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Editorial



Who “Owns” Children’s Rights in a World of Conflict?

Adults have created, and are responsible for, the world of conflict in which children live. In Gaza, Sudan, Ukraine, Syria, and other locations around the globe, children are struggling to survive adult-driven conflicts. Beyond conflict zones, there are children in every country who continue to face obstacles to, and violations of, their rights.

In this time of conflict, rising authoritarianism, and often-deliberate indifference (at best) to children’s suffering, remaining hopeful can be challenging. It is also understandable to question the power and effectiveness of not just children’s rights or human rights law, but the rule of law generally. While might does not make right, at times it feels like we are living in an era of little to no accountability for those who use might to perpetrate children’s rights violations and ignore the rule of law.

In our view, this era poses difficult but important questions for both children’s rights law and for the role of researchers. We have been reflecting on several themes that we believe merit further exploration.

1 Enhancing Participation and Partnerships

When one sees images of children’s homes and schools being bombed, their access to food and water cut off, there is a tendency to view children primarily, if not only, through a protection lens. We must protect children from such large-scale threats to their survival and healthy development. However, we must also resist embracing protection at the expense of recognizing children’s agency and participation rights. Even in the harshest conflict

settings, children must be viewed as partners with expertise grounded in their lived experience.

Children's rights are already critiqued, often correctly so, for insufficiently centring children's voices (Adami 2023; Collins and Wright 2022). Reflecting on children's right to be heard (one of the cornerstones of children's rights), Michael Freeman, the *Journal's* first editor-in-chief, wrote that Article 12 of the UN Convention on the Rights of the Child (the Convention) was a 'reflection of a dominant adultism' and that 'it is a long way from democracy' (Freeman 2020, 315). Indeed, more than 35 years after children's right to be heard was enshrined in the Convention, along with its attendant obligation that adults give 'due weight' to children's views, we are still a long way from making the right to be heard meaningful to children at all stages of development, and regardless of the situation in which they find themselves.

At the same time, whether one points to children's evolving capacities, or the fact that the law denies children opportunities to vote and play an active role in formal government decision-making processes, the reality is that children need partners in the effort to realize their rights. As Meredith Harbach wrote in the context of early childhood, 'by definition, the right to have one's best interests assessed by others in a variety of contexts is a right that children cannot exercise themselves. Instead, this right must be respected and carried out by adults: parents, guardians, private and public institutions, courts, administrative bodies, and legislative bodies' (Harbach 2025, 50). We need to continue to develop models for partnerships that recognize the responsibility that adults have for supporting and securing children's rights without coopting children's spaces or marginalizing children's voices.

The challenge for us as researchers is to critically evaluate the implementation of children's participation rights and to identify innovative, more effective and contextualized pathways for children's meaningful participation at all stages of childhood. As editors, we are keen on seeing research that advances meaningful partnerships with children and foregrounds children's participation across all rights issues and in all settings.

2 Improving Response Times

Today's world of conflict highlights a stark truth: we are not moving quickly enough to prevent children's rights abuses and mitigate threats to young people's survival and development. Disruptions to children's lives and denials of their rights, even for a short period of time, can have lifelong adverse consequences for children, given the developmental nature of childhood. Yet,

in responding to conflicts, the international community has often moved far too slowly. Even outside of the context of conflicts, ‘national governments also frequently take too long to draft, deliberate, and ultimately adopt new laws or policies in response to crises that children confront. And implementation takes even longer and frequently does not reach all children’ (Todres and King 2020, 720).

Too many conflicts today have created the looming prospect of a lost generation in those countries. Further, research on both armed conflicts and inter-generational poverty shows us that current conflicts likely will have lasting impact well beyond our lifetime and will shape outcomes for children and their families across generations (Devakumar et al. 2014; Duncan et al. 2024; Nakar Djindil 2021).

Too often the political will simply is not there to ensure children’s rights receive sufficient priority. However, as Todres and King wrote, ‘the time-sensitive nature of children’s rights makes the rights of children unique and challenges governments, scholars, and advocates to explore ways to respond more quickly and efficiently to threats to children’s rights wherever they may occur’ (Todres and King 2020, 721). In other words, children’s rights researchers have a challenge that cuts across all our work – that is, developing new strategies that enable both institutions and children’s rights law to be nimbler and more responsive to challenges that children confront every day. Earlier intervention must be a priority. And children’s participation can also play an important catalyzing role in this regard.

3 Building Rights Respecting Societies

The numerous conflicts and threats to children’s rights around the globe compel urgent and immediate action, but that is not enough. Early intervention is necessary but not sufficient. Ultimately, we need to take on the larger project of building and sustaining rights respecting communities, so that children do not experience rights violations in the first instance.

Human rights education is central to that effort (Howe and Covell 2005). Much of that is school based (Quennerstedt 2022), while other initiatives extend beyond schools (Todres and Kilkelly 2025). However, as Article 42 of the Convention establishes, children’s rights must be made ‘widely known’ to *both* children and adults. If adults are to be genuine allies in the children’s rights movement, they need to understand children’s rights and incorporate them in their day-to-day activities.

Research, particularly interdisciplinary research, has an important role to play in this context. How do we design and implement more effective human rights education – and specifically children’s rights education – programs for children and adults? How can we restructure government institutions across all sectors to be more responsive to, and supportive of, children and their rights (Becker 2026; Todres 2025)? As editors, we also hope to see more engagement with these bigger, longer-term strategic questions surrounding how we build and sustain communities – and ultimately, a world – that embraces and upholds children’s rights.

4 Conclusion

Asking who “owns” children’s rights is admittedly provocative. The question might make some uncomfortable and concerned about its proximity to historical constructs of children as property. Children are not chattel; they are human beings with rights. Thus, foremost, children’s rights are owned and held by children themselves. That *should* go without saying; however, we live in a world in which children’s rights are freely disregarded by too many. Ultimately, ownership must be a collective responsibility, because too often adults – even adults supportive of human rights – see themselves as having no role in supporting children’s rights. Yet just as the Dalai Lama said, in speaking about the earth, ‘It is our collective and individual responsibility to preserve and tend to the environment in which we all live’ (Dalai Lama 2021), we have an individual and collective responsibility to ensure children’s rights. So, children’s rights are owned by children, but the project of children’s rights is one we all must take ownership of and collective responsibility for.

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References

- Adami, R. 2023. "Childism – on Adult Resistance to Children's Rights." In *The Rights of the Child: Legal, Political and Ethical Challenges*, edited by R. Adami, A. Kaldal, and M. Aspán, 127–47. Brill.
- Becker, K. 2026. "Child-Centered Governance: Putting Children at the Heart of Local Decision-Making." *UNICEF-USA*. <https://www.unicefusa.org/stories/child-centered-governance-putting-children-heart-local-decision-making>.
- Collins, T. M., and L. H. V. Wright. 2022. "The Challenges for Children's Rights in International Child Protection: Opportunities for Transformation." *World Development* 159: 106032. <https://doi.org/10.1016/j.worlddev.2022.106032>.
- Dalai Lama. 2021. Earth Day/Environment/Sustainability Quotes, *Changemaker*. 21 April 2021. <https://changemaker.blog.fordham.edu/earth-day-environment-sustainability-quotes/>.
- Devakumar, D., M. Birch, D. Osrin, E. Sondorp, and J. C. Wells. 2014. "The Intergenerational Effects of War on the Health of Children." *BMC Medicine* 12 (57). <https://doi.org/10.1186/1741-7015-12-57>.
- Duncan, G. J., J. A. Gootman, and P. Nalamada, eds. 2024. *Reducing Intergenerational Poverty*. National Academies of Sciences, Engineering, and Medicine.
- Freeman, M. 2020. *A Magna Carta for Children? Rethinking Children's Rights*. Cambridge University Press.
- Harbach, M. J. 2025. "Children's Rights Law in Early Childhood." In *Children's Rights and Children's Development: An Integrated Approach*, edited by J. Todres, and U. Kilkelly, 39–79. New York University Press.
- Howe, R. B., and K. Covell. 2005. *Empowering Children: Children's Rights Education as a Pathway to Citizenship*. University of Toronto Press.
- Nakar Djindil, S. 2021. *Insécurité Alimentaire et stress politique au Guéra, Tchad 1965–2006: Étude de l'impact à long terme des violences sur la production agricole, l'organisation sociale et l'accès aux services de santé*. <https://hdl.handle.net/1887/3244045>.
- Quennerstedt, A. 2022. "UNICEF'S Rights Respecting Schools Award as Children's Human Rights Education." *Human Rights Education Review* 5 (3): 68–90. <https://doi.org/10.7577/hrer.4761>.
- Todres, J. 2025. "Conceptualizing a Rights-Based Framework for Public Institutions to Support Children." *Harvard Law & Policy Review* 20 (1): 147–76.
- Todres, J., and U. Kilkelly. 2025. "Sport as a Space for Human Rights Education and Children's Rights." *Human Rights Education Review* 8 (1): 171–82. <https://doi.org/10.1080/25355406.2024.2426870>.

Todres, J., and S. M. King. 2020. "Children's Rights in the Twenty-First Century: Challenges and Opportunities." In *The Oxford Handbook of Children's Rights Law*, edited by J. Todres, and S. M. King, 719–28. Oxford University Press.