Child Rights Governance
Programming Guidance
PART ONE

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Abbreviations

ACERWC  African Committee of Experts on the Rights and Welfare of the Child
ACHPR  African Commission on Human and Peoples’ Rights
ACRWC  African Charter on the Rights and Welfare of the Child
APRM  African Peer Review Mechanism
AU  African Union
CCA  climate change adaptation
CEDAW Convention  Eliminating all forms of Discrimination against Women
CRC  Committee on the Rights of the Child
CRG  child rights governance
CRGI  Child Rights Governance Initiative
CRIA  Child Rights Impact Assessment
CRSA  Child Rights Situation Analysis
CSO  civil society organisation
DRR  disaster risk reduction
EU  European Union
GCCRBS  General Comment on Child Rights and the Business Sector
GMIs  General Measure of Implementation
HAP  Humanitarian Accountability Partnership
HFA  Hyogo Framework for Action
IATI  International Aid Transparency Initiative
IiC  Investment in Children
IMF  International Monetary Fund
INGO  international non-governmental organisation
INTRAC  International NGO Training and Research Centre
MICs  middle-income countries
MRM  monitoring and reporting mechanism
NHRI  national human rights institution
NDP  National Development Plan
NGO  non-governmental organisation
OAU  Organisation of African Unity
OCD  organisational capacity Development
OHCHR  Office of the High Commissioner for Human Rights
oPt  occupied Palestinian territory
PRSP  poverty reduction strategy paper
SCI  Save the Children International
UN  United Nations
UNCRC  United Nations Convention on the Rights of the Child
UNICEF  United Nations Children’s Fund
UPR  Universal Periodic Review
VAT  Value Added Tax
WB  World Bank
PART ONE
I. Introduction

“Talking to adults is something new, and other children are surprised. But I think we have to inspire other children and help others gain strength and make them understand that it is possible. We have to fight for children and the welfare of children. We have to be role models. We will change society.”

(Clent, 16, Philippines)

As part of its 2010–15 strategy, Save the Children developed a thematic sector of work (alongside education, child protection, health & nutrition) called ‘child rights governance’.

The vision of child rights governance (CRG) is a world where accountable, responsive and transparent governance assures the rights of every child and where every child can have a voice in governance.

Work on CRG aims to build societies that fulfil children’s rights by establishing and strengthening the governance system necessary for states to effectively implement the United Nations Convention on the Rights of the Child (UNCRC) and other child rights obligations. It is about supporting a vibrant civil society pushing children up the political agenda, and holding states to account for what they have or have not done to enable children to realise their rights. It is an effective strategy for achieving a positive impact on millions of children’s lives, resulting in structural and lasting change.

Save the Children has a dual mandate to respond to emergencies as a humanitarian agency while also supporting longer-term development. We therefore aim to ensure that our work supports all rights for all children in all circumstances, including as part of our disaster risk reduction (DRR) work and our humanitarian preparedness, response and reconstruction work.

The overall goals of child rights governance are that:

• all states meet their obligations to monitor and implement children's rights
• a strong civil society, including children, holds states and the international community to account for children’s rights.

The Child Rights Governance Breakthrough is:

By 2020, all children, especially the poorest, benefit from greater public investment and better use of society’s resources in realising their rights.

1.1 Purpose and target audience

This guide is a technical reference document for programme managers and staff of country offices, for partners we work with, Save the Children Members, CRG staff at head offices and regional levels, and for other interested practitioners who are developing projects or programmes on child rights governance.

The guide is not meant to be read from beginning to end, but is designed to be dipped into for inspiration and guidance on developing plans and programming on CRG. It provides examples of Save the Children’s work with children and civil society organisations. No programme is expected to cover all the areas described in this guide. Nor should guidance in this document be seen as a blueprint. It is a framework that can be adjusted according to context. It is a dynamic document that will be developed and updated, based on user feedback, to ensure it remains relevant.

In order to have strategic and effective CRG programmes that improve the situation of children in both emergency and development contexts, all programme plans must be based on an analysis of the country’s CRG issues. All Save the Children International country offices must produce a child rights situation analysis (CRSA). We encourage all
Members to carry out a generic CRSA to inform your work in your own country. The guide for a ‘generic’ CRSA that encompasses all thematic areas developed by SCI is available at https://onenet.savethechildren.net/tools/mos_sops/policies/SCI%20Policies%20and%20Procedures%20English/01.%20Country%20Leadership%20(incl.%20Child%20Safeguarding)/CRSA%20Guidelines.pdf. However, a generic CRSA is not enough to inform the development of your CRG programme strategy, so we also strongly encourage you to carry out a sectoral CRG analysis.

1.1 How to use this guide

This guide is part of a CRG toolkit, which will consist of:

• Child Rights Governance Analysis Tool. If CRG comes out as a strong issue in your generic CRSA and you decide to incorporate it into your programme work, then a sectoral analysis on child rights governance specifically should be carried out. You are strongly recommended to do this as a basis for developing your CRG programme. If you already have a CRG strategy and/or have ongoing programming on CRG, it might still be valuable and could inspire further development of your programme to carry out a CRG situation analysis using this tool. An excellent CRG capacity-building opportunity is for staff and partners to do the analysis together. The tool is available in English, French and Spanish at: http://resourcecentre.savethechildren.se/node/6152

• Programming in Child Rights Governance: A technical guide for practitioners. When you have completed your CRG situation analysis and identified the CRG issues you want to work on (based on analysis of niche, needs, space, capacity, added value, risks, etc), the next step is to develop a CRG programme. All the CRG issues mentioned in the Child Rights Governance Analysis Tool are included in this guide, along with ideas for activities and further reading to support programming on CRG.

• A ‘How to’ Note: Developing your CRG strategy (forthcoming) will provide inspiration on how to develop and structure your 3-5-year strategy based on the priorities that emerge from your CRG situation analysis and what you want to change and achieve.

Additional guides on key areas of work:

• Pushing the Boundaries: Guidance on children’s civil and political rights seeks to support CRG staff to develop programme work to strengthen children’s civil rights and freedoms.

• Guidance concerning CRG’s dual mandate and contributions to humanitarian practice and disaster risk reduction: Some materials (briefings, training modules, discussion papers) have been developed to increase piloting and documentation of CRG work in humanitarian settings. These materials are available on Save the Children’s intranet (Onenet)

• Watch Save the Children’s Resource Centre and intranet (Onenet) for upcoming guidance.

1.2 Child Rights Governance IS Good Governance for Children

The UN Convention on the Rights of the Child (UNCRC) has been ratified by more countries than any other human rights treaty globally. Along with its three optional protocols, it provides a set of principles and standards covering children’s entitlements to such essentials as education, healthcare and the right to be heard, as well as protection from abuses such as unjust treatment and exploitation. It places an obligation on states to ensure that all children within their jurisdiction (including non-citizens such as refugees) enjoy these rights. However, while the UNCRC has been a major leap forward in moving from a moral or charitable approach to children’s wellbeing to a legally binding state obligation, it is not sufficient in itself to ensure that children’s rights truly become a reality.

One essential requirement for this to happen is good governance for children, particularly in the actions of the state. This is about the state’s responsiveness in implementing the standards of the UNCRC, including its effectiveness in delivering and/or coordinating the essential services and support that children need. Good governance also requires transparency, political leadership and a willingness to be accountable, as well as a strong civil society that can participate in decision-making, hold duty-bearers to account and monitor what is being done for children.

The UNCRC Committee has identified many of the specific components that governments need to put in place in order to institutionalise good governance for children. These are called General Measures of Implementation (GMIs)
and include a national agenda or strategy on children, a coordination mechanism on children’s issues across government, awareness-raising and capacity-building on child rights, and data collection on the state of children’s rights. They also include independent human rights institutions with a child rights mandate, sometimes called an ombudsperson for children or a children’s commissioner.

The need for good governance is not of course limited to the state (at all levels), but applies to all institutions that govern societies where children live, as well as to other national, regional and international actors and institutions whose actions and non-actions have a great influence on child rights realisation. This includes everything from village councils, provincial and municipal governments and parliaments, the media, judiciary, and faith communities through to supranational regional bodies, transnational companies, armed groups in control of territory, and occupying powers.

The importance of good governance for children has been highlighted in a number of studies, such as the comprehensive study into the ‘child friendliness’ of African governments carried out by the Africa Child Policy Forum. That study concluded that investment in children is not necessarily linked to a country’s wealth but rather its political willingness to prioritise children. A World Bank study similarly confirmed that unless minimum requirements of good governance are in place, more investment in health and education for children will not yield the desired results. Donors such as USAID have also recognised that long-term, sustainable development is closely linked to sound democratic governance and the protection of human rights. Conversely, of course, bad governance, including corruption, failure to respect the rule of law, and poor service quality, is disastrous for the realisation of children’s rights.

Good governance for children helps to create more resilient and stable societies that can safeguard children’s rights more easily when confronted by economic shocks and natural disasters. Good governance also reduces the risk of conflict breaking out, which can have a devastating impact on children’s lives. It can also play a key role in rebuilding post-conflict countries, thus helping to prevent outbreaks of new violence.

1.3 Progress and challenges on Child Rights Governance

The adoption of the UNCRC in 1989 was a major achievement for children, and has provided the basis for greatly increased accountability for the realisation of children’s rights at national level. For more than two decades, Save the Children has successfully used the UNCRC monitoring and reporting mechanisms to hold governments to account and to support the creation and capacity-building of child rights coalitions, which can have a unified voice in the process. More recently, the Universal Periodic Review (UPR) process facilitated by the UN Human Rights Council, has provided an additional accountability mechanism that can be used to hold national governments to account for their performance in delivering child rights. At regional levels, various bodies such as the African Union, the Organization of American States and the Council of Europe have also taken steps to introduce forms of accountability for children’s rights.

During this time, there has been other important, if incomplete, progress in both high- and low-income countries across the world in improving governance for children. Many countries have undertaken revision and reform of their legislation to make it compliant with the UNCRC, statistical data on the situation of children has gradually improved in its coverage and quality, more than 200 ombudsmen for children or similar institutions have been established in more than 70 countries, a few governments have created ministries dedicated exclusively to children, and several countries have created agencies with responsibilities for implementing children’s rights. These developments have often been associated with strong political leadership in the executive and/or parliament that has catalysed positive change in governance arrangements.

However, there is no country in the world where all rights for all children are fulfilled, and therefore no country where better governance for children cannot play a role in accelerating their realisation. In particular:

- Reliable and disaggregated data on children is still lacking in many countries.
- The knowledge, skills and capacity of public servants and private service providers to deliver children’s rights is frequently inadequate.
- There is a lack of awareness regarding children’s rights among children, their parents and the general public in many countries.
• Children and young people continue to have a low status in diverse political and socio-cultural contexts; governments and other actors need to make increased efforts to fulfil children’s civil rights and freedoms, recognising and supporting children and young people as active citizens.
• Legislation is not fully compatible with the UNCRC, with some countries continuing to have important reservations.
• Budgets to implement policies are often inadequate and information on budget allocations and spending is unavailable. In a recent survey, only 23 of more than 100 countries provide significant or extensive budgetary information and 26 countries provide very little or no information.
• Many governments do not consult or involve civil society and children as required.

Children are also affected by good or bad governance more generally. A lack of fiscal transparency and limited opportunities for civil society involvement in budget monitoring creates a fertile ground for corruption and the misuse and leakage of public resources. Ineffective or regressive taxation systems negatively affect the amount of domestic resources that can be mobilised and spent on essential services. Non-existent or poor-quality public services that are unresponsive to the complaints and demands of users do little to improve the wellbeing of children and other citizens.

In a world where most poor children live in middle-income countries and inequality is on the rise, it is even more important to support civil society organisations and other groups of mobilised children and adults to demand good governance for children, that children’s rights are high on the political agenda and that every effort is made to redistribute resources to reach the disadvantaged children of that country. Other global trends – such as more natural disasters, increasing urbanisation and mega-cities – pose challenges as well as opportunities for our work on promoting good governance for children.

The growing global consensus on the need to challenge these abuses and to promote more open, inclusive and accountable governance creates an important opportunity to advance good governance for children. Save the Children and its partners, together with children, have a historic opportunity to promote good governance for children and use our voice to influence decisions on how resources are mobilised and used, to demand accountability for poor performance at every level – local, national and international – and to ensure children’s rights are high on the political agenda.

1.4 Save the Children’s role in Child Rights Governance

Save the Children has a strong track record in fighting for children’s rights to become children’s realities, both as an international non-governmental organisation (INGO) working in other countries and as a strong civil society voice for child rights in our Members’ domestic spheres. We are key players in CRG – working to ensure that governments make progress on child rights realisation and are held to account for their obligations under the UNCRC and other human rights instruments.

Save the Children’s main roles when working as an INGO in another country are to strengthen local civil society to take on a watchdog role and to work in partnership with governments and other actors to ensure children’s wellbeing. A quick mapping of 11 Members’ CRG work in 2009 found 627 CRG interventions in 90 countries. These interventions ranged from support for legal reform, budget analysis and advocacy, and support to children and civil society coalitions’ supplementary reporting to the UN Committee on the Rights of the Child, through to child rights education and the strengthening of civil society, including children’s organisations.

At an international level, Save the Children has a strong record of leadership and advocacy on CRG, for example, in helping to draft the UNCRC and in successfully advocating for a communications procedure for the UNCRC. This has now been approved by the United Nations Human Rights Council and is open for ratification. Save the Children is co-chairing an international coalition for ratification of the 3rd Optional Protocol.

1.4.1 Civil society and the importance of partnerships

As a leading INGO, Save the Children has a responsibility to support civil society in its quest to hold governments accountable for children’s rights and to make its own contribution to the child rights-based society the UNCRC envisions. For our programming, this means that we need to improve local ownership of processes in order to achieve changes for children that will, in turn, increase the sustainability of our interventions.
We should always seek to support our civil society partners to carry out the CRG activities they have prioritised and, in the process, develop the capacity of children and civil society to be a strong voice for children’s rights. All the activities mentioned in this guide are meant to be carried out jointly with child rights civil society organisations and with children. There might be exceptions where the situation requires Save the Children to raise child rights issues on its own or in partnership with other international organisations. Nevertheless, in these situations it remains important to engage and consult civil society to the extent possible ‘behind the scenes’. Where space for civil society is severely restricted or where civil society is less formally organised, Save the Children will need to explore other ways of engaging with children and their communities than through formal, or registered, organisations.

Specific tools on partnership have been developed by SCI, including a partnership assessment tool for use when collaborating with new partners and a partnership engagement guide, which sets out working methods and standards.

1.4.2 CRG work and the theory of change

Save the Children’s theory of change describes how children’s rights can be realised. Below are some reflections on how the theory of change comes into play when working in the CRG sector.

We will...

- **be the voice**
  - advocate and campaign for better practices and policies to fulfil children’s rights and to ensure that children’s voices are heard (particularly those of children most marginalized or living in poverty)

- **build partnerships**
  - collaborate with children, civil society organisations, communities, governments and the private sector to share knowledge, influence others and build capacity to ensure children’s rights are met

- **achieve results at scale**
  - support effective implementation of best practices, programmes and policies for children, leveraging our knowledge to ensure sustainable impact at scale

Source: Save the Children Strategy 2010-2015, Appendix 2: Theory of change
Voice: This means that children are given the opportunity to speak out for themselves. We support, for example, the establishment of spaces where children can voice their ideas and concerns, access decision-making bodies, and build their ‘voicing’ skills. We also work to promote children’s civil and political rights. ‘Voice’ also means that we monitor children’s rights and speak up when they are violated – together with children and/or other child rights actors – or alone if that is the only option. It means that – based on evidence – we advocate for changing laws, policies and practices in favour of children’s rights and we influence decision-makers to prioritise resources for children and be transparent and accountable to the public on how they are spent and to what extent they reach the poorest and most excluded children.

Build partnerships: The ambitious objectives of CRG work cannot be achieved without building strong relationships with other actors who have influence over whether children’s rights are respected and progressively realised. Civil society organisations (CSOs) that work for children’s rights are natural allies. We also collaborate with other actors such as children, their parents, communities, local and religious leaders, local and national governments, academia, media, UN organisations, teachers and other professionals in contact with children, and the private sector. We engage to share and learn, build capacity, and advance children’s rights. We work to enhance the capacity of these actors to engage in strong relationships with each other to promote children’s rights. We also build strategic and mutually beneficial alliances with regional and international organisations, eg, UNICEF, the African Child Policy Forum and International Budget Partnership.

Innovator: We build our CRG work on thorough analysis and on evidence of what works. We bring together experience from the child rights and the good governance communities, including both state and non-state actors, in order to find innovative ways of addressing major determinants of the realisation of children’s rights. We find ways of engaging children in decision-making and governance relevant to their daily lives. We document good results and see if and how they can be adapted to work in other settings. We develop our CRG work so that it responds to the changing world and the challenges we face as a global community in keeping our promises to children.

Results at scale: To achieve results at scale, the work we support needs to be rooted and institutionalised in the structures and mechanisms of the country in question, so that the child rights system will continue when power changes hands. When we succeed in supporting governments to set up, resource and implement a system for the implementation of children’s rights, and to make the system transparent, accountable and participatory, it creates results beyond what we could have achieved alone. When we succeed in strengthening civil society to take on the role of monitoring and fighting for children’s rights, to demand good governance for children and to hold those in power to account for children’s wellbeing, our work is much more sustainable and better rooted in communities. As these organisations are based in their communities, they will continue to be a voice for children’s rights in the long term. By documenting what works and sharing experiences, replicating similar solutions in other countries and regions, and encouraging other organisations and/or governments to replicate methodologies and solutions that work, we are able to achieve results at scale. Basing our CRG work on good analysis and involving and empowering children and their communities to take action, increases the relevance and improves its effectiveness, which helps in persuading others to do similar work and thereby increase impact.

1.5 Programming components

This programme guidance is divided into three programming areas:

- national child rights infrastructure - the General Measures of Implementation (GMIs)
- key governance issues: citizenship and Investment in Children
- capacity of and quality of interaction between key actors in child rights.

Together with the Child Rights Governance Analysis Tool, it forms a useful framework for analysing the CRG situation in a country and identifying gaps and obstacles preventing the realisation of children’s rights, as well as highlighting opportunities for advancing and sustaining children’s right:
1.5.1 GMIs – supporting a national child rights infrastructure
The first component focuses on strengthening the national child rights infrastructure, also known as the UNCRC General Measures of Implementation (GMIs). This includes supporting the systems and institutions that establish and ensure effective implementation by state and non-state actors that have responsibilities for children’s rights. This system should include coordination mechanisms between government departments to ensure: holistic policy-making for children; child rights impact assessment (CRIA) of legal and policy proposals; national data collection systems; visibility of children in budgets; an independent ombudsperson for children; and mechanisms to regulate non-state service providers. UNCRC and Universal Periodic Review (UPR) monitoring processes, and the active involvement of civil society organisations in these processes, are considered crucial for achieving good results. You can read more about the GMIs in Part Two.

1.5.2 Key governance issues – citizenship and investment in children
The second component is a focus on two key areas that we believe are crucial to achieving children’s rights. These include work on:

- **Citizenship issues:** birth registration, definitions of citizenship, stateless children, and the civil rights and freedoms of the child including freedom of association and expression and the right to information.
- **Investment in Children:** The breakthrough for CRG will focus on increased mobilisation and allocation of national resources as well as effective use of private and public resources in order to realise children’s immediate and long-term needs.

Read more about the key governance issues in Part Three.

**CRG Breakthrough: Investment in Children**

All children, especially the poorest, benefit from greater public investment and better use of society’s resources in realising their rights.

1.5.3 Strengthening the capacities and interaction between key child rights actors
The third component is an acknowledgement that child rights governance is not just about governments nor is it just about mechanisms and systems. It is also about building capacity and supporting vibrant relationships between other actors playing a crucial role in advocating for and supporting children’s rights.

Strengthening the capacity of children and civil society to engage in strong relationships with the wide range of actors playing a crucial role in advancing children’s rights is therefore a key area of Save the Children’s CRG work. The private sector is a potential partner; not only as a source of funding through donations or corporate social responsibility activities, but also as a promoter and protector of children’s rights. Other partners can include the media, academia, parliamentarians, government, parents and faith communities. When we partner with these actors, we seek to do so in close collaboration with children and local civil society groups to make the relationships as sustainable as possible and rooted in existing structures.

While we work with a range of non-government actors, the state nevertheless remains the responsible entity for making sure the UNCRC is enforced in its jurisdiction, as laid out in Article 4 of the UNCRC. You can read more about this component in Part Four.

1.5.4 How the three components relate to the three CRG sub-themes
When CRG was established as part of the 2010-15 strategy it consisted of three sub-themes: child rights monitoring; strengthening national systems; and building awareness and capacity. These were used to describe the work we were doing at country level (from community to national level) and are the coding against which we currently plan and report work at country office level. Our global outcome indicators were also developed in relation to the three sub-themes. This was before we were asked to develop a breakthrough for CRG, so an additional indicator will be developed for the breakthrough on Investment in Children.
While the three sub-themes have been useful for describing some of our work in countries, they have not provided the best framework for analysis and programme planning to reflect the wide range of activities in the new global CRG Strategy. Also, they do not include advocacy work at regional and international levels. As our thinking has developed, we have found it necessary to rethink the programming and analysis structure for CRG.

With the three programming components, we have:
- put the GMIs together, as we believe it is helpful to see them as a coherent framework where they mutually reinforce each other
- added CRG work that Save the Children Members are doing that was not captured in the three sub-themes, eg, budget influencing social protection, birth registration, work on tax, CRG and the private sector, and children's civil and political rights
- added new CRG areas of work that are crucial for CRG, eg, transparency and social accountability (corruption; leakages), aid and debt.

The table below shows how the different components of CRG work fit into the three sub-themes.

### TABLE 1: CRG areas of work under each of the sub-themes

<table>
<thead>
<tr>
<th>Child rights monitoring</th>
<th>Strengthening national systems</th>
<th>Building awareness and capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Children and civil society's supplementary reporting to UN and other child/human rights (regional) mechanisms and to the Optional Protocols to the UNCRC</td>
<td>All General Measures of Implementation</td>
<td>All work on strengthening children and civil society actors' role in advancing children's rights</td>
</tr>
<tr>
<td>Studies, research, reports, etc carried out by Save the Children and other non-government partners providing evidence on situation of children's rights</td>
<td>Citizenship (name and nationality) Children's civil rights and freedoms (expression, heard, information, assembly, association, thought)</td>
<td>All work to raise awareness and strengthen important non-government actors' capacity to engage in strong relationships with government and each other to advance children's rights</td>
</tr>
<tr>
<td></td>
<td>Investment in Children (transparency, participation and accountability in resource mobilisation, allocation and spending)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Social protection</td>
<td></td>
</tr>
</tbody>
</table>

### 1.5.5 Advocacy as part of CRG programming

Advocacy, defined as a set of organised activities designed to influence the policies and actions of others to achieve positive changes in children’s lives, is an important element of almost all child rights governance work. Many of the activities we implement to achieve our CRG goals and objectives aim to inform and influence changes in policies, legislation, structures and practices for long-term impact on children’s rights.

Advocacy should be an integral part of programmes – planned from the start, not something added on later. The programme planning process should identify CRG goals and objectives and how they will be achieved. This is likely to be through a combination of direct interventions, advocacy, and strengthening civil society. You will find many activities listed throughout this document as being advocacy activities.

It is crucial for the legitimacy and credibility of our advocacy work that children and civil society organisations (including Save the Children Members in their own countries) play a significant role. Therefore, space for dialogue and interaction with government and other child rights actors is crucial. Save the Children and partners advocate for maintaining and broadening the space for citizens to engage in advocating for accountability for child rights and for access to the information they need to participate meaningfully in policy and budget processes and decisions.
At regional and international levels we engage in policy dialogue and advocacy to make relevant actors aware of their responsibility in child rights realisation and to influence the development of international frameworks, standards and principles that will affect children’s lives and promote the realisation of their rights. We also engage with child and human rights bodies to make them more aware of children’s realities and make their procedures more accessible and friendly to children.

Children themselves should play a key role in advocating for the realisation of their rights at national and sub-national levels as well as in influencing regional and international organisations and processes. Save the Children and our partners should facilitate these processes in an ethical and meaningful way.

The Child Rights Governance Initiative Advocacy Strategy can be found on OneNet.

1.5.6 Minimum standards for CRG programmes

No two countries are the same and it would be unwise to stipulate that a uniform approach to CRG be implemented in different contexts. A CRG analysis will help identify the needs, gaps and opportunities for added value of Save the Children CRG work in your country, and that should guide your programme development.

The following recommendations were developed by a working group of CRG field and head office staff.

**Preliminary CRG analysis and programme strategy**

Programmes are only as good as the analysis and strategy upon which they are based. Our ambition is, therefore, that all CRG projects and programmes are underpinned by at least a CRG preliminary analysis and programme strategy. The preliminary analysis can be done in a matter of weeks by internal staff members (possibly together with civil society partners). It is an extremely useful capacity-building exercise and therefore we strongly recommended that staff and partners do it themselves rather than engaging an external consultant. The analysis is also a vital resource for fundraising proposals and advocacy strategies. It is crucial to use the CRG preliminary analysis as a common platform on which partnerships can base joint programming activities. A CRG programme interventions should cover the three components, as they are mutually reinforcing (ie, GMIs, key governance issues, and capacity-building and quality interactions between actors).

**Child rights monitoring: UPR and UNCRC reporting**

All CRG programmes should strive to take stock of the opportunities provided by the UNCRC and UPR monitoring processes and simultaneously work towards the strengthening of local civil society action and ownership of these processes. A crucial role of an INGO is to support children and civil society in monitoring, reporting and advocating for the advancement of children’s rights. It is strategically important for Save the Children to support civil society in using reporting to the Committee on the Rights of the Child, the UPR and regional mechanisms as a framework for holding states to account on their obligations and commitments to children, to use this process to support national accountability processes, and to create space for interaction between all child rights actors. The reporting process builds capacity and can also be used as an opportunity to generate important data for child rights policy development. Concluding Observations and UPR recommendations should inform national advocacy strategies. In countries where the public nature of UPR reporting is problematic because of political sensitivities, country programmes can compile information to support the submissions of others and/or send information directly to our Geneva office for use in Geneva-based advocacy.

**General Measures of Implementation**

General Measures of Implementation (GMIs) are the essential components of a child rights system in any country and working for the establishment and/or strengthening of them is an important part of any CRG programme (see table of GMIs in section 2). There is no government in the world that is fulfilling all its obligations under the GMIs. Even where GMIs have been established, they might not work according to the intention. Therefore, we recommend that work on either establishing and/or strengthening one or more GMIs is part of any CRG programme.

**Investment in children**

Resourcing is both an expression of political will and, currently, one of the biggest obstacles to the realisation of children’s rights. For that reason, income and expenditure for children will be prioritised for the next ten years and all CRG programmes are encouraged to work on at least one of the following options:

- Influencing either local or national budgets to advance specific children’s rights. In this regard, country programmes are encouraged to invest in local partnerships and build their capacity to influence resource mobi-
lisation, allocation and utilisation in the areas they have already been working in. This includes budget-tracking (‘follow the money’) initiatives to ascertain whether resources meant for children are being put to good use. Budget-tracking initiatives could range from local initiatives such as school/clinic-level interventions to national initiatives such as budget tracking for the National Plan of Action for Orphans and Vulnerable Children.

- In broad partnership, advocating for specific fiscal measures in support of children’s rights, such as debt swaps for child rights programmes, tax reform, or influencing national aid priorities, etc.

Civil society capacity-building and coordination
As a leading INGO, Save the Children has a responsibility to support local civil society in its quest to hold governments accountable for children’s rights and to make its own contribution to the child rights-based society that the UNCRC envisages.

1.6 Monitoring results

We have a range of different tools for monitoring CRG programs and documenting results. The Save the Children monitoring and evaluation system provides us with:

1. Global outcome indicators, used as an indication of what Save the Children achieves in its work on CRG. The three global outcome indicators for CRG are:
   - the percentage of countries in which child-informed supplementary reports are being prepared or have been submitted by civil society partners and children’s networks supported by or partnering with Save the Children
   - the number of policy or legislative changes to institutionalise children’s rights that have taken place with the support of Save the Children
   - the number of countries where coalitions for children’s rights supported by Save the Children and partners have demonstrated influence on the child rights situation in the target area
   Note: Indicators for the breakthrough area of work on investment in children will also be developed.

2. Total reach, a methodology used to estimate the number of children and adults reached directly and indirectly through our CRG work

3. The Advocacy Measurement Tool (AMT), used to measure policy change outcomes at national, state/provincial and district levels

4. Case studies with more detailed information on what was done, what was achieved and the lessons learned

5. Annual progress reports from all country programmes

6. Reviews and evaluations

In addition to these tools, there are specific programme indicators and reports to donors on countries and projects that generate information on CRG programme spending and results.

A well-known challenge in working to make human rights a reality is how to measure change – real change – in the lives of rights holders. Monitoring data can take us only half way, and often stops at outcomes such as observed system change (eg, laws, institutions, policy documents, action plans, etc). Measuring the long-term outcomes and impact on people’s everyday lives resulting from those system changes requires longer-term monitoring and more sophisticated methodologies (eg, addressing questions of attribution) than project funding usually allows for. Evaluations are an important additional tool for measuring results and impact. While the above are suitable for measuring intermediate results like output and outcomes, evaluations give us the opportunity to identify impact and long-lasting changes for children, and to explore what we did to achieve those systemic changes.
1.7 CRG and humanitarian practice

CRG supports good governance and the establishment of mechanisms and systems that can deliver on all rights for all children in all circumstances, including humanitarian contexts. In the past, CRG programming has mainly focused on development, but it is increasingly looking into its dual mandate to make practical and strategic contributions in humanitarian contexts, and to contribute to disaster risk reduction and building resilience as well as ‘building back better’ efforts. We have sought to capture the dual mandate within the activity lists throughout this guide.

With increasing urbanisation, climate change and economic volatility, children are experiencing ever-more negative impacts of humanitarian crises. Governments’ obligations to respect, protect and fulfil children’s rights persists, and even more so in situations of conflict and natural disasters, when children’s human rights are most threatened.

In general, an accountable and responsive government with a functioning child rights infrastructure is more likely to respond effectively to children and their families at high risk and in emergencies. A humanitarian focus is important when promoting, planning, implementing and monitoring each GMI. For example, what does existing legislation say regarding the rights of stateless children and families? Do national strategies on children include a section on ‘children in emergencies’? Are children visible in budgets for emergency preparedness, DRR and emergency response? Are government departments and professionals trained in child-focused emergency responses? Are mechanisms in place to monitor humanitarian agencies and ensure that they operate in accordance with the best interests of the child and other provisions of the UNCRC? Are CSOs and children’s/young people’s groups effectively engaged in coordination mechanisms with the government and UN for emergency preparedness and in cluster meetings during the emergency response? Do child rights ombudspersons play a role in monitoring children’s rights in humanitarian contexts?

Critical to resilience building efforts, is Save the Children’s strategic work to strengthen national and local governance systems to ensure increased budget investments and opportunities for participatory planning, civil society engagement, children’s participation and accountability. CRG staff can support efforts to ensure that governance reforms and state capacity-building initiatives contribute to risk reduction, improved resilience and preparedness at all levels. Especially in countries prone to recurring ‘shocks’ and disasters, CRG can also analyse investments in resilience to increase the investment sustainability, which should lead to better outcomes for children and families. In particular, CRG work in middle-income countries (MICs) should aim to ensure that national child rights systems, budget allocations and plans are in place for child-centred emergency preparedness, risk mitigation, resilience-building and humanitarian response.

Collaborative programming and advocacy by CRG, DRR and humanitarian staff would significantly contribute to improving immediate and sustainable outcomes for children. The Child Rights Governance Initiative has developed range of new papers and materials concerning CRG, disaster risk reduction and humanitarian practice to support extended application of CRG in humanitarian settings, and to support collaborative efforts among CRG and DRR staff towards risk reduction and resilience-building.
WANT TO KNOW MORE?


Save the Children, Child Rights Governance Analysis Tool, Save the Children, 2012
http://resourcecentre.savethechildren.se/node/6152

http://resourcecentre.savethechildren.se/node/6704

Save the Children, Policy Brief: Making children’s rights a reality, Save the Children, 2009
http://resourcecentre.savethechildren.se/node/3296

Child Rights Governance Global Initiative Impact Report, 2010
PART TWO
2. Supporting a national child rights infrastructure

This area of work focuses on supporting the creation of a national child rights infrastructure, also known as the UN-CRC General Measures of Implementation (GMIs), as stipulated in UNCRC Article 4 and further elaborated by the Committee on the Rights of the Child in General Comment No 5. It has a government focus in terms of how Save the Children and civil society partners can support and also push governments to move forward faster in putting the GMIs in place. This area of work will deal with all levels of governmental power and bodies, from the very lowest level to the President/Prime Minister’s office.

Existing guidance on the GMIs and on periodic reporting to the Committee on the Rights of the Child (CRC) do not sufficiently focus on the impact of disasters on children and the need to ensure that disaster risk reduction (DRR) and climate change adaptation efforts are child centred. More needs to be done by governments to build national child rights systems that contribute to risk reduction, building resilience and preparedness in order to better address children’s rights in disasters, conflicts and post-conflict settings. CRG efforts to strengthen national child rights systems (applying the General Measures of Implementation) can contribute to analysis, programming and advocacy to positively influence government plans and budgets to support child-centred DRR, climate change adaptation, emergency response, and recovery, reconstruction and resilience strategies.

**General Measures of Implementation: a summary**

- Law reform and enforcement: ensuring that legislation is fully compatible with the Convention and other human rights instruments for children (including regional instruments) and that the Convention is enforced through national courts.
- Ensuring that there is a systematic process of assessing new laws, policies or programmes for their impact on children’s rights (‘Child Rights Impact Assessments’).
- Developing a detailed, comprehensive national strategy or agenda for children, based on the UNCRC and other human rights instruments establishing human rights for children (eg, the Convention on the Rights of Persons with Disabilities (CRPD) and the African Charter on the Rights and Welfare of the Child (ACRWC)) and taking into account policies of decentralisation, federation and privatisation.
- Ensuring adequate resource allocation and making children ‘visible’ in budgeting processes.
- Developing permanent mechanisms in government to ensure the effective co-ordination, monitoring and evaluation of implementation.
- Developing training, education and capacity building for all those involved in the implementation process, including ensuring awareness of children’s rights among adults and children and disseminating reports under the Convention.
- Creating a mechanism or process to ensure all state and non-state service providers (eg, the private sector, faith organisations, non-governmental organisations (NGOs)/civil society) respect the Convention.
- Promoting cooperation and co-ordination with civil society – with professional associations, NGOs, children, etc.
- Ensuring the development of appropriate indicators and sufficient data collection on the state of children.
- Promoting international cooperation in implementation.
- Creating statutory independent children’s rights institutions/ombudsperson offices.

**General Comment 5, Committee on the Rights of the Child**
2.1 Laws and policies that deliver on children’s rights

Both laws and policies are essential if children’s rights are to be translated into practice. Therefore, as child rights advocates, we need to work on both legal and policy reform. Although they are intertwined, it is important to distinguish between law and policy. Laws set out standards, procedures and principles that must be followed, while policies outline a government’s goals and the strategies, methods and principles intended to achieve them. Law reform is often preceded by well-developed policy indicating the key values and principles that ought to be enshrined in binding legislation.

Although laws may be amended or repealed, they nevertheless provide a strong and mandatory foundation for policies in favour of children. Laws can be enforced through the courts and other structures of executive governance, eg, the police and other officials. Policies, on the other hand, depend on political will and therefore may be unsustainable when conditions change, or short-lived if strongly aligned with whatever group is in power. Policies based on law are more permanent and sustainable than those created by any discretionary action of government. It is, therefore, vital that policy and law work hand in hand as interrelated and interdependent tools for the fulfilment of children’s rights.

2.2 Legal reform

The Committee on the Rights of the Child stresses the need for states parties to comprehensively review and reform national legislation to harmonise it with the principles and provisions of the UNCRC. This is not a one-off process. It may be an ongoing task as new areas for legal consideration arise and legislation is updated.

The CRC makes it clear that the principle of the best interests of the child should be the basis upon which all efforts to reform national legislation, customs and practices are undertaken. Specific recommendations may refer to areas such as the definition of ‘child’ (ie, requests to review age limits), juvenile justice (recommending legislative measures to protect children in conflict with the law) and education (recommending legislation requiring free, compulsory education up to a certain age). UNCRC reporting obligations can create the impetus for reviewing and reforming laws regarding children.

Since the UNCRC was ratified by nearly every country, Save the Children has been involved in assessing how existing laws comply with it, supporting law studies, commenting on law proposals and monitoring their implementation, lobbying for legislative reform, and facilitating civil society consultations on legislation at national and regional levels.
General Measures of Implementation: national legislation

18. The Committee believes a comprehensive review of all domestic legislation and related administrative guidance to ensure full compliance with the Convention is an obligation... The review needs to consider the Convention not only article by article but also holistically, recognizing the interdependence and indivisibility of human rights. The review needs to be continuous rather than one-off, reviewing proposed as well as existing legislation. And while it is important that this review process should be built into the machinery of all relevant government departments, it is also advantageous to have independent review by, for example, parliamentary committees and hearings, national human rights institutions, NGOs, academics, affected children and young people and others.

19. States parties need to ensure by all appropriate means, that the provisions of the Convention are given legal effect within their domestic legal systems...

20. The Committee welcomes the incorporation of the Convention into domestic law, which is the traditional approach to the implementation of international human rights instruments in some but not all States. Incorporation should mean that the provisions of the Convention can be directly invoked before the courts and applied by national authorities and that the Convention will prevail where there is a conflict with domestic legislation or common practice...

22. The Committee emphasizes, in particular, the importance of ensuring that domestic law reflects the identified general principles in the Convention (articles 2, 3, 6 and 12) (see paragraph 12 above). The Committee welcomes the development of consolidated children's rights statutes, which can highlight and emphasize the Convention’s principles. But the Committee emphasizes that it is crucial in addition that all relevant ‘sectoral’ laws (on education, health, justice and so on) reflect consistently the principles and standards of the Convention.

Committee on the Rights of the Child, General Comment 5 (2003): General Measures of Implementation

2.2.1 Incorporating the UNCRC into domestic legislation

Once a state adopts an international treaty, such as the UNCRC, it has a responsibility to incorporate that treaty into its domestic law. This may be a challenge – because of bureaucracy, history or ideology, or a lack of willingness, resources or capacity. But unless human rights instruments are part of national law, it might not be possible to have them enforced in national courts.

The process needed to incorporate the UNCRC will depend on a country’s legal traditions. Civil law countries follow the monist tradition, which means that international law becomes national law immediately upon ratification (as in, for example, the Netherlands). In reality, however, it may still be that courts rarely apply international instruments without individuals proactively citing their provisions. Common law countries such as the UK follow the dualist approach, meaning that a legal process must be undertaken to incorporate international law into national law so that it can be enforceable in national courts. Other countries follow a mixture approach, so laws that come after ratification will prevail (ie, are supreme), while in others, international law is supreme unless it conflicts with the constitution, in which case the constitution will be supreme. The important thing is to identify what type of system you are operating in and then work to ensure that the UNCRC has the greatest power possible in the country in question.

2.2.2 The interrelatedness and interdependence of rights

Bearing in mind that laws directly targeting children are not the only ones affecting their rights. Focusing on the interrelatedness and interdependence of rights is an important part of law review and reform. The Committee on the Rights of the Child has recommended a comprehensive rights-based approach to law reform, which includes comprehensive law review and any necessary reform (including constitutional changes) and where possible the adoption of a comprehensive children’s act to incorporate the UNCRC.

A Child Act must be based on a thorough legislative review of the existing legislation. However, legislative reform encompasses more than merely ‘putting the law in place’. It involves reviewing and reforming not only laws (ie, legislation already in place) but also the measures necessary to effectively implement them – ie, regulations, institutions, policies,
budget allocations and the process of reform in the country. A consolidated Child Act must be more than merely a compilation or collection of child-related laws into one law. It must be thoroughly based on a child-rights framework and must reflect the interrelatedness and interdependence of rights.

A comprehensive legislative review and a Child Act must build on core human rights principles. These principles are: 

- a) universality of rights;
- b) interdependence and interconnectedness of rights (holistic vision with emphasis on priorities and strategies to secure rights in the context of available resources);
- c) non-discrimination and equality;
- d) participation of all stakeholders as a right (ownership and sustainability);
- e) accountability of all duty bearers for human rights obligations and the rule of law.

The process of harmonisation also requires an examination of the social and cultural contexts in which laws are implemented. These contexts are important to effective harmonisation of human rights standards, as there are often gaps between law and practice. In some cases, social norms can have an important influence on the development of legislation, while in others laws may not be implemented because they do not correspond to social values and practices. Identifying social and cultural values that support legislative initiatives to realise the rights of children (girls and boys), and highlighting social and cultural practices that compromise human rights-based legislative reform, are critical to the adoption and implementation of effective initiatives.

A comprehensive and consolidated Child Act must be a dynamic and responsive tool, encompassing constitutional, penal and civil law segments. “It is to be expected therefore, that some aspects of the CRC domestication process would cut across penal codes, family codes, civil codes and other national instruments.” The Child Act must serve as a reference point for policy developments, institutional reforms and resource allocation. The enactment of a consolidated Child Act provides an opportunity for better and holistic costing of services and activities related to children.

Laws can set the basis for services to children, eg, social welfare services, or norms and standards for schools to improve the quality of education. However, it is not only by directly working on law reform that Save the Children can have an impact. We can also work to change attitudes among parliamentarians and others involved in the law reform process, including judges and lawyers. We can bring the importance of law reform on children’s rights to the attention of the general public. In countries where we are part of the national civil society (eg, Save the Children Sweden in Sweden, Save the Children UK in the UK, etc) we play this role ourselves. In countries where our programmes are part of the international civil society, we strive to enable local and national civil societies to assume the leading civil society role themselves.

**EXAMPLES OF KEY ACTIVITIES**

- Collect and present evidence for legal change (eg, gathering data on restrictions on citizenship and their impact on children; producing research that highlights gaps in legal protection for children).

- Awareness of legal drafting committees on the importance of children’s rights and the provisions of the UN-CRC.

- Encourage parliamentary debate on Concluding Observations and Comments by the treaty body committees and supporting the presence of a UNCRC committee member in the country for this debate.

- Lobby for parliamentary commissions of enquiry into specific human rights violations as a means of collecting evidence.

- Share experiences across borders and organisations to contribute to effective realisation of children’s rights.

- Use reporting to the Universal Periodic Review (UPR) and UN treaty bodies, primarily the UNCRC, to highlight inadequate legislation.

- Engage with the national law reform commissions.

- Promote the adoption or enactment of regulatory frameworks necessary for effective implementation of the law.
• Develop partnerships with legal networks and organisations and lobby for greater visibility for children in legal reform advocacy.
• Advocate for legislative costing and appropriate resource allocation.
• Build strong partnerships with the media to highlight the impact law is having on children and communities.
• Provide technical assistance and training to law enforcement officials, judges, parliamentarians and others concerned with implementations.
• Use strategic litigation to push for legal reform.
• Lobby for and support a comprehensive consultation process at different levels of society to provide decision-makers with a more accurate picture of the realities of children in the country and to raise awareness of children’s rights and the need for a comprehensive children’s code.
• In countries where religion is a strong element of laws and governance, ensure awareness and buy-in from religious leaders throughout the law reform process.
• Support children to influence the law reform process.
• Establish a specific database on court judgments and build case law on children’s rights issues (making it available to judges, lawyers, legal practitioners and other relevant actors).
• Review the extent to which existing national legislation (including disaster risk management and climate change adaptation policies) address the rights of all children under its jurisdiction, be it stateless children and families, internally displaced people, migrant families, children most affected by climate change or disasters, or other groups of vulnerable children and families.
• Review existing legislative and institutional mechanisms to identify gaps and opportunities for improvement in child-centred disaster risk reduction, emergency preparedness and reconstruction processes. For example, does national legislation consider present and future risks (including climate change) and promote resilience, active participation of citizens (including children), and sustainability?

Kenya: Reforming the Constitution to incorporate children’s rights

In March 2009, the government of Kenya set up a Committee of Experts on the Review of the Constitution to finalise the process of enacting a new constitution. Along with our partners, Save the Children advocated for the need to entrench the rights of children in the new constitution. In particular, we stressed the importance of incorporating social and economic rights, including the rights to education, healthcare, water, housing and food, in the Bill of Rights. We targeted various audiences, including the Committee of Experts, members of parliament and the media, and involved children at all times. Children advocated for the entrenchment of children’s rights in the constitution by developing a memorandum addressed to the Committee of Experts and parliamentarians. As a result, the 2010 Kenyan constitution not only entrenches the rights of the child under Article 53, it also prohibits corporal punishment in all settings under Article 29 and guarantees socio-economic rights under Article 43.

In 2010, the country embarked on a comprehensive process of law and policy review to align all relevant laws with the new constitution. Save the Children partner organisations have been involved in scrutinising all the emerging legislation that has a bearing on children, including the Children Amendment Bill, the Education Bill, the Teachers’ Service Commission Bill, the Internally Displaced Persons Bill and the Social Assistance Bill. As a result, we have supported several proposals for reform in the form of memoranda to the Constitutional Implementation Commission and the relevant parliamentary committees. It is important to note that the proposals for change to the draft legislation have been very well received and have gone a long way towards ensuring that the emerging legislation is made in the best interests of children in Kenya.
2.2.3 Reform of legal institutions

Reform of the legal system includes reform of the judiciary, police and custodial institutions. Strong laws with effective, child-friendly enforcement procedures are important for protecting children from rights violations. Yet many countries still lack a comprehensive legal framework for deterring crimes against children, managing investigations, prosecuting perpetrators, and protecting and assisting children in their recovery.

Regional bodies such as the European Union (EU) and the African Union (AU) can play an important role in supporting the development of national frameworks that could also address problems of a regional and cross-border nature. Governments and organisations should approach these bodies when developing strategies to influence legal reform at national level. A key role for Save the Children is to help ensure that the views of civil society actors and their constituencies in programme countries reach representatives of these bodies.

EXAMPLES OF KEY ACTIVITIES

- Lobby for the creation of institutions that are in line with child rights standards and principles to direct, implement and enforce laws.
- Lobby for the creation of institutions and mechanisms that are better equipped to involve a wider spectrum of civil society actors and their constituencies.
- Build institutional capacity, e.g., train judges and help them develop jurisprudence on child rights, referring to the UNCRC, the Convention Eliminating all forms of Discrimination against Women (CEDAW) and other human rights principles and provisions in their decisions.
- Lobby for the establishment of an independent and rights-sensitive judiciary.
- Lobby to establish appropriate recourse and mechanisms to ensure redress in cases of rights violations as well as child-friendly courts and court procedures.
- Support the establishment of mechanisms for free legal advice and legal services.
- Initiate and support awareness-raising campaigns and advocacy, in particular legal awareness activities such as translating laws into national, local and minority languages, education campaigns and the dissemination of laws, and making new legislation available to the general public in reader-friendly and child-friendly formats.
- Help to raise awareness of and build capacity on children’s rights among civil servants, including professionals working for and with children, such as teachers, psychologists, social workers, health professionals, law enforcement officers, police officers and lawyers.
- Create mechanisms to ensure equitable access for children and their communities to the judicial system, e.g., ensuring the availability of financial and other assistance.
- Establish child rights systems and mechanisms at local, national and regional levels, enabling children’s representatives to raise their voices and concerns about violations of child rights and hold concerned duty-bearers accountable.
- Use available complaint mechanisms, such as human rights commissions, children’s ombudsmen and the individual complaints mechanism under the African Court on the Rights and Welfare of the Child, the European Court of Human Rights and the Inter-American Court of Human Rights, and lobby governments to ratify the Third Optional Protocol to the UNCRC.

2.2.4 Legal empowerment and access to justice

A functioning national state justice system will remain irrelevant if children cannot access it. Barriers to access include the limited reach of the formal justice sector and discriminatory cultural barriers. Programmes should therefore promote specific measures that favour those who have difficulty accessing the justice system. Interventions should include a particular focus on girls and other marginalised and excluded groups of children.
EXAMPLES OF KEY ACTIVITIES

• Educate children on their rights and build the capacity of communities and families to take action on behalf of children when necessary.

• Support the participation of children in judicial, administrative and community-based processes, including necessary changes to legislation and policy, and shifts in community attitudes towards children's participation.

• Support community-based legal and paralegal services for children. This includes direct representation of children but also legal information centres and clinics. It is important to support the establishment and sustainable implementation of accessible complaint mechanisms in schools, care and hospitals settings, judicial settings, etc, including support for children’s access to independent advocates who can support and respond to their concerns.

2.2.5 Strategic litigation as a tool in legal reform

Strategic litigation, or impact litigation, is different from traditional legal services for individual children in that it focuses on strengthening the legal framework so as to benefit many more children than the child or group of children involved in a specific court case. It involves bringing a case to court with the goal of stimulating broader change in society. Strategic litigation has enormous potential for civil society organisations (CSOs) and children advocating for the introduction of children’s rights into national legislation or for the reform of existing laws. If a case has gone through a country’s court system without achieving the desired outcome, it is important to explore how international and regional communication procedures and courts could be used to get a pronouncement on the case.

Strategic litigation for children’s rights is often conducted by CSOs specialising in litigation or by individual lawyers with a good understanding of human rights. CSOs or individuals promoting and monitoring children’s rights may be involved in strategic litigation in a number of ways: first, by helping to identify cases or collecting data for cases; second, by becoming an applicant in cases before the courts where it is not deemed suitable for a child or a group of children to be an applicant; or, third, by providing supplementary information to the court as an amicus curiae – a person with a strong interest in or views on the subject matter of the case but who is not a party to the action. Amicus curiae briefs are commonly filed in appeals concerning matters of broad public interest, e.g., civil rights and freedoms cases.

Civil society also plays an important role in disseminating and monitoring the implementation of judgments related to children’s rights. Otherwise, secured in isolation, an important judgment on children’s rights might get lost.

In 2009, Save the Children co-hosted a global conference on the use of strategic litigation and the UNCRC to advance children’s rights through national and international courts and tribunals. We continue to have an important part to play in supporting and partnering with organisations and legal aid clinics specialising in impact litigation.

EXAMPLES OF KEY ACTIVITIES

• Facilitate contact between child rights organisations and organisations and individuals specialising in strategic litigation.

• Identify cases for strategic litigation and collect data to support cases.

• Fund strategic litigation cases and/or assist organisations specialising in strategic litigation to access funding.

• Train judges and other court officials on children’s rights and on how to use international and regional human rights instruments to interpret national legislation.

• Conduct training and encourage child rights organisations, in collaboration with organisations specialising in litigation, to use regional and international communication procedures when national remedies have been exhausted, including the communication procedures under the Third Optional Protocol to the UNCRC and the African Committee of Experts on the Rights and Welfare of the Child (ACRWC).
In collaboration with other child rights actors, disseminate judgments and monitor the implementation of judgments related to children’s rights. To maximise impact, include the media, as it can be an important player.

South Africa: Advancing children’s rights through strategic litigation

For a number of years, Save the Children has provided financial support to the South African Centre for Child Law to conduct strategic litigation to advance children’s rights, facilitate identification of cases and embed judgments in civil society advocacy strategies. We have also helped the Centre to expand its contacts with South African child rights organisations. The Centre for Child Law has acted as applicant or amicus curiae (friend of the court) in a number of court cases where the Constitutional Court, the Supreme Court of Appeal and High Courts have issued judgments related to a diverse range of child rights issues, including the following:

In 2012, the Constitutional Court found that courts must consider children’s interests when they are affected by a forfeiture order. It reinforced the principle that law enforcement must always be child-sensitive, that courts must at all times show due regard for children’s rights, and that a child cannot be treated as a mere extension of his or her parent.

To protect the privacy of children during divorce hearings, the Constitutional Court made an order in 2009 prohibiting publication by the media of the identity of any child in divorce proceedings.

On the basis of a constitutional challenge to the law that makes minimum sentences ranging from five, ten or 15 years to life imprisonment for certain crimes apply to 16- and 17-year-olds, the Constitutional Court in 2009 declared the relevant sections of the law to be unconstitutional and ordered that the relevant section in the law should not apply in respect of an accused person who was under 18 at the time of the offence.

WANT TO KNOW MORE?

UNICEF, The Right of Children to be Heard: Children’s rights to have their views taken into account and to participate in legal and administrative proceedings, UNICEF Innocenti Research Centre, 2009 http://www.unicef-irc.org/publications/553


General Comment 12 on the Right of the Child to be Heard, Committee on the Rights of the Child, 2009 http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC-C-GC-12.pdf


Legal Aid Cambodia, Cambodian Law and the Convention on the Rights of the Child: A comparative study, Legal Aid Cambodia, 2008

2.3 Child Rights Impact Assessment

One of the principal obligations of the state is to ensure that children’s interests are always at the centre of decision-making processes. Adequate systems must be in place to ensure that whenever a decision is being made that might have an impact on children and the enjoyment of their rights, it is checked and tested. If it is going to have an impact, children’s interests should be given priority in determining the final outcome.

The Child Rights Impact Assessment (CRIA) is a key means by which governments (and others) can ensure that decision-making processes are systematically and adequately informed, so that children’s rights are respected, protected and fulfilled.\(^\text{17}\)

**General Measures of Implementation: child impact assessments and evaluations**

45. Ensuring that the best interests of the child are a primary consideration in all actions concerning children (Article 3(1)), and that all the provisions of the Convention are respected in legislation and policy development and delivery at all levels of government demands a continuous process of child impact assessment (predicting the impact of any proposed law, policy or budgetary allocation which affects children and the enjoyment of their rights) and child impact evaluation (evaluating the actual impact of implementation). This process needs to be built into government at all levels and as early as possible in the development of policy.

Committee on the Rights of the Child
General Comment 5 (2003): General Measures of Implementation

A CRIA involves examining a proposed law or policy, administrative decision or action in a structured manner to determine its potential impact on children, or a specific group of children, and to determine whether it will effectively protect and implement the rights set out for children in the UNCRC. Potential impacts may be positive or negative, intended or not, direct or indirect, short or long term. A CRIA should use the framework of the UNCRC and its Optional Protocols as a lens, considering the full scope of rights, the core principles, and also the Concluding Observations from the country’s progress reports.

It’s important for those involved in decision-making to grasp the rationale behind CRias as well as the practical application of the tools. The process and tools highlight the impact on children of certain decisions and the government should then opt to make only those decisions in policy, law or budget that are in the ‘best interests’ of children.

As it is unrealistic and impractical to carry out a CRIA on every decision, the first step will be to undertake an initial screening of the proposed decision to determine whether it has any implications for children. An initial screening assessment will be more limited than a full CRIA and can be based on the information already available and the existing knowledge of those conducting the assessment.

Screening may not produce as precise a result as a full CRIA but is a useful way to quickly evaluate a proposal. It is important to note, however, that if correctly undertaken an initial screening can also be an end in itself; the screening exercise may be sufficient to establish what impact a proposal may have on the rights of children and young people without the need for a full impact assessment involving further research or consultation. Screening may be of particular use where it is used internally by those who are developing the proposal, drafting the bill or making the decision being assessed. It can allow them to quickly consider children’s rights and interests at an early stage, and the results of the screening can be fed back into the drafting or policy or decision-making process.
The UN Committee on the Rights of the Child particularly recommends that CRIAs be undertaken, eg, in the adoption of:

- any form of new policy
- new legislation or regulations
- an annual budget, at national, regional and local levels
- organisational or administrative changes at all levels in society.

In an ideal situation, CRIAs would be undertaken on every legislative or policy decision across government that might have an effect on children. Given the resource considerations, this will not be practical for many countries, so CRIAs will need to be prioritised for those decisions that are likely to have a significant impact on children, including both those that directly concern children – such as criminal justice, immigration or child health policy – and those that may have an indirect impact – such as macroeconomic policy reform that will affect family incomes. However, care should be taken to ensure that pragmatic necessity does not become the established norm. As resources become more available, CRIAs should be undertaken whenever necessary.

2.3.1 What should be included in a CRIA?

A CRIA should include:

- a description of the proposed measure (legislation/policy/project)
- a description of how the measure affects (or might affect) children and young people
- a description of how the proposed measure is affected by, or affects, other current government activities/policy
- an analysis of how the measure promotes or impedes implementation of the guiding principles of the UNCRC and other relevant human rights instruments (clause-by-clause analysis)
- identification of problems/gaps in information, expertise, or conflicts of interest that the proposal entails
- children’s and young people’s viewpoints on the measure/proposal
- proposed steps to ameliorate or compensate for any adverse effects
- guidelines on how the measure should be monitored
- evaluation (afterwards) of the effect the decision actually had.

2.3.2 Who bears responsibility for conducting CRIAs?

- At national level: minister for children, inter-ministerial committee for children, children’s commissioner and parliamentary select committee for children.
- At local level: officials representing different departments in the local authority working with key stakeholders and children and young people in the community, council, committees for children and young people.

A practical consideration for Save the Children is to recognise that there is a need not only to support the development of CRIA tools and processes, but also to help ensure that decision-making priorities are appropriately guided and prioritised. This means that decision-makers are adequately trained and prepared, and able to refer to prioritisation criteria established through commitments to children’s best interests in constitutions, laws and policies. Many of the latter are still in the process of being put into place, so Save the Children may need to engage in lobbying to create this commitment to children’s best interests as well as to support CRIAs themselves. By carrying out this work in partnership with others, not least our civil society partners, we are more likely to make a significant impact in several aspects of the work – it is also more likely that the ways of working will become more widely used in the long term.

EXAMPLES OF KEY ACTIVITIES

- Lobby governments to institutionalise CRIAs with a dedicated structure to undertake these.
- Lobby government to make results of CRIAs transparent and publically available.
- Lobby government to undertake CRIAs on areas of key concern, for example, in the development of macro-economic or sectoral policies or new legislation. This might include conducting our own research through which the potential impacts of key policies and laws could be highlighted and then be employed in our lobbying.
- Support CRIAs in relation to a humanitarian response (eg, to a natural disaster).
- Provide technical support to responsible government departments and local administrations in establishing CRIA regimes and investing in increasing partners’ capacity to carry out this work.
• Support and mentor government departments at national and local level to undertake CRIAs.

• Facilitate the involvement of children, their parents and communities in the development of CRIAs.

• Share tools, examples and learning from countries with experience of undertaking CRIAs.

• Support the development of CRIA-related skills, knowledge and attitudes in academic-based training for government professionals.

• Lobby for potential amendments, enhancements and alternative policies to address any concerns that have arisen through the CRIA process.

• Undertake a CRIA of DRR plans or policies, emergency preparedness plans/policies, humanitarian response and recovery plans, or reconstruction or peace-building plans/policies.

• Collaborate with relevant government and civil society partners to plan and secure funds to implement a CRIA of the state’s response (position, policy, plans, budgets, etc) to climate change in the country or in specific areas of the country where children and families are especially vulnerable to climate change.

Nepal: Using a CRIA to protect children affected by the Melamchi Project

The Melamchi Project was developed by the Norwegian government and Asia Development Bank to supply water to the Kathmandu valley. In the early stages of its design, the project anthropologist raised concerns that the presence of several thousand single male labourers over a period of several years carried the potential risk of increasing the sexual exploitation of vulnerable children. There were also concerns that the economic growth likely to result from the dam-building works would not benefit children.

Save the Children was asked to support a CRIA in which local community organisations, children’s clubs, district child welfare boards and government departments were consulted regarding possible risks and potential mitigating actions. The exercise was undertaken in partnership with Nepali non-governmental organisations (NGOs) in the Melamchi Child Concern Network. Project documentation was adapted to include provision for support to local community mechanisms to monitor and guard against negative effects on children and to channel improvements in the local economy into ‘social upliftment’ initiatives beneficial to children.

For Save the Children, it was an important opportunity to establish CRIAs as a way for both the state and the partner and donor community to practically apply the principles and provisions of children’s rights. It is important to note that our objective is to ensure that governments ultimately take responsibility for conducting CRIAs and to strengthen the capacity of local actors to monitor the government’s effectiveness in fulfilling its duty-bearer role in this respect.
Wales: placing a duty on all ministers to have due regard to the UNCRC

Following years of lobbying by Save the Children and others, the Children and Young Persons (Wales) Measure 2011 placed a duty on all ministers to have due regard to the UNCRC when creating or amending laws or policies. In order to demonstrate that they have shown due regard, ministers must carry out a Child Rights Impact Assessment and ensure that the conclusions inform their subsequent decisions.

Bringing this new law into being was not a simple or straightforward process. Although the Welsh Government had declared their support for the UNCRC in 2004 and stated that all policy for children and young people would be based on it, trying to get a legal duty applied to ministers was a more difficult task. There was considerable opposition from within the government. The Wales UNCRC Monitoring Group (an alliance made up of the leading national children’s charities and key academics, chaired and coordinated by Save the Children Wales Programme) played a significant role by launching a strategic and coordinated advocacy programme.

Unfortunately, at present there is no requirement for CRIAs to be made public and therefore it is impossible to tell whether or not they are being carried out effectively and what impact they might be having. But the Wales UNCRC Monitoring Group will continue to lobby Welsh Government to have them made public and Save the Children will continue its leading role in that work.

From May 2014 the duty will apply to all ministerial functions.

WANT TO KNOW MORE?

Scotland’s Commissioner for Children and Young People. An excellent website with a toolkit on CRIA
http://www.sccyp.org.uk/resources/impact-assessments


http://resourcecentre.savethechildren.se/node/6728


2.4 National policies, strategies and plans of action

The development of national strategies, policies and plans of action are essential for the implementation of children’s rights. Yet they do not exist in some countries, and need updating in others. In some countries there are sector-based national plans, for example on education or child labour, but a single integrated national plan of action or strategy to implement the full range of UNCRC rights is still needed. The increasing frequency and severity of disasters means that no plan is sustainable or realistic if it does not take into account risks. National strategies should also consider vulnerabilities and capacities and, most importantly, explain how the government would ensure child rights even in emergency situations (planning and resourcing).

Save the Children supports and advocates the review, amendment and development of all national strategies, policies and plans of action, including poverty reduction strategy papers (PRSPs), national development plans (NDPs), medium-term expenditure frameworks, emergency preparedness plans, and national social protection strategies to ensure that the principles and standards of the UNCRC are incorporated into national guiding documents to implement children’s rights. It is important to emphasise and promote the crucial role of local and national civil society in the development of these strategies, policies and plans and in ensuring their adequate implementation.

2.4.1 National strategy/plan of action for children

In 2003, in its General Comment No 5, the Committee on the Rights of the Child emphasised the importance of national strategies for children.

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**General Measures of Implementation: national strategies for children**

28. If government as a whole and at all levels is to promote and respect the rights of the child, it needs to work on the basis of a unifying, comprehensive and rights-based national strategy, rooted in the Convention.

29. … The Committee expects states parties to take account of the recommendations in its concluding observations on their periodic reports when developing and/or reviewing their national strategies… It will need to be developed through a process of consultation, including with children and young people and those living and working with them…

30. Particular attention will need to be given to identifying and giving priority to marginalized and disadvantaged groups of children…

31. To give the strategy authority, it will need to be endorsed at the highest level of government. Also, it needs to be linked to national development planning and into national budgeting; otherwise the strategy may remain marginalized outside key decision-making processes.

32. … The comprehensive national strategy may be elaborated in sectoral national plans of action – for example for education and health – setting out specific goals, targeted implementation measures and allocation of financial and human resources… The strategy needs to be adequately resourced, in human and financial terms.

33. Developing a national strategy is not a one-off task. Once drafted the strategy will need to be widely disseminated throughout government and to the public, including children (translated into child-friendly versions as well as into appropriate languages and forms). The strategy will need to include arrangements for monitoring and continuous review, for regular updating and for periodic reports to parliament and to the public.

Committee on the Rights of the Child
General Comment 5 (2003): General Measures of Implementation
EXAMPLES OF KEY ACTIVITIES

• Identify the government department responsible for the development of national action plans and build relationships with them.

• Support the child rights community, particularly marginalised and disadvantaged groups, to advocate for children’s perspectives to be taken into account in strategies, policies and plans that may not relate directly to children but which may have an impact on them.

• Strengthen networks before and during the planning process: this will help to create a much stronger civil society voice and make implementation and monitoring smoother.

• Advocate for strategies and plans to have clear goals, be backed up with resources and have support from the highest levels of government.

• Follow up on the implementation of, and spending on, national strategies, policies and national plans of action for children, at both national and local level.

• Advocate that regional strategies for children and regional bodies influencing the establishment of national strategies and plans of action, such as the EU, should support the incorporation of UNCRC principles and standards.

• Promote alternative methods (eg, the internet and other new media) by which children and young people can have an input into national strategies where they are otherwise not allowed or able to be directly involved.

• Lobby the government to ensure dissemination of information throughout the government and to the public, including children, with child-friendly versions based on appropriate languages and forms.

• Lobby for arrangements for monitoring and continuous review, regular updating and periodic reports to parliament, public and children to be included in this process.

• Ensure that national plans include adequate attention to child-centred DRR, climate change adaptation and children in emergencies.

• Ensure that the plans contribute to reduction of risks and vulnerability of the most marginalised children and families, eg, through birth registration/identity papers for all children, support for child-sensitive social protection schemes, poverty reduction strategies and other initiatives to build resilience, and engagement with children as active citizens.

A national action plan for the Palestinian Authority

During the last 18 years, the Palestinian Authority (PA) has assumed some responsibility to ensure the protection and rights of 1.9 million Palestinian children living within various regions of the occupied Palestinian territory (oPt). Aware that there was no national strategy for children, the PA (with the support of Save the Children) began a year-long process to establish one. In order to assess the current status of children’s rights within the oPt, the PA (in cooperation with Save the Children) undertook a comprehensive review of UNCRC implementation within the oPt. The PA was represented by a number of government and non-government counterparts, including ministers, director-generals, directors, and technical specialists from the health, education, social, interior/civic, culture, labour, youth and sports, planning, statistics, judicial, security and financing sectors. The Palestinian Central Bureau of Statistics played a key role in hosting and coordinating these efforts.

The national team (consisting of Save the Children staff and government representatives) worked together to identify the gaps in and challenges to Palestinian children’s rights. More importantly, however, they worked together to identify, recommend and advocate for national efforts that could be undertaken to ensure not only that the gaps would be addressed, but also that a comprehensive, holistic and proactive child rights agenda would be elaborated. Over the course of a year, the views of children and
service providers were collected through surveys and focus groups. National workshops were organised to review the information obtained, review existing legislation and make recommendations on the way forward based on existing frameworks and parameters within the country. A detailed strategy was finalised and approved by the PA and disseminated to relevant parties within the local community, NGOs and the international community. The document is now being used as a reference point for initiating rights-based approaches to national planning and service delivery within the country.

As part of the implementation of the strategy, the PA has established a National Council for Children’s Rights that has the overall responsibility and authority to ensure that a national child rights agenda, a plan and resource allocations are implemented. The PA has also begun a comprehensive national rights indicator and monitoring programme and a system to track progress on children’s rights. The strategy has been approved by the PA and disseminated to relevant parties within the local community, NGOs and the international community. The document is now being used as a reference point for initiating rights-based approaches to national planning and service delivery within the country.

WANT TO KNOW MORE?

Committee on the Rights of the Child, General Comment No 5 - General measures of implementation of the Convention on the Rights of the Child 2003
http://www.unhchr.ch/rtsb/doc.nsf/898586b1dc7b4043c1256a450044f331/3bba808e47bf25a8c1256db400308b9e/$FILE/G0345514.pdf

Plan International, A Review of Disaster Risk Management, Conflict and Climate Change in the Monitoring of the UNCRC, 2013

Save the Children, Promoting child rights: Reflections on key processes of children sector in Kenya, as recorded by some national civil society actors, 2012

Save the Children, Shaping a Country’s Future with Children and Young People: National plans of action for children involving children and young people in their development, 2002
http://resourcecentre.savethechildren.se/node/6734

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http://resourcecentre.savethechildren.se/node/6733

Save the Children, NPA Briefing No 1: Involving Children in National Plans of Action for Children, 2003
http://resourcecentre.savethechildren.se/node/6735

http://www.unicef.org/publications/index_43110.html
www.aclinfo (Repository of children’s laws in eastern and southern Africa)
http://www.unicef.org/policyanalysis/index_51859.html (UNICEF Legislative Reform Initiative)

Welsh Assembly Government, Getting it Right 2009: A 5-year rolling action plan for Wales, 2009
http://wales.gov.uk/topics/childrenyoungpeople/publications/gettingitright2009/?sessionid=N7h2LNjX4fNv0VR9zwrWh3m3MV4j2G0Zx0BYzwMGHCVHzTiCsvH81960802?lang=en
2.4.2 Poverty reduction strategy papers and national development plans

Note: As increasing numbers of countries refer to poverty reduction strategy papers (PRSPs) as national development plans (NDPs), we have used the terms interchangeably in this guidance.

General Measures of Implementation – PRSPs

62. …The Committee notes that international meetings held to review progress have concluded that many States are going to have difficulty meeting fundamental economic and social rights unless additional resources are allocated and efficiency in resource allocation is increased. The Committee takes note of and encourages efforts being made to reduce poverty in the most heavily indebted countries through the Poverty Reduction Strategy Paper (PRSP). As the central, country-led strategy for achieving the millennium development goals, PRSPs must include a strong focus on children’s rights. The Committee urges Governments, donors and civil society to ensure that children are a prominent priority in the development of PRSPs and sectorwide approaches to development (SWAps). Both PRSPs and SWAps should reflect children’s rights principles, with a holistic, child-centred approach recognizing children as holders of rights and the incorporation of development goals and objectives which are relevant to children.

Committee on the Rights of the Child
General Comment 5 (2003): General Measures of Implementation

In the years since their introduction by the International Monetary Fund (IMF) and World Bank (WB), poverty reduction strategy papers (PRSPs) have become key defining documents for economic and social policy in around 40 low-income countries. It would be difficult to pinpoint any other policy document and planning process with the potential to have such a widespread effect on children’s lives in so many countries.

The terms of PRSP processes require that civil society be consulted in their formulation. This presents a major, potentially ground-breaking, opportunity for Save the Children and our partner CSOs to influence government strategy and policy to tackle poverty. The UNCRC sets out the right of children and young people to express their views on decisions that affect them. Children and young people are affected by poverty and therefore we use what leverage we can to promote their rights to be involved in PRSP processes.

Children’s and young people’s participation in the development of PRSPs is a right that should benefit them, but it can also improve official decision-making. Children and young people provide a unique view of the impact of poverty on families. They often voice truths that adults no longer notice, or which socialised adults are wary of expressing, such as the link between poverty and family violence or substance abuse. Children’s experiences are crucial in understanding how poverty affects families at household level, including decisions about education and the allocation of scarce resources such as money or food.

Children’s and young people’s involvement in PRSPs can include contributing to:
- policy dialogue (doing research, providing information, expressing views, lobbying on content)
- implementation (involvement in community-level implementation projects)
- monitoring and evaluation (assessing whether budgets are getting through to local level and evaluating achievements).

Children and young people can participate at various levels: in small-scale local community forums, by representation in district or regional initiatives, and in national-level consultations or representation at meetings. The timescale of their involvement can vary from participation in one-off research consultations to sustained participation over several years. In an ideal situation, children would have several opportunities and ways to raise concerns and ideas. If they chose not to be involved, it would be a conscious decision rather than the result of lack of opportunities and perceived low potential for impact.
EXAMPLES OF KEY ACTIVITIES

• Identify evidence on children’s experiences of poverty and wellbeing, and develop it into a policy-friendly tool for advocacy.

• Find innovative and participatory ways to meaningfully involve children in the process.

• Identify child rights stakeholders and duty-bearers for systematic consultation on the PRSP/NDP documents.

• Undertake child rights budgeting analysis, eg, look at allocations to policies and programmes with a bearing on children. Look at budget allocations in terms of rights outcomes rather than outputs. Ensure that policies pledged in the PRSP/NDP are realistic and in keeping with the budget. Ensure that the indicators are sensitive to children’s rights and based on outcomes rather than outputs. Feed back the evidence generated into subsequent planning processes and harmonise the evidence captured by non-governmental agencies. Involve children in monitoring and evaluation exercises.

Vietnam and Honduras: Involving children in PRSPs

In 2004, with our partners, Save the Children organised three large-scale consultations in Ho Chi Minh City involving more than 400 children and young people as a contribution to national poverty planning or monitoring. The consultations spanned the full PRSP cycle: from pre-PRSP development planning and getting feedback on the interim and draft PRSP to a review of progress in implementing the country’s first PRSP. Children and young people in Vietnam highlighted the plight of the growing number of migrant families in the capital who are not registered by the authorities and who have major problems accessing healthcare, education and social welfare services. Their information helped change procedures to allow unregistered migrants access to services more quickly. This was a major step forward in a city where up to one-third of the population of some wards consists of ‘hidden’ unregistered migrants. The consultations also resulted in two local government initiatives to involve children and young people in official processes.

In Honduras, with our local partners, Save the Children has facilitated five consultations with children and young people that have shaped our advocacy on Honduras’s PRSP. In the largest of the consultations, 3,000 children and young people across the country were consulted about their experiences and viewpoints on child labour. The results convinced government officials to prioritise child poverty in the PRSP and include targets within it on reducing child labour. A commitment was also secured to use funds released by fulfilment of the PRSP to fund education initiatives for child workers. Children’s and young people’s views contributed to more joined-up policy-making, with child labour policies linked to poverty reduction strategies.
2.4.3 National social protection strategies

Social protection is an area that contributes to and cuts across all Save the Children’s work and may be found in our programmes on education, child protection, health and livelihoods. However, CRG is well placed to take on a broader and comprehensive policy-level agenda on social protection, ensuring that national plans, programmes and investments reflect the realities of child vulnerability and poverty in a given country or region. Social protection reduces vulnerability and contributes to the resilience of families and communities.

Increasingly, and partly in response to the recognition that insufficient progress is being made on poverty reduction, countries are developing national social protection strategies aimed at addressing vulnerabilities by extending and strengthening social protection. This often reflects the emphasis placed on social protection in PRSPs and NDPs.

The African Union (AU) Social Policy Framework, adopted by ministers in charge of social development in 2008, urged member states to scale up social protection through developing and operationalising national plans for social protection based on the concept of a ‘minimum package’ of essential social protection. The 101st International Labour Conference of the International Labour Organization adopted a recommendation to provide guidance to members to establish and implement social protection floors, as nationally defined sets of basic social security guarantees aimed at preventing and alleviating poverty, vulnerability and social exclusion.

The development of a national social protection strategy should be undertaken in consultation with key stakeholders from the government, development partners and civil society. The development of the strategy requires a high level of political commitment and the development of a legislative framework that includes social protection, sustainable financing, inter-ministerial collaboration and coordination with other services and across social protection programmes, because of the multisectoral nature of vulnerabilities. It should be based on national evidence, including disaggregated data on poverty and vulnerability by age, sex, disability and ethnicity. There should also be sufficient monitoring and accountability mechanisms in place.

In order to narrow down the broad concept of social protection and distinguish it from other development policy and programmes, social protection can be defined as “a sub-set of public actions that help address risk, vulnerability and chronic poverty”. Social protection measures can be summarised broadly in four types of interventions (see Table 2).
TABLE 2: TYPES OF SOCIAL PROTECTION

<table>
<thead>
<tr>
<th>TYPE OF MEASURES</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Social assistance</td>
<td>Regular predictable transfers in cash or kind, such as fee waivers, employment generation, pension, stipends and food transfers</td>
</tr>
<tr>
<td>Social services</td>
<td>Services for groups who need special care, eg, alternative care for children, rehabilitation services, and alternative education for child labourers</td>
</tr>
<tr>
<td>Social insurance</td>
<td>Pooling of contributions by individuals which enable them to receive financial support in times of crisis, eg, health, accident and crop insurance</td>
</tr>
<tr>
<td>Policy, regulation and legislation</td>
<td>Measures that protect households’ access to resources, promote employment, and support the childcare role. A core area is to protect people in the workplace and ensure that labour standards set by the government are followed for the formal as well as informal sector. Examples include abolishing child and bonded labour, enforcing minimum wage rates, providing paid maternity leave, and ensuring that health and safety standards are met.</td>
</tr>
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</table>

If appropriately designed, social protection can play a key role in reducing children’s vulnerability and poverty and in the realisation of their rights. It is therefore imperative that Save the Children works with partners to influence policy, programme design and delivery of social protection and in monitoring implementation to bring about better outcomes for children.

EXAMPLES OF KEY ACTIVITIES

Evidence-based information

- Analyse child poverty, vulnerability and risk, paying special attention to the identification of vulnerable groups of children.
- Consult with key stakeholders from government, development partners, civil society and children on existing social protection policy and programming, and develop an agenda for joint action.
- Map existing social protection programmes in relation to child vulnerability and poverty, and undertake a gap analysis with the objective of addressing the same. Undertake solid monitoring and evaluation work throughout the programme cycle to ensure systematic learning.

Support for an inclusive national dialogue on national social protection strategies

- Participate in and advocating for an inclusive national dialogue on the focus and priorities of the national social protection strategy, based on analysis of the country context.
- Build awareness among national civil society of the role of social protection, and strengthening the capacity of civil society to demand for comprehensive and broad social protection policies, with a focus on children.

Influence design, implementation and monitoring of social protection policies and programmes

- Influence the design of policies through direct programming, research and advocacy.
- Monitor the implementation of agreed policy and programmes, with a focus on improving transparency and accountability, resulting in better impact for children.
- Support the development of a monitoring system to track the relevance of social protection programmes and their impact on children.
- Involve children in the processes in meaningful ways.
• Build the capacity of duty-bearers and service providers to more effectively deliver social protection programmes, especially those focusing on children.
• Work with national governments/donors to demonstrate ways of making social protection programmes more effective for children. This could be done by improving the design and implementation of child-focused social protection programmes and/or by making general social programmes more child-sensitive.

**WANT TO KNOW MORE?**


http://resourcecentre.savethechildren.se/node/6748

http://resourcecentre.savethechildren.se/node/6762

http://www.wahenga.org

*Joint Statement on Advancing Child Sensitive Social Protection,*

Save the Children, *Child Sensitive Social Protection*, 2010
http://resourcecentre.savethechildren.se/node/6078

## 2.5 Making children visible in budgets

By ratifying the UNCRC, a government assumes a responsibility to ensure that children are visible in its budget allocations. This is necessary so that measures relating to them can be traced and monitored. Without disaggregated data that shows how much spending actually reaches children, it is impossible to assess how successful the government has been in implementing its commitments to children.

Save the Children has created a focus on Investment in Children (IIC) that includes the visibility of children in budgets as well as other economic justice issues for children’s rights. Section 3.3 in Part Three contains most of the guidance on this issue.

**General Measures of Implementation: budget allocations**

51. In its reporting guidelines and in the consideration of States parties’ reports, the Committee has paid much attention to the identification and analysis of resources for children in national and other budgets. No State can tell whether it is fulfilling children’s economic, social and cultural rights “to the maximum extent of … available resources”, as it is required to do under Article 4, unless it can identify the proportion of national and other budgets devoted to the social sector and, within that, to children, both directly and indirectly. Some States have claimed it is not possible to analyse national budgets in this way. But others have done it and publish annual “children’s budgets”. The Committee needs to know what steps are taken at all levels of Government to ensure that economic and social planning and decision-making and budgetary decisions are made with the best interests of children.
as a primary consideration and that children, including in particular marginalized and disadvantaged groups of children, are protected from the adverse effects of economic policies or financial downturns.

52. Emphasizing that economic policies are never neutral in their effect on children’s rights, the Committee has been deeply concerned by the often negative effects on children of structural adjustment programmes and transition to a market economy. The implementation duties of Article 4 and other provisions of the Convention demand rigorous monitoring of the effects of such changes and adjustment of policies to protect children’s economic, social and cultural rights.

Committee on the Rights of the Child
General Comment 5 (2003): General Measures of Implementation

2.6 Coordination to ensure effective implementation

**General Measures of Implementation: coordination**

37. In examining States parties’ reports the Committee has almost invariably found it necessary to encourage further coordination of government to ensure effective implementation: coordination among central government departments, among different provinces and regions, between central and other levels of government and between Government and civil society. The purpose of coordination is to ensure respect for all of the Convention’s principles and standards for all children within the State jurisdiction; to ensure that the obligations inherent in ratification of or accession to the Convention are not only recognized by those large departments which have a substantial impact on children – education, health or welfare and so on – but right across Government, including for example departments concerned with finance, planning, employment and defence, and at all levels.

38. The Committee believes that, as a treaty body, it is not advisable for it to attempt to prescribe detailed arrangements appropriate for very different systems of government across States parties. There are many formal and informal ways of achieving effective coordination, including for example inter-ministerial and inter-departmental committees for children. The Committee proposes that States parties, if they have not already done so, should review the machinery of government from the perspective of implementation of the Convention and in particular of the four articles identified as providing general principles (see paragraph 12 above).

39. Many States parties have with advantage developed a specific department or unit close to the heart of Government, in some cases in the President’s or Prime Minister’s or Cabinet office, with the objective of coordinating implementation and children’s policy. As noted above, the actions of virtually all government departments impact on children’s lives. It is not practicable to bring responsibility for all children’s services together into a single department, and in any case doing so could have the danger of further marginalizing children in Government. But a special unit, if given high-level authority – reporting directly, for example, to the Prime Minister, the President or a Cabinet Committee on children – can contribute both to the overall purpose of making children more visible in Government and to coordination to ensure respect for children’s rights across Government and at all levels of Government. Such a unit can be given responsibility for developing the comprehensive children’s strategy and monitoring its implementation, as well as for coordinating reporting under the Convention.
40. The Committee has found it necessary to emphasize to many States that decentralisation of power, through devolution and delegation of government, does not in any way reduce the direct responsibility of the State party’s Government to fulfil its obligations to all children within its jurisdiction, regardless of the State structure.

Committee on the Rights of the Child
General Comment 5 (2003): General Measures of Implementation

There are many national agencies and institutions whose work affects the realisation of children’s rights, and a national coordination body must be established that covers all public programmes and policies that affect children and their families. A specific department or unit in government, in the Prime Minister’s office or Cabinet office to coordinate implementation and children’s policies, is ideal. Nearly all government departments take decisions that affect children and their rights, and a specialist unit can ensure that children and state obligations under the UNCRC are visible in government planning. This unit can also have key responsibilities such as development of the national action plan for children, submission of all child rights UN reports, and planning, coordination, and monitoring and evaluation of UNCRC implementation.

Implementation of the UNCRC requires coordination between and within all levels of government. The health ministry might be given lead responsibility for delivering on child health, but the reality is that it cannot ensure comprehensive protection of that right. A child health policy would need to link with at least the ministries of social welfare, education, environment and finance to address the root causes of child health issues, which might be about, for example, birth registration. Ideally, then, a sectoral coordination mechanism would be established to organise and monitor action in specific sectors.

It is essential, however, that a national coordination mechanism is also in place, as that will establish the framework and standards of coordination in government. It is also essential that such coordination mechanisms have a clear mandate to make effective decisions, not least in terms of financial allocations. If not, civil society actors need to specifically target this issue in their advocacy. Also, it is common for departments and agencies directly involved with business policies and practices to work quite separately from those departments and agencies with direct responsibility for children’s rights. States need to ensure that ministries and other government bodies, as well as parliamentarians who shape business law and practices, are aware of the state’s obligations with regard to children’s rights. They may require relevant information, training and support so that they are equipped to take the UNCRC into account when developing law and policy and when entering into economic agreements.

Child rights governance programming interventions will seek to improve the extent to which institutions further and contribute to the realisation of child rights. We obviously cannot concern ourselves with all institutions of government, so will limit ourselves to those required to create a legitimate, effective and efficient framework for the formulation and conduct of public policy in support of child rights. However, the strength of our partner cooperation will enable us to engage more widely than would be the case if we acted on our own, allowing us to be ambitious regarding the objectives we set.

Strong functioning institutions are the building blocks of an in-country child rights infrastructure – enabling states to deliver equitable services, apply the rules of law and legislate effectively. Such institutions are not just about delivery and supply but are also essential in the quest to hold governments accountable and therefore support demands for accountability and transparency. In particular, CRG will focus on strengthening those government structures and processes that are necessary to engage children’s and young people’s meaningful involvement, that ensure the best interests of the child are paramount in policy and planning, and that ensure equal access to basic services.

If children are to be put at the heart of government policy and planning, effective governance arrangements will be needed at central government level as well as across all levels of government. This will be reflected in our partnerships, as a broad cooperation with partners is the key to upholding a broad scope of work.
Swaziland: National coordination system

The Committee on the Rights of the Child examined Swaziland’s first report to the Committee in 2006. In its Concluding Observations, the Committee made 36 recommendations, including the need for the government to take all necessary measures to ensure an effective start of the coordinating mechanism, including the allocation of necessary resources for its functioning. Save the Children, together with UNICEF and other child-focused organisations, used the 36 recommendations to advocate for increased political commitment to, and improvement of, children’s rights in Swaziland.

In 2007, the Swazi government established the National Children’s Coordination Unit in the Deputy Prime Minister’s Office. This put increased focus on children and improved coordination across government departments on issues relating to children and their rights. It has also strengthened civil society’s opportunities to influence and participate in the government’s work around children through technical working groups established by the unit. Today, the Swazi government has a road map for its work on children’s rights through the National Children’s Policy, and a newly adopted Child Protection and Welfare Act has enhanced the legal protection for children in Swaziland. But lack of human and financial resources still hampers the work of the unit.

We also need to support the establishment of permanent structures in local government to ensure priority consideration of children. A local-level child rights coordination mechanism or unit with links to the highest level of local government, eg, the mayor, is one model used by some local governments. In Johannesburg, for example, there is a child policy coordinating team made up of all the heads of key departments in local government to ensure an integrated approach to children. Opportunities for civil society representation and the representation of children in local government structures for children should be advocated for and supported.

Government ministries have a crucial role to play in coordinating child-centred emergency preparedness, risk reduction, climate change adaptation, and emergency response strategies and plans. In a humanitarian context, the cluster system may be activated to ensure coordination among government, international and national agencies to ensure a timely and effective humanitarian response. Ministries concerned with child rights coordination should be actively involved in relevant cluster meetings (eg, education, child protection, early recovery) to ensure coordination on child right concerns.

EXAMPLES OF KEY ACTIVITIES

- Advocate for the establishment of a cross-ministerial coordination mechanism.
- Build capacity of the coordination mechanism.
- Advocate for the cross-ministerial coordination mechanism to be place in a powerful ministry, eg, the Prime Minister’s office.
- Support coordination mechanisms to work with ombudsperson/commissioner for children and civil society organisations on monitoring and implementation of recommendations from UNCRC, Universal Periodic Review (UPR) and/or regional child/human rights mechanism.
- Support the preparedness and capacity-building of ministries with responsibility for coordination on child rights to actively engage in humanitarian response coordination mechanisms (including the cluster system when it is activated) in order to influence planning, response and coordination on child rights in humanitarian contexts.
- As part of the transition from humanitarian response to recovery and longer term development processes, support relevant ministries to strengthen national structures to take over coordination of relevant clusters to plan for children’s rights.
2.7 Training and capacity-building

The fundamental responsibility for achieving and sustaining appropriate levels of awareness and motivation and the necessary skills base lies principally with the state. Establishing and sustaining training for those involved in the implementation of rights has been categorised by the Committee on the Rights of the Child as one of the state’s General Measures of Implementation (GMIs).

As we move into the third decade of the UNCRC, it is possible to draw on experience and define the capacities, information and skills needed by those involved in implementing rights commitments. The Capacity Gap tool

Commonly employed by Save the Children/UN in Child Rights Situation Analysis provides a useful prompt to help focus on the nature of the knowledge, skills, attitudes and capacities associated with implementing rights. The skills and knowledge components of duty-bearers capacities include:

• knowledge of official instruments that provide duty-bearers with the authority to act, eg, knowledge and understanding of official policy documents, legislation, laws and the authority they provide to act
• personal skills and knowledge resources associated with principles and provisions of children’s rights that are necessary to deliver specialist services, health, education, justice, etc
• the personal motivation of accepting that the child has a right and that as a duty-bearer you have a responsibility.

Absence of any these capacities constitutes a gap that may result in a duty-bearer not fulfilling their responsibility. Table 3 presents a framework of desirable knowledge, skills and attitudes, together with an indication of where these might be obtained or developed in an ideal situation. The table is meant to stimulate reflection on ideals that could be long-term targets.
<table>
<thead>
<tr>
<th>Source/nature of training/capacity development – ideally</th>
<th>Attitude to, and acceptance of, (all) children as subjects of rights</th>
<th>Knowledge of standards and principles of human rights generally, and UNCRC Articles 2, 3, 6, and 12 specifically</th>
<th>Understanding childhoods: accommodating and responding to children’s evolving capacity</th>
<th>Skills and attitudes in seeking and taking into account children’s opinions in decision-making</th>
<th>Application of rights-based approaches to the process of planning, monitoring and delivery of services</th>
</tr>
</thead>
</table>
| State: primary duty-bearer | Decision-makers  
- National: policy, legislation, national oversight, including parliamentarians  
- Regional, district, municipal, local administration | Ideally… Relevant professional qualifications. In-house ‘on-the-job’ specialist training, manuals, guides, practice standards, awareness workshops | Attitude to include ability and willingness to provide leadership as well as demonstrate through personal commitment | National: Capacity to interpret and apply international standards and child rights principles to national policy and capacity to understand and interpret national policy and apply to domain of responsibility | Capacity to relate and respond to significance of children’s evolving capacity | National: Capacity to design and manage rights-oriented processes, including the development of appropriate, rights-sensitive indicators, and skills to interpret and respond to data at national level | Regional/Local: Capacity to work within rights-orientated processes, to interpret and respond to rights-sensitive data at level of responsibility |
<p>| Ideal... | | | | | |
| Professionals, service providers, teachers, health workers, social workers, etc | Ideally… Professional training, in-service training, professional institutions | Personal motivation, acceptance of children as subjects of right for which responsible | Specific professional knowledge in area of expertise, and general knowledge of full scope of rights (so as to factor interdependence into professional decisions) | Professional knowledge specific to area of specialisation | Capacity and attitude to ensure that children’s rights are heard as part of professional interface | Capacity to contribute and respond to rights-oriented processes |</p>
<table>
<thead>
<tr>
<th>Rights-holders</th>
<th>Children, nuanced by maturity/age/ evolving capacity</th>
<th>Education system (Article 29) and programmes responding to UN Declaration on Right to Human Rights Education</th>
<th>Attitude of respecting rights of other children</th>
<th>Knowledge of own rights and how those rights are to be claimed. Knowledge of others’ rights and own responsibilities</th>
<th>Skills and attitudes to interact with other children and adults around the enjoyment of their and others’ rights</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parents, as primary duty-bearers, but also as co-claimants in their children’s rights</td>
<td>Education system: as younger children learning about their own rights and as older children learning about the responsibilities they will have as parents in the future. Also parenting education to guide parents in their responsibilities to support their children to access and exercise their rights.</td>
<td>Attitude of respecting rights of all children, whether boys or girls, and of others</td>
<td>Sufficient knowledge of the rights children are entitled to and how they work; basic familiarity with state systems and policy; understanding of how and where to raise issues when necessary. In the context of parents’ responsibility to co-claim their children’s rights and guide (older) children in the exercise of their rights</td>
<td>Parenting skills: knowledge of children’s changing vulnerabilities and evolving capacities</td>
<td>Parenting skills: communication</td>
</tr>
</tbody>
</table>
Capacity-building and awareness-raising on human rights in general, and children’s rights in particular, have been part of Save the Children programming for a considerable period of time, and there is in-house experience with a wide range of stakeholders in probably every conceivable social, political and cultural setting. This is an important source of knowledge, skills and insights into how to respond to the needs of particular groups of stakeholders, state or non-state, rights-holders or duty-bearers, in their own settings.

Of particular strategic significance is the recent adoption by the UN General Assembly of the UN Declaration on Human Rights Education and Training (UNDHRET) (December 2011, resolution 66/137), which provides a framework for the incorporation of human rights capacity-building and requires states to develop plans of action. This places the development of the knowledge and skills necessary to bring about the realisation of children’s rights in the context of a wider movement to strengthen the position of human rights with the state at the centre.

CRG should also review the extent to which government departments and professionals have relevant training to respond to child rights in emergencies and to contribute to child-centred disaster risk reduction (DDR) and climate change adaptation (CCA). For example: do government officials have training in disaster risk reduction and climate change adaptation to, for example, effectively inform and involve children in DRR and CCA as integral to the school curricula? Are government health workers prepared to respond to outbreaks of diseases affecting children in an emergency? Are the media aware of the importance of highlighting children’s resilience and roles as active citizens in preparedness, response and reconstruction processes?

The responsibility for much of the capacity development that is needed for children’s rights to be realised should ultimately lie with actors other than Save the Children, and so the programming challenge is to identify who, in the long term, should provide the guidance, training and support, and what role, if any, Save the Children can play to contribute to this long-term goal.

At the same time, it is appropriate to contextualise work that might support implementation of the GMIs alongside work that can contribute to furthering capacity development of other stakeholders in children’s rights, as there is the potential for synergy and overlap.

**EXAMPLES OF KEY ACTIVITIES**

- Support and collaborate with government departments responsible for the development of child rights awareness and behaviour change materials for specific stakeholders, including children themselves, parents, the private sector and the media.

- Support and collaborate with government departments in the development of in-house tools, guidelines/training courses, and promotional materials associated with children’s rights and rights-oriented tools – e.g., child rights situation analysis processes, child impact assessments, monitoring systems of rights-sensitive indicators, and practice standards for child participation.

- Support government in its analysis of capacity/training needs in different rights sectors and the development of long-term programmes of action.

- Support the evaluation of training.

- Lobby and advocate to establish programmes of capacity-building, awareness-raising and behaviour change, including establishment of budget lines.

- Collaborate with other actors to help establish national plans of action for human rights education in country.

- Support professional training institutions and universities in the development of professional training inclusive of child rights content; collaborate with other agencies also.

- Collaborate with and support training institutions and universities in the accommodation of child rights and rights-based approaches in courses used to train government personnel with decision-making responsibilities.
• Sharing child rights awareness, behaviour change and child rights training materials.

• Provide information on the UNCRC to children and parents/caregivers, parent–teacher association members, teachers, health workers, humanitarian staff (including Save the Children colleagues), etc through the Child Friendly Spaces, educational and other humanitarian responses.

• Advocate for and support curriculum development to include DRR, CCA and child rights.

• Enabling children themselves to bring their perspectives on training needs to the table.

• Advocating together with CSOs and children, for governments and the private sector to implement the Child Rights and Business Principles and the forthcoming General Comment on Child Rights and the Business Sector (GCCRBS).

In order to sustain Save the Children’s position as the global expert in children’s rights, it will be important to invest in the internal management of CRG expertise. There are many examples globally of Save the Children’s work with states, and much of the value Save the Children can bring to the field will be through proactive knowledge management.

**Bangladesh: work with parliamentarians to promote and protect children’s rights**

Save the Children supported members of parliament from all political parties in Bangladesh to form a Parliamentary Caucus on Child Rights. The caucus was formally launched at the end of 2012 to ensure that child-centred budgeting becomes a matter of political priority rather than a partisan issue. It was approved unanimously by all members of the Bangladesh Parliament.

The parliamentarians promoted child-centred budgets inside the Bangladesh Parliament and outside in their respective political forums. They provided policy briefs to ensure quality discussions in parliamentary sessions, coordinated parliamentary questions on issues and policies related to child-centred budgeting, and facilitated discussions with ministries, Parliamentary Standing Committees, civil society and research organisations. The caucus also arranged a pre-budget press conference and discussed the importance of children’s budgets in the 2013 parliamentary budget session.

As a result, the Finance Minister has made a commitment to include a children’s budget into the national budget from 2014. Also, the development of the child-centred budget framework is now in progress within the Ministry of Finance.
2.8 Regulation of service providers

In the past decade, the private sector has become increasingly involved in delivering public services such as healthcare, education, water, security and energy in many developing countries.

States parties to the UNCRC have a legal obligation to ensure that non-state service providers operate in accordance with its provisions, thus creating indirect obligations on such actors. The Committee devoted its 2002 Day of General Discussion to the theme “The private sector as service provider and its role in implementing child rights”, defining the private sector as including businesses, non-governmental organisations (NGOs) and other private associations, both for-profit and not-for-profit. It concluded that states must adopt specific measures that take account of the involvement of business enterprises in service delivery to ensure that the rights enumerated in the UNCRC are not compromised. In particular, they must ensure that private-sector providers of services and goods essential to the fulfilment of child rights incorporate and apply the right to non-discrimination in their programmes and services.
In its July 2012 Draft General Comment on Child Rights and the Business Sector (GCCRBS), the Committee on the Rights of the Child noted the role the private sector can play in service provision and the role that states parties have in regulating and monitoring them:

“Business enterprises can play an essential role in the provision of public services such as water, education, transport, health or energy that are critical to the fulfilment of children’s rights. The Committee does not have a preference for the form of delivery of services essential to the enjoyment of child rights but it is important to note that States parties are not exempted from their obligations under the Convention when they outsource or privatise tasks that impact on the fulfilment of child rights. When business enterprises are involved in service provision, then States parties have a duty to regulate and monitor them.”

The human rights community has responded to the changes in the governance of public services and the increase of private-sector service provision at two levels: international law and domestic law.

Human rights treaties bodies, most notably the Committee on Economic, Social and Cultural Rights, have explicitly recognised the potential of non-state bodies to be human rights offenders and have made references to the responsibilities of the private sector within treaty provisions. The Committee on the Rights of the Child has also established the obligation on states to set standards in conformity with the UNCRC and ensure compliance by the appropriate monitoring of institutions, services and facilities, including those of a private nature. This work at international level must continue in order to draw attention to the risks to human rights that can arise when public service delivery is delegated to private sector organisations.

There is, however, huge scope for potential at the level of domestic human rights law to influence the regulation of service providers to ensure that children’s rights are fulfilled, e.g. by ensuring that private sector public service deliverers are covered by domestic human rights legislation.

**EXAMPLES OF KEY ACTIVITIES**

- Gather evidence (including monitoring if appropriate) and undertake policy research on the impact of privatisation of services on children, and communicate this through policy research and advocacy, including by partnering with colleagues from different sectors affected by privatisation (such as health, education, security and water).

- Contribute to international initiatives related to the regulation of service providers.

- Disseminate the GCCRBS among children and also within ministries and departments that work on business issues and those responsible for trade and investment abroad.

- Advocate for governments to develop action plans in response to the GCCRBS.
• Advocate for, and support government in developing and monitoring, better regulation of private sector service providers, including ensuring they are covered by domestic human rights legislation.

• Support awareness of the GCCRBS in governments and civil society, including children, and promote regular meetings to advocate for children’s rights and to discuss research findings and progress in implementation.

• Advocate for and support the implementation of child-friendly accessible complaints and feedback procedures (in line with Humanitarian Accountability Partnership and Sphere standards) in humanitarian settings.

WANT TO KNOW MORE?


UN Committee on the Rights of the Child, General Comment No. 5 (2003), General measures of implementation of the Convention on the Rights of the Child, 2003
http://www.unhcr.org/refworld/docid/4538834f11.html

Submissions to the Committee on the Rights of the Child 2002 Day of General Discussion on the topic of ‘The Private Sector as Service Provider and its Role in Implementing Child Rights:
http://www.crin.org/docs/resources/treaties/crc.31/Discussion.asp

K Bayliss and T Kessler; Can Privatisation and Commercialisation of Public Services Help Achieve the MDGs? An assessment, UN Development Programme International Poverty Centre, 2006
http://www.gsdrc.org/go/display&type=Document&id=1965


D Montagu and A Bloom, The Private Sector and Health Services Delivery in the EAP Region: Background report to UNICEF on the role and experiences of the private sector in provision of child health services, 2010
http://www.unicef.org/eapro/3_Market_decentralization_and_Health_Services_delivery.pdf

http://heapol.oxfordjournals.org/content/26/suppl_1/i4.full

2.9 Developing indicators and collecting data

For children’s rights to be realised and sustained, governments and citizens should have access to appropriate indicators and sufficient data to help them understand whether the institutions and systems responsible for rights are functioning as they should and whether the ‘social contract’ between citizens and the state is working – and to alert them to situations where it is not.

Data systems need to be able to inform problem-solving and decision-making at a local level, but also to contribute to analysis and reports that reflect progress and challenges to the realisation of rights at regional and national levels. There are a number of considerations that can assist in guiding engagement with this General Measure of Implementation (GMI).
A range of stakeholders have a potential role in the design of appropriate indicators and the systems to collect them. While the primary focus of programming to improve the implementation of this GMI should be to assist government to fulfil its obligations and bring about good data systems, it will also be desirable, wherever possible, to facilitate collaboration between state and non-state actors, for example around choice of indicators, systems of processing and use. Care should be taken not to sideline or undermine the state’s responsibility by developing systems independently of the state.

Ideally, there should be a consolidated data/information collection, processing and retrieval system – a kind of ‘one-stop shop’ – available for use by all actors, primarily by the state and its agencies but also by civil society organisations (CSOs). In reality, however (as is shown, eg, by the experience of human rights organisations documenting the fulfilment/violation of civil and political rights), this poses a challenge, as the state usually uses only information and data that are officially sanctioned (and on some occasions those from other sources that support and do not contradict its own data/information), thus excluding data and information from other more independent sources. This is one of the reasons why CSOs produce supplementary/alternative reports. In this case, it is vital that CSOs establish a data/information system that supplements the state’s system.

General Measures of Implementation: data collection and analysis and development of indicators

48. Sufficient and reliable data collection on children, disaggregated to enable identification of discrimination and/or disparities in the realization of rights, is an essential part of implementation. The Committee reminds States parties that data collection needs to extend over the whole period of childhood, up to 18 years of age. It also needs to be coordinated throughout the jurisdiction, ensuring nationally applicable indicators. States should collaborate with appropriate research institutes and aim to build up a complete picture of progress towards implementation, with qualitative as well as quantitative studies. The reporting guidelines for periodic reports call for detailed disaggregated statistical and other information covering all areas of the Convention. It is essential not merely to establish effective systems for data collection, but to ensure that the data collected are evaluated and used to assess progress in implementation, to identify problems and to inform all policy development for children. Evaluation requires the development of indicators related to all rights guaranteed by the Convention.

49. The Committee commends States parties which have introduced annual publication of comprehensive reports on the state of children’s rights throughout their jurisdiction. Publication and wide dissemination of and debate on such reports, including in parliament, can provide a focus for broad public engagement in implementation. Translations, including child-friendly versions, are essential for engaging children and minority groups in the process.

50. The Committee emphasizes that in many cases, only children themselves are in a position to indicate whether their rights are being fully recognized and realized. Interviewing children and using children as researchers (with appropriate safeguards) is likely to be an important way of finding out, for example, to what extent their civil rights, including the crucial right set out in Article 12, to have their views heard and given due consideration, are respected within the family, in schools and so on.

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Engaging with the development of indicators for children’s rights provides openings to discuss and support rights commitments and to establish good practice in applying the principles of children’s rights (eg, non-discrimination through generation of disaggregated data, and children’s participation in indicator identification and in recording and analysing outcomes).
The UNCRC’s periodic monitoring and reporting obligation provides a strategic opportunity to stimulate interest in development of data every five years. The Committee’s observations and recommendations, which routinely make reference to the need for good indicators and data systems, provide an authoritative statement and an opening for discussion with the state and other actors on the improvement of indicators/monitoring systems that are sensitive to rights. In some countries the inability to produce a good periodic report has provided the necessary point of entry to a discussion on starting to identify appropriate indicators, find methods of collecting data, and make the production of the next report less challenging.

In many countries there has been a concentration of monitoring resources around the UNCRC periodic reporting – and Universal Periodic Review (UPR) reporting in some countries, and a reduction in activity in the four intervening years. In the long term, data needs to be processed on a more continuous basis, and there need to be regular updates and analysis, particularly for areas where there are active challenges to overcome.

There are now a range of actors – governmental, UN and civil society – involved in the development of indicators and their collection. Save the Children has niche competencies through its expertise in supporting children to contribute to monitoring. There is potential for bringing these competencies to bear through collaboration between specialist technical agencies, responsible government ministries, human rights institutions, local CSOs and networks, and academic institutions.

The commitments made to human rights in the past few decades have prompted the development of systems of indicators and monitoring that can help the realisation of rights. The Committee on the Rights of the Child routinely encourages governments to establish systems that enable disaggregation of data and allow them to identify which groups of children are not enjoying their rights. Since 2006, the Office of the High Commissioner for Human Rights (OHCHR) has led the way in exploring and piloting rights-sensitive indicators and monitoring systems that provide quantitative and qualitative information to sustain achievements, and to help identify weaknesses that need to be addressed. The indicators are formulated in accordance with an internationally recognised matrix, consisting of:

- structural indicators that reflect the existence of legal instruments, as well as basic institutional and budgetary mechanisms necessary for facilitating the realisation of the particular children’s rights provision
- process indicators that reflect the efforts made at national and local or regional level to implement the structural provisions. This includes national strategies, policy measures, action programmes, training initiatives, campaigns and other activities aimed at realising particular children’s rights
- outcome indicators that reflect individual and collective attainments in reference to the status of realisation of children’s rights in a given context, as well as the extent to which children have benefited from interventions and programmes of action. These tend to be statistically quantifiable, but can also be measured through qualitative means, if such comparable data is or could be made available.

**Occupied Palestinian territory: Developing child-rights indicators**

In 2011 Save the Children and UNICEF initiated a consultative review of existing national indicators, sources of data, frequency of data, and use of data from the Palestinian Central Bureau of Statistics (PCBS) and relevant line ministries. A series of national and sectoral-level workshops was organised to discuss various types of indicators, definitions and terminology used for identifying child rights-based indicators, and sources of data – surveys, administrator records, complaint records, individual reports by children, parents, caregivers, etc. Following a national discussion on the importance of establishing child rights-based indicators, sectoral ministries initiated a process of internal review to identify key areas that required indicators in regard to the UNCRC and to identify priority indicators they wanted to elaborate on. A pool of indicators was formulated from existing sets of national indicators, global indicators, and other indicators that were of relevance to the Palestinian Authority – for example, reporting on displaced children, children detained in Israeli prisons, and other indicators related to the monitoring and reporting mechanism. A draft document on child rights indicators was produced explaining what child rights indicators are, the purpose of the indicators, and means of data collection. In addition, more detailed presentation of the indicators was undertaken. The draft document was shared with relevant partners for finalisation. At that time, the PCBS had initiated a national monitoring system, and it is now selecting ten key child rights indicators to include within the national pool of indicators.
EXAMPLES OF KEY ACTIVITIES

• Advocate for and support the development of national systems for data collection (centrally held dis-aggregated data) on all children within and across national borders including refugee, stateless, displaced and migrant children.

• Advocate for gender disaggregation of data collected.

• Advocate for a disaggregated data collection system to be adequately resourced.

• Incorporate data on birth registration and/or lost birth registration or identity documents into the emergency assessments.

WANT TO KNOW MORE?

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European Union Agency for Fundamental Rights, Developing Indicators for the Protection, Respect and Promotion of the Rights of the Child in the European Union (summary report), March 2009


http://resourcecentre.savethechildren.se/node/6717

2.10 Cooperation and collaboration with civil society

This section relates to the state’s responsibility to consult and cooperate with civil society in the implementation of children’s rights and the role Save the Children can play in supporting this. Part 4 contains additional guidance on capacity-building and facilitating strong relationships between civil society and other key actors for children’s rights.

The Committee on the Rights of the Child stresses in General Comment 5 the need to recognise that it is not only the state that bears responsibilities for respecting, protecting and fulfilling children’s rights, but that it is a collective responsibility of others, including “children, parents and wider families, other adults, and non-state services and organisations”.

The state’s broad responsibility is to get citizens on board and contributing to the national ‘rights project’, both as individuals and as members of the institutions and organisations they represent.
56. Implementation is an obligation for States parties, but needs to engage all sectors of society, including children themselves. The Committee recognizes that responsibilities to respect and ensure the rights of children extend in practice beyond the State and State-controlled services and institutions to include children, parents and wider families, other adults, and non-State services and organizations… State parties should therefore provide an environment which facilitates the discharge of these responsibilities.

57. Article 12 of the Convention, as already emphasized (see paragraph 12 above), requires due weight to be given to children's views in all matters affecting them, which plainly includes implementation of “their” Convention.

58. The State needs to work closely with NGOs in the widest sense, while respecting their autonomy; these include, for example, human rights NGOs, child- and youth-led organizations and youth groups, parent and family groups, faith groups, academic institutions and professional associations. NGOs played a crucial part in the drafting of the Convention and their involvement in the process of implementation is vital.

59. The Committee welcomes the development of NGO coalitions and alliances committed to promoting, protecting and monitoring children’s human rights and urges Governments to give them non-directive support and to develop positive formal as well as informal relationships with them…

General Measures of Implementation: engaging all sectors of society

It is useful to recall the scope of what the Committee on the Rights of the Child includes under the broad heading of civil society, and the role of the ‘non-state’ sector; before considering, at least in general terms, ways in which the state can best fulfil its obligation to ‘engage all sectors of society, including children themselves’ and ways in which Save the Children might contribute to this rights-oriented relationship between the state and civil society.

For the purposes of exploring the state’s obligations to this GMI concerning cooperation with civil society, the work undertaken by civil society institutions can be divided into two types:

- the representation of the interests of particular groups of people – rights-holders
- the delivery or organisation of services for particular groups of people, now with entitlements.

A CSO might engage with work that covers both of these.

It can also be useful to draw a distinction between organisations that represent a particular group of rights-holders (e.g., children’s organisations, parents’ groups, workers’ unions in a particular private or public sector, consumer groups, local cooperatives), and organisations that come together to deliver a service, not for profit but as a humanitarian or philanthropic initiative for a particular group, e.g., concerned with issues facing children.

In its interactions with civil society that concern representation of rights-holders’ interests, the state’s responsibilities include making sure that those with rights know what they are and what the plan is to fulfil those rights, and providing space to hear the representations of rights-holders when things are not going as they should.

In order to fulfil its role of informing rights-holders and their organisations and associations about their rights, and creating systems of accountability to individuals and organisations, the state must have the motivation, institutions and tools in place. This is frequently a challenge, as the right of citizens to know what their rights are puts pressure on the state’s capacity to deliver on these commitments, particularly socio-economic rights that have resource implications and may only be achieved progressively.

In its interactions with CSOs that are involved in delivering on rights commitments, the state also needs to make sure that the principles and standards to which the country is committed are clear, and that there are adequate means for...
ensuring appropriate collaboration and coordination between state and non-state actors towards achieving the national goal. When a CSO is contracted by the state to deliver a service, this is relatively straightforward, as it can be a part of the contract. When the service is delivered independently of the state, forms of regulation or standard-setting need to be considered, and supporting structures need to be put in place.

Achieving functioning relationships between the state and civil society requires some readjustment in many countries, both by the state and civil society. The existence of national commitments to children’s rights requires a rethinking of ways in which appropriate relations should function. Much has been achieved in some countries, and there are now good examples of how these relationships can be redefined. In others, there remain considerable challenges, with one or both sides needing to make adjustments. In the worst cases, there is a breakdown of relationships that requires considerable repair; and the shrinking space for CSOs through repressive legislation has been a feature in many countries in recent years.

In these periods of transition, and in the process of achieving the sort of state/civil society collaboration that the UN-CRC requires in the long term, Save the Children can make good strategic use of its normally good relationships with both civil society and government to help foster and broker better child rights-related collaboration between the two. Unlike for other sectors, the implementation requirements of the UN-CRC (particularly periodic reporting) provide formal opportunities to bring state and non-state actors together.

2.10.1 Collaborating in humanitarian or emergency settings
Save the Children will routinely partner with CSOs in humanitarian or emergency situations. Each context will be different, depending on the nature of the country and the emergency. Save the Children may or may not have existing partners on site, and those partners may be more or less experienced in responding to an acute emergency. In every case, Save the Children needs to assess the existing local capacity and by all means available we must design our emergency actions in ways that complement and build upon that capacity. In some instances, CSOs may be the only partners available; in other settings, they may arise as a response to the crisis and dissipate afterwards once stability returns. Such situations will provide opportunities to work at the interface between the state and civil society, ensuring that appropriate collaboration mechanisms are facilitated and providing strategic opportunities to ‘build back better’ or to stimulate interest in community engagement with children and their rights. Depending on the situation, the emergency may provide an opportunity to start to build or to strengthen systems and institutions where state and civil society can interact better, for example, around the development of protection systems, community planning initiatives and, with a long-term perspective, in the development of preparedness mechanisms.

Shifting relationships between civil society and governments

In several countries in sub-Saharan Africa, the activities of human rights defenders and civil society activists have been violently suppressed. But in many more instances, repression can be less overt and involves procedural and operational issues such as the registration process for NGOs and restrictive measures related to foreign sources of funding. This is notable in Egypt, Ecuador and Ethiopia. Then there are restrictions on individuals’ rights to protest and dissent. There is an increasing range of civil society ‘lifecycle’ legislation regarding formation, registration, etc. There are also more subtle ways in which governments undermine civil society authority, for example, by not inviting CSOs that openly disagree with the government to forums and joint government and civil society meetings. There are also, however, positive trends such as governments lifting restrictions on civil society, most recently in Rwanda, Montenegro, Tunisia and Kurdistan. These can and should be promoted as an alternative path other governments could take.
EXAMPLES OF KEY ACTIVITIES

- Undertake awareness-raising and lobbying with state actors to develop a shared understanding of how state and civil society have linked roles in the delivery of rights and the need for appropriate institutional relationships.

- Lobby for, and work with the state in, the development of NGO legislation that recognises and facilitates the complementary roles of state and non-state actors in the delivery of children’s rights.

- Lobby for, and work with the state in, establishing a state/NGO coordinating committee enabling state and civil society to interact more effectively around development and implementation of laws and policies concerning children.

- Lobby for, and assist sector ministries to develop, and make available, appropriate guidance to CSOs involved in service delivery on standards and principles they should adhere to, including establishing systems of accountability, children’s participation, safeguarding and non-discrimination.

- Support state institutions in delivering or commissioning training opportunities for civil society to develop appropriate skills and knowledge.

- Prepare and support CSOs to promote and protect children’s rights during emergency preparedness, response, recovery and reconstruction processes.

WANT TO KNOW MORE?

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http://resourcecentre.savethechildren.se/node/6628

F Sheahan, New Challenges for Civil Society – The impact of the Paris agenda and new emerging donors on child rights civil society, Save the Children, 2010
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2.11 Child rights in international cooperation

Implicit in the UNCRC is the idea that as an international community we have responsibilities for children and the realisation of their rights, regardless of where they were born or reside.

Making children’s rights a central tenet of development is both a legal obligation and a moral requirement. And yet many state donors fail to be guided by their obligations to the UNCRC. In terms of donor obligations, Article 4 of the UNCRC says: “States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.”

In General Comment 5, the Committee on the Rights of the Child elaborated further on the obligations of donors and stated that the UNCRC should form the framework for international development assistance related directly or indirectly to children and that programmes of donor countries must be rights-based. Unfortunately, that is not often the case.
General Measures of Implementation: international cooperation

60. Article 4 emphasizes that implementation of the Convention is a cooperative exercise for the States of the world. This article and others in the Convention highlight the need for international cooperation.

61. The Committee advises States parties that the Convention should form the framework for international development assistance related directly and/or indirectly to children… The Committee urges States to meet internationally agreed targets, including the United Nations target for international development assistance of 0.7 per cent of gross domestic product… The Committee encourages States parties that receive international aid and assistance to allocate a substantive part of that aid specifically to children. The Committee expects States parties to be able to identify on a yearly basis the amount and proportion of international support earmarked for the implementation of children's rights.

62. The Committee endorses the aims of the 20/20 initiative, to achieve universal access to basic social services of good quality on a sustainable basis, as a shared responsibility of developing and donor States…

63. The Committee encourages States to provide and to use, as appropriate, technical assistance in the process of implementing the Convention. The United Nations Children's Fund (UNICEF), the Office of the High Commissioner for Human Rights (OHCHR) and other United Nations and United Nations-related agencies can provide technical assistance with many aspects of implementation…

64. In their promotion of international cooperation and technical assistance, all United Nations and United Nations-related agencies should be guided by the Convention and should mainstream children's rights throughout their activities… Similarly the World Bank Group, the International Monetary Fund and World Trade Organization should ensure that their activities related to international cooperation and economic development give primary consideration to the best interests of children and promote full implementation of the Convention.

Committee on the Rights of the Child
General Comment 5 (2003): General Measures of Implementation

A child rights framework delivers better development outcomes

Information
Children have information that adults may not have, are prepared to address issues that adults may be wary of, and have insights into the problems faced by the whole community.

Bespoke programming
Children and adults do not necessarily have the same needs. In adopting this approach, programmers are assisted in finding the appropriate response and in working to overcome obstacles.

Prevention
Working on child poverty can, for example, break poverty cycles. Working within a child rights-based framework is essential to breaking the cycle of child poverty.

Opening doors
Child rights may be the least controversial area in which to start negotiations with partner governments and civil society.

Addressing human rights
Child rights can be an effective entry point for raising issues of compliance with international or regional human rights law or other human rights issues.

Evaluation
Assessing whether a programme has been effective from the child rights perspective will indicate whether, for instance, it has complied with the principles of non-discrimination and participation and can assist with future planning for improved programming.
The UN has now reached a ‘Common Understanding’ regarding the rights-based approach – to development at least. According to this understanding:

• all programmes of development cooperation, policies and technical assistance should further the realisation of human rights as laid down in the Universal Declaration of Human Rights and other international human rights instruments
• human rights standards contained in, and principles derived from, the Universal Declaration of Human Rights and other international human rights instruments should guide all development cooperation and programming in all sectors and in all phases of the programming process
• development cooperation should contribute to the development of the capacities of duty-bearers to meet their obligations and/or of rights-holders to claim their rights.

EXAMPLES OF KEY ACTIVITIES

• Commission studies of home donors, including multilateral donors such as the World Bank, EU and UN, and the extent to which they adhere to their obligations under Article 4 of the UNCRC to prioritise children’s rights in their strategies.

• Work within a coalition to undertake advocacy campaigns targeting bilateral and multilateral donors on children’s rights.

• Hold meetings with senior officials of development departments to explain the importance of adopting a child rights-based approach.

• Support visits between governments to foster and inspire best practice.

• Lobby for child rights units within development departments with responsibility for adherence to the UNCRC and child rights mainstreaming policies across all development strategies and programmes.

• Carry out country-level advocacy towards governments so that states parties retain their obligations under the UNCRC when acting as members of organisations that have impact on international cooperation/assistance, eg, the IMF, World Bank and EU.

• Conduct international advocacy with international financial institutions such as the World Bank Group, the IMF and the World Trade Organization, which have responsibilities under the UNCRC to ensure that their activities related to international cooperation and economic development give primary consideration to the best interests of children and promote full implementation of the UNCRC.

• Include in UNCRC supplementary reports on donor countries the extent to which they fulfil their obligations, specifically with regard to international cooperation prescribed in Article 4 of the UNCRC.
Mainstreaming children’s rights in development cooperation

In 2005, the Norwegian Ministry of Foreign Affairs published Three Billion Reasons, the country’s development strategy for children and young people in the South. It is the most comprehensive and ambitious child rights-based international development cooperation strategy to date, and has inspired others, including the Canadian International Development Agency, to follow suit.

It represents a strategy for achieving the Millennium Development Goals (MDGs) based on the obligations set out in the UNCRC, and concerns itself with all children in all countries and in all circumstances. Save the Children was at the forefront of supporting the Norwegian government and facilitating broad civil society participation that involved NGOs, research institutions and other relevant ministries in developing the plan. Throughout the process, we made recommendations and gave feedback. Three Billion Reasons provided a platform for cooperation between NGOs and the state, and informs all development strategies and budget allocations by the Norwegian government.

In 2007, Save the Children UK and the BOND child rights working group commissioned a study in partnership with DFID (the UK Department for International Development) to examine the extent to which the UK government adhered to its obligations under Article 4 of the UNCRC and international cooperation generally. The findings made it clear that while much of the work undertaken by DFID had an impact on and benefited children, it was not based on a child rights framework. Nor did it view children as agents of change or partners in development. It was also made clear that throughout DFID there was no unit or particular staff with the knowledge or responsibility to lead on implementing Article 4. Also in 2007, Save the Children, along with other key child rights organisations such as UNICEF, World Vision and Plan, supported the UK Foreign and Commonwealth Office to write a Child Rights Strategy that was to be rolled out across all UK embassies. It highlighted for the first time the importance of the GMIs rather than work on isolated child rights Articles and resulted in significant funding for CRG work in many countries, including Myanmar (Burma), Zimbabwe, Sri Lanka and the occupied Palestinian territory.
2.12 Independent child rights institutions

Independent national human rights institutions (NHRIs) are important mechanisms for promoting and ensuring the implementation of the UNCRC, and establishing such bodies falls within the commitment made by states parties upon ratification to ensure the implementation of their obligations. NHRIs are named differently in different countries – for example, ombudsperson, ombudsman, commissioner, human rights protector, pupils’/children’s advocate, public defender, etc., depending on the legal framework of the country in question. However, the most common name for such institutions across the globe is ombudsperson.

The ombudsperson is ideally an independent, non-partisan agent, spokesperson, arbitrator or referee who ensures that the state, state institutions and other stakeholders fulfil their legislative duties by suggesting measures for improvements in the situation of children and the realisation of their rights in the country. The ombudsperson protects the needs, rights and interests of children, works for the application of the UNCRC and supports its promotion. The ombudsperson has the power to investigate, criticise and publicise, but not to reverse administrative action or revoke administrative decisions. However, the ombudsperson is in a position to bring recommendations aimed at improving policy, the legal framework and practice, while in some countries also being entitled to uphold individual and group complaints on child rights violations.

In some countries, the ombudsperson is responsible for adopting assessment methods (previously referred to as Child Rights Impact Assessments – CRIAs) in order to evaluate and identify all possible consequences of various legislative proposals, regulations and any other measures that could affect children. The European Network of Ombudspersons for Children (ENOC) adopted its Standards for Independent Children’s Rights Institutions in October 2001. These standards are known as the Paris Principles, and any independent institution established to monitor, promote and protect the human rights of children should conform to them. These principles stipulate that an independent institution set up to monitor, promote and protect the human rights of children must:

- be established by legislation
- have as broad a mandate as possible in relation to the monitoring, promotion and protection of children’s human rights, based on the UNCRC
- have the right to provide and publicise opinions, recommendations, proposals and reports on its own initiative or at the request of other authorities on any matter concerned with the promotion and protection of children’s human rights, including:
  - legislative or administrative provisions and provisions relating to judicial organisation, intended to preserve and extend the protection of human rights. The institution will consider legislation, etc., in force and pro-
posed, and when necessary recommend adoption of new legislation, etc, or amendment
- any violation of children’s human rights which it decides to take up
- preparation of reports on human rights in general, or on more specific matters
- drawing the attention of the government/parliament to violations, making proposals for remedies and
  when necessary commenting on the position and reaction of government/parliament
• promote and ensure harmonisation of national legislation with the UNCRC and all other international human
  rights instruments relevant to children’s rights to which the state is a party, and promote their effective imple-
  mentation
• encourage ratification of or accession to any such instruments
• contribute independently to the monitoring and reporting process under the UNCRC and other relevant
  instruments
• cooperate with the UN and other agencies, regional institutions and national institutions of other states compe-
  tent in the promotion and protection of children’s rights
• assist in formulating and executing programmes for the teaching of and research into human rights
• publicise human rights and efforts to combat all forms of discrimination, in particular racial discrimination, by
  increasing public awareness, through information, education and making use of the media.

EXAMPLES OF KEY ACTIVITIES

• Raise awareness regarding the concept of an Ombudsperson for Children.

• Lobby for the establishment of an Ombudsperson for Children in alliances with other NGOs.

• Work with government counterparts to convince them of the importance of setting up an Ombudsperson for
  Children.

• Support an NHRI to set up an Ombudsperson for Children as a separate institution or as a unit within the
  NRHI itself and help this institution to clearly outline a satisfactory mandate for its function and defend its inde-
  pendence.

• Build the capacity of Ombudsperson for Children staff by providing technical assistance, supplying experts who
  can help set up an Ombudsperson for Children office and training its staff.

• Collaborate with an existing Ombudsperson for Children on issues of common concern, such as reporting to
  the Committee on the Rights of the Child or the Human Rights Council.

• Strengthen communication and cooperation between the Ombudsperson for Children and children.

• Support cooperation among Ombudsmen for Children institutions within the country and regionally.

• Support cooperation between the Ombudsperson for Children and NGOs.

• Advocate for Children’s Rights Institutions/Ombudsmen to have responsibilities to promote and monitor the
  extent to which disaster risk reduction, climate change adaptation, emergency response, recovery, reconstruc-
  tion, and peace processes are child centred with an integral focus on protecting, respecting and fulfilling chil-
  dren’s rights.

• Encourage child rights institutions to collaborate with other key actors in monitoring, preventing and reporting
  child rights violation in humanitarian contexts (including links with the Monitoring and Reporting Mechanism on
  grave child rights violations).
Bosnia and Herzegovina: Child rights protection with the Ombudsperson for Human Rights

Following reports that some Roma primary school students from disadvantaged families in Zavidovici did not have access to healthcare, the child rights section of the Ombudsperson for Human Rights of Bosnia and Herzegovina – with Save the Children’s support – decided to open an investigation (in accordance with Article 2 of the Law on Ombudsperson for Human Rights of Bosnia and Herzegovina). The relevant authorities (the Health Insurance Institute of the Zenica-Dobo Canton and the Ministry of Education, Science, Culture and Sports) were sent requests for information and presentations. After investigating, the Ombudsperson submitted recommendations (based on UNCRC Articles 3, 4 and 24 and on national legislation) to the appropriate institutions to take steps to ensure that the children in question have access to healthcare services free of charge in fulfilment of their right to health. As a result, ten children who had previously been excluded from receiving essential healthcare finally obtained access to it. This intervention has greatly strengthened the visibility and influence of the Ombudsperson.

WANT TO KNOW MORE?

Children’s Ombudsperson, Save the Children Norway’s experiences with supporting and cooperating with independent institutions protecting children’s rights, Save the Children, 2005
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http://resourcecentre.savethechildren.se/node/6787

http://resourcecentre.savethechildren.se/node/6789

The Role of Independent National Human Rights Institutions in the Protection and Promotion of the Rights of the Child, General Comment No 2, UN Committee on the Rights of the Child, 2002

European Network of Ombudspersons for Children, ENOC Information and training pack,
http://resourcecentre.savethechildren.se/node/6702


2.13 Reporting to human rights mechanisms

2.13.1 Child-informed and child-led supplementary reports
The Committee on the Rights of the Child encourages national coalitions to coordinate the submission of child-informed or child-led supplementary reports through the NGO Group for the Convention on the Rights of the Child based in Geneva. The NGO group for the UNCRC also provides capacity-building and technical advice on the UNCRC reporting process. By preparing these reports, children and CSOs can complement and, if necessary, provide a critical perspective on, government reports.

At the end of the reviewing process, the Committee on the Rights of the Child issues recommendations in the form of Concluding Observations. The state is expected to follow up on these recommendations by the next review. Child rights coalitions, CSOs and children’s groups are encouraged to get involved in advocacy on follow-up and to monitor implementation.

The reporting process places child rights on the political agenda, inspires legal reform and policy change, and strengthens CSOs and coalitions as they become more organised and gain knowledge and awareness of the child rights situation in their country and the children’s own viewpoints in the course of the process.
It is important for the in-country CRG team responsible for supporting national coalitions in reporting to consult with colleagues working on Save the Children’s other Global Initiatives to ensure that key concerns and advocacy messages relating to humanitarian issues, child survival, and health, education, protection, livelihoods and HIV and AIDS are addressed in the reporting process.

Particular emphasis should also be put on advocacy regarding follow-up to the Committee’s Concluding Observations and monitoring of implementation, including through linking UNCRC reporting and advocacy to other human rights monitoring mechanisms, such as the UPR process.

**Albania: Children involved in UNCRC supplementary report**

The organisation Children in Albania – supported by NGOs, including Save the Children, World Vision, SOS Children’s Villages, the Children’s Human Rights Centre of Albania and the United for Child Care and Protection Coalition – prepared a joint supplementary report. This child-led report was the result of peer consultation with more than 14,000 children and workshops where children discussed how to best link to and follow up on the recommendations that come out of UN processes, including the Committee on the Rights of the Child Concluding Observations and the UPR recommendations.

A delegation of three children, who had been involved in the whole process and were elected by their peers, went to Geneva to present their concerns and recommendations to the Committee’s experts. The children also met with NGOs and a representative of the Albanian mission to the UN in Geneva. This was an opportunity to present their concerns and to follow up on key child-focused UPR recommendations. The Committee on the Rights of the Child considered the children’s inputs as part of its September 2012 review of Albania.

**EXAMPLES OF KEY ACTIVITIES**

- Get involved in the government’s consultative processes ahead of writing the report. If involvement is not possible, then advocate for gaining access to such involvement, as well as facilitating child participation in the preparation of the state report.

- Facilitate and build the capacity of individual organisations or coalitions of child rights organisations to draft a child-informed, child-led or CSO supplementary report and ensure the ongoing and systematic monitoring of the UNCRC.

- Support and facilitate child-informed and child-led supplementary reports and the meaningful participation of children in the Committee’s pre-sessions, advocacy and follow-up in compliance with Save the Children’s child participation practice standards and child safeguarding policy.

- Use UNCRC reporting to share updates and analysis concerning: the status of child rights and climate change adaptation; any child rights concerns relating to disaster risks or humanitarian contexts; lack of humanitarian access to children that needs to be addressed; or challenges in middle-income countries to adequately resource disaster risk reduction or emergency response efforts.

- Support and facilitate CSO participation in the pre-sessions to advocate for inclusion of their key concerns in the list of issues and at the Committee session itself to ensure that their key concerns are addressed in the interactive dialogue and the final Concluding Observations.

- Support the follow-up of the Committee’s Concluding Observations, including links with other human rights monitoring processes, particularly the UPR and regional mechanisms.

- Support NHRIs and Ombudspersons for Children in producing and submitting their own supplementary reports or in providing input to the CSO supplementary report.
A particular focus is needed on follow-up to Concluding Observations and recommendations. There are a number of useful activities that Save the Children and partners can do to promote them as a tool for change.

**Activities in relation to the release of the Concluding Observations:**
- Work with the media to increase the visibility of issues raised in the Concluding Observations.
- Lobby donor governments to use Concluding Observations in their dialogue with recipient countries.
- Lobby for (and where appropriate support) the translation of the Concluding Observations and their circulation to all citizens.
- Encourage and support the creation of a webpage dedicated to the Committee's reporting process.

**Activities to be considered within the first year after the release of Concluding Observations:**
- Continue to raise awareness and involve children and young people in monitoring.
- Raise awareness among professionals and other actors working with children.
- Promote the creation of an inclusive multisectoral committee to monitor the Concluding Observations.

**Activities to ensure continuous monitoring and to prepare for the next periodic report:**
- Conduct surveys or reports on issues raised in the Concluding Observations.
- Lobby for (and where appropriate support) an annual review or barometer on implementation of recommendations.
- Lobby for, participate in and, where appropriate, facilitate country visits by Committee members. Engage with other human rights monitoring and reporting mechanisms.

**WANT TO KNOW MORE?**

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Save the Children, It's all about children - seven good examples and ten steps to meaningful children's participation in reporting to the Committee on the Rights of the Child, 2011  
http://resourcecentre.savethechildren.se/node/3961

http://resourcecentre.savethechildren.se/node/5050
2.13.2 The Universal Periodic Review

The UPR is a unique human rights accountability mechanism of the UN Human Rights Council whereby the human rights situation in all UN member states is peer reviewed by other governments. The UPR can be used as a key political tool to raise the profile of children’s rights at national level through pressure from other governments and to ensure that children’s rights are prioritised in legislation, policy and budgets. The UPR has now completed its first cycle (2008–12), and child rights recommendations account for approximately 20% of all recommendations addressed to states.25

The review by the UPR Working Group is undertaken on the basis of three documents: a report produced by the government of the state under review; a document summarising all UN human rights recommendations relating to the state under review; and a summary of information from other stakeholders, including NHRIs and CSOs. The outcome of this process is a report containing an account of the UPR Working Group session and recommendations addressed to the state under review made by other governments on how to improve the human rights situation in the country. The state under review is required to explicitly state whether it accepts or rejects these recommendations. Recommendations that are left pending require an official answer by the adoption of the outcome report at the next Human Rights Council session.

The UPR also provides an opportunity for the states under review to declare the actions they have taken to improve the human rights situation in their countries and to make voluntary pledges.

Child rights organisations are essential in this process and can be involved by supporting child-led, child-informed or CSO stakeholder submissions and by engaging in advocacy at national and international levels.

CRG country teams are encouraged to systematise the link between UNCRC and UPR reporting to ensure that key child rights concerns identified in child-informed, child-led or CSO supplementary reports to the Committee are reflected in UPR stakeholder submissions and final UPR Working Group recommendations. To achieve this, particular emphasis should be put on ensuring coordination between advocacy at national and international levels, including targeted advocacy messages and activities with embassies in the state under review, the missions in Geneva and the ministries of foreign affairs in the countries making the recommendations.

**Nepal: Joint advocacy success for children’s rights**

Save the Children supported 138 CSOs on the UPR mechanism and process. It supported the coalition submission and also chose to do an individual submission to highlight key child rights concerns. Advocacy was coordinated at national and international levels, with face-to-face meetings with key embassies in Nepal and missions in Geneva. A representative from Save the Children in Nepal went to Geneva to attend the UPR Working Group session and was able to meet with the government delegation after the session. As a result, 34 UPR recommendations related to children, with 31 of these being accepted by government. A child rights coalition, which includes Save the Children, is collaborating with the National Human Rights Commission on UPR follow-up. This includes a mapping of relevant ministries responsible for follow-up and a detailed report on the status of implementation by the end of 2012. The UPR process has been key in speeding up the enactment of the Child Rights Bill, the adoption of the National Child Policy 2012, and Standards for Operation and Management of Residential Child Care Homes 2012.
EXAMPLES OF KEY ACTIVITIES

• Build the capacity of children and CSOs on the UPR process, including an emphasis on links with UNCRC supplementary reporting through follow-up to the Committee’s Concluding Observations, advocacy for the inclusion of child rights issues, and recommendations and monitoring the follow-up of these recommendations.

• Support the submission of child-informed, child-led or CSO UPR submissions, with a preference for coalition submissions, and ensure that issues from Save the Children’s priority areas are addressed, if appropriate.

• Coordinate with child rights institutions and CSOs to ensure that child rights issues are reflected in their submissions and advocacy.

• Get involved in the consultative process for the preparation of the government report. Alternatively, advocate for a consultative process if no process has been established.

• Use UPR human rights reporting mechanisms to share updates and analysis concerning: the status of child rights and climate change adaptation; any child rights concerns relating to disaster risks or humanitarian contexts; lack of humanitarian access to children that needs to be addressed; or challenges in middle-income countries to adequately resource DRR or emergency response efforts.

• Lobby members of the Working Group in the Human Rights Council representing other UN member states who review and deal with the state report at national and international levels, through coordinated advocacy at national and international levels in collaboration with the Save the Children Geneva office.

• Make oral statements during the outcome session in Geneva in collaboration with the Geneva office.

• Ensure follow-up by monitoring the implementation of the UPR recommendations in an integrated manner with recommendations from the Committee on the Rights of the Child and, where relevant, regional human rights mechanisms.

• Use Concluding Observations and UPR recommendations to develop an advocacy plan with partners.

• Develop child-friendly versions of UPR submissions and UPR recommendations to facilitate child participation in national advocacy and follow-up.

• Make the public aware of the process and outcomes.

WANT TO KNOW MORE?

Save the Children, Universal Periodic Toolkit, 2011, available in English, French, Spanish, Portuguese and Arabic: http://resourcecentre.savethechildren.se/node/5598


Useful websites
http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRMain.aspx
http://www.crin.org/HRC/UPR.asp
http://www.upr-info.org/

2.13.3 Engaging with regional bodies
Regional initiatives and organisations play an increasingly important role in terms of monitoring and supporting the implementation of national human rights obligations, including children’s rights, and are therefore important and influential targets for our interventions.
Regional mechanisms

“Regional mechanisms have so far been established for Africa, the Americas and the Caribbean, and Europe. Regional human rights systems were developed to reflect regional values and offer a more specific framework than the UN system. Such a framework can resonate more strongly with local realities and allow for different approaches to enforcing standards. The regional systems provide varying degrees of protection for child rights: some have specific instruments and mechanisms to challenge breaches of child rights; others rely on a monitoring body to interpret how a particular treaty applies to child rights. Where there are gaps in the protection of rights, all three regional systems may draw on the UN or other regional systems to interpret how the provisions of human rights instruments apply to children.”

In order to identify relevant action to support and influence a regional organisation, it is important to first establish the mandate and competence of the organisation and its impact on the realisation of the GMIs at regional and national levels. This may include aspects such as a legislative role, funding, implementing policy and programmes, and promoting and monitoring human rights.

2.13.4 The Inter-American Commission on Human Rights

The Inter-American Commission on Human Rights (IACHR) is one of the bodies making up the inter-American system for the promotion and protection of human rights. The IACHR works with members of the Organization of American States (OAS) to help strengthen the laws and institutions that provide human rights protections.

In 1998 the Inter-American Commission created the Rapporteurship on the Rights of the Child. The aim of creating a thematic rapporteurship is to strengthen, promote and systematise the Inter-American Commission’s own work on the issue. Three main functions are part of the mandate of the IACHR: receive individual petitions about human rights violations; hearings; and special reports.

In the last ten years civil society has been accessing hearings on violations of children’s rights, especially organisations who are working as partners of Save the Children. Special Reports of the Rapporteur on the Rights of the Child have been issued as a result of the advocacy work of civil society and the regional network Redlamyc (Red Latinoamericana y Caribeña por la Defensa de los Derechos de los Niños, Niñas y Adolescentes).

2.13.5 The African Committee of Experts on the Rights and Welfare of the Child

The African Union (AU) is an intergovernmental organisation consisting (in 2012) of 54 African states. Established on 9 July 2002, the AU was formed as a successor to the Organisation of African Unity (OAU). The AU has gradually grown stronger in continental decision-making, steering policy development and implementation in Africa.

Africa is the only continent with a region-specific child rights instrument. The African Charter on the Rights and Welfare of the Child (ACRWC), or Children’s Charter – adopted ten years after the UNCRC – represents an important tool for advancing children’s rights. While building on the same basic principles as the UNCRC, the Children’s Charter highlights issues of special importance in the African context. These include the protection of internally displaced children, prohibition of recruitment of children into armed forces, and the promotion of pregnant girls’ right to education. The ACRWC therefore complements and reinforces the UNCRC in a powerful manner.

CSOs play a crucial role in the promotion of the Children’s Charter. They can encourage states that have yet to ratify the Charter to do so. They can advocate that states parties respect, protect and fulfil the rights enshrined in the ACRWC, and they can work closely with children and communities to translate the Charter into positive practice in daily life.

CSOs can also push children’s rights forward by working with the African Committee of Experts on the Rights and Welfare of the Child (ACERWC). The Committee is the monitoring body of the ACRWC with a mandate not only to examine state and CSO reports on the child rights situation in different countries, with input from CSOs through supplementary reports, but also to handle complaints regarding child rights violations and to carry out investigation missions to member states.

The Children’s Charter is at the centre of efforts within the AU to realise children’s rights, but there are other institutional and human rights mechanisms that are important for children’s rights. The African Commission on Human and Peoples’ Rights (ACHPR) is the monitoring body for the African Charter on Human and Peoples’ Rights, which
provides for the promotion and protection of all peoples’ rights, including those of children. The African Peer Review Mechanism (APRM) is a voluntary mechanism whereby AU member states can self-monitor all aspects of their political, economic and corporate governance as well as socio-economic development. The self-assessment and peer review provide space for national dialogue and engagement with civil society. The regional economic communities, such as the Southern African Development Community, the Economic Community of West African States and the East African Community, consist primarily of trade blocs, but also cover some political and social integration. Civil society can also use these institutions to advance children’s rights, including by making submissions on children’s rights to the APRM and the ACHPR and by supporting dialogue and collaboration between these institutions and the ACERWC.

EXAMPLES OF KEY ACTIVITIES

- Encourage AU member states that have yet to ratify the Children’s Charter to ratify as soon as possible and state parties to remove any reservations made to the Charter.

- Facilitate the creation of pan-African, regional and national civil society platforms and children’s networks to promote and monitor children’s rights on the basis of the ACRWC in an integrated manner with the UNCRC, UPR and other relevant AU human rights instruments.

- Promote the mainstreaming of children’s rights throughout the AU, including with the AU Commission, the ACHPR, the APRM and the RECs.

- Promote awareness of the ACRWC and the role and mandate of the ACERWC, including by translating the ACRWC into local languages and producing child-friendly versions, as well as by using the Day of the African Child on 16 June to make the Children’s Charter more widely known.

- Support civil society to engage with the ACERWC by seeking observer status with the Committee, identifying potential candidates to sit on the Committee, attending sessions of the Committee, sharing information and research with the Committee, writing child-informed supplementary reports to the Committee to support the examination of state party reports, and encouraging the Committee to issue General Comments to further interpret the Children’s Charter. Also support civil society to use the communication procedure to make a complaint to the Committee concerning a violation of one or more rights under the Children’s Charter.

- Support the participation of ACRWC members and its Secretariat in CSO and children’s network training and meetings.

- Provide direct technical support and expertise to the ACRWC and other AU bodies.

- Use Concluding Observations from the ACERWC, the ACHPR and the APRM in an integrated manner with Concluding Observations and recommendations from the UNCRC and the UPR to advocate for African states to realise children’s rights.

- Involve the media in reporting on progress with regard to Concluding Observations in order to encourage scrutiny and put child rights on the government agenda.

- Promote, support and facilitate the participation of children as active citizens in all governance processes affecting them, including strategy and policy developments concerning disaster risk reduction, climate change adaptation and peace processes.
WANT TO KNOW MORE?

http://resourcecentre.savethechildren.se/library/advancing-childrens-rights-guide-civil-society-organisations-how-engage-african-committee

Website of the African Committee of Experts on the Rights and Welfare of the Child,
http://acerwc.org/
PART THREE
3. Key governance areas

Despite all the positive developments in the realisation of children’s rights, there remains a significant gap between legal and political declarations and practice. Every year 6.9 million children die before their fifth birthday from preventable diseases, despite children’s right to life being a core entitlement. Around the world, more than 600 million children live in extreme poverty on less than US$1.20 a day and 61 million primary-age children are still out of school. Many more are exposed to exploitation and violence in the home, school and workplace. The reasons why this is still the case are many and often complex. In some countries, violent conflicts have had catastrophic effects on the lives of children. Entrenched discrimination means that certain groups of children are exploited and neglected. Economic injustice keeps millions of people in poverty and unable to meet the basic needs of children in their care. Natural disasters bring death, displacement and family separation. Harmful practices against children continue to be justified on cultural grounds, and an ethos of impunity exists in many countries, preventing those who abuse children from being brought to justice. Societal attitudes are also an issue, with children often perceived as needy recipients of protection rather than as rights-holders with evolving capacities, capable of making decisions and exercising choice. All these factors create difficult challenges that require profound social, economic and cultural change.

This section focuses on economic justice for children and how we can assist children to access their rights as citizens, including the right to acquire a nationality and birth certificate. These are important issues because without them, children may be prevented from accessing all of their rights or there may be obstacles to the state (and society) fulfilling their responsibilities to children.

3.1 Citizenship: supporting systems for birth registration

Article 7 of the UNCRC contains an important rule in very strong language: “The child shall be registered at birth.” It affirms that registration of a child is a key condition for the recognition of her or his existence. Without registration (at birth or as soon as possible thereafter), the child is likely not to be acknowledged as a person before the law, and in many countries this means no or very limited access to healthcare, education or social services. Birth registration is therefore not only a civil right of children in itself, but is also the gateway to all other rights. Birth registration is the official record of a person’s existence and essential for the realisation of their rights. Without being registered, an individual cannot get a passport, open a bank account, obtain credit, access schools and healthcare, vote, find employment, etc. It is also essential to prevent child labour, early marriage, child trafficking and the recruitment of children into armed forces. Birth registration is of vital importance in emergencies, when children may be displaced and separated from their families, become refugees in another country, or be born in another country. Systems and structures may break down during disasters, and birth registration and identity documents are often lost or destroyed. It is therefore important to help children secure birth registration as part of the emergency response.

Most countries have birth registration systems, but often they exclude sections of society, are not enforced or do not function effectively. There may be costs associated with obtaining a birth certificate that prevent children from being registered, or geographical constraints that make the system inaccessible for those living in rural or isolated areas. Sometimes discriminatory practices are designed to reduce the official numbers of particular ethnic groups, especially immigrants and children born to immigrants.
**EXAMPLES OF KEY ACTIVITIES**

Birth registration is an important issue that cuts across all sectors in which Save the Children works. It is also an essential governance issue. Whichever part of a country programme is working around birth registration – through research, lobbying, technical assistance and awareness-raising – we can to help to:

- ensure that birth registration is compulsory and free, including in emergencies (when birth certificates or identity cards may need to be replaced)
- adapt national legislation where necessary to ensure that birth registration is accessible and free
- ensure there are programmes/interventions in place to register older children who were not registered at birth
- ensure there is an identifiable and dedicated budget for civil registration and birth registration adequate to guarantee all aspects of the national system to support it (e.g., capacity development and training, establishment of offices and mobile teams if necessary, provision for taking care of the backlog of unregistered children, materials and supplies). This budget needs to enable free registration for all
- ensure that comprehensive awareness-raising and information campaigns are being conducted through all possible media to reach even the most marginalised groups. Birth registration could also be promoted through special birth registration days, and linked with events such as immunisation, school enrolment and adult literacy
- support stakeholders, including CSOs, children’s organisations, and individuals in the community (birth attendants, teachers, etc) who can provide an entry point into the birth registration system, to work in a coordinated fashion under government leadership to support birth registration for all children.

**WANT TO KNOW MORE?**

Birth Registration: Right from the start, Innocenti Digest No 9, 2002  

M Lynch and M Teff, ‘Childhood Statelessness’, Forced Migration Review, 32, April 2009  
[http://resourcecentre.savethechildren.se/node/6790](http://resourcecentre.savethechildren.se/node/6790)

Plan, Mother to child: How discrimination prevents women registering the birth of their child, 2012  
[http://resourcecentre.savethechildren.se/node/5800](http://resourcecentre.savethechildren.se/node/5800)

Plan, Count Every Child: The Right to Birth Registration, 2011  
[http://resourcecentre.savethechildren.se/node/4313](http://resourcecentre.savethechildren.se/node/4313)

CRIN, Stateless Children: Denied the right to have rights, 2009  

NGO position paper for a UNHCR consultation on Birth Registration, 2011  
[http://resourcecentre.savethechildren.se/node/3465](http://resourcecentre.savethechildren.se/node/3465)

3.2 Supporting children’s civil rights and freedoms

Children’s civil rights are probably the least understood rights and the most challenging to realise. In order to develop strategic and practical programming to enhance fulfilment of children’s civil rights and freedoms, we must define the
While children under 18 years in most countries do not have the right to vote or hold political office, the UNCRC is the first international human rights instrument to explicitly recognise their civil rights and freedoms. In conjunction with the general principles of the UNCRC (non-discrimination – Article 2, best interests – Article 3, right to life – Article 6, and children’s participation – Article 12) there are eight articles relating directly to children’s civil rights and freedoms: name and nationality (Article 7), preservation of identity (Article 8), freedom of expression (Article 13), access to appropriate information (Article 17), freedom of thought, conscience and religion (Article 14), freedom of association and of peaceful assembly (Article 15), protection of privacy (Article 16), and the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment (Article 37(a)). By definition, civil rights are protections and privileges given to citizens, and citizenship means a collection of rights and obligations that define the members of a community. Unlike economic and social rights, the right of the child to freedom of expression, religion, association, assembly and privacy cannot be linked to a state’s economic condition. These rights must be guaranteed to all children, including stateless children, without discrimination. For example, the child’s language or disability must not impede respect for the obligation to extend the freedom of expression to children.

Programming concerning some of these civil rights – for example, to name and nationality and to freedom of expression – have been described earlier in this document, but additional guidance concerning children’s rights to information, expression, association, and participation in decision-making is set out below.

More than 20 years after ratification and implementation of the UNCRC there is growing recognition that there has been insufficient progress in realising children’s civil and political rights. The systematic denial of their civil rights disempowers children and contributes to ongoing violations of their rights. Children are disenfranchised by their lack of power to vote, and few governments have made significant efforts to invest budgets, legal frameworks, policies or programmes that enhance realisation of children’s rights to expression, information, participation, association, peaceful assembly and other civil rights. In many countries, prevailing socio-cultural attitudes towards children also limit the realisation of their civil rights. Furthermore, discrimination on the grounds of gender, ethnicity, religion, caste, income or other factors creates further obstacles to children’s realisation of their civil rights.

Programming options encompass a range of initiatives including, but not limited to:

- promoting birth registration and the rights of stateless children
- strengthening children’s participation in local and national governance
- strengthening children’s associations
- supporting children’s engagement as political activists and lobbying for lower voting ages
- increasing children’s access to information and supporting children’s media initiatives
- undertaking research and lobbying for legal reforms to increase children’s civil rights.

It is recognised that the feasibility and appropriateness of different programme options will vary according to the socio-political situation in the country and the associated risks. Risk assessment and risk mitigation strategies need to inform decision-making concerning programming on children’s civil rights. However, we also need to recognise that in many socio-political contexts children and young people are already engaging as social and political actors in their society and are demanding increased space in relevant governance and political processes so that they can assert and claim their rights. Save the Children can support and engage in efforts to increase space, capacity and opportunities for children to exercise their civil rights and political rights meaningfully and safely.

**Bangladesh: Children’s councils**

In a rural district of Bangladesh, girls and boys under the age of 14 have formed village-level Shishu Parishads (children’s councils). Children from village Shishu Parishads are also elected onto higher-level councils at ward, union and district levels. Issues discussed by the Shishu Parishads have included early marriage, child labour, poverty, lack of access to education (especially for girls), harassment of girls, child trafficking, and lack of play equipment. Overcoming traditional barriers, girls from two Shishu Parishads performed a play about early marriage and about the actions they, as members of the Shishu Parishad, were taking to stop it.
3.2.1 Child’s right to be heard

A child’s right to be heard is both a principle of child rights and an important civil right entitling children to express their views and be part of decision-making in all matters affecting them. Children have the right to be heard as individuals in proceedings affecting them, and to participate collectively as a group or constituency in public life, including in civil or political processes that affect them.

In all contexts, due account should be taken of a child’s evolving capacity, and programming efforts should build upon children’s capacities, empowering girls and boys (especially the most marginalised) with the knowledge, skills and confidence to express their views and to be active citizens in their local communities, schools and wider society. In view of the status of children’s voices in many societies in which we work, programmes need to make ongoing efforts to sensitise adults (government officials, parents/caregivers, teachers, religious and community elders, media) about the importance of children’s participation and active citizenship.

Girls’ and boys’ engagement as active citizens can be supported in a wide range of policy and practices. In particular, children and young people should have opportunities to inform the planning, design, implementation and evaluation of processes such as national plans of action and poverty reduction strategy papers, disaster risk reduction, emergency preparedness, or reconstruction and peace-building processes. Collaboration between CRG and education staff can also enhance advocacy and support for children’s meaningful participation in school governance, and it can help to get human rights education and civic/citizenship education integrated into the school curriculum.

Support for children’s and young people’s participation in monitoring and reporting on child rights provides another important opportunity for them to influence decision-making and action on their rights. Children and young people can contribute to state and/or supplementary reporting processes to the Committee on the Rights of the Child, in the Universal Period Review reporting processes on human rights, and/or to regional child rights reporting processes.
Children’s parliament(s) and children’s representation in governance: Montenegro

In Montenegro the model of children’s parliaments has been introduced through the educational system, and children’s parliaments are being piloted at municipality level. Collaborations between children and adults have also supported children’s parliamentary sessions at national level. For the past four years, on the occasion of UNCRC Day, the Parliament of Montenegro has enabled elected children’s group representatives to meet with government duty bearers and institutions so that they can raise their concerns and remind duty-bearers of their obligations to fulfil children’s rights through timely and adequate responses. The Parliament of Montenegro has included the children’s parliament sessions in its work plan and offered cooperation. The government has made a commitment to verify certain allegations raised by children and expressed its willingness to include children in the process of developing strategic documents (eg, drafting of a new National Plan of Action for Children in Montenegro).

“The fourth session of the children’s parliament was very good. The introduction to the status of children in Montenegro that the children did was fantastic, and the issues of children were ultra-colourful. They reminded the government of the promises made previously on which nothing has been done, and it seems to me that they managed to secure amendments to laws.” (Save the Children country director, Montenegro)

Children’s participation in social accountability measures can be piloted, monitored, evaluated and scaled up. This may require sensitisation and advocacy with the government and/or with adult-focused civil society organisations that may be promoting women’s or men’s participation in social accountability measures (eg, community score cards, social audits), but which still need convincing to engage children and young people as active citizens in the same processes.

States have responsibilities to ensure children’s rights to seek, receive and impart information and ideas of all kinds. Access to information is a key requisite for meaningful participation and realisation of children’s civil rights and freedoms.

In their General Comment on Article 12, the Committee on the Rights of the Child said: “Freedom of expression relates to the right to hold and express opinions, and to seek and receive information through any media. It asserts the right of the child not to be restricted by the State party in the opinions she or he holds or expresses. As such, the obligation it imposes on States parties is to refrain from interference in the expression of those views, or in access to information, while protecting the right of access to means of communication and public dialogue.”

**EXAMPLES OF KEY ACTIVITIES**

- Lobby and work generally with the government, civil society, the media and other concerned actors to increase children’s right to expression, to participate in decision making and to be heard.
- Promote and strengthen children’s participation in local and/or national governance, including participatory budgeting processes and/or children’s participation in social accountability measures.
- Support children’s participation as active citizens in disaster risk reduction, climate change adaptation, and recovery, reconstruction and peace building processes at different levels so that they can voice their concerns, assert their rights and contribute to good governance processes.
- Strengthen child-led organisations and networks.
- Support children as political actors or activists — advocating for lower voting ages and supporting children’s political activism through capacity-building, access to information and social media, etc.
- Increase children’s access to information and support children’s media initiatives.
- Carry out action research on the status of children’s civil rights.
3.2.2 Children’s freedom of expression and access to information

Freedom of Expression (Article 13)
1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child’s choice.
2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: (a) For respect of the rights or reputations of others; or (b) For the protection of national security or of public order, or of public health or morals.

Access to Information (Article 17)
States Parties recognise the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health.

To this end, States Parties shall:
(a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of Article 29;
(b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;
(c) Encourage the production and dissemination of children’s books;
(d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;
(e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of Articles 13 and 18.
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Advocacy should be undertaken by Save the Children to persuade the government or Ministry of Information (or equivalent) to plan and increase budgets for developing and disseminating child-friendly accessible information and materials to children on policies, practices, governance systems and budget allocations on issues affecting them. Save the Children can support access to child-friendly information at national and local levels through cooperation with the relevant authorities. Child-friendly accessible information on decentralised governance systems and/or social accountability mechanisms can also enhance children’s engagement as active citizens.

In some contexts, socio-cultural attitudes may contribute towards gender discrimination or other forms of discrimination (based on ethnicity, religion, caste, disability, income or other factors) that may make it more difficult for girls or children from marginalised backgrounds to access information via the internet, libraries, schools or other settings. Efforts must be made to ensure that information is accessible and available for all girls and boys through print, radio, TV, social media, schools and/or libraries. Information should be free or low-cost, available in a variety of formats, accessible to children with disabilities or low levels of literacy, available in all languages spoken by minority ethnic groups, migrants and refugee children, and available to children in juvenile detention centres. Information concerning younger children also needs to be tailored to suit the evolving capacities of this age group.

Making information accessible and available to children and young people gives them the means to understand and claim their rights and to access the services they are entitled to as citizens. Children are better equipped to protect themselves from harm and exploitation when they are able to make informed choices and know where to turn to for support and protection. They are able to avoid danger, prepare well for potential disasters or emergencies, and protect their peers. They can better realise their right to survival when accessing crucial information about their own health, such as guidance about sexually transmitted infections, HIV and drug use.

**Indonesia: Access to information enables children doing hazardous work to negotiate for better conditions**

A joint study in Indonesia by the International Labour Organization and International Programme on the Elimination of Child Labour demonstrated that equipping working children with proper information and skills can substantially increase their ability to defend themselves in the factory environment. Using an alternative education approach, the project helped nearly 200 factory children, many of whom worked in hazardous conditions, to master the organisational and negotiating techniques they needed to present their complaints and ideas to national and local government leaders, NGO representatives and the media as part of an awareness-raising campaign on detrimental child work. At the end, 13 factories employing some 1,500 children removed them from hazardous tasks and extended to them wage, insurance and leave benefits previously available only to adults.


Human rights, including children’s rights, can only be useful if people (including children) know about them. The UN-CRC lays a specific obligation upon states to make its principles and provisions “widely known, by appropriate and
effective means, to adults and children alike” (Article 42). Article 29, on the aims of education, requires education to be directed at, among other things, “the development of respect for human rights and fundamental freedoms”. Including child rights in the school curriculum is an important start. As a further part of this process, initial and in-service training should be organised for all those who work for and with children to promote awareness and understanding of and respect for child rights.

Girls and boys need to be consulted on the most effective and appropriate ways in which knowledge of their rights can be disseminated to them, their parents and others. Partnerships with child groups, youth groups, civil society organisations and the media can enhance children’s expression and the dissemination of child-friendly information. Child-led media initiatives should be supported. Girls and boys are more able to express themselves and to access and share information on issues affecting them when they do so through child-led groups. Furthermore, child-led media initiatives can enhance information-sharing and advocacy activities by and with children and young people. Save the Children teams can give children and young people motivational, technical and/or financial support to strengthen their groups and media initiatives. For example, children and young people can be supported to produce their own magazines, wall newspapers, posters, radio programmes, short films or documentaries, etc. Media can be used as a tool to raise awareness of children’s rights among children and adults, to inspire their peers to get involved as active citizens, and to encourage adults to take action to increase their responsibilities as duty-bearers.

Uganda: Children’s participation in radio shows

Members of children’s peace clubs and associations supported by Save the Children in Gulu District, Uganda, participated in various children’s radio programmes to inform listeners about children’s rights and to describe what children were doing to resolve conflict and promote peace. The programmes generated great interest among both adult and young listeners. Phone-ins enabled listeners to respond and increased dialogue on significant issues relating to children’s participation in peace processes.

One regular adult listener commented, “Whoever thought of making children discuss major issues concerning them on the radio should be blessed by God. During the last 21 years, children and their parents in this part of the country had lost hope and confidence. We thought the future was bleak. But if there is still a handful of children who can articulate issues eloquently like those ones, then the Acholi tribe still has something to be proud of. I’m proud we still have children who can do great things for their families in the future. I already see future members of parliament among them.”

Activities to increase girls’ and boys’ access to the internet, social media and social networking tools and to promote the safe use of these media can also be undertaken to increase opportunities for expression, accessing and sharing information, and engagement as active citizens. Innovative ways to use social media to seek children’s and young people’s views on policies or practices affecting the realisation of their rights could also be piloted. In view of the increasing amount of information that is available to children and young people through the internet and social media, capacity-building initiatives to strengthen children’s capacity to access, filter and critically analyse information may also be relevant.
EXAMPLES OF KEY ACTIVITIES

• Advocate for the government or Ministry of Information (or equivalent) to plan and increase budgets to develop and disseminate child-friendly accessible information on policies, practices, governance systems and budgets affecting children and young people.

• Advocate to ensure information on the UNCRC is integrated into the education curricula.

• Support child-led media initiatives (radio, print, TV, social media, etc) through capacity-building, technical assistance, and supporting partnerships with mainstream media organisations.

• Raise awareness and build the capacity of media organisations on children’s rights.

• Raise awareness among parents, caregivers and community elders about the importance of girls and boys having access to information.

• Improve girls’ and boys’ access to and promote the safe use of the internet, social media and social networking tools.

• Build children’s capacity to access, filter and critically analyse information.

WANT TO KNOW MORE?

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3.2.3 Children’s freedom of association

Freedom of association and peaceful assembly UNCRC (Article 15)

1. States Parties recognise the rights of the child to freedom of association and to freedom of peaceful assembly.

2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

Children have rights to freedom of association and peaceful assembly. There is a growing number of child-led organisations and initiatives, including working children’s unions, child groups, child clubs, children’s councils and other structures. Children’s associations are one important vehicle for empowering girls and boys as active citizens. Through children’s associations girls and boys have increased opportunities to meet together on a regular basis, to share their experiences, and to identify, analyse and plan action on issues affecting them. They also have greater power to defend and negotiate their rights through their collective strength, which is especially relevant to the most marginalised children, many of whose rights are violated on a daily basis.

Children’s associations also provide a structure through which girls and boys can elect their peers to represent them in local and national governance structures and to influence decision-making on issues affecting them. Governments should ensure that the legal framework is conducive to the establishment of child-led organisations and networks. Governments can allocate budgets to child/youth-led organisations to support their initiatives, and can support children’s representation in governance bodies. Equally importantly, children and young people should be encouraged to join any other (‘adult’) associations, as age should not be a barrier to participation.

Child-led group and children’s representation in local governance, Philippines

The children’s group AKKAP, which means ‘Let us protect children’s rights’, was founded by children in Manila, capital of the Philippines. The group was founded because the children had experienced abuse and felt that their communities gave no priority to children. Now the children’s group has representatives in the barangay councils for the protection of children (BCPCs) and in the barangay participation committees, which are part of the local government structure. The children’s representatives are working to make the BCPCs more active. AKKAP invited the councillor for children in its barangay to visit its children’s groups, and sent representatives to the municipal hall when a meeting was held by an NGO network providing funds for BCPCs.


While there are child groups and clubs in many countries, the extent to which they are managed by children is variable. Furthermore, in many countries across the world children and young people are not able to legally register their organisations. Children’s groups may face various organisational challenges and capacity gaps that could be better addressed through more systematic capacity-building and/or organisational support. Thus, a rapid mapping and/or detailed participatory research to identify the number and types of children’s organisations and networks in the country, including analysis of the extent to which they are child-led/managed, their legal status, their activities and their capacity-building needs, would help inform strategic programming to strengthen child-led organisations and networks.
**Nepal: Children’s village clubs and committees**

Village development committees (VDCs) and municipalities are Nepal’s local governing bodies. VDCs have a mandate over education, healthcare and other basic services. Children’s clubs can register as organisations at VDC level, and in some areas VDCs are financially supporting children’s clubs. In some districts, including Palpa, representatives from children’s club networks are invited to participate in regular VDC meetings and in meetings of the District Child Welfare Board (DCWB), which is made up of concerned government officials and other relevant agencies. The DCWB is mandated to adopt district policy and programmes for the overall development of children and for promoting and protecting their rights. Children are therefore able, through their representation, to raise concerns regarding child rights violations and gaps in their communities and district, and are able to regularly influence policy and programmes affecting them.

Save the Children and local partners can support the formation, strengthening and expansion of inclusive child-led organisations and networks (with a focus on inclusion of the most marginalised children). They can provide motivational, technical and capacity-building support to child-led organisations and networks. In particular, Save the Children can encourage reflection and increased focus on inclusion of the most marginalised children, democratic decision-making practices, and sustainability.

The principle of non-discrimination is fundamental to citizenship work and rights-based programming. Many forms of discrimination are subtle and pervasive. Systematic efforts are therefore needed to reach out to the most marginalised and excluded girls and boys, empowering them to raise their voices and challenge discrimination.

**EXAMPLES OF KEY ACTIVITIES**

- Map or research existing child groups and movements in the country/region.

- Review laws and policies and lobby for reforms to allow legal registration of child-led organisations and networks.

- Support the formation, strengthening and expansion of inclusive child-led organisations, networks and movements (with a focus on including the most marginalised children, including stateless children, children with disabilities, working children, etc).

- Build the capacity of child-led organisations to strengthen their self-management, inclusion, partnerships and/or sustainability.

- Provide funding and material support to child-led organisations and their networks for their own action, research and advocacy initiatives.

- Undertake sensitisation and advocacy with the government and civil society to increase engagement with child-led organisations and their networks.

- Support the engagement of child-led organisations in governance and/or political processes affecting them at local, sub-national, national, regional and/or global levels (including reconstruction and peace-building processes).
3.3 Investment in Children

Investment in Children is the breakthrough area for Child Rights Governance and therefore most CRG programmes can and should work on IIC with local partners.

This section provides guidance on programming in the area of Investment in Children (IIC). It starts with a definition of IIC and a list of components of IIC work. The recommended activities include start-up as well as consolidation and scaling-up actions for those with prior experience.

3.3.1 What is Investment in Children?
We define investment in children as private or public spending on specific areas that directly benefit children as set out in the UNCRC and its Optional Protocols – particularly on social protection, health, education, nutrition, child protection, emergencies and the requisite child rights infrastructure and systems (UNCRC General Measures of Implementation). IIC work therefore focuses on increased mobilisation, greater allocation and effective utilisation of private and public resources in order to fully implement children’s rights.

3.3.2 Investment in Children programming
There are three areas of programming on investment in children, notably:

- **Actions aimed at improving resources available to spend on children**. This is concerned with the extent to which governments optimise resources to invest in children. The basic question to be answered is whether governments have the fiscal resources to invest in children. Programme activities will include research, capacity-building and advocating for child-sensitive policies on taxation, aid, borrowing and other policies and strategies on financing investments in children.

- **Actions aimed at promoting adequate allocations and effective spending on children’s issues**. This line of work seeks to ensure that governments allocate resources to the maximum extent possible to benefit all children, particularly the poorest and vulnerable. This work involves influencing fiscal priorities, allocations and spending patterns by governments and other development actors, including donors and the private sector. This line of work also addresses the question of how, and on what, public resources are spent.
• Actions aimed at promoting participation, transparency and accountability in public spending. This work aims to enhance the efficiency, effectiveness and impact of fiscal policies and budgets on children. Key aspects of this will be to promote budget transparency, social accountability, information-sharing, citizen participation, including children, in planning and budgeting processes. Through this work, Save the Children also intends to combat corruption and other leaks in public spending.

3.3.3 Laying the groundwork for IiC work
The preliminary CRG analysis will have highlighted key IiC issues, but a more in-depth analysis will be required before programming can start. This analysis should, where possible, be as inclusive as possible, ideally carried out with partners but also involving key actors on IiC. These might include CSOs we have not traditionally worked with. It might also involve key experts working in the country on relevant issues.

To lay the groundwork for IiC work, you can work through the following steps:

Step 1: Understand the context (building on CRG situation analysis)

a) Understand the political context. The political context should be analysed in terms of both formal power structures and responsibilities and informal power relations. It is important to know the relative responsibilities of the different branches of government (legislature, executive and judiciary) with respect to policy formulation, budget formulation, approval and implementation. In addition, where possible, it is important to find out the positions of different political parties (or other relevant bodies) with respect to IiC. Other political aspects to be investigated include: How decentralised are decision-making and resource mobilisation, in theory and in practice? Where does the balance of power lie among state institutions (different ministries, committees, office of the president/prime minister, etc) in relationship to decisions on resource allocation and utilisation? What is the attitude of those in power to children’s issues?

b) Understand the economic context. Save the Children and its partners should understand the micro- and macroeconomic issues and dynamics, including the following questions: How stable is the country’s macroeconomic situation? What is the country’s overall fiscal policy thrust and what are the implications for children? What are recent trends in its fiscal position, including debt? What are the projections for the medium term? What are the country’s main revenue sources? How effective is tax collection? Overall, how much fiscal space is there, and what are the key constraints on greater fiscal space? What is the overall structure and composition of national and local budgets in relation to children’s issues?

c) Understand the level of government accountability and transparency on policy planning, resource mobilisation and budgeting processes. At the very least, country programmes should know who is involved, how and when in resource mobilisation, allocation and utilisation and consequently assess opportunities for participation and enhanced influence. In doing this, it is important to know the legal, political and operating environment with respect to budget transparency. For example, is there a Right to Information or an Access to Information law? What are the key provisions and exclusions? How willing are different ministries and levels of government to make budget or performance information available? Are there key champions of transparent governance that Save the Children could build links with? How available and accessible is information on public spending? How accessible is information on different streams of national revenue, including proceeds from the sale of natural resources (mostly in the extractive industries, such as minerals and oil), sales of services and products of parastatals, budget support from donors, tax revenue and customs duties?

d) Understand bottlenecks, redundancies and leakages, particularly due to corruption. Through anti-corruption initiatives, expenditure tracking, social audits and other social accountability initiatives Save the Children will be in a position to campaign against corruption, redundancies, bottlenecks and leakages in resource allocation and utilisation. Research could identify: perceived levels of corruption, underlying causes (eg, acceptability within political culture); low salaries among public sector workers; perceived immunity from legal sanction; and facilitating factors such as lack of transparency or ineffectual public financial management. It is also vital to understand how corruption affects children’s lives and how children perceive corruption and their ability to act as citizens.

e) Understand the public finance management system as it affects fiscal policy and budgetary processes. Develop your knowledge of the budget process in your country. Review key policy and budget documents and laws (at national and, where relevant, sub-national level). Find out when in the annual cycle different parts of the process occur – i.e., formulation, enactment, execution (implementation), and auditing and assessment. IiC work requires that Save the Children and its partners understand public finance management systems – especially budget allocation frameworks and formulas, accounting policies, financial systems and responsibilities, financial oversight (including the role of parliaments), procurement, acquittal, expenditure and auditing of resources. The above can be opportunities either for better spending or for leakages and corruption.
f) Understand prevailing national and sector plans focusing on children. It is important that you map out national and sector plans in place that relate to children. This should include an assessment of whether the plans are comprehensively costed and linked to the medium-term expenditure framework.

Step 2: Map the opportunities and entry points
Apart from understanding the context, it is crucial for Save the Children and its partners to map stakeholders’ entry points for IiC advocacy as well as opportunities for information-sharing and capacity-building for IiC work. Such mapping exercises will not only serve as a baseline against which progress will be assessed in future, but will also inform IiC strategy development and our choice of partners and alliances in the not-for-profit, private and public sectors. This mapping should include:

- identifying ongoing reforms of public finance management, public expenditure and accountability frameworks, fiscal and taxation policy; parliamentary structures, constitutional and political reforms and other human resources or administrative reforms
- other budgeting initiatives by civil society, academia, international organisations and even the government in order to identify potential advocacy partners and allies such as MPs, relevant ministries, financial planning departments at local and national levels, child rights champions, etc
- identifying ongoing discussions on financing for development
- tracking trends and identifying new trajectories on development assistance programmes in your country
- analysing trends and any possible reforms in policies on lending and borrowing that may have an impact on public spending on children
- changes in fiscal priorities
- opening up of governments to stakeholders on various issues related to investment in children.

Step 3: Build coalitions and links with other actors
Having mapped other actors interested in effective public expenditure, good governance, social accountability, taxation or any other aspect of IiC work, Save the Children should build strategic links with these organisations. The nature of these links may be specific to particular partners and may evolve over time. It is important that we are open to working with new partners where appropriate as well as building the capacity of our traditional partners to work on these issues.

Step 4: Developing evidence-based, country-specific arguments for work that individual countries may want to engage in on Investment in Children
It is essential to build a good case for any proposed changes in policy and practice. For example, what is the political and economic benefit of reducing value added tax (VAT) on educational books? What would be the net gain in terms of stopping corruption in the management of social protection? What are the long-term benefits of mobile libraries or child support grants? The benefits can be analysed from various perspectives: rights-based, economic, ethical, social and political. For each of these arguments, country-specific research may need to be commissioned to explore evidence and the potential of the proposal. For example, if there is widespread concern about high rates of youth unemployment, it might be strategic to focus on the potential benefits of greater investment in secondary education and to improve young people’s skill levels. If there is a serious problem of newborn and maternal mortality, an analysis of the costs and benefits of greater investment in health programmes and other strategic health sector investment could be useful. Proposals from Save the Children and its partners should always be internally tested for feasibility and sustainability.

3.3.4 Activities for each of the three programming areas

Theme 1: Actions aimed at improving resources available to spend on children

a) Taxation policy and practice
Taxation is one of the key means available to governments to raise resources for investment in children. Through taxes, governments can invest in schools, healthcare systems and other kinds of social services that are important for children’s rights and wellbeing. The state’s responsibility to make sure children’s rights are met is stated in Article 4 of the UNCRC. By increasing tax income, governments might enhance their ability to meet this obligation and to increase country ownership of development in line with the Paris Principles for Aid Effectiveness. Tax income is usually more predictable than development aid and therefore often better at sustaining service provision. The tax system is also a key way of redistributing income – both via financing public services, and by transferring money to poorer groups (eg, through benefits and tax credits).
Today, developing countries lose more money through tax evasion than they receive in aid. Reducing international tax evasion and illegal capital flight is therefore central to increasing governments' income and ability to invest in children.

Some of the most common types of taxes include: consumption or sales taxes (e.g., on goods and services or on any operation that creates value), corporate taxes (applied to businesses), income taxes (e.g., on persons, corporations or other legal entities), inheritance taxes (applied when a person dies), property taxes (applied to owners of private property, such as land or housing), social security taxes (applied to the wages/salaries of formal workers to provide income and health benefits to retirees), tariffs (e.g., taxes levied on imports or exports), and tolls (e.g., fees charged for vehicles travelling on roads, bridges, etc.

In analysing taxation issues, some of the key points to look at are as follows:

- the tax policy and overall revenue generation strategies of specific countries
- whether the tax system is regressive or progressive. If poor people pay a greater proportion of their income in tax than do rich people, then a system is regressive. If the rich pay proportionately more of their income than the poor, then a system is progressive. Where governments rely heavily on value Added tax (VAT) or other sales taxes, it is usually regressive, unless basic goods that make up a high proportion of poor people's expenditure are exempt
- the extent to which taxes of different types are collected and thus contribute to public revenues, as well as the attitudes of various stakeholders towards paying tax
- the extent of corruption in the tax system
- whether any tax evasion practices compromise the national revenue base, e.g., capital flight and tax evasion
- the potential for new taxes on specific goods (e.g., luxury goods) to finance social investment. There is a precedent in environmental policy with carbon taxes and in airline levies, which have financed investment in combating malaria, HIV and AIDS and tuberculosis through UNITAID. Other potential innovative taxes include phone taxes, luxury taxes and other alternative tax mechanisms (such as ring-fencing portions of VAT) to finance social sectors, etc
- whether there is scope for specific tax subsidies to ensure children have access to specific services, e.g., reduced VAT on educational books, tax credits for companies that invest in children, etc.

To lay the groundwork for taxation work, you can start by scoping partners and potential entry points, and developing the analysis already carried out in your CRG Situation Analysis. This could examine:

- how much a country loses through tax evasion and illegal capital flight
- the tax policy and overall revenue generation strategies of your country
- the main types of tax being collected
- attitudes towards paying tax among various stakeholders
- the extent to which the tax system is seen as corrupt
- any proposed changes to tax codes
- the proportion of tax revenue in relation to other income sources
- potential advocacy partners, potential opponents.

**EXAMPLES OF KEY ACTIVITIES**

- Research into the potential for innovative taxes, such as financial transaction taxes, phone taxes, luxury goods taxes and other alternative tax mechanisms (such as ring-fencing portions of VAT) to finance social sectors, particularly child-sensitive policies and programmes, internationally and in individual countries. This could consider:
  - how more effective tax collection could finance investment in social sectors and how children could benefit from the resources raised. This could focus at global level or on specific countries
  - how regressive or progressive the tax system is, and the options for making it more progressive in order to reduce child poverty and to finance investment in social services
  - the potential effects on children of specific proposed tax changes, where relevant. For example, how much money the state loses in non-payment of tax.

- Advocate for more progressive taxation, such as by moving away from sales taxes to a greater reliance on luxury or corporate taxes, and/or more effective taxation of the rich. This could include campaigning to create a moral sense among the rich that paying their taxes in full is a citizenship obligation. It could be linked to evidence of how increased tax revenues could be used to benefit children.
• Advocate for specific tax reforms, eg, changes in tariffs. Some middle-income countries may be able to increase tariffs (taxes on imports or exports) while remaining within the ceilings agreed under international trade law. In such cases, Save the Children could suggest this as part of proposals for financing IiC. In countries with significant extractive industries and/or commodity exports, particularly where prices are booming, Save the Children could advocate for a windfall tax that could be partially ring-fenced to finance social investment. Many countries with significant natural resource revenues (eg, Iran, Kazakhstan, Papua New Guinea) have developed stabilisation funds that can be used to finance social investment, such as social protection, during periods of downturn. Countries can also campaign for ring-fencing portions of existing taxes for IiC. For example, in Ghana, 2.5% of VAT is ring-fenced for education and another 2.5% for social health insurance.

• Campaign against tax evasion by corporations. Many multinational corporations shift profits and losses between different jurisdictions to minimise tax obligations. Tax havens make it possible for corrupt government officials and political leaders to put away money which belongs to the people. Fighting tax havens is central to fighting corruption. Save the Children and partners could join campaigns to improve the transparency of transnational corporations and to hold them to account for their tax obligations, such as reporting profits, losses and taxes paid in each location where the company does business. Save the Children could also, together with other organisations, launch a campaign for a convention against the negative effects of tax havens.

Zambia: CSOs challenge mining tax exemptions

In Zambia, mining development agreements were negotiated with private mining investors who took over copper mines after the privatisation of the Zambian copper industry in 1998. They offered huge tax exemptions to mining companies – including setting royalty rates at 0.6% and corporate income tax at 25%, instead of the 3% royalties and 30% corporate tax specified in the Mining Act. Despite booming international copper prices between 2003 and 2008, these tax breaks have drained government coffers of much-needed revenue for development spending. In 2004, for example, the government collected only US$8 million in tax and royalty revenue from the copper mining industry. In 1992, a year when copper production and international copper prices were at similar levels to those in 2004, budget revenue from taxes and royalties was US$200 million, in large part due to higher tax collection from the mines.

Civil society actors in Zambia, including the then Civil Society Trade Network of Zambia (CSTNZ), churches and trade unions, took up this issue. They published research reports, engaged parliamentarians and the media and raised the level of debate in the country on the issue of tax exemptions in the mining sector. Partly as a result of this successful civil society lobbying and campaigning, in 2008 the government decided to outlaw the special tax breaks granted to copper mining companies in the mining development agreements, requiring the companies to instead revert to paying the 3% stipulated in the law. The government also introduced a special windfall tax, although it dropped this a year later under pressure from mining companies, partly in response to the huge drop in international copper prices.

While this setback reduced the overall tax revenue paid by the mining companies, in 2009 the finance minister reported that the government collected US$77 million in tax and royalty income from copper mining companies as a result of the new tax rates – a ten-fold increase compared to 2004.
Bolivia: Tax justice leads to improved social services

Bolivia’s oil and gas industry is the most dynamic sector of the Bolivian economy and receives by far the most foreign investment. However, Bolivia has struggled to benefit from its vast underground wealth since the sector was privatised in 1996 as part of its structural adjustment reforms. With privatisation, the royalties for the vast majority of companies were lowered from 50% to only 18%. There was great national concern over the reform. Research showed that the government was capturing less and less revenue from the sector (37% of the turnover in 1999 was reduced to 27% in 2004), in a context of huge increases in investment, production and exports – with corresponding rising prices.

Civil society organisations such as the Centre for Labour and Agricultural Development (CEDLA) took the lead in researching the impact of the reforms, and then informing the public, which contributed to popular discontent and a series of mobilisations and protests led by indigenous groups. As a result of the pressure, the Bolivian Congress finally passed a law in May 2005 that provided – among other things – for a new royalties and tax structure on oil and gas extraction. All reserves became subject to the 18% royalty rate, as well as to a new direct tax of 32% on the value of all oil and gas production. Reforms to the sector since 2005 have generated a huge increase in revenue for the Bolivian government (from an income of around US$173 million in 2002 to an estimated US$1.57 billion in 2007).

As a result, the Morales government has increased spending on social programmes. Three major cash transfer programmes have been developed: an expansion of public pensions to relieve extreme poverty among the elderly; a grant for poor families to increase primary school enrolment; and, most recently, a grant for uninsured new mothers as an incentive for them to seek medical care during and after their pregnancies, in order to reduce maternal and infant mortality. School breakfasts are also provided for primary school children to guarantee all school children at least one meal a day. None of these programmes would have been possible without the reforms to oil and gas taxation.

b) Aid

Aid is shrinking as a result of the financial crisis and is being phased out as a source of income in many middle-income countries. However, the reality for many developing countries is that aid remains a significant source of income.

Although aid allocations to key sectors benefiting children have increased substantially in recent years, aid could play a much greater role in financing investment in children. However, there are major obstacles, including:

- low volumes of overall aid (only four bilateral donors meet the 0.7% of gross national income (GNI) target)
- concentration of aid in particular countries, with some very poor countries receiving very low allocations
- low prioritisation of social investment as a use of aid in some countries
- aid practices that reduce the amount of committed aid actually received by countries (eg, where aid programmes are used to fund scholarships for students from developing countries to study in donor country universities)
- a perception that the Paris/Accra aid effectiveness principles limit the possibility of promoting children’s rights through aid allocations
- lack of transparency concerning aid flow and receipts and, in some contexts, corruption related to aid.

To lay the groundwork for work on aid, you can start with the following steps:

Step 1: Carry out research on aid structure, with children in mind.

Step 2: In aid-recipient countries, identify the main donors supporting investments in key sectors that benefit children and, where possible, the volume of funds committed over the medium term (eg, the next five years).

Step 3: Find out to what extent key donors’ priority sectors are supportive of ICC at both head office and in-country levels, in terms of formal commitments (to which agencies can be held to account).
EXAMPLES OF KEY ACTIVITIES

• Advocate through or with partners for:
  - increased levels of aid, particularly from donors that are not close to meeting the 0.7% of GNI target
  - more equitable distribution of aid, so that countries with high levels of poverty receive a greater share
  - aid with an increased focus on social investment. This may be particularly relevant for donors that traditionally prioritise infrastructure and/or where security-related priorities are absorbing significant aid resources
  - increased attention to children’s rights within aid programmes. Save the Children could highlight key areas of child wellbeing that are under-financed and the contribution that aid could make to filling gaps (either internationally or in specific countries), and draw on arguments for the strategic benefits of investing in child wellbeing. Globally, nutrition and child protection are significantly under-financed
  - child-focused aid to governments to be delivered on budget through national systems (in line with Paris Declaration and Accra Agenda for Action principles), to reduce the transaction costs of aid and to ensure transparency
  - relevant actors to speak out against corruption in aid, both in donor and aid-recipient countries, as part of coalitions. This could involve supporting strategic litigation, as well as other forms of campaigning
  - donors to commit to untie aid, so that a greater proportion of it reaches recipients as useable funds (country-programmable aid), and to end practices such as counting support for refugees or scholarships to study at donor country universities as aid.

• Carry out research on and advocate for aid effectiveness in line with Paris Declaration and Accra Agenda for Action principles. A critical component of this is advocating for transparency in the donor aid value chain. Save the Children Members in donor countries could lobby for their country’s official development assistance agency to join the International Aid Transparency Initiative (IATI) and comply with IATI standards. However, Save the Children would also need to be prepared to sign up to and/or publish aid information in accordance with these standards in order to be able to advocate for other organisations to do so.

• Foster greater coordination of donors supporting work on children. For example, in Bosnia Save the Children was a co-chair of the INGO and donor coordination group working on children’s rights within the design of the mid-term development strategy 2004–07.

c) Debt
Debt is used by many countries as a strategy to finance their activities. National debt is the total amount of money a government has borrowed from any source. Every level of government, from national to municipal levels, can have its own debt. There are two types of national debt: domestic and external. Domestic funds are borrowed from sources within the country. The money for this type of debt is raised by selling securities, government bonds and bills. External debt refers to funds borrowed from foreign sources. This can include private sources, other countries, the World Bank and the International Monetary Fund (IMF).

Because levels of indebtedness vary from country to country, debt management strategies also vary. It is important for Save the Children to analyse the architecture and level of debt in a given country and its implications for IiC. This may be done by working with partners involved in issues of debt. This analysis also includes understanding why the country entered into the debt, and what the repayment plans are. Debt affects not only the revenue side but also the expenditure side of the budget, through interest repayments. In some cases, interest repayments may end up crowding out IiC.
EXAMPLES OF KEY ACTIVITIES

• Work with partners to help government plan and negotiate the best available new borrowing and financing options to fund child-related expenditure.

• Participate in the development of medium-term debt management frameworks.

• Advocate for debt management strategies that favour LIC, such as debt relief in highly indebted poor countries (HIPC), in order to free resources that could be used to benefit children. Country offices should check whether their country qualifies for support from the Multilateral Debt Relief Initiative, which is aimed at cancelling debts owed by HIPCs.

• Lobby for debt swaps in support of child-related expenditure.

• Lobby for prudent borrowing only to support crucial interventions, particularly LIC.

Theme two: Actions aimed at promoting adequate and effective allocations and spending on children’s issues.

Common approaches for influencing allocations and spending include:

• Independent budget analysis and advocacy. These are initiatives whereby stakeholders analyse budgetary allocations and trends by reviewing fiscal policies and budget statements as an ‘outsider’ and from a children’s perspective. The analysis of budgets is then followed by advocacy.

• Participatory budgeting. This term refers to the active involvement of stakeholders in the formulation and implementation of budgets, throughout the budget cycle. This can happen either at local or national level. UNICEF has supported children’s and young people’s involvement in participatory budgeting in Porto Alegre, Brazil. In Barra Mansa, Brazil, a small proportion of the municipal budget has been allocated to the Children’s Participatory Budget Council, consisting of members aged 9–15, for use on priorities identified by children and young people. There are various examples of participatory budgeting including children and young people in the UK. These initiatives help build young people’s citizenship as well as increasing the proportion of resources allocated directly to children and young people at local level.

• Public expenditure tracking. This involves monitoring the use of national resources in order to assess adequacy, efficiency and effectiveness.

• Public service monitoring. This involves assessing the reach, relevance, sustainability and impact of specific public services to children.

EXAMPLES OF KEY ACTIVITIES

• Analyse the share of government spending on, and total amounts committed to, policies and programmes for children. Whether you focus on national, regional, district or municipality level regarding lobby and advocacy actions will depend on context. This could involve identifying or analysing:
  - commitments to key sectors (e.g., health, education, social welfare, child protection)
  - investments in child-sensitive social protection and other investments that could build the resilience of families, communities and nations
  - allocations within sectors to find out the level of expenditure designated specifically for children (e.g., within education, amounts committed to early childhood/preschool education, primary and secondary education)
  - allocations related to specific policy commitments for children (e.g., universalising primary education by a given date; ending child poverty by a given date). These could be Millennium Development Goal commitments, or commitments related to specific goals and targets responding to specific country concerns
  - commitments intended to help specific groups of disadvantaged children
  - the level of resources being spent in relation to plans (i.e., areas of underspending or overspending) on child-focused expenditures
  - trends over the last few years. Such evidence may be available in public expenditure reviews, medium-term expenditure frameworks or medium-term budget frameworks, other government budget documents, overviews of public expenditure in particular sectors, and/or existing CSO budget studies. National development plans should also include relevant information.
• If an election is due, it may be useful to consider advocating for inclusion of child-focused expenditure in election manifests. It is then important to follow up to ensure that issues submitted are reflected in government plans.

• Support participatory budgeting processes. These provide structures for citizens to influence budget priorities and scrutinise expenditure at local level.

• Advocate for the involvement of children and child-focused organisations in budgetary processes.

• Build children and young people’s capacity to understand and engage in budget analysis and advocacy through supporting budget literacy work with schools, children’s clubs, and/or youth organisations. This requires simultaneous work with duty-bearers so they understand the value of these activities and can build support for them.

• Promote transparency and accountability throughout the budget process. Lobby government for the publication of clear, simple ‘citizens’ budget guides’ that provide an overview, in non-technical language, of the allocation of funds to different sectors and sub-sectors and for other key budget documents to be made public. Citizens’ charters that specify at national or local level what government intends to do in particular areas, and the associated budgets, could also be useful tools.

• Advocate for the removal of impediments to improved budget transparency, such as lack of freedom of information or access to information laws.

• Campaign for a more open political culture in government institutions.

• Strengthen budget oversight bodies such as parliamentary committees.

• Engage in expenditure tracking. This is a deeper level of budget work, which involves analysis of the following:
  - aggregate national expenditure. Where public expenditure is centralised, this is the most important level to monitor; using data or quarterly reports from government ministries to check that expenditure is being made according to budget plans
  - expenditure at decentralised levels of government. This is applicable where much expenditure on children is decentralised
  - expenditure ‘at the front line’ – assessing whether public expenditure commitments are actually reaching schools, clinics, social protection services, etc. Tools such as public expenditure tracking surveys, citizens’ report cards, and community scorecards may be useful for this
  - audit reports on public spending – checking whether expenditure reports are in accord with what you have observed on the ground, whether there are any inconsistencies, etc
  - changing patterns of public expenditure and outcomes. These include reduced government capacity and spending in the light of economic crises, and the effects on key expenditure areas such as health, education, social protection and welfare programmes.
Zimbabwe: Child-friendly national budget initiative

For years, budget formulation, implementation and analysis in Zimbabwe were the preserves of government technocrats under the leadership of the Ministry of Finance. In 1999, nine child-focused organisations decided to join forces, and when a multi-party Zimbabwean parliament was established in 2002, the Child-Friendly National Budget Initiative (CFNBI) really took off. Among the organisations involved are Save the Children and UNICEF, while the National Association of Non-Governmental Organisations (NANGO) (also a partner of Save the Children) is leading on coordination. One of the direct results of ongoing advocacy has been increased budgetary allocations for children. New budget lines, e.g., the Children in Difficult Circumstances line under the Ministry of Public Service, Labour and Social Welfare, have been introduced.

The continued demand by children's organisations to participate in issues that affect them has resulted in the budgeting process being reviewed and democratised. One example is the establishment of parliamentary portfolio committees, including a budget committee, which reviews proposals from line ministries. The CFNBI has trained the budget committee on children's rights and child participation in budgeting processes. Interaction between the finance committee and children's groups is now taking place, experience is being shared, and children have opportunities to influence the budget committee's thinking and decisions.

While parliament and ministries traditionally only discussed budget issues in major cities, if at all, the CFNBI has piloted decentralisation of budget debates to rural and smaller urban areas. District consultative workshops, involving local communities, have been held in 15 out of 62 districts. The initiative has also created increased accountability in other ways. For example, a 2004 evaluation of the Basic Education Assistance Module helped to track whether resources allocated for educational assistance actually reached the intended beneficiaries. The major finding was that resources to support children took a long time to trickle down to local schools, and eventually some schools could not afford to educate poor children. The initiative managed to focus attention on the problem.

A directive from government now forbids schools to reject children. Moreover, the budget is being demystified for ordinary people through budget and finance literacy workshops. Children can now use economic terms and concepts with confidence, while the project has created public interest among ordinary people, legislators and children, who are now more eager to analyse budgets from a child perspective and to hold governments accountable.

Zambia’s Child Budget Network: More and better investment in children

Zambia’s Child Budget Network has been established (with Save the Children’s support) to advocate for more and better expenditure on children’s rights. Members of the network have been trained on budget analysis and advocacy and recently also on how to use social accountability methodologies to hold the government to account for more and better spending on children. The Child Budget Network has largely focused on issues related to budget transparency and the expenditure side of the budget. The network is now one of the stakeholders the government consults on the draft annual budget, and it also engages with key parliamentarians on the allocation of resources to children’s rights.

Advocacy by the Child Budget Network has contributed to increases in the national budgets for health, education and social security. For example, on the basis of budget analysis and findings from surveys and expenditure tracking, the Network made written submissions to, and met with, various government departments. These advocacy efforts contributed to an overall increase of 22.7% in the 2012 national education budget as well as specific increases within the education budget related to the construction of high schools (132.6%) and teacher recruitment (10.3%). Within the 2012 health budget, advocacy efforts contributed to increases of 9.9% in the budgets for expanded programmes on immunisation and integrated management of childhood illnesses respectively, as well as an increase of 118.6% in the budget line for nutrition. In respect of social security, the budget for the public welfare assistance scheme increased by 18.5% and that for social cash transfers by 30%.
Theme 3: Actions aimed at promoting transparency, accountability and citizen (including children) participation in public spending

Save the Children’s analysis indicates that in most of the countries where we work – in all regions of the world and in high-, middle- and low-income countries, ‘leakages’ and corruption can interfere with government spending contributing to children’s wellbeing. In countries where corruption is found to be a concern (through the situation analysis work), anti-corruption work can be a key component of IiC work.

To lay the groundwork for transparency, social accountability and anti-corruption work, you can start with the following steps:

**Step 1. Assess key issues, entry points and risks**

Build on your Child Rights Situation Analysis, which should have identified key corruption issues and their drivers. The next step is to identify key issues and entry points for anti-corruption work. You will need to assess the prospects of bringing a greater child focus to ongoing anti-corruption work. You will also need to make strategic assessments of the risks of involvement in anti-corruption coalitions, particularly those focused on ‘grand corruption’ by political or business elites. It is at this level that significant resources are being diverted away from the public coffers and potentially from IiC.

**Step 2. Build links with organisations engaged in anti-corruption activities**

The next step is to identify possible partners and explore their interest in collaborating in advocacy on areas of corruption that specifically affect children. These could include the siphoning off of resources intended for schools or healthcare, corruption in access to social protection entitlements (e.g., cash transfers), or corruption in the police and judiciary that allows organised exploitation of children (e.g., trafficking, child labour) to continue, or acquits perpetrators of child abuse.

**EXAMPLES OF KEY ACTIVITIES**

- Document and analyse the ways in which corruption affects children because of their reliance on public services. This could combine expenditure tracking, which can generate evidence on leakage and mishandling of resources, with qualitative insights from affected children and other service users (including through tools such as community scorecards and citizens’ report cards). It may be strategic to focus on one or two sectors.

- Document existing evidence of the extent of links between control of corruption and child rights outcomes.

- Examined how far transparency in budget processes and the involvement of citizens – including children – can improve outcomes for children. This could include case studies of effective use of social audit tools (scorecards, citizens’ report cards) that involve children and young people or that have improved outcomes for them.

- Explore ways in which children and young people can be involved in transparency activities and in national and local accountability mechanisms.

- Assess financial management systems to determine the degree to which they prevent corruption and other leakages.

- Promote the development of and adherence to broad standards of revenue transparency (e.g., on natural resources such as oil and minerals) in partnership with key stakeholders and partners, such as Publish What You Pay, Revenue Watch and the Extractive Industries Transparency Initiative. Some of this advocacy will be focused on governments (to publish what they receive) and some on private companies (to be transparent about what they pay). Other activities can include advocacy for laws or institutional reforms to address corruption, such as grievance redress mechanisms for affected citizens.
• Engage children and young people in anti-corruption advocacy and monitoring initiatives. Children and young people are often aware of corruption in their environment – they may be asked for money directly or may be aware of what happens with diverted funds through direct observations at schools, at home or in other places. An assessment of potential risks to the children concerned should be undertaken first. Activities involving children and young people in anti-corruption activities include:
  - taking part in social audits, such as citizens’ report cards and community scorecards. Children and young people could develop indicators for analysis (e.g., the state of repairs, teacher absenteeism, the number of textbooks, etc. at their schools) and could report periodically on progress. Capacity-building training and support for children may be needed
  - forming anti-corruption clubs in schools/colleges that organise social events and stimulate group discussions, and support them to advocate for inclusion of courses on anti-corruption, good governance and ethics in the school curriculum, to advocate for specific areas to be declared ‘corruption free zones,’ and to monitor and report any violations
  - creating a child/youth anti-corruption platform or network if this does not already exist. This network could publicise anti-corruption issues in traditional and social media
  - establishing a grant/awards programme for youth-led governance and anti-corruption initiatives
  - developing and customising youth-oriented anti-corruption tools.

Budget transparency and child malnutrition: A pilot project in five African countries

As part of Investing in Children, the Child Rights Governance Initiative (CRGI) is implementing a joint pilot project with the Accountability and Transparency for Human Rights Foundation and the International Budget Partnership to investigate the transparency of government budgets at national and sub-national levels in relation to children’s rights in five African countries. The project is focusing on Millennium Development Goal 4 (a two-thirds reduction in the number of children dying before their fifth birthday) and child malnutrition.

Research has been undertaken by CSOs, in close collaboration with Save the Children, in Kenya, South Africa, Uganda, Zambia and Zimbabwe. Findings will be used by Save the Children and local partners to influence governments to increase their budget transparency and participation. It is hoped that the project will have application wider than Africa, and we hope it will be integrated into global civil society work around budget transparency, accountability and participation. The focus on child malnutrition will also support Every One Campaign. A further aim is to develop a research methodology that can be replicated in other countries and used to analyse budget transparency in relation to a range of different child rights issues, including education, child protection, social protection and the GMIs. The project is implemented by the CRGI with funding from Save the Children Sweden, Save the Children Denmark and Save the Children Norway.
WANT TO KNOW MORE?


EURODAD (2011) Responsible Finance Charter, Brussels


Save the Children UK (2012) Born Equal, How reducing inequality could give our children a better future, London


SOMO (2008) Taxation and financing for development, Amsterdam


Tax Justice Network - Africa, (2011) Tax us if you can: Why Africa should Stand up for Tax Justice, Nairobi


PART FOUR
4. Strengthening key child rights actors and relationships

When given the space and support they need, girls and boys can be very effective agents of change, securing genuine improvements in their everyday lives and influencing policies at local, national, regional and global levels. It is also true that there are a range of powerful actors that could be champions for child rights and make a real difference in the lives of children. This chapter is about building the skills and capacities of adults and children and improving the relational dynamics between them to improve the fulfilment of all rights for all children in all circumstances.

4.1 Involving and empowering children

Children are not only rights holders but also the key stakeholders in Save the Children programmes. By ‘practising what we preach’, we want to inspire and mobilise other actors to explore what child participation could mean for them in pursuing more effective ways of realising children’s rights. Of course, children already participate in society in various ways (as breadwinners, carers, heads of households, soldiers, etc) that are not necessarily safe or that lead to positive change in their lives. And much of what children are engaged in is rarely the result of their own decisions or choice.

Children should not only be heard but also be prepared for and involved in influencing decisions regarding their own lives. This means empowering children, preparing adults to listen to them, and taking children’s views seriously. It means working in a non-discriminatory, safe and inclusive way, ensuring that all children have a voice – regardless of their gender, religion, ethnicity, caste or dis/ability, sexual orientation or any other factor. It also means organisations must emphasise building mutually respectful relationships between children and adults, overturning prevailing negative stereotypes about children’s agency, and giving their role as key actors greater visibility. Save the Children and partners working with children need to maintain high standards for how we engage with children, including how we are accountable to children.

Adults are responsible for listening to and supporting children in their participation. Ultimately, adults must ensure that the most marginalised children, including children with disabilities, are able to participate. However, as Cussiánovich notes, “We cannot refer to a new culture of children’s participation if we leave untouched the culture of adults… which is not conducive to children playing their own role within the family, school, community, towards government and so on.”32 In order to empower children, we must also build the capacity of adults to foster respectful, accountable relationships with them.

Save the Children and partner organisations have adopted practice standards for children’s participation to encourage child rights actors and other practitioners to increase children’s influence over matters concerning them. By emphasising the need to include children in all forms of decision-making and the need for that participation to be safe and meaningful, the standards seek to demonstrate that a wide range of actors can contribute. We need to create opportunities for children to claim their rightful space; we must develop methodologies that support children to act in their own right, and also in forms that are not necessarily familiar to adults.
Children’s awareness and capacity to influence and drive forward change on their own terms is largely dependent on the extent to which their civil rights are being met. The activities related to children’s civil rights described in Section 2 outline the steps needed to ensure that duty-bearers meet those rights and that children know how to claim their rights to freedom of expression, freedom of association and access to information, among others. These rights are vital to children’s overall right to be heard. Children are empowered when able to bring about positive change in their lives. Adults’ and children’s perceptions of issues can be different, and what constitutes success in terms of change can be different. Through respectful dialogue and mutual understanding, with expectations managed well, children and adults can work collaboratively and effectively together.

Our support for children to be heard in public arenas should not prevent us from continuing to work with children’s rights within the family, but from a CRG perspective, citizenship rights (distinct from, although interlinked with, children’s rights in the family) must be given due impetus. The CRGI aims to encourage and support a wide range of actors to provide space for children to influence issues related to their lives. This will increase the likelihood of children accessing support, regardless of their specific issue of concern.

Much of the work on building positive relationships between children and other actors centres around creating an enabling environment where children’s agency is respected and where they can enjoy the realisation of their civil rights and opportunities for meaningful participation and influence over decision-making. Enabling conditions can be broadly categorised in the following ways:

- a secure economic and social base
- political will, adequate resource allocation, and supportive legal and administrative frameworks
- a stable environment of equality, peace and democracy
- access to knowledge, information and skills, and a positive values system
- assumption of an active role in political and civic processes.

Access to such enabling conditions is also limited for the majority of adults around the world (including, in many cases, for representatives of partner organisations). Therefore, our programme work needs to cater for broad participatory approaches in order to benefit children and their communities constructively.

Gerison Lansdown and Claire O’Kane have developed a framework with matrices and indicators to monitor the extent to which governments have created a child-friendly environment that respects children’s participation rights. Three matrices have been developed, including indicators for measuring efforts taken by state governments, on:

1. Protecting the rights to participate
2. Promoting awareness of and commitment to participation
3. Creating spaces for children’s participation

You can use the matrices to map where a given country stands with regard to these participation rights and the information will complement information gathered in your CRG sector analysis. The process should highlight major gaps or weaknesses, and can then be used accordingly as a tool to determine programme priorities. It can also be used as an advocacy tool with governments.

“Even if adults listen to children and encourage them to express their opinions, adults are often reluctant to give up control over decisions. Learning to give up control and to share decision-making power requires changes in both children and adults, and takes time. It is a gradual process: from adults listening to children, to adults supporting children to express their views, to adults taking the views of children into account, to adults involving children in decisions, to adults sharing responsibilities for and control over decisions.”

As with adults, when children come together to meet and talk about their respective situations they often find strength in their solidarity, and their capacity to become agents of change is enhanced. Children’s groups and clubs provide them with a safe space to express and develop their opinions, to consider concerns, to find ways to cope, and to plan and take action. Just as with adults, such gatherings may also turn out not to be constructive for the child. In some cases, the solution can be to form distinct groups of children who share common experiences based on gender, disability, work or ethnicity before encouraging them to join with other groups of children. This can help increase their understanding of their particular situation and the reasons for their oppression and can build their confidence and positive identity. For example, in some parts of Bangladesh, India and Nepal, children and young people with disabilities have formed their own organisations, networks and media initiatives. While undertaking their own initiatives, they are also engaging in participatory initiatives with other children and young people. At the same time, some mechanisms
through which the individual perspective of children need to be promoted and established on a much larger scale. Children may establish and run their own groups or organisations without needing support from adults, and the CRGI aims to support and promote, such initiatives with as little interference as possible. In other instances, children may appreciate the support of adults in an ongoing way. The power balance can fluctuate between adults and children, and the approach can be anywhere along a spectrum from consultative to collaborative to child-led.

There are a growing number of child-led organisations and initiatives, including working children’s unions, child groups, child clubs, children’s councils and other structures. Children’s associations are important in empowering children and young people as active citizens. In order to give these groups the legitimacy and ability to influence that they deserve, spaces must be created within existing decision-making processes for child-led organisations and children’s groups. Governments must be publicly seen to support such initiatives in order to further promote children’s agency within society at large. With an ethical approach and the support they need, children can benefit hugely from early involvement in the political realm as these experiences serve to enhance their civic capacity and appetite to take on future leadership roles.

Children can and do play an important role in local governance and political life. For example, children and child-led groups are, and should be, involved in local municipalities or local committees with responsibility for areas such as education, forest management, housing, child protection and water conservation and utilisation. Children can also play a key role in the management and updating of data and information related to their local community. Their active engagement will help to improve local government planning and monitoring of the situation of children and young people.

Nicaragua: Children influence municipal planning

Dissatisfied with the lack of a long-term vision on children’s rights, children in Nicaragua lobbied for their views to be taken into account in municipal planning. This led to the establishment of the Network of Municipal Government Friends of Children, a legally established association with the sole purpose of promoting the fulfilment of children’s rights at municipal level. Within three years, the network expanded from 61 to 117 of the country’s 153 municipalities. Now 81% of municipalities are part of the network.

As a result of children’s efforts, municipal governments are more aware of the importance of children’s rights and their capacity to act as duty-bearers has been improved. Children’s views are now integrated into municipal policies, plans and projects, and budget investment in children has increased. Today, 60 municipalities have child rights plans and 23 have a municipal policy for children. In eight years, Save the Children’s work with municipalities has contributed to a 92.3% increase in municipal investment in children.

Children’s civil and political freedoms are often overlooked or considered to be not as important as other children’s rights. Gaining public acceptance of children as key actors should therefore be part of any capacity-building activity. As adults’ objections to working with children in this way are often determined by cultural, contextual factors, a respectful and understanding approach must be adopted, as capacity-building on this issue sometimes requires a change in attitude. It can take some time and should be seen as an ongoing process.

‘Empowerment’ is a contested term, and ultimately it is the ‘disempowered’, in this case children, who should be given the opportunity to define what empowerment might look like for them. It will be important to work with children and children’s organisations within your own context to decide the most appropriate course of action to build their capacity. They will be protagonists in supporting each other’s empowerment as well as teaching you what to do to facilitate that process. The process of empowerment requires time and the building of mutual trust and respect between adults and children in order to address the power imbalance.
Afghanistan: Working children’s group acts to stop police harassment

At Save the Children’s drop-in centre for working children in Kabul, a boy told the other children that when he was working the police regularly beat him to get money from him. The children discussed the problem and gained the support of their centre facilitator, who offered to visit the local police station with them to talk about their rights and negotiate with the police. The local police changed their behaviour and began to cooperate with the working children’s centre.36

EXAMPLES OF KEY ACTIVITIES

• Build the capacity of key child rights actors (civil servants, civil society, parents, teachers, community leaders, religious groups, private sector, media, academia, etc) to engage with children as citizens in an inclusive, safe and meaningful way.

• Encourage, support and prepare adults to include children in decision-making at home, at school and in the community.

• Discuss with children what safe and meaningful participation is for them, since their own terms rather than those of adults will best ensure that children are not put at risk through their participation.

• Build the capacity of children to engage in local governance and participate in decision-making at home as well as in the public sphere.

• Support even very young children (under five) to raise their voices, to analyse and to question.

• Support the development of inclusive children’s groups, clubs, networks, councils and parliaments by encouraging adults in local civil society organisations and local government (eg, education and health) and other key child rights actors to play a facilitating role.

• Support and set up structures, platforms and mechanisms where children’s views may be heard by adult decision-makers. On the basis of experience gained from Save the Children programmes, promote the establishment and strengthening of structures and processes to render children’s participation sustainable among a broader variety of actors.

• Implement information-sharing activities and set up feedback and complaints mechanisms both within Save the Children and our partners and in the public sphere. This can improve accountability and encourage positive relationships between adults and children.

• Carry out analysis, studies and research with children, and support and facilitate participatory research by children.

• Support children in raising child rights issues and violations with regional and international human rights mechanisms, and strengthen the capacity of local civil society to promote and facilitate this.

• In collaboration with children, and on their behalf, raise awareness with decision-makers about the importance of children’s participation in political and civic life so that children are viewed as active citizens of today, not just tomorrow.

• Plan together with children so that they gain important skills, knowledge and power while they participate. Build this into project planning and budgeting as an integral part of any participatory project, and develop indicators with children.

• Map existing children’s/youth groups and/or participation initiatives in the country and explore opportunities to enhance partnerships and build on these initiatives to further children’s civil rights. Use the CRG analysis sec-
tion on children’s civil rights to assess the current status and develop a CRG strategy with key objectives on children’s civil rights.

- Support children’s organisations to gain space and representation in civil society and government platforms so that they can be part of dialogue and action planning concerning good governance, anti-corruption, disaster risk reduction, peace building and other relevant legal or policy reform processes.

- Support children’s organisations to link and collaborate with youth groups and networks to influence governance processes concerning them.

- Measure and demonstrate the impact of children’s participation so that we can raise the credibility of work in this area and prove the worth of working with children in this way.

- Learn from experience, and share what you have learned. Do not fear to fail.

Save the Children’s accountability breakthrough

Save the Children’s accountability breakthrough aims to empower children and communities to take a central role in their own development via improved participation, information sharing, and complaints and feedback-handling practices in at least 15 countries every year. For example, in Ethiopia, community groups were trained in complaints-handling mechanisms and in how to raise issues with Save the Children and partner staff. Children in Amhara region used poems, literature and drama to explain how Save the Children’s work was supporting their lives and how it could be improved.

To improve Save the Children’s transparency in Myanmar (Burma) and South Africa, child-friendly versions of the countries’ annual plans were published. In 2011, the breakthrough countries received and responded to 4,813 items of feedback and complaints from children and communities. In addition to building on their own accountability practices, the breakthrough countries have worked to improve social accountability so that children can hold other duty-bearers to account. This has involved capacity-building activities with children and duty-bearers, creating safe spaces for children to participate, supporting child-led activities and advocating with children.

4.2 Strengthening civil society

We believe that a vibrant civil society is essential for transparent and accountable governments that deliver sustainable results for children. We also believe that local CSOs are often best positioned to reach out to, and promote the mobilisation of, particularly vulnerable groups. Our ultimate aim is, therefore, to invest in the capacity of local civil society to organise itself, including organisation around the provision of services, and to advocate for change based on its experiences, to achieve sustainable improvements in children’s lives. The CRG approach to strengthening civil society revolves around children’s, adults’ and organisations’ own desire to influence and change their situation for the better. In relation to children, this puts high demands on adults’ organisations to promote environments that enable children to freely and safely express their will.

Save the Children works with civil society in various ways and at various levels. The most common approach is to engage in partnerships with local CSOs. Partnership is at the core of the Theory of Change, and investments are necessary throughout the programme cycle to enable our partners to act in their own right.

The CRG applies two main approaches to partnership work, reflecting how we understand organisations, their development and the role of CSOs:

1. Organisational capacity development
2. Technical assistance.
4.2.1 Organisational capacity development

There is a wealth of resources, models and definitions relating to organisational capacity development (OCD) – and subsequently a lack of consensus on the most useful approach to it.

OCD is expected to result in internal organisational changes, ie, changed systems, practices, values and approaches, taking into account the organisation’s external environment and specific child rights situation. These changes are in turn expected to improve the work of the organisation, eventually resulting in changes in society for the benefit of all children. We support our partners in their own OCD processes and recommend that rights-based values, based on the principles and methodologies highlighted in Save the Children International’s partnership engagement guide, influence an organisation’s development, including leadership and management. In keeping with these values, we support an organisation’s strategy development, strategic thinking and ability to be accountable to its constituency. We also support the ability of an organisation to secure sustainable funding and to use the funding in a transparent, efficient and effective manner.

The capacity of an organisation is also determined by its ability to create relations with like-minded organisations, and this requires a certain internal capacity and willingness. Management and staff need to have skills and competences in negotiation and communication to enable the organisation to manage and develop its external relationships and work effectively with other actors.

In order for our partners to assume increased ownership of all aspects of programme delivery and assume their rightful role in their societies, the CRG emphasises the importance of OCD processes.

An OCD approach to partnerships begins with a mutual assessment of partner capacities and capabilities and a resulting partner capacity development framework.

An OCD approach to partnership would also involve discussions about the long-term sustainability of the organisation. There is usually no clear-cut end to partnership – rather the partnership shifts in character as roles and responsibilities evolve. The aim of this focus on sustainability is to plan for and strategically support an organisation’s evolution as much as possible, emphasising its independence and right to ownership.

Some guiding principles on OCD, which are clearly in line with CRG priorities for strengthening civil society, have been formulated by the International NGO Training and Research Centre (INTRAC):

- The goal of OCD is to ensure not just that an organisation can solve its current problems today, but that it can be strengthened to solve its future problems too. It involves seeing organisations as whole systems of interrelated elements within their context, not just a collection of individuals. OCD emphasises improving organisational effectiveness as defined by the organisation itself.
- OCD has an ongoing process nature. It is about conscious and planned change, rather than accidental change. It should also focus on more than skills-training workshops or helping organisations to mobilise resources.
- OCD emphasises the organisation’s culture, beliefs and values. People in the organisation must want the change that calls for new capacity – and be willing to develop new capacities themselves. Real organisational change often requires personal change. This necessitates that people in the organisation take ownership of developing capacity within themselves as well as within the organisation.

4.2.2 Technical assistance

In partnerships with local CSOs where the joint programme is focusing on CRG, Save the Children provides technical assistance on all the areas of CRG, enabling our partners to do high-quality CRG work. Technical assistance is often provided through training seminars and workshops or the provision of technical inputs and quality assurance to project proposals, CRG strategies and other essential programming tools and documents of our CRG partners.

4.3 Institutional development of civil society

Institutional development is concerned with creating the conditions in which the realisation of children’s rights can take place. It is about effecting macro-changes in the structure of social and economic relations, in contrast to OCD support described above, which seeks to support changes in individual institutions. With regard to the institutional de-
velopment of civil society, CRG work is focusing on two major areas that are important for strengthening civil society: creating and maintaining an enabling environment; and creating and strengthening civil society networks, coalitions and platforms.

Creating or maintaining an enabling environment for civil society is an important focus area. Governments in many countries are increasingly putting in place legislation or other measures limiting the space for civil society to engage in protecting and promoting human rights, including children’s rights, and in fulfilling the important role of holding governments to account. The use of extensive ‘red tape’, meaning that governments create bureaucratic structures that prevent civil society operating, is also common in many countries. In countries where there are such limitations, Save the Children can play a role in supporting civil society actors and, where it is possible to do so, work with governments to try and ease restrictions. To increase leverage when addressing issues of institutional development with a government, it may be possible to work closely with multilateral and bilateral donors, UN agencies or relevant international structures.

**EXAMPLES OF KEY ACTIVITIES**

- Initiate, and support the facilitation of, a partner’s own organisational assessments and development processes, eg, enhancing its rights-based management and participatory strategy development, achieving better accountability to its constituencies (including children), and strengthening other aspects of the legitimacy of the partner organisation.

- Conduct training, for example, in human resources and financial management, with the aim of promoting sound governance systems in the organisation.

- Conduct training and workshops in key CRG technical areas such as IIC, children as citizens and the GMLs, with the aim of developing professional competences in partner organisations.

- Conduct joint planning, monitoring and documentation for joint learning.

- Organise exchange visits to successful CRG projects/programmes.

- Facilitate links between partners and other relevant organisations, eg, Transparency International, academia, media or other organisations relevant to CRG.

- Support the formation of national, regional and global child rights networks. Save the Children might not participate actively in the networks but may facilitate their formation and provide technical and financial support. Such networks, coalitions and platforms can be for adults as well as for children.

- Provide training in and support for making networks and coalitions effective, eg, through enhancing opportunities for communication between the members.

- Facilitate the linking of networks and coalitions to each other at national, regional and global levels.

- Support relevant networks and coalitions, eg, in reporting on the UNCRC and UPR.

- Support the creation of platforms for children, eg, child rights clubs, child worker clubs and children’s parliaments.

- Support media-based platforms such as social media, mobile phone networks or written media, eg, children’s newspapers.
Sierra Leone: Supporting institutional development

In 2010, Save the Children co-founded the Accountability Working Group in Sierra Leone to improve the transparency and accountability of INGOs and NGOs and increase recognition and respect for the sector from government and other stakeholders. Such recognition is essential for improving civil society’s space for influencing the democratic process and demanding government accountability and transparency – and thereby also influencing the framework conditions for civil society in Sierra Leone.

In 2011, the working group – which includes more than 15 organisations:

- undertook self-assessments of NGOs on their accountability and ongoing mapping of best practices in accountability
- took part in relevant training relating to accountability and/or partnerships across the member organisations
- produced a joint response to a system review on transparency and accountability in the NGO sector (report by the Sierra Leone Anti-corruption Commission)
- promoted the sharing of information, accountability frameworks and related tools to improve organisations’ own transparency and accountability
- facilitated discussions of new developments in the civil society framework, international agreements or principles of aid effectiveness, harmonisation and accountability.

WANT TO KNOW MORE?

- Save the Children, Partnership engagement guide (under development by the Save the Children partnership Working Group)

4.4 Working with the media

We normally use the terms ‘media’ or ‘mass media’ as a collective term for the written and online press, TV and radio.

A free media is an essential pillar of a healthy constitutional democracy, and a reflection of a state’s tolerance of freedom of speech and expression. It plays a vital role in disseminating information to the public and can contribute to raising awareness, influencing behaviour and generating public opinion. The media can also play the role of watchdog by providing credible information, alerting citizens and stakeholders and creating a demand for special support services on various issues, including children’s rights.
Children should have access to the media, and their voices need to be heard in the media on matters that affect them. At the same time, reporting on children requires careful ethical consideration to protect them from significant harm and secondary trauma. Conversely, there needs to be respect for the integrity of the child in media reporting. Media portrayal of children has a profound impact on attitudes to children and childhood, which also affects the way adults behave. Even the images children themselves see influence their expectation of their roles in life. However, in many countries the reality is that the media largely lacks a critical analysis of how different duty-bearers, including governments, fulfil children’s rights, and there is limited opportunity for children to articulate their views and opinions in the media.

**International guidelines for journalists**

In 2000, the International Federation of Journalists (IFJ) undertook a worldwide survey of national and international standards for journalists reporting on children’s issues. The survey was discussed at a conference in Brazil and resulted in the adoption of the IFJ Child Rights and the Media: Guidelines for Journalists. The IFJ guidelines:

- promote the right of children to freedom of expression and their right to access media to express their own opinions without inducement of any kind
- stress the need for a media space for children that doesn’t contain damaging information
- prohibit using stereotypes and sexualised images of children
- support an ethical approach when reporting on children’s issues, focusing on confidentiality, respect, protection and the best interests of the child

The guidelines also recommend that media should not consider and report the conditions of children only as events but should continuously report the process likely to lead or leading to the occurrence of these events.

**EXAMPLES OF KEY ACTIVITIES**

- Strengthen the capacity of local civil society actors to make the best use of media opportunities available and to elaborate on potential obstacles regarding the media – all with the aim of advancing children’s rights.
- Support research, including by children themselves, on the situation of international, national or local media vis-à-vis children rights protection and promotion.
- Establish a centre/programme for monitoring by civil society and child monitors of the media’s work in the area of UNCRC promotion, de-stigmatisation of children, child-led media and child safety.
- Report on the role of the media in relation to children’s rights as part of UNCRC and UPR reports.
- Collaborate with universities that train journalists, journalist unions and journalist syndicates for a stronger focus on child rights issues in the media (eg, through professional seminars and live debates).
- Train editors, journalists and civil society actors on the International Federation of Journalists or existing local guidelines and the UNCRC (with a focus on the media’s role).
- Support children to use available mechanisms set up to monitor the media’s self-regulatory frameworks, such as press ombudspersons, to lodge complaints and to highlight instances of best practice.
- Identify and collaborate with the media, editors and journalists that are ‘child rights champions’.
- Develop national guidelines and codes of conduct for media firms and journalists.
- Lobby for media space, including in mainstream media, for children to express their views by allowing them to broadcast short spots about their issues, writing in newspaper columns, hosting TV programmes, etc.
• Advocate for key stakeholders to establish a children’s news agency as well as child-focused/led TV stations, newspapers and radio channels.

• Advocate for government to regularly disseminate awareness-raising materials on the UNCRC for children and adults through local/national media channels.

• Document good practice around media and children’s rights.

• Establish child reporters’ clubs in schools and communities.

• Invest in the involvement of children in the creation and production of media projects, using animation and other child-friendly techniques.

• Include UNCRC education in the formal curriculum for journalists and other media professionals.

South Africa and Zambia: Children’s participation in news media

Save the Children is supporting South Africa’s Media Monitoring Africa and Zambia’s Media Network on Child’s Rights and Development to work with 570 children, 500 journalists and 25 media houses with a daily audience of more than 9 million to ensure that children’s rights are respected in the media and that a more representative and ethical journalism is practised in both countries.

The project builds on cooperation between children and the media, for example:

• editors’ forums and media houses endorse ethical guidelines for reporting on children in the media, developed with input from children
• news produced by children’s news agencies is published in targeted national news media
• children with improved media literacy liaise with journalists and editors about children’s rights, based on their own monitoring of how the media respects ethical guidelines on children’s rights.

Editors and journalists are trained on children’s rights, including through accredited university courses, to improve their ethical coverage of children and their rights.

On the basis of their monitoring of the media, children lodge complaints on child rights violations in the media to formal feedback mechanisms such as the Zambian Media Council and the South African Press Council.

4.5 Working with academia

Children's rights are often poorly understood, afforded low status and disregarded in many academic disciplines. Unlike in the broader field of human rights, the issue of children's rights tends to be largely absent from relevant curricula.

Building opportunities for academic study on children's rights will achieve a number of objectives. It will widen the body of expertise on children's rights, building a cohort of experts across disciplines and professions. It will serve to encourage the application of and respect for children's rights to the work of professionals who have an impact on the day-to-day lives of children. It will encourage the dissemination of ideas and knowledge on children's rights more widely throughout society. And it will contribute towards building a culture in which children's rights are embedded and understood.

Through its research expertise, the academic world can and should play an important role in holding governments to account on the commitments they have made in respect of children's rights.

There is growing pressure to provide evidence of the impact of interventions in the development field. CSOs need to build strong relationships with academia and utilise their expertise in order to achieve more systematic and independent monitoring. With the rigour afforded by improved knowledge of what works, why and how, coupled with the potential for joint advocacy, there is greater potential to persuade governments to act on those findings.

Strengthening links with academia and enhancing the academic focus on and responsibility towards children's rights are key strategies for promoting a sustainable culture of respect for those rights.

4.5.1 Key strategies

1. Building awareness, understanding and capacity
   - Support and persuade academic institutions to institutionalise children's rights across a wide range of academic studies such as, law, politics, economics, social policy, international relations and broader human rights – at undergraduate, postgraduate and doctorate levels.
   - Support academic institutions to tailor studies on children's rights to the specific social, cultural, economic and political context in which they are delivered.
   - Advocate for more investment in the establishment of dedicated degrees in children's rights.
2. Establishing a research agenda

- Collaborate with academic institutions to initiate research on the extent to which, for example, government legislation, policy, budgeting and practice affects the realisation of children’s rights and what progress is being made in responding to the Concluding Observations of the Committee on the Rights of the Child.

3. Improving practice

- Build relationships with academia to engage and utilise their expertise to achieve more systematic and independent monitoring and evaluation of your programme work.

4.5.2 Challenges

It is not always easy to engage the academic world. Introducing new courses, changing curricula, and building capacity within faculty to teach children’s rights all takes considerable time to argue for and negotiate. There is no one route to achieving the goal of enlisting the academic world to both teach, research and advocate for children’s rights.

In some countries there will be a national funding body that determines which courses will get funded. In others, individual universities will have more independence. In some regions, and for certain disciplines more than others, government ministries will play a key role.

Proposals to introduce children’s rights are likely to meet with a number of barriers. Lack of awareness of and resistance to the concept of children’s rights, as well as crowded and demanding existing curricula, can all contribute to a reluctance to engage in dialogue. It will be necessary to invest time in understanding where the barriers lie and how they can be addressed. One of the challenges will be to gain recognition of the role of the academic world in building a society educated in respect for children’s rights.

It is important to be realistic not only about the time it takes to build the case for academic teaching and research on children’s rights, but also about the time and complexity of developing and introducing new courses. Long-term commitments to partnerships with universities are needed in order to build and maintain momentum and achieve concrete results. It is not sufficient, for example, to short-cut the process by importing curricula from other countries. While it is possible to benefit from work done by universities or professions in other countries, it is always necessary to adapt and tailor content to ensure that the curricula are relevant to the specific context of the country in which they will be delivered.

The lack of technical expertise, confidence and competence within faculties to provide child rights courses is a major challenge. Save the Children and partners have a role to play in supporting the development of the necessary expertise, collaborating in the development of curricula, training trainers, providing expertise from the field, and collaborating in the development of research proposals. Ideally, it will be possible to establish strong relationships in which civil society and academia learn from each other to achieve improvements for children.

Every country will have different priorities, different barriers to overcome and different bureaucratic systems and procedures by which such changes are introduced. Consideration therefore needs to be given to the following key activities.

EXAMPLES OF KEY ACTIVITIES

- Identify the various stakeholders and tiers of administration where decisions are made and where the power to influence lies.

- Identify all possible entry points for promoting children’s rights in academia, such as incorporating children’s rights into existing professional and academic courses, in-service training or joint research proposals.

- Carry out an appraisal to understand, acknowledge and address the barriers to introducing children’s rights into academic courses. It is important to recognise the time frames and workload involved in introducing new courses.

- Support the strengthening of expertise within faculties.
Bangladesh: Building partnerships with academic institutions

Save the Children began consulting with academics and their institutions almost a decade ago to explore the possibility of children’s rights becoming recognised as an academic subject. Although some interest was identified, it became clear that more investment was needed to ensure that children’s rights were taken seriously.

A series of advocacy workshops were held by Save the Children, the University Grants Committee (UGC) and universities on children’s rights and their implications within higher education. As a result, the UGC appointed 27 child rights ‘focal points’ in public and private universities. Several universities have started an optional course on children’s rights at Bachelor and Master degree levels and are carrying out research at MPhil and PhD levels.

Following Save the Children’s encouragement, children’s rights resource centres have been set up in the Sociology, Anthropology and Development Studies departments of Rajshahi, Dhaka and Shahjalal Universities.

Chittagong University’s Department of Public Administration and the Social Science faculty have approved a Centre for Child Rights.

A number of seminars on children’s rights have been organised jointly by the UGC and university departments. Meetings with students from two universities led to two groups being set up, involving 60 students, to promote children’s rights.

The International University of Bangladesh and Save the Children are discussing the possibility of offering internships to Masters-level students.

Save the Children and the Anthropology Department of Shahjalal University, Sylhet, jointly organised a children’s rights day, which included a seminar, art competition, film show and rally. The Vice-Chancellor, Chair of Anthropology, Dean of Social Science, students and campus children all took part.

WANT TO KNOW MORE?

G Lansdown, G Robinson and S Hart, Addressing the imperative for children’s rights training
http://www.crin.org/docs/FileManager/Addressing_the_imperative_for_children_s_rights_training.pdf

G Lansdown, Lessons learned (in implementing child rights education for professionals)
http://www.crin.org/docs/FileManager/Lessons_learned.pdf

J Goldhagen, Establishing and Sustaining a Child Health Equity and Rights Movement,
http://www.crin.org/docs/FileManager/Establishing_and_sustaining_a_child_rights_and_health_equity_move- ment.pdf

R Mercer, K Cimmino and J Goldhagen, The Children’s Rights and Health Services Curriculum in the Latin-American Region
http://www.crin.org/docs/FileManager/Child_Rights_in_Latin_America.pdf

Education for change: A short course on child rights and child law for health professionals in South Africa,
Lori Lake,
http://www.crin.org/docs/FileManager/Child_rights_and_child_law_for_health_professionals_in_South_Af- Rica.pdf

Child Rights Education for Professionals http://www.cred-pro.org/
4.6 Working with faith groups

Religious groups include a broad range of formal and informal entities at all levels of society. In almost every village, town or neighbourhood, a religious group or institution gathers believers to engage in worship, prayer and outreach to the community. These are often trusted entities in the community, and many play a role through their established structures at national level in shaping both the moral and political climate.

Religious communities

The term ‘religious communities’ broadly refers to both female and male religious actors and to systems and structures that institutionalise belief systems within religious traditions at all levels – from local to global. These include:

- local worship communities (eg, churches, mosques, synagogues, temples, etc)
- denominational leadership (eg, bishops, clerics, ayatollahs, lamas, etc)
- scholars, theologians and religious educators
- mission workers
- youth faith or inter-faith workers
- women of faith networks
- faith-based or faith-inspired organisations
- denominational, ecumenical and intra-religious institutions, umbrella organisations and networks
- inter-faith communities.

Many religious groups play positive roles in protecting and providing basic services for children. Many share a common concern for children’s wellbeing, the importance of family and the idea that all members of society have the responsibility and duty to protect and nurture children, especially those who are most marginalised and oppressed. As partners, they can champion and support the wellbeing of children, and they remain in communities long after aid organisations leave.

However, partnering with religious groups requires discernment and caution. They can attract individuals who put children’s rights and protection at risk, as well as espouse beliefs, attitudes and practices that condone violence and discrimination against children. These may not be religious tenets, but harmful beliefs and practices based on fear and prejudice that have subverted traditional religious teaching. Some religious groups may also exploit vulnerability, using aid to either exclude non-believers or incentivise conversion.

Religious groups do not hold a universal understanding or appreciation of children’s rights. Many are suspicious of child rights projects or wary of being co-opted into a secular agenda that may undermine their authority and the rights of parents, and diminish the respect and responsibility children have towards their families and elders.

Religious groups are often open to dialogue that begins with children’s wellbeing rather than their rights. The importance and contribution of children’s rights to wellbeing should be something that emerges naturally from this dialogue. It may take time, but bringing people together around a common agenda they feel comfortable with, committed to and prepared to act on is a critical first step.

For a partnership to be successful, it is essential to create a climate of mutual understanding, respect, trust, open dialogue and shared priorities. Those involved must deepen their understanding of the religious institutions or groups in their context, identifying the assets they have and how their beliefs shape community attitudes and behaviour towards children.
The lines between religious and secular institutions are not always clear. Many staff within secular institutions, including the Save the Children, are people of faith and members of religious institutions. These connections can help to bridge understanding and enable us to engage more deeply with religious groups.

**EXAMPLES OF KEY ACTIVITIES**

- Identify religious institutions, networks and forums at national level and analyse which institutions are most engaged in issues of social justice or human rights. What alliances do these actors have – political, social, economic? What roles do they play in regard to children’s rights and wellbeing?

- Learn from faith-based NGOs about how they work with religious groups and how Save the Children can partner with faith-based NGOs to engage religious groups on child rights issues.

- Begin a dialogue with religious groups around their positive and negative roles and practices in regard to children. Explore the rationale behind the practices and work closely with the key influencers and decision-makers at local and national levels on enhancing positive practices, and substitute negative practices with appropriate positive practices. This could be done by utilising specific resources created from religious groups’ own scripture and religious teachings to enable them to reflect on beliefs and practices that may undermine children’s rights.38

- Engage with faith-based NGOs and religious groups for inter-faith dialogues around children’s wellbeing, children’s rights and how different religious groups can mutually support and protect an enabling environment for the fulfilment of children’s rights.

- Collaborate with religious training institutions to offer support for training clerics, priests and pastors on working effectively with children and for social justice. This could be done in partnership with faith-based NGOs that may have a better relationship or entry point with those institutions.

- Work with religious groups to identify ways in which they can support different programme sectors, eg, child protection, health, education, HIV and AIDS, nutrition, WASH (water, sanitation and hygiene), and cross-cutting issues.39

- Articulate strategies for engagement with religious groups in country strategies and programme plans, as well as within specific sectoral programme work plans.

- Seek opportunities to bring religious groups in as stakeholders and partners in developing national development plans, recognising the contribution they may make as service providers in specific sectors.

- Engage religious groups in advocacy that promotes the wellbeing and protection of children, and provide training and support to their members to become effective advocates.

- Learn from and document successful partnerships, identifying value added and ways to improve the effectiveness of such partnerships in the future.
Afghanistan: Integrating the UNCRC with religious values

In view of Islam’s influence over attitudes and behaviour in Afghanistan, Save the Children has been working with religious leaders to further children’s rights since 2008. We have identified and partnered with religious intellectuals to promote the UNCRC as being in line with Islamic values. The main intention behind this was to prevent misconceptions and misunderstandings of the UNCRC. Together with the Ministry of Hajj and Religious Affairs, we have developed a comprehensive training manual on children’s rights with reference to Islamic values. The manual illustrates each article of the UNCRC with references to Holy Qur’an verses and quotes from the Prophet Muhammad. We also work with religious leaders in building community awareness and the capacity of teachers, police and mullahs (religious figures). The main goal was to inspire and motivate people to promote children’s rights to education, care, protection (a dignified and secure life) and development. We produced a booklet on Islamic texts and the UNCRC and invited international Islamic experts from neighbouring countries to review, authenticate and verify it. The booklet was printed with the approval of the Ministry of Hajj and Religious Affairs and is used as a complementary handout for the purpose of capacity-building and advocacy.

Success
By illustrating the complementary nature of Islamic teachings and articles of the UNCRC, we have been able to successfully promote children’s rights across communities in rural and urban areas. As well as strengthening Save the Children’s relationship with the Ministry of Hajj and Religious Affairs, it has also strengthened our relationship with all the other government ministries, and we have gained the support of highly influential religious leaders in the country.

Lessons learned
• Promoting UNCRC with Islamic references prevents misconception and misunderstanding among communities, families, young people, teachers, religious leaders and children.
• Religious leaders can be invaluable and highly influential partners in the promotion of children’s rights and in Save the Children’s programme work.
• By respecting the Islamic teachings, we are more likely to gain access to communities and change attitudes.
• We found that media programmes reflecting Islamic values have more impact on families, teachers and the police, and on the community’s respect for children.

WANT TO KNOW MORE?

http://www.unicef.org/eapro/Partnering_with_Religious_Communities_for_Children.pdf

UNICEF - Overview on partnering with religious communities
http://www.unicef.org/about/partnerships/index_60384.html

K Marshall and L Keough (eds), Mind, Heart, and Soul in the Fight against Poverty, World Bank, 2004
Guidelines for Engaging Faith-Based Organisations (FBOs) as Agents of Change, United Nations Population Fund
http://www.unfpa.org/culture/docs/fbo_engagement.pdf
4.7 Working with the private sector

“Children under 18 years old account for almost one third of the world’s population. In many countries, children and youth make up almost one half of the national population. It is inevitable that business, whether small or large, will interact with and have an effect on the lives of children both directly and indirectly. Children are key stakeholders of business — as consumers, family members of employees, young workers, and as future employees and business leaders. At the same time, children are key members of the communities and environments in which business operates.

With increased attention being paid to the role of business in society in parallel to governments and other societal actors, and with greater awareness of the links between business and human rights, the explicit focus on the impact of business on children is also timely. Children are among the most marginalized and vulnerable members of society and this is evident from their lack of a public voice. They are rarely given a say or consulted about how communities make decisions — even decisions affecting them directly, such as planning for schools and recreational areas. Yet, when given the opportunity to participate, children have demonstrated that they can provide important alternative viewpoints and make valuable contributions.”

Introduction to the Children’s Rights and Business Principles, UNICEF, UN Global Compact and Save the Children, 2012

While the private sector is not a traditional duty-bearer for children’s rights, all companies have a responsibility to respect human rights (including children’s rights) in their operations. The business community also has a wider responsibility – moral and legal – to use its influence to promote respect for human rights. From Save the Children’s own experience, we know that the impact of business on children’s rights can be positive, negative or somewhere in between, depending on the company and the context concerned.

Children are affected by the decisions and behaviour of the private sector but are rarely able to influence it. Children are unable to vote or form trade unions, and they do not own stock in companies, attend annual shareholder meetings, or sit on investment committees. The private sector has enormous potential to support children’s rights and can be an influential actor in dialogue with governments. Save the Children should seek collaboration with committed businesses to strengthen and enforce children’s rights.

There are a number of initiatives currently under way that reflect the greater profile of the private sector in debates about children’s rights.

The Committee on the Rights of the Child is in the process of drafting the General Comment on Child Rights and the Business Sector (GCCRBS), which will aim to provide States Parties with a framework for implementation of the UNCRC as a whole with regard to the business sector. It will include guidance on the measures of implementation that are required to prevent and remedy violations of children’s rights by business actors, ensure business enterprises fulfil their responsibilities in the realisation of children’s rights, and encourage business to contribute positively to the realisation of those rights.

Another example of the momentum around this issue is the Children’s Rights and Business Principles (CRBP) for private-sector actors, launched by Save the Children, UNICEF and the UN Global Compact in March 2012.
The Children’s Rights and Business Principles

All business should:

- Meet their responsibility to respect children’s rights and commit to supporting the human rights of children
- Contribute to the elimination of child labour, including in all business activities and business relationships
- Provide decent work for young workers, parents and caregivers
- Ensure the protection and safety of children in all business activities and facilities
- Ensure that products and services are safe, and seek to support children’s rights through them
- Use marketing and advertising that respect and support children’s rights
- Respect and support children’s rights in relation to the environment and to land acquisition and use
- Respect and support children’s rights in security arrangements
- Help protect children affected by emergencies
- Reinforce community and government efforts to protect and fulfil children’s rights

We want to strengthen the capacity of Save the Children and our civil society partner organisations to engage with business in ways that help to advance child rights work. There are many different ways of doing this, depending on the company and context you face.

4.7.1 Approaches to constructive engagement with the private sector

Respecting and supporting children’s rights requires business to both prevent harm and actively safeguard children’s interests. By integrating respect and support for children’s rights into their core strategies and operations, companies can strengthen their existing corporate sustainability initiatives while ensuring benefits for their business. Such efforts can build reputation, improve risk management and secure companies’ ‘social licence to operate’.

A commitment to children can also help recruit and maintain a motivated workforce. Supporting employees in their roles as parents and caregivers, and promoting youth employment and talent generation are just some of the concrete steps that businesses can take.

Considering how products and services can better meet children’s needs can also be a source of innovation and create new markets. Finally, working for children helps build strong, well-educated communities that are vital to a stable, inclusive and sustainable business environment.

It is important to recognise the diversity of actors across the private sector and even within individual companies. The private sector is not one monolithic actor, and the term means different things to different people. Depending on who you ask, the private sector could include anything from small entrepreneurs and independent traders to smallholder farmers and small to medium-sized companies, right up to the largest multinational corporations.

There are many ways to engage with the private sector on issues of children’s rights, and different parts of Save the Children are more familiar with some approaches than with others. Some ways of encouraging the private sector to advance children’s rights include:

1. Supporting businesses, including small businesses, to make changes in their practices to improve their impact on children’s rights

Many companies are seeking straightforward, practical guidance about how to incorporate children’s rights into their policies and practices. They are looking for child rights experts to explain in plain language what children’s rights mean for business, and how companies can move forward in ways that respect the rights and dignity of children and reduce their likelihood of doing harm.

The Children’s Rights and Business Principles (CRBP) for private-sector actors provide a strong framework for working with companies to improve their impact on children’s rights. There are more in-depth tools and guidebooks being developed (including by Save the Children and UNICEF) to help civil society organisations, children and businesses to take the next steps in implementing those Principles.

2. Supporting development of the ‘business case’ to get business engaged and interested

Training businesses on the CRBP and providing them with advice and support in setting up core business plans that incorporate children’s rights is a good start when liaising with the corporate world. The corporate sector’s collaboration can make a big difference, both in protecting children from harm and in supporting their rights to access education,
health or other basic rights. Companies may also become allies in lobbying government for better child rights policies and practices.

It is particularly important to support local business in the South, where resources for children may be scarce or access to services for children may be limited or non-existent. Businesses may be well rooted in their communities and have good knowledge of local children's situation, and may therefore commit to support and invest in child rights development.

3. Forming strategic partnerships with companies, including accepting funding

The private sector is nowadays perceived as much more than a philanthropic funder and has become an important partner that is interested in joining with civil society to advance children’s wellbeing and rights.

The corporate sector is an important funder of Save the Children projects and programmes, and working together can help both to meet their objectives. It is important that both sides approach these types of partnerships with a very clear understanding of the risks and opportunities, and with open discussion about each other’s objectives. One of the important elements for Save the Children is to conduct a ‘risk assessment’ of any potential corporate funder (see the box below on the importance of risk assessments). At a global level, Save the Children has a Global Corporate Partnerships group that conducts risk assessments on any potential global corporate funding partnerships. This group should be the first port of call before you consider forming a partnership with a company that will involve accepting funding.

In our work to support local civil society actors to become sustainable and independent organisations we should also highlight the need to identify relevant opportunities to engage with business actors and form constructive partnerships.

It is vital that Save the Children continues to support children’s engagement and to facilitate dialogue with the private sector.

4. Risk assessments

While many companies are truly committed to making the necessary changes to respect and promote children’s rights, others may be less so. It is important to due diligence that you understand any company you are proposing to work with and to identify any potential risks in advance. Some companies (and some people within companies) will be interested in working with NGOs to enhance their reputation, without being committed to making real change. There are no hard and fast rules for how to tell the difference, but by conducting due diligence and ensuring both parties are clear about their objectives from the beginning you can reduce the risk of problems in the future.

4.7.2 Engaging in public or private advocacy to draw attention to business practices that are having a negative impact on children’s rights

In some cases, after careful analysis of the situation, it may be deemed appropriate to draw attention to the negative impact of business practices on children’s rights. As in point 2 above, this should be done only after an in-depth analysis of the situation and a risk assessment. The overall impact of this approach on Save the Children must be considered, especially if it is a multinational company with operations in a number of countries (the same company may be working in partnership with another part of Save the Children in another country). There are legal implications of public ‘naming and shaming’ that must also be taken into account. Guidelines are therefore needed on ways to support civil society to carry out advocacy work around corporate violations of children’s rights.

Save the Children has engaged children and young people in a number of consultations around the world to develop its understanding of how they see business actions as well to support them in putting forward their views on the Children’s Rights and Business Principles and forthcoming General Comment on Child Rights and the Business Sector.
Reducing child labour in an international supply chain

Save the Children and a major international manufacturer/retailer have been working together since the early 1990s, in particular on issues related to children used in harmful labour. We supported the development of the company’s child labour code of conduct, and we continue to work together to realise children’s rights to a healthy, secure childhood with access to good-quality education. By listening to and learning from children, we develop long-term projects that empower communities to create a better everyday life for many children. The company estimates that 100 million children will benefit from its current programme commitments with more than ten partners, including Save the Children, by 2015.

Save the Children and the company’s work in the cotton sector in South Asia is a ground-breaking example of what can be done if stakeholders collaborating between sectors join forces. Children in India and Pakistan often lose several months of schooling or drop out of school altogether because they are in the cotton fields, weeding or picking. Raising local awareness through women’s self-help groups, child protection committees, children’s groups and adolescent girls’ collectives plays an important role in strengthening children’s rights, including the prevention and elimination of child labour.

Children who have dropped out or never had the chance to go to school get access to education, sometimes through informal ‘bridge schools’ before being eased into the conventional school system. The quality of mainstream education is enhanced as school teachers are trained in child-friendly teaching techniques and various learning aids are introduced.

Since 2006, the company supported UNICEF and Save the Children to implement child rights programmes to prevent child labour and promote good-quality education in cotton and cotton-seed farming areas. The aim is to create a protective and healthy environment for children in at least 15,000 villages in Andhra Pradesh, Karnataka, Maharashtra, Gujarat and Rajasthan in India, and in Punjab, Sindh and Balochistan in Pakistan.

Mozambique: The impact of construction on children’s rights

In 2004, Save the Children in Mozambique approached multinational construction and engineering companies to create a social protection plan to help prevent child labour and sexual exploitation. Understanding the negative impacts their operations could have on the local population, the companies took preventive actions.

Our impact assessment looked at the potential unintended social consequences of building a bridge across the Zambezi River. It pointed out that the positive impact of creating new construction jobs did nothing to overcome the negative effects on children in the area. These included young people dropping out of school to work and the risk of sexual exploitation by both construction workers and truck drivers. Health workers also highlighted an escalation in sexually transmitted infections.

The multinational construction and engineering companies involved joined Save the Children, the government and donors to develop a joint work plan for child protection that included training managers and staff on their social responsibilities and promoting their adherence to codes of conduct that regulate their behaviour and interactions with local people. It was crucial to involve community members, including children, in encouraging their peers to avoid risky behaviour, such as going to bars or hanging around construction sites. Buy-in by local authorities and influential people, such as the police, community leaders, headteachers and teachers, helped ensure a zero-tolerance policy for child abuse and exploitation. The project also helped to develop viable economic opportunities targeted at the most marginalised community members, so that they were not drawn into the sex trade or exploitative labour practices.†
EXAMPLES OF KEY ACTIVITIES

• Raise awareness of existing tools that can help businesses to understand children’s rights by holding training sessions for companies and civil society, including children; build awareness by campaigning or raising media attention. Existing tools include the CRBP and the related UNICEF CSR Toolkit (Save the Children is also developing its own toolkits on this issue.)

• Identify and collaborate with business leaders who have indicated an interest in children’s rights and who could be ‘child rights champions’.

• Support business to draft its policy commitment to respect and support children’s rights. This might be an overall statement of commitment on human rights with specific reference to children, or it might be a policy commitment related to a more specific aspect of children’s rights of particular relevance for that company or industry sector (e.g., child labour). (See box for an example from an international travel company.)

• Support business to assess the impact of its activities on children’s rights by applying the CRBP.

• Support business to create internal structures and commitments to integrate children’s issues into its daily operations, including reviewing existing due diligence, management, and monitoring and reporting systems.

• Train journalists and lobby the media for a better understanding of the impact of business on children’s rights.

• Document good practice around the private sector and child rights.

• Collaborate with business associations (such as chambers of commerce, trade unions and the World Business Council for Sustainable Development) for a stronger focus on child rights issues in business (e.g., through professional seminars and live debates). In particular, Save the Children should seek to continue collaborating closely with the UN Global Compact and its national and regional networks and UNICEF in providing support to the business sector in implementing the CRBP.

• Develop national guidelines and codes of conduct for companies with regard to children’s rights.

• Advocate for governments to implement the UNCRC, and in particular the GCCRBS, and to act on child rights violations.

• Engage in global advocacy to improve the accountability of corporations for their impact on child rights, and to help create guidelines that will apply globally to all companies.

• Participate in the drafting of the GCCRBS and make reference to the private sector in alternative reports to the Committee on the Rights of the Child.

An international travel company’s commitment to children’s rights

A global travel and destination management service company has outlined its commitment to respecting human rights and to avoiding direct responsibility for and complicity in human rights abuses (including specific reference to the Children’s Rights and Business Principles). In its Statement of Commitment on Human Rights, the company does not attribute more importance to one human right over another. However, it strives to prioritise its implementation efforts in aspects of operations that it has greater degrees of control and influence over, including:

• respect for labour rights
• respect for and promotion of children’s rights
• due diligence in regard to human rights and business in selected sensitive destinations.

The company’s objectives, action plan and performance related to human rights are published on its website.42
WANT TO KNOW MORE?

Business and Children Portal
http://www.business-humanrights.org/ChildrenPortal/Home

Committee on the Rights of the Child / General comment No. 16, On State obligations regarding the impact of the business sector on children’s rights, 2013,
http://www2.ohchr.org/english/bodies/crc/callsubmissionsCRC_BusinessSector.htm

Children’s Rights and Business Principles

UNICEF, Tools for Companies to implement the Children’s Rights and Business Principles
http://www.unicef.org/csr/335.htm

Guardian Hub, ‘Children’s rights and business’
http://www.guardian.co.uk/sustainable-business/child-rights-business


http://www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/ifc+sustainability/publications/publications_handbook_hria__wci__1319577931868

Center for Child Rights and Corporate Social Responsibility, Child Rights and Corporate Social Responsibility in China – An Introduction, revised June 2012

CRIN, Child Rights and the Private Sector, 2003
http://www.crin.org/resources/infoDetail.asp?ID=15847&flag=report

Save the Children, Why Corporate Social Responsibility (CSR) is Failing Children, 2007

Children’s voices on business

Save the Children, Children’s Participation in Corporate Social Responsibility, May 2010

Save the Children, Plan International and Global Compact, What is... the Children’s Rights and Business Principles Initiative? (CRBPI): Questions and answers for children and adolescents, 2011


Save the Children, Consultation Package and Facilitator’s Guide - Child and Adolescent Participation: Reviewing the draft General Comment on State Obligations regarding Children’s Rights and the Business Sector, June 2012

Save the Children, General Comment on Child Rights and the Business Sector; PowerPoint presentation, June 2012.

Save the Children, Doing Good Work for Us Children: Children and adolescents’ contributions to the draft General Comment on Child Rights and the Business Sector, October 2012.

All the material documents are accessible at: http://resourcecentre.savethechildren.se/start/library
NOTES

1. All Global Initiatives have been asked to identify a breakthrough that we aspire to achieve by 2020 and which will set a new standard for children’s rights.


3. This guidance is available in the UNCRC Committee’s General Comment No 5 on Article 4


5. Open Budget Index http://internationalbudget.org/what-we-do/open-budget-survey/rankings-key-findings/

6. More information on the 3rd Optional Protocol can be found at www.ratifyop3crc.org

7. Save the Children is co-chairing 2012-2014 and might continue.

8. Article 4, UNCRC: “States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international cooperation.”

9. The codes for narrative and financial planning and reporting were developed early on in the strategy period 2010-15 before Global Initiatives were asked to develop their breakthroughs. This means that a part of the work related to the CRGI breakthrough is not covered by any of the global outcome indicators and does not fit as naturally into the sub-theme division as other CRG work. It has been decided not to change the planning and reporting coding in this strategy period.

10. Please refer to the Child Rights Governance Analysis tool at the CRGI Resource Centre.

11. The quality of the CRG analysis will be affected by the quality of the generic CRSA. It is essential that all country strategic plans are based on the generic CRSA and Save the Children International is responsible for supporting that process.

12. The CRG analysis tool identifies two phases of analysis; the preliminary and the in-depth.

13. We use the term Child Act and Child Statute interchangeably


16. Forfeiture is a form of confiscation of assets by the state


20. Committee on the Rights of the Child General Comment 5, para 43.

21. BOND is a coalition of UK NGOs working in international development.

22. The word ‘ombudsman’ comes from the Scandinavian word ombud, which means ambassador, delegate or messenger. It has come to mean a person who deals with complaints from a defined group (in this particular case children), who speaks on behalf of that group and who tries to improve conditions for individuals from that group as well as for the group as a whole. The first ombudsman for children was established in 1981 in Norway with reference to national law adopted by the parliament.


24. It is important that this consultation is meaningful and has influence on the report. Sometimes the involvement of civil society can be used to legitimise a state report that did not take into account the views of civil society. This of course is a point that can be flagged in the civil society report.


31. Ibid.

32. A Cussiánovich and M Marquez, Towards a Protagonist Participation of Girls, Boys and Teenagers, Save the Children Sweden, 2002


34. A Cussianovich and M Marquez, Towards a Protagonist Participation of Girls, Boys and Teenagers, Save the Children Sweden, 2002


38. For example, World Vision International has developed Channels of Hope, a structured conversation-based resource that engages pastors and imams on several issues, including gender, HIV and AIDS, child protection and maternal and child health. These are tailored to both Christian and Islamic groups. http://wvi.org/health/publication/channels-hope


If you want to read more about Child Rights Governance, please visit the Resource Centre: http://resourcecentre.savethechildren.se where you can find and upload materials.