

Johannes Giesinger: Kinder, Rechte und Autonomie

While children are commonly seen as holders of moral rights, it is often assumed that they cannot have a fully-fledged right to autonomy. This essay discusses in what way autonomy-related rights can be ascribed to children. It is claimed that three kinds of considerations are relevant in this context: Firstly, children can – to some extent – be respected in their current autonomy; secondly, they should be protected from certain forms of undue influence; and thirdly, their right to future autonomy might be respected.

Stefan Weyers: Zwischen Schutz und Partizipation, Achtung und Eugenik. Historische Konzeptionen kindlicher Rechte bei Kate Wiggin, Ellen Key, Eglantyne Jebb und Janusz Korczak

Although children are regarded as legal subjects today, their autonomy is limited by paternalistic rights of intervention. Based on this ambivalent structure, the article focuses on four pioneers of children's rights. It analyzes how Kate Wiggin, Ellen Key, Eglantyne Jebb and Janusz Korczak conceptualize the rights of the child and the relationship between autonomy and care. While Jebb focuses solely on child protection and Key only grants rights to hereditarily healthy children, Wiggin sees the child as a legal subject under guardianship. Only Korczak demands democratic rights and makes children's rights the institutional basis of pedagogy, but his approach also has paternalistic features. The article concludes with implications for human rights education.

Wulf Kellerwessel: Das Recht der Kinder auf Religionsfreiheit – im Kontext der Rechte von Erziehungsberechtigten und staatlichen Pflichten

The UN Convention on the Rights of the Child grants children the right to religious freedom. Parents are entitled to guide children in the exercise of this right. Both rights are to be respected by the state. But what does this mean in concrete terms for guardians, states and children? Assuming that rights should actually be able to be exercised, this raises not only legal questions but also the ethical question of what obligations arise for guardians and states. This study examines which practices of religious communities or guardians can in fact make it impossible for children to freely choose their religion and which tasks in protecting children's religious freedom fall to the state.

Olga Rollmann: „Ich glaube, jeder hat sich schon mal gedemütigt gefühlt, aber es war nie etwas so Großes“ – Verletzungen der Menschenwürde in den Erfahrungswelten Jugendlicher

What do adolescents experience as violating their human dignity? After a theoretical foundation regarding the subject of human dignity, I present findings from a qualitative interview study of 25 adolescents aged 16 to 18 in this paper. The spectrum of experiences told includes the disregard of autonomy in the context of the family, the disclosure of intimate information among friends, bullying and arbitrary treatment of teachers at school as well as sexual harassment in public.

Cornelia Jonas/Torsten Krause: Kinderrechte in der digitalen Welt gewährleisten

30 years after the UN Convention on the Rights of the Child had come into force, standing up for children's rights also means standing up for children's rights in the digital and in digitalised living environments. This does not require new rights, but an interpretation of the UNCRC for the digital environment, which the UN Committee on the Rights of the Child presented in its 25th General Comment. The article reflects the children's rights issues raised by digital information and communication technologies, the opportunities and risks for adolescents and describes which measures are to be taken by parents or legal guardians, states and providers to support children and adolescents in realising the potentials of the digital environment.

Andrea Schapper: Kinderrechte im Kontext von Klimawandel, Klimakrise und Klimapolitik

The main objective of this article is to analyse the complex relationship between climate change and children's rights. The impacts of climate change as well as climate policies can put children's rights at risk. The climate crisis is increasingly acknowledged as a child rights crisis in the work of the United Nations. The main argument brought forward is that children and youths should not be considered as passive victims but as active rights-holders who shape more sustainable climate policies by participating in social movements, in climate litigation and as observers or members of delegations at the international climate conferences.

Jonas Schubert: Ein Update für die UN-Kinderrechtskonvention? Kinderrechtliche Ansätze für die Auseinandersetzung mit der globalen Umweltkrise

The interrelation between human rights and the environment has recently become increasingly topical. Both the global environmental crisis and developments in international human rights law are key drivers behind this trend. Children shoulder a disproportionate share of the burden of pollution, climate change and other destructions of environment. Therefore, the Convention on the Rights of the Child should be an important normative reference point in efforts to strengthen human rights approaches to environmental protection.

Donald Riznik: Kindersoldaten im Visier des Völkerrechts

The phenomenon of child soldiers was first addressed by international law in the two Additional Protocols to the Geneva Conventions of 1977. Since then, the normative fight against this worrying phenomenon has been continuously expanded and implemented in all relevant areas of international law (international humanitarian law, human rights law, and international criminal law). The article traces this development and thus provides a comprehensive overview of the existing body of norms. In doing so, the potential of international legal regulations as well as their limits, existing protection gaps and efforts in the diplomatic arena are highlighted. Finally, the article identifies trends and solutions in case law and academic discourse that improve the necessary level of protection with regard to the various consequences of being used as a child soldier.

Stephan Gerbig/Michael Krennerich: Kinderrechte und Schule in Europa – aus Sicht der Menschenrechtsvertragsorgane der Vereinten Nationen

To what extent do human rights treaty bodies of the United Nations address the topic of children's rights at school within state report proceedings? For this purpose, the article examines the treaty bodies' „Concluding Observations“ for European member states in the period from 2017 to 2021. Thereby, the thematic diversity as well as the relevance of the topic for Germany are demonstrated.