# 55th session of the Human Rights Council

# ANNUAL DISCUSSION ON RIGHTS OF THE CHILD (HRC res. 7/29 and 49/20)

# Oral Statement by the Scottish Human Rights Commission for Panel 2 discussion: Child rights mainstreaming in the United Nations

Mr. President,

It is my privilege to address the members of the Human Rights Council on behalf of the Scottish Human Rights Commission. I am especially pleased to be able to do so to mark a significant milestone for the protection of the Rights of the Child in Scotland.

In January 2024, the UN Convention on the Rights of the Child Scotland Act was granted Royal Assent and became Law. This is the first time that any part of the UK has taken the step of directly incorporating the UNCRC into domestic law.

The legislative process has not been simple and children and young people have waited far longer than anticipated for this step. However, from this year, children, young people and their families will be able to challenge failures to uphold their rights in domestic courts.

Of course, the incorporation is only a step towards better protection for the rights of the child in Scotland. We remain concerned about failures to realise children's rights and the potential for serious violations.

For example, the use of restraint and seclusion practices in education settings, the age of criminal responsibility and the state's response to children in conflict with the law, and a severe shortage of appropriate health and social care for children and young people, including community based Child and Adolescent Mental Health Support.

The new incorporation law must now be matched with guidance and resource to ensure that all duty beaters are prepared for the implementation of the law.

And this will also require the Scottish Government and others including the Commission, to work with children and young people to promote their rights.

While there is much to do, we welcome this progress here in Scotland and opportunities to learn from the global community as we implement this protection of children rights.

I thank the Council.