

Why did the committee decide to study this complaint?

- ✓ Only situations that happened after the acceptance of OPIC by the country are possible to be examined – Article 7(g) of OPIC
- ✓ The family members  had used all possible ways inside the country to solve the problem – Article 7(e) of OPIC
- ✓ children victims or their mothers should agree with the complaint

The only sad part is that for the other 33 Finnish children, no family members showed up or sought the committee  So the committee couldn't help them 
But not all the adults in the committee agreed with this decision! Some of them believed that these 33 children needed even more help!

Also, the committee  decided that:
✓ Finland  needs to protect Finnish children outside Finland.



What did the committee decide?

UNCRC



The committee  decided Finland did not respect:

! children's right to be alive (Article 6(1))

The living condition was bad.

There was not enough food and water



There was a danger to children's lives



! children's right not to be treated in a cruel and harmful way (Article 37(a))

Too long   without enough food, water, health care, school...



The committee  asked the government of Finland  to fix this situation so these children  can go to Finland and live in better conditions    . The committee also asked Finland to make sure that similar situations don't happen again  to other children.

The committee  advised the state  to:

- 1 Take steps quickly to get the children back to Finland;
- 2 Help the children to get back and adapt to society again;
- 3 Take steps to lower the risks to the lives , survival, and development of the children while they stay in the north-eastern Syrian Arab Republic 

keywords 😊 to understand everything better

- 🔍 **Admissibility:** Whether or not the people in charge can accept and study the problem you're telling them about.
- 🔍 **conflict:** When people are fighting or having a big argument.
- 🔍 **cruel:** When someone is mean or hurts another person.
- 🔍 **Development:** Growing and improving in different ways, like getting better at reading, playing sports, or making friends.
- 🔍 **Good faith:** Doing something with honest intentions and not trying to hurt anyone.
- 🔍 **Harmful:** When something can hurt you or make you sick.
- 🔍 **Human rights violations:** When a human being is treated unfairly or badly and not given the things they need to live safe and healthy.
- 🔍 **Human rights:** Rules that say everyone should be treated fairly and equally just because they are human beings.
- 🔍 **Living conditions:** Is how and where a person or a group of people live, including the quality and safety of their home. It's about having a comfortable and healthy place to call home.
- 🔍 **Nationals:** People who come from a certain country.
- 🔍 **Punish:** When you make a bad choice or break a rule, you get a consequence you do not like, such as losing a privilege.
- 🔍 **Refugee camp:** A place where people who had to leave their homes because of a conflict can stay.
- 🔍 **Relatives:** People who are related to you, like your grandparents, cousins, aunts, and uncles.
- 🔍 **Repatriation:** To go back to where you are from.
- 🔍 **Society:** A group of people who live together in a community and share things like rules, values, and beliefs.
- 🔍 **Survival:** Being able to stay alive and keep living.
- 🔍 **Syrian Arab Republic:** A country in the Middle East.
- 🔍 **Violations:** When people break the rules and do something wrong.

Useful Links

  [Where to find more cases](#)

  [The case we are explaining to you in different languages :](#)

S.N et al v Finland (cRC/c/91/D/100/2019)

  [convention on the Rights of the child:](#)

  [optional Protocol to the convention on the Rights of the child on a communications Procedure](#)

  [OHCHR and children](#)

This child-friendly version was developed using the model outlined in Child Rights Connect's template, "[How to Draft a Child-Friendly Version of an OPIC Case.](#)"

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