

10th International Conference
Children's Rights and Religious Beliefs:
Autonomy, Education, Tradition
2 & 3 May 2019
Villa Jeantet, Geneva, Switzerland
(French, German, English simultaneous translation)



Co-organized by:

Centre interfacultaire en droits de l'enfant (CIDE), Université de Genève (Site Valais) Sion
Haute école pédagogique Valais (HEP - VS), St-Maurice & Brigue
Haute École de Travail Social, HES-SO Valais//Wallis
Institut international des Droits de l'enfant (IDE), Sion
Service cantonal de la jeunesse, Valais
Arigatou International, Geneva

In collaboration with:

Office of the United Nations High Commissioner for Human Rights (OHCHR))
Comité des droits de l'enfant aux Nations Unies (CDE)
Swiss Center of Expertise in Human Rights (SCHR)

Background:

In Switzerland, the religious landscape is evolving. As elsewhere, the proportion of certain religious communities is diminishing (Roman Catholic, Evangelical Reformed), while others are increasing (Islamic communities, but also some Christian entities), as well as the number of religiously unaffiliated residents. Article 14 of the United Nations Convention on the Rights of the Child (hereafter the CRC) requires that State Parties “shall respect the right of the child to freedom of thought, conscience and religion”. This article refers to but one of an array of rights that the CRC aims at applying holistically to all children.

At the same time, the CRC states that the rights and duties of parents (and legal guardians, when applicable) shall be respected “to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child”. In the same vein, two International Covenants (on Civil and Political Rights, art. 18; on Economic, Social and Cultural Rights, art. 13) recognize the liberty of parents “to ensure the religious and moral education of their children in conformity with their own convictions”. In Germany¹ and in Austria², at 14 years old, a child may choose his/her religion autonomously, at 12 years old s/he may not be educated on religious matters against his/her wish. In Switzerland, parents ensure the religious education of their child until 16 years old. Other more restrictive European countries set the age of religious majority at 18.

At the time of the adoption and ratification of the CRC, several governments made declarations and reservations on religious grounds or influenced by religious beliefs. Art 14 was one of the articles with more reservations, and therefore, more controversial in its application and implementation.

The CRC recognizes that, from birth onwards, children enjoy all the rights set forth, of which the right to protection is extremely important. Regarding the right to participate, and therefore to choose, this right is achieved gradually until the child reaches full autonomy. Article 12 of the CRC provides that the views of the child must be given due weight in accordance with the age and maturity of the child. Hence, tensions might arise between religious education under parental guidance and the principle of the child’s right to self-determination.

Schools are most often the places where the private and public spheres of religion meet; they are at once a locus of interconnections and tensions between the family environment, the society and the institutional presence of the state. In recent years, many debates relating to religious matters have originated in schools. The following examples, drawn from situations that occurred in Switzerland, illustrate the points of tension: requests for exemptions from swimming classes, for sexual education, or more generally for religious events; requests to adapt meals served at the school canteen according to religious norms; opposition to the display of religious symbols, among others.

¹ Cf. §5 Gesetz über die religiöse Kindererziehung, 15. Juli 1921 (RGBl. S. 939).

² Cf. §5 Bundesgesetz über die religiöse Kindererziehung 1985.

During the last years, the world has also seen the violent radicalization of children and adolescents, and their participation in groups that adhere to extreme ideologies, often fueled by incorrect interpretations of religious scriptures. Inter-religious education has proved to be critical to prevent radicalization and violent extremism, decrease fear of the other and counteract negative extreme ideologies and narratives. How can the right to education as stated in Art. 29 of the CRC that calls for the “education of the child to be directed, among others, to the preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin”; be fully implemented by governments? How can its implementation be compatible with education in secular societies to allow learning from the religious other and for children to be able to express and share their religious identities and beliefs, in accordance to art. 29 that calls for education to respect the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own?

The dimension of the freedom of religion of the child, as a rights holder, is not yet sufficiently considered in national legislations. The religious rules often benevolently applied by parents, can not only limit the child's participation and contribution during his/her compulsory education, but also generate very serious consequences to his/her health, physical and psychological integrity, to his/her right to expression, and to the right to have his/her best interests be served as a primary consideration. At the same time, the total exclusion of religion from education, and of interreligious education as a way to learn from one another, can also have consequences in matters of social cohesion and affect the prevention of violence fueled by incorrect interpretations of religion.

This raises the following questions: How does one approach the issue of the child's autonomy within the context of the State's laicity when s/he belongs to a religious community whose precepts favor the harmonious development of the child? Is religious education an obstacle to the principle of equal opportunity? How can the child's self-determination be strengthened regarding his/her right to freedom of religion or belief? How do secular societies help prevent the radicalization of children and young people by fostering interreligious education? How easily reconcilable are the expectations of the secular State versus the autonomy of the child, benevolent religious education respectful of the child and his/her gradual capacity to make his/her own choices? What are the benefits for children's rights of defining the responsibilities of faith actors?

The child's freedom of religion has not drawn much examination in academic and professional circles. This international conference seeks to conduct an in-depth reflection on this complex issue in the context of an evolving religious landscape, while recognizing the child's right to exercise his/her rights autonomously in accordance to his/her age and degree of maturity.

Objectives:

The scientific event delves into a debate on a topic that is not often examined. It addresses several objectives:

- Examine the arguments on a subject that has not been analyzed in academic and professional circles;
- Strengthen the dialogue and knowledge regarding the child's freedom of religion;
- Promote awareness on children as rights-holders;
- Discuss some of the concerns and reservations made on religious-grounds to the CRC;
- Highlight best practices regarding situations of tension between the parents' right to guide the spiritual development of the child and his/her right of self-determination.
- Build on experiences and lessons learned in engaging with children who are either victims of or vulnerable to incitement to violence in the name of religion (see Beirut Declaration and its 18 commitments on "Faith for Rights", commitment XIII).
- Discuss the role of interreligious education in secular societies and its compatibility with the secular view of the State and the right to education that respect the identity of the child.

Participants:

This conference welcomes the participation of politicians at national, cantonal and municipal levels, as well as all concerned and interested professionals such as lawyers and jurists, family and youth magistrates from all relevant jurisdictions (penal, civil, protection courts, etc.), civil servants in child protection services and other agencies working with children, family mediators, psychologists, doctors, social workers, sociologists, teachers and education specialists, representatives from the civil society, the media; and of course students, especially graduate and doctoral students.

Presentations will take place in French (F), German (D) or English (E) and benefit from simultaneous interpretation in the two other languages.

Thursday May 2, 2019

08h30 Reception of participants at Louis-Jeantet Foundation, documents delivery
09h00 Opening:
Mme Anne Emery-Torracinta, Conseillère d'Etat, Genève
Prof. Yves Flückiger, Recteur, Université de Genève
Prof. Christine Pirinoli, Vice-rectrice, Haute école spécialisée de Suisse occidentale
Prof. Philip D. Jaffé, Directeur du CIDE, Université de Genève

Part I: Religion in society and human rights

09h20 Session chaired by Dr Nicole Awais, Privat Docent, Université de Fribourg

M. Ibrahim Salama, Office of the United Nations High Commissioner for Human Rights
The Harmonious Interplay between Human Rights and Religion. The Faith for Rights Initiative (E)

Prof. Roland-Ramzi Geadah, Psychologue et historien, professeur universitaire de philosophie morale, Paris
Le coureur du désert et le jardinier, sous le ciel étoilé! Variations sur les croyances et la liberté de conviction chez les mineurs. (F)

Discussion with the audience

10h30 Break

11h00 Session chaired by Mme Paola Riva Gapany, Institut international des droits de l'enfant (IDE), Sion

Dr Michael Wiener, Office of the United Nations High Commissioner for Human Rights
Children and the 18 Commitments on 'Faith for Rights' (E)

Prof. Matteo Gianni, Faculté des sciences de la société, Université de Genève
Multiculturalisme, citoyenneté & intégration (F)

Dr Sarah Scholl, Faculté de théologie, Université de Genève
La liberté religieuse au temps des catéchismes. Causes et contexte d'un problème (19^e 20^e siècles) (F)

12h00 Discussion with the audience

12h30 Lunch

Part II: Children's rights, family and religion

- 13h50 *Session chaired by Dr h.c. Jean Zermatten, Université de Genève, anc. Président du Comité des droits de l'enfant à l'ONU*
- Prof. Barbara Bennett Woodhouse**, Emory University, Atlanta, USA
*The Ecology of Childhood:
How a Changing World Threatens Children's Religious Rights (E)*
- 14h30 **Cheikh Khaled Bentounes**, Initiateur de la Journée Internationale du Vivre Ensemble en Paix, France
L'éducation à la culture de paix (F)
- 15h00 **Mme Frederique Seidel**, Senior Advisor on Child Rights, World Council of Churches, Geneva
The 'Churches' Commitments to Children' initiative (E)
Discussion with the audience
- 15h40 Break
- 16h10 *Session chaired by M. Christian Nanchen, Chef du Service cantonal de la Jeunesse, Valais*
- Dr Rebeca Rios-Kohn**, Director Arigatou International, New York
Multi-Religious Study on the Contributions of Religious Communities to the 1989 Convention on the Rights of the Child: Initial Findings and Recommendations (E)
M. Jean-Pierre Rosenczveig, Magistrat honoraire, expert UNICEF, France
La liberté de conscience ne commence pas à 18 ans ! (F)
Dr Philip Veerman, past President of Defense for Children International, The Hague, The Netherlands
Is religion a friend or foe of children's rights? (E)
- 17h10 Discussion with the audience
- 17h30 End

Friday May 3, 2019

Part III: Common values and youth perspectives

- 9h00 *Session chaired by Prof. Nicole Langenegger Roux, HES-SO Valais//Wallis, Directrice de la Haute école de travail social*
- Prof. Pierre-Yves Brandt**, Directeur de l'Institut de sciences sociales des religions, Université de Lausanne
Dieux sans frontières: Quand les enfants dessinent des agents surnaturels (F)
- Prof. Stefanie Kurt**, HES-SO, Haute Ecole de travail social Valais
Öffentliche Schule: Kinder im Spannungsfeld der Glaubens- und Gewissensfreiheit (D)
- Mme Céline Maye**, Cheffe de service de la cohésion multiculturelle, Canton de Neuchâtel
Neuchâtel: Des échanges autour des notions de laïcité et pluralité religieuse (F)
- Discussion with the audience
- 10h30 Break
- 11h00 *Session chaired by Prof. Zoé Moody, Haute école pédagogique du Valais (HEP-VS)*
- Prof. Christine Fawer Caputo**, Haute École pédagogique Vaud
Comment l'élève peut-il vivre sa religion à l'école? (F)
- M. Andrés Guerrero**, Senior Advisor, Arigatou International, Geneva
Ethics Education for Learning to Live Together (E)
- Prof. hon. Pierre-André Michaud**, Université de Lausanne
Ausculter le religieux : une tâche pour les pédiatres ? (F)
- 12h10 Discussion with the audience
- 12h40 Lunch
- 13h50 *Table ronde animée par Mme Aline Bachofner, journaliste RP, Radio Télévision Suisse*
- Mme Marie Derain de Vaucresson**, anc. Défenseuse des enfants, Paris, France
M. Sami Kanaan, Maire de la Ville de Genève
M. Jean-François Lovey, Délégué à la Formation, Département de l'économie et de la Formation, Canton du Valais
- Synthèse de la conférence
Prof. Michel Grandjean, Faculté de théologie, Université de Genève
- 15h20 End of Symposium

Practical information

Registration fees: 1 day: CHF 200.- (student CHF 80.-)
2 days: CHF 320.- (student CHF 140.-)

Lunches are organised on the spot and are included in the registration fees.

Registration form: directly online: www.unige.ch/cide/fr/

Contact: Centre interfacultaire en droits de l'enfant (CIDE)
Secrétariat
Université de Genève (Valais Campus)
Case Postale 4176 • CH - 1950 Sion 4
By e-mail: colloque-cide-mai@unige.ch

Location of Symposium (see map): Centre Louis-Jeantet, Route de Florissant 77, CH-1206 Genève

Organizing Committee:

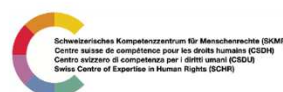
- Philip D. Jaffé, UNIGE, CIDE
- Paola Riva Gapany, IDE
- Christian Nanchen, Service cantonal de la jeunesse, Valais
- Arigatou International, Geneva
- Michelle Cottier, UNIGE
- Nicole Langenegger Roux, Haute école de travail social, HES-SO Valais//Wallis
- Jean Zermatten, UNIGE, CIDE
- Zoé Moody, HEP VS
- Özlem Lakatos, UNIGE, CIDE

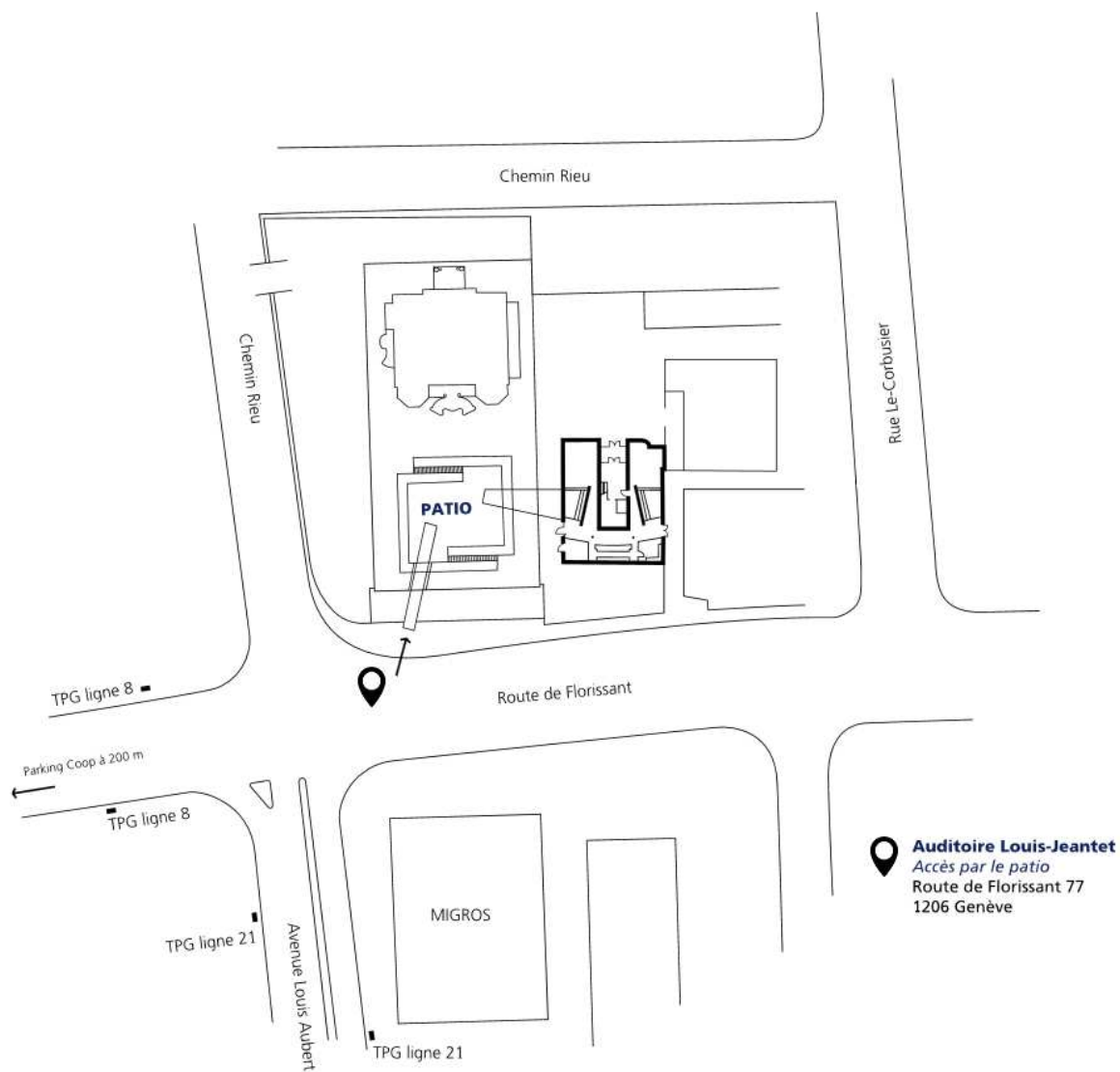
Event organized in the context of the celebration of the 30th anniversary of the United Nations Convention on the Rights of Child: <http://childrightshub.org/en/>



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Bus 8 – Departure from Geneva Cornavin train station: bus stop Aubert
Bus 21 – Departure from Carouge: bus stop Aubert