Child Rights



Children's Participation

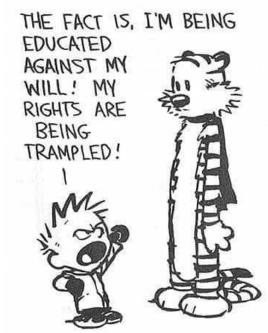


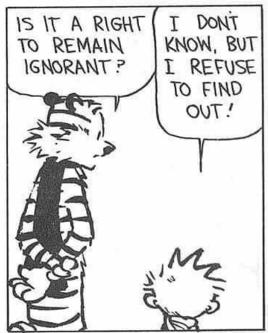
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Welcome!











Overview

Part 1: Defining 'what' we do

Exploring the UN Convention on the Rights of the Child

Part 2: Defining 'how' we do it

Exploring a Rights Based Approach to Programming

Part 3: Defining our Obligations to Rights-holders

Deepen our understanding of children's participation

Part 4: Review Key Resources

Tools and resources to learn and develop skills





Aim

- 1. To share information and build knowledge related to child rights and children's participation.
- 2. To spark ideas and inspire action.





Reflections and Questions





Child Rights



Defining 'What' We Do



Share your Knowledge

How familiar are you with the United Nations Convention on the Rights of the Child?

A.	Not at all – the UN Convention on what?
B.	Very little – have heard of it but couldn't tell you a lot about it.
C.	Somewhat – I am familiar with some of the key elements. But please do not quiz me.
D.	A lot – it is regular reading for me. May I please facilitate this session?



UN Convention on the Rights of the Child

Adopted by the UN General Assembly on November 20 1989

It was the first international human rights treaty to include civil, political, economic, social and cultural rights.

Most ratified international human rights treaty ever.



Test your knowledge

How many countries have *not* ratified the UN Convention on the Rights of the Child (CRC)?

- a) 1
- b) 2
- c) 3
- d) 4

Bonus point: name country(s)







Optional Protocols

Optional Protocol on children in armed conflict (OPAC)

Optional Protocol on the sale of children, child prostitution and child pornography (OPSC)

The Optional Protocol on a Communications Procedure (OPIC)



Monitoring of the CRC

Monitored by an independent committee of experts:

Committee on the Rights of the Child

The Committee is comprised of 18 members elected for 4 years

Governments that ratify the Convention/the Optional Protocols must report every 5 years to the Committee

The Committee issues "Concluding Observations" to help States improve the situation of children's rights

Children, NGOs, national human rights institutions and others can engage through 'alternative reports', meetings with the Committee and more



CRC Reporting Categories

Convention on the Rights of the Child

Children have over 40 substantive human rights in the UNCRC.

The Committee on the Rights of the Child has grouped these into nine clusters:

- General measures of implementation
- Definition of the child
- General principles
- Civil rights and freedoms (articles 13-17)
- Violence against children
- Family environment and alternative care
- Disability, basic health and welfare
- **Education**, leisure and cultural activities
- Special protection measures.





Substantive Rights

General measures of implementaion

- Domestic legislation; budgets
- Data Collection
- Ombudsman/child rights commissioners
- Awareness about the CRC, training, etc.

Definition of a child

- Under 18 years
- Age of marriage
- Criminal responsibility
- Capital punishment

General Principles

- Non-discrimination
- Best Interest
- Survival and Development
- Participation



Substantive Rights

Civil Rights and Freedoms

- Name, identity
- Access to information
- Freedom of assembly and association
- Freedom of expression, thought, religion

Family Environment and Alternative Care

- Parental guidance
- Separation from parents
- Adoption
- Abuse and neglect

Basic Health and Welfare

- Children with disabilities
- Health services
- Standard of living



Substantive Rights

Education and Leisure

- Free and compulsory primary education
- Quality of education
- Right to play
- Cultural activities

Special Protection Measures

- Refugees
- Armed conflict
- Juvenile justice
- Exploitation
- Children deprived of liberty



Foundation of the CRC

The CRC builds on the human rights principles:

Universality - held equally by all people wherever they live

Indivisibility - rights are mutually reinforcing, they cannot be positioned in hierarchical order

Inalienability - cannot be taken away or given up

Participation - the right to participate in every area of their life, including input into all matters which affect them

Accountability - When a country ratifies a human rights instrur becomes accountable to all its citizens



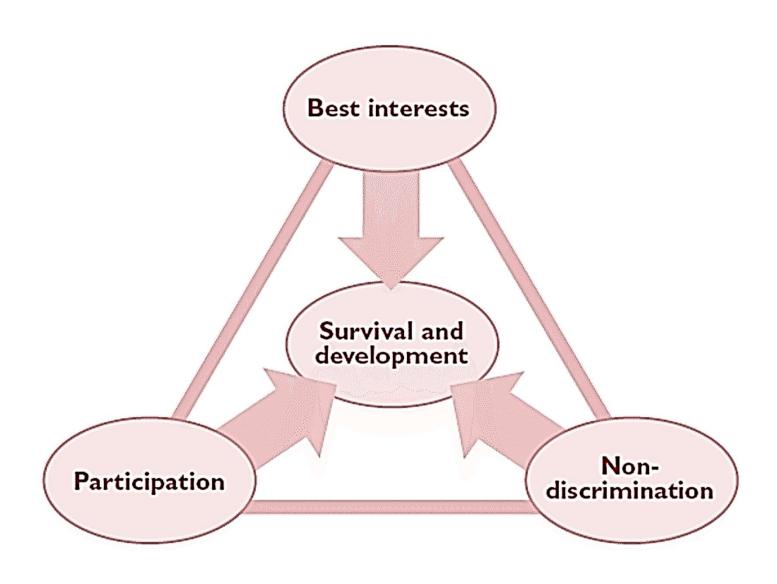


Indivisible, Interdependent, Interrelated

Aim	Interdependencies
End violence and sexual exploitation	Poverty, access to education, discrimination, racism, prejudice, failure to listen to children.
Improve health and child development	standard of living, housing, protection from economic exploitation, protection from exposure to harmful work, access to information (to make informed choices and to help them protect themselves).
Improve access to quality education	Protection from violence and discrimination, heath, food, play, access to information, right to a name, nationality and identity.



4 Principles of the CRC





Other human rights treaties/mechanisms relevant to children

- ✓ African Charter on the Rights and Welfare of the Child
- ✓ Universal Declaration of Human Rights (UDHR)
- ✓ IHL International Humanitarian Law
- ✓ CEDAW Convention against all discrimination of women
- ✓ Convention on the rights of persons with disabilities
- ✓ Special representative on children in armed conflict
- ✓ Special representative on children and violence



Tools and Resources



Child Rights E-Learning



(x)

Module 0, Page 1 of 1

Main menu









Completed



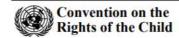






United Nations

CRC/c/GC/16



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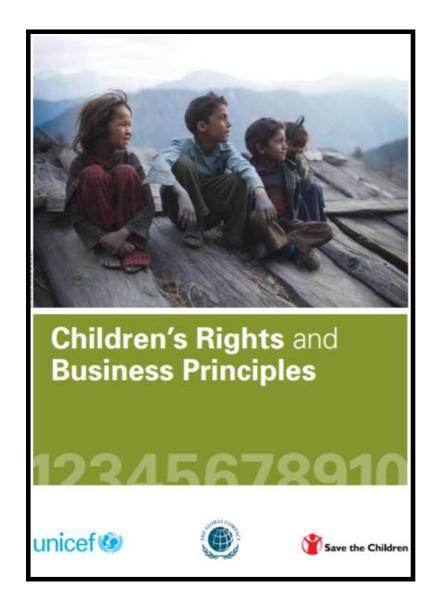
Committee on the Rights of the Child

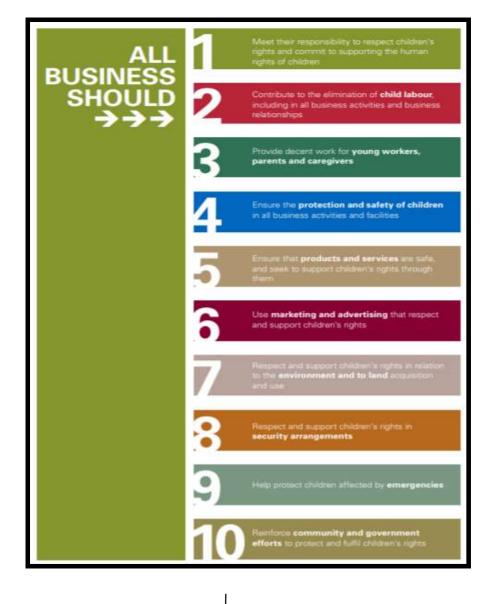
General comment No. 16 (2013)

On State obligations regarding the impact of business on children's rights

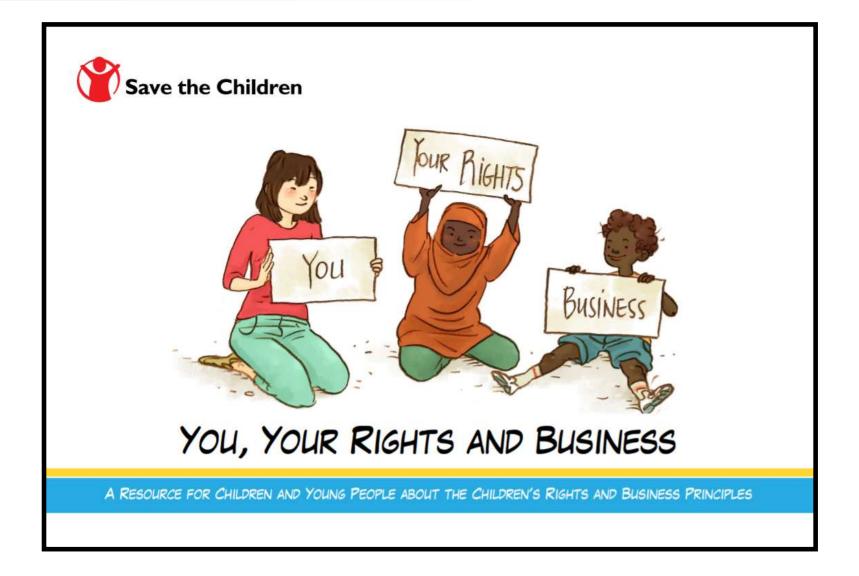
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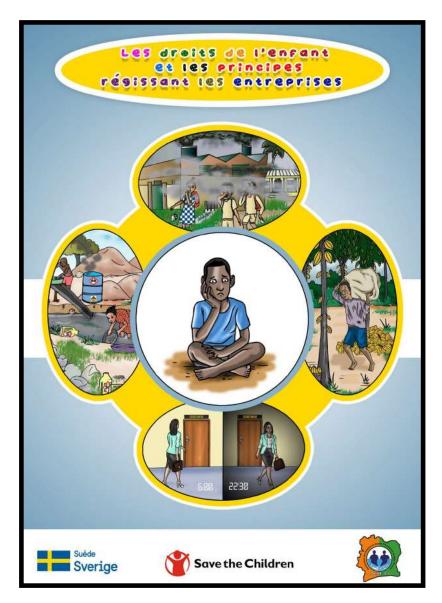


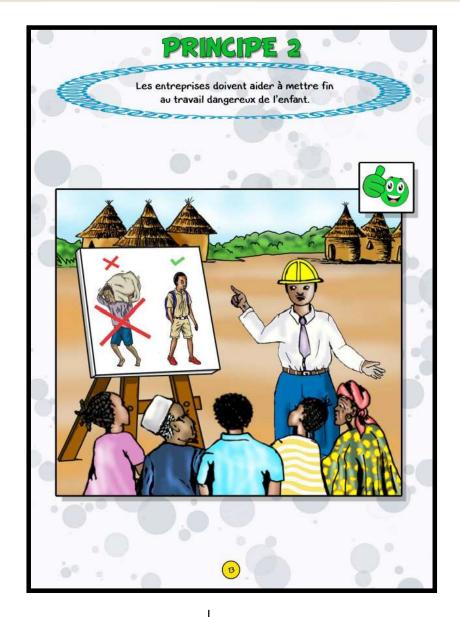














Reflection and Questions





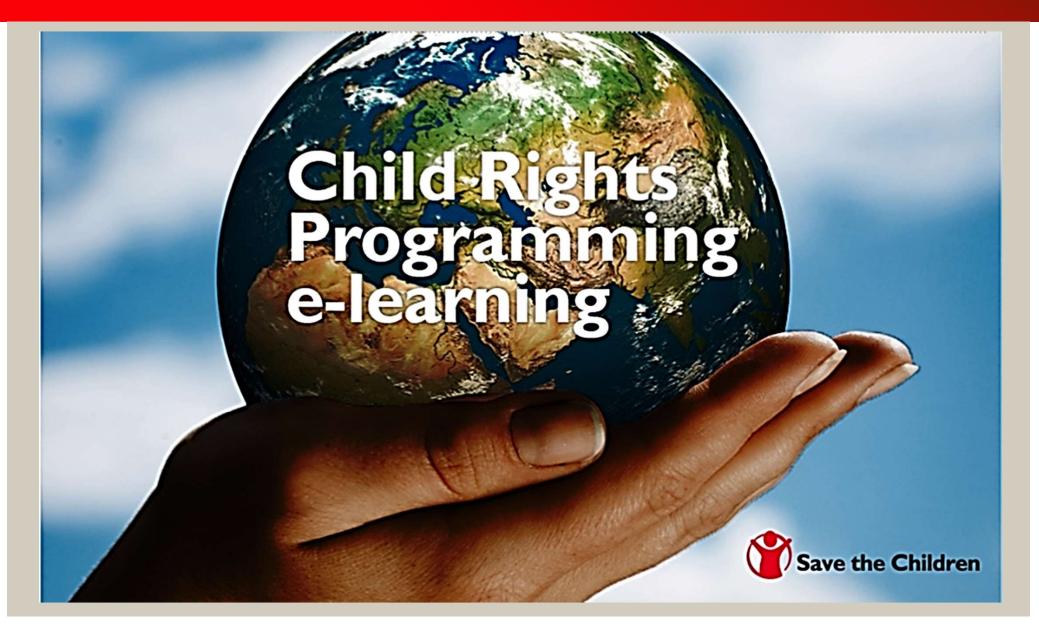
Child Rights Programming (CRP)



Defining 'How' We Do It



CRP... in Brief





Child Rights Programming

Definition:

Child rights programming means using the principles of children's rights to plan, implement and monitor programs with the overall goal of improving the position of children so that all children can fully enjoy their rights and can live in societies that acknowledge and respect children's rights.



Five Dimensions of Change

Changes in policies and practice affecting children and young people's rights

Changes in equity and non-discrimination of children and young people Changes in the realisation of children and young people's rights

Changes in children and young people's participation and active citizenship

Changes in civil society and communities' capacity to support children and young people's rights





The Three Pillars

CHILD RIGHTS SITUATION ANALYSIS

PILLAR I

Direct actions on violations of children's rights and gaps in provision

PILLAR 2

Strengthening
the capacity of
duty-bearers to meet
their obligations
(policies, practice
and legislation)

PILLAR 3

Strengthening the understanding and capacity of children, their carers and civil society to claim rights and hold others to account

ORGANISATIONAL CAPACITY



Why a Rights Approach to Programming?

International agreement and legitimacy: the goal and standards are universally agreed and set out in an international legal framework which is shared by governments, donors and civil society.

A clear, shared long term goal (regarding the fulfilment of human rights): this goal can be shared by everyone working in relief and development, along with the standards to measure progress towards it.

Accountability: the responsibilities of governments, donors, the private sector, communities and individuals are identified and various ways in which they can be held accountable have already been developed and tested.

Empowerment: the active participation of people most impacted by discrimination and inequality is seen as essential to achieving social justice and non-discrimination.



Why a Rights Approach to Programming?

Equity: there is a strong focus on justice, equality and freedom and a willingness to tackle the power issues that lie at the root of poverty and exploitation. There is a commitment to reach the most excluded.

Greater impact and effectiveness: because of its emphasis on accountability, empowerment and activism the rights-based approach is seen as being more effective in the fight against injustice, poverty and exploitation.

An integrated approach: rights-based approaches incorporate what is widely regarded as "good development practice" into one overall holistic approach.



Why a Rights Approach to Programming?

Other Approaches	A rights based approach
Action is voluntary or optional	Action is mandatory
People have needs that need to be met and these can be prioritized	People have legally established claims and entitlements
People deserve help as objects of charity	People are entitled to help as the subject of rights
Viewing children as passive beneficiaries of aid who can be invited to participate in order to improve the effectiveness of programs or projects	Children are recognized as rights-holders and active participants by right
Some needs may not be recognized in some cultures	Rights are universal and inalienable, they cannot be diluted or taken away



GROUP ACTIVITY



Benchmark Assessment



Group Exercise

We will share a set of benchmarks that help to bring CRP to life...

Using Jamboard (link in the chat), we invite you to reflect on:



Are there CRP benchmarks we have already incorporated into our community development efforts?



Are there benchmarks we would like to strengthen and improve within our community development efforts?



CRP Benchmarks





Foundation Building Benchmarks

Benchmark 1

Goal and vision clearly express commitment to children's rights

Benchmark 2

Strategies/ways of working/planning translate the goal and vision into practice

Benchmark 3

Managers/leadership have a clear understanding and commitment to CRP



Capacity Benchmarks

Benchmark 4

Tools and guidance have been developed to build capacity for CRP

Benchmark 5

Staff feel competent and confident in CRP

Benchmark 6

Partners are supported and enabled to work with a rights-based approach





Programming Benchmarks

Benchmark 7

Situation Analysis maps rights violations, identifies causes and dutybearers

Benchmark 8

All children, without discrimination, have equitable access to programs, resources and activities

Benchmark 9

Programs hold duty-bearers to account





Rights Holders Benchmarks

Benchmark 10

We acknowledge children as stakeholders and support them to claim their rights

Benchmark 11

Mechanisms for accountability to children have been established

Benchmark 12

Analysis, planning, implementation and MEAL take into account the views of children





Group Discussion

Using Jamboard (link in the chat), we invite you to reflect on:



Are there CRP benchmarks we have already incorporated into our community development efforts?



Are there benchmarks we would like to strengthen and improve within our community development efforts?



Reflection and Questions





Tools and Resources



CRP E-Learning



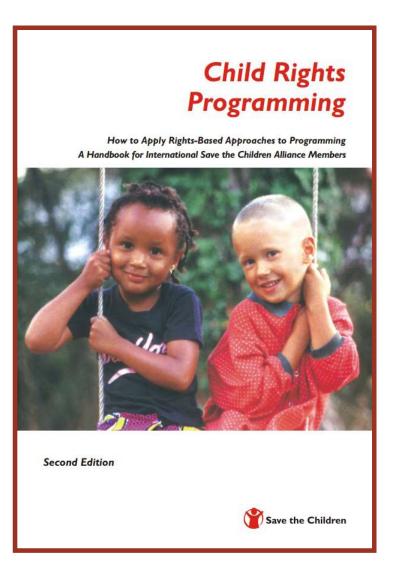


Resources

Getting it Right for Children

A practitioners' guide to child rights programming







Children's Participation



Children's Participation



What?





Break



Welcome Back





Children's Participation



What?



Test our Knowledge

Where in the Convention on the Rights of the Child can you find the term 'children's participation'?

A.	Article 12
B.	Somewhere in Articles 12 - 17

- C. It can be found throughout the CRC
- D. It can't be found anywhere in the CRC



CRC Reporting Categories

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- **Education**, leisure and cultural activities
- Special protection measures.





What is Children's Participation?

Convention on the Rights of the Child

- Article 12 of the Convention on the Rights of the Child (CRC)
- One of the four guiding principles of the CRC
- Civil Rights: Rights to freedom of expression, thought, conscience, religion, association, peaceful assembly, protection of privacy and access to information (articles 13 17)



- Together, broadly conceptualized under the term "participation"
- Article 23 importance of creating conditions that facilitate the active participation of children with disabilities in the community
- Article 29 education which prepares the child for responsible life in a free society promoting peace, tolerance and equality.



What is Children's Participation?

Participation is about having the opportunity to express views, having these views taken seriously and having the opportunity to influence decision making. Children's participation is the informed and willing involvement of children in any matter concerning them directly or indirectly. This includes children of different ages and abilities and those children most marginalized in a society. Children's civil rights guide our ways of working and cut across the full spectrum of development and humanitarian contexts. Participation can occur in many arenas including: the home, school, judicial and governmental processes. It can likewise take place at the local, regional and international levels.



In brief... What is participation?

Any interaction with children

Children have an opportunity to express their views freely

Children's views are respected and taken seriously

Decision making processes are informed by children

Children see the results of their participation



Is it Children's Participation?

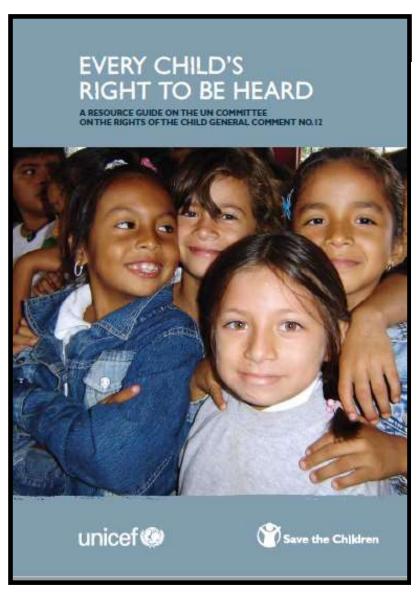
- I. Children can attend community forums where they regularly talk about the issues that are most important to them.
- 2.An early child care worker is handing out snacks to children 3-4 years of age. With each child, she takes the time to ask them what colour of drinking cup they would prefer. When possible, she accommodates each child's preference.
- 3.A health worker takes the time to explain immunizations to a child. She asks the child if they play sports, draw, write, work and which hand they use most often. She then makes a suggestion to the child to inject the non dominant hand and asks if they would agree. Her actions are informed by the child's preferences.

Children's Participation is not...

- Children carrying political placards given to them by adults with no understanding of the content/context; or speeches written by adults (this is manipulation or tokenism)
- Children singing or dancing at an event but are not involved in the discussion or decision making (this is decoration or performance)
- About children getting their way or adults doing what children say
- A lack of respect to parents
- Taking 'childhood' away from children
- A 'western' concept being imposed on other countries
- A nice thing to do when we have time and resources



For more information...



See page 12 of this publication:

ADDRESSING THE ARGUMENTS AGAINST CHILDREN'S PARTICIPATION

Despite recognition in international law through the UNCRC that child participation is a fundamental human right, and despite the powerful arguments as to the benefit it brings, there is still considerable resistance to its realisation. The arguments include:

Children lack the competence or experience to participate. But children have different levels of competence in respect of different aspects of their lives. Even very small children can tell you what they like or dislike about school and why, can produce ideas for making a lesson more interesting, can offer help to other children. Provided they are given appropriate support and adequate information and are allowed to express themselves in ways that are meaningful to them - pictures, poems, drama, photographs, as well as more conventional discussions, interviews and group work - all children can participate in issues that are important to them. Indeed, babies and toddlers can be seen as participating in varying degrees depending upon the willingness of adults to listen to what they are saying. For example, a study of Japanese nursery school children found that most disputes were resolved by the children themselves, with skilful use of compromise

and bargaining, often involving moral justifications.¹⁸ Such evidence demonstrates the capacities of young children to engage effectively in taking responsibility, and negotiating solutions. The creation of settings that maximise their opportunities to explore and initiate activities themselves is a means of fulfilling the spirit of the UNCRC.

Indeed, there are many areas where young children can demonstrate equal or superior competence; for example, in their capacity to acquire IT skills, remember where things are, use their imaginations, express creativity, love and compassion, mediate between arguing parents, show willingness to forgive, learn new languages. In order to respect this competence in various areas, adults must learn to hear and see what children are saying and doing without rejecting it simply because they are young.

Children must learn to take responsibility before they can be granted rights. But newborn babies have rights and they cannot be expected to carry responsibilities. And one of the more effective ways of encouraging children to accept responsibility is to first respect their rights. If children are given the chance to share their ideas in a group and to have them taken seriously, then they will learn that others, too, have a right to be heard which must also be respected.



What is Children's Participation?

The concept of participation emphasizes that including children should not only be a momentary act, but the starting point for an intense exchange between children and adults on the development of policies, programmes and measures in all relevant contexts of children's lives.

Children's Participation



Why?



Why Children's Participation?

Whitehouse meeting on women's health – March 2017





Why Children's Participation?

- Meeting human rights obligations
- Respecting children and their rights
- Indispensable element of all rights based programming
- Human rights due diligence/stakeholder engagement





Outcomes

Participation can help raise children's confidence, nurture their reasoning capabilities, and develop a respect for and understanding of others.

Participation contributes to a culture of respect and promotes civic engagement and active citizenship.



Empowered children are more aware and informed, and therefore better protected against violence, exploitation, abuse, disease, and a variety of other issues.

The input of children strengthens solutions.

Children know a lot about their own lives. When provided an opportunity, children have shown that they can positively contribute to decisions affecting them.



Children's Participation



How?



Nine Basic Requirements for Meaningful and Ethical Children's Participation







- Children know why they are involved and what their participation will help to achieve, and the types of decisions and plans that their participation will influence
- Children have access to useful information and resources to help them understand the initiative
- Children understand what they are being asked to do, what will happen with the information they share and who will have access to the information
- Opportunities and limitations are clearly defined with children

- Children clearly understand the implications of their choices and are free to make decisions to participate or not to participate accordingly
- Staff have the competencies necessary to encourage children, particularly those who are affected by inequality and discrimination, to participate and to ensure that children are never forced to participate
- Facilitators have addressed adult/child power imbalances to ensure a truly voluntary process







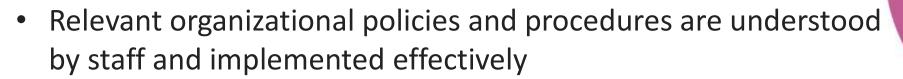
- Participation promotes inclusiveness and treats each child as an individual
- The participation process takes into consideration existing patterns of discrimination, power imbalances and cultural sensitivities
- Methods, approaches, languages and arrangements do not exclude
- The process does not discriminate children based on their capabilities; it does not humiliate children on any grounds
- The participation process makes sure each child knows they are valued, respected and important



- Adults possess excellent communication skills, facilitation skills and analytical skills
- All facilitators interacting with children understand these Nine Basic Requirements and understand why participation is important
- Children have access to training in child rights, advocacy, communicating with the media, holding decision makers to account, engaging in meetings, facilitation and designing and delivering training

Nine Basic Requirements

- Staff must take every precaution to minimise the risk to children of abuse and exploitation or any other negative consequence of children's participation
- It is necessary to ensure that potential risks have been identified in advance.
 Clear 'risk management' plans are in place to ensure the safe participation of children



 Expectations are communicated effectively between staff and the communities, parents/caregivers and children. Expectations clearly define the benefits, limits and potential risks associated with participation



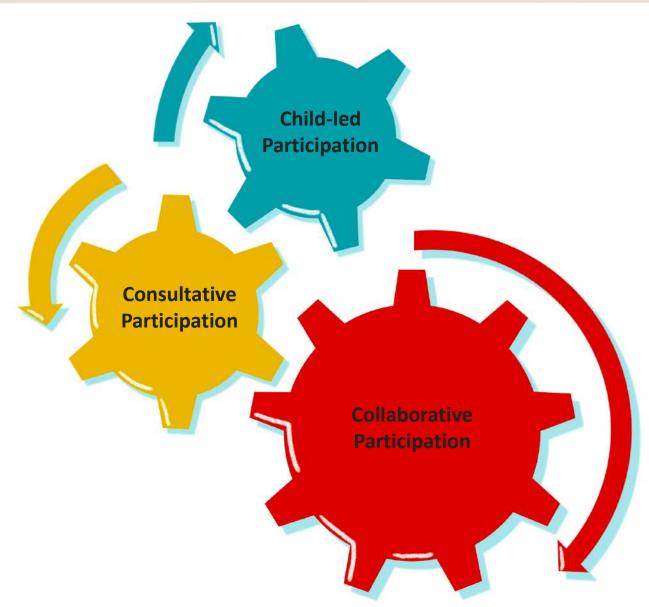


Nine Basic Requirements



- Children receive feedback on how their contribution has advised, informed or influenced developments to date. Appropriate feedback is provided to children in a timely and accessible manner
- Children have access to key stakeholders and have the opportunity to ask questions and to provide feedback on their participation
- Lessons learned are systematically documented and applied to ensure quality improvement

Approaches to Children's Participation





Consultative Participation

Where adults seek children's views in order to build knowledge and understanding of their lives and experiences.





Collaborative Participation

Where adults, having identified a problem that needs to be addressed, involve children in helping to work out what needs to be done and how. It is a partnership between adults and children.





Child-Led Participation

Where children are provided with the space and opportunity to initiate their own activities.

Instead of responding to ideas or projects initiated by adults, they create their own structures or organisations through which to determine the issues that are most important to them.





When and where do we support child participation?

Children's participation is both an individual's right (article 12), but also a working method that crosscuts all themes and contexts.

We recognize children's participation as a set of civil rights to be fulfilled, a principle to be applied, and a means to fulfil other rights.

Always an internal and external lens...



When and where do we support child participation? A Rights Based Approach to Participation

Social Advocacy and Conditions and **Systems** Attitudes CRC Capacity Building Activities and and Learning **Programs**



Four Aspects of Children's Participation

Advocacy and systems strengthening

Ensuring children's civil rights are not simply reliant on the goodwill of adults by creating or strengthening legislative and policy measures that set standards for the right of every child to be heard.

Strengthening systems and policies at all levels, including: within communities, schools, local governance, national policies, etc. Policy, budgetary and/or legal changes adopted to institutionalize children's participation in decision-making or social accountability processes

Internal structural, HR procedures, policy, budgetary and/or procedure changes to support CR, ChP learning and partnerships with children/child led organizations/initiatives.



[Ethical] Policy Example

PRINCIPLE 1: Only children know what it is like to be a child today

For child-focused organisations to succeed in transforming children's lives, which is the mission set by the UNCRC, they must know and understand children's lives and concerns—from the people who are children today.

PRINCIPLE 2: Children have equal human worth to adults. Like all human beings, they matter and contribute greatly to their families, communities and wider society

All human beings are equally important, and all depend on each other—children on children, adults on adults, children on adults, and adults on children. This mutuality and deep connection between humans exists from the very beginning of life.



PRINCIPLE 3: As an organisation/company serving children, our credibility relies on being accountable to children

The moral case for joining forces with children and supporting their priorities, actions and organisations is overwhelming—children are people and they must be seen and heard. This applies within the internal structures and decision-making of child-focused organisations, and across their public-facing work.

PRINCIPLE 4: No situation or endeavour is too urgent or too important for these principles not to apply

Every action we take with and on behalf of children must carry Article 12 with it. If 30 years of the UNCRC and child participation initiatives have taught us anything, it is that adults' misdeeds and acts of disrespect are felt acutely.



Four Aspects of Children's Participation



Social conditions and attitudes that respect all children and their rights

Examining why children are so marginalized and silenced in the first place and recognizing that these attitudes must be addressed at both a societal and an individual level.

Challenging negative attitudes and addressing the ill-perceptions and attitudes many adults still have toward children and childhood.

Understanding the obstacles to participation in various settings.

Exploring how certain groups of children face greater discrimination and challenges.

Exploring how accessibility (or lack thereof) may hinder equal participation.

Four Aspects of Children's Participation

Capacity building with children and adults

Ensuring children are aware of their rights, why they are important, and how to claim them.

Empowering children and young people with the skills, knowledge and confidence to claim their rights.

Engaging and preparing adults to listen to and share power with children.

Ensuring staff/partners have increased capacity to support safe, ethical and meaningful, gender sensitive and inclusive participation





Four Aspects of Children's Participation



Activities and programs that provide space and opportunity for ChP

Creating space and opportunities for children to participate and have their voices heard and respected.

When and where do we support child participation?



Mapping and analysis



MEAL

Planning and Design



Implementation
Taking Action

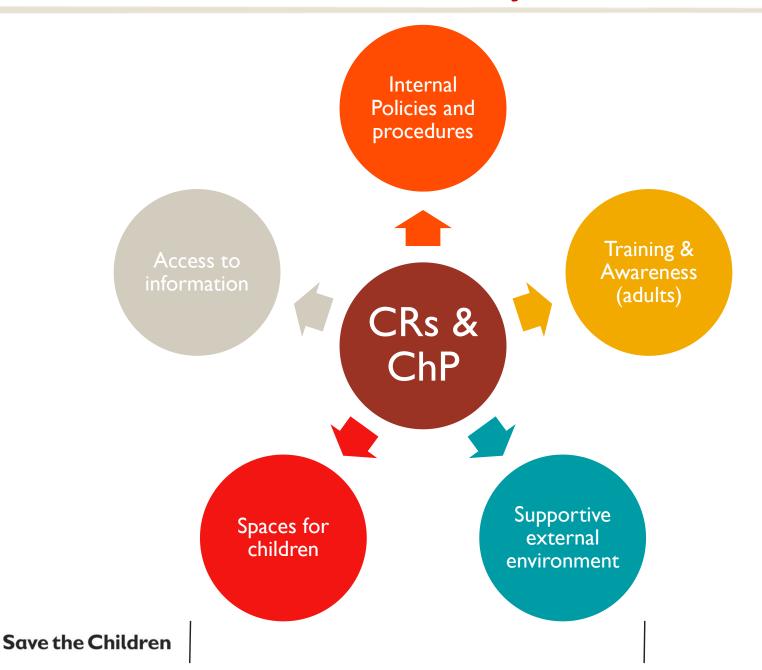




GROUP ACTIVITY



When, where and how? In summary...



Group Discussion

After reflecting on the different aspects of child rights and children's participation...

What are some actions that you, as an individual, will take to better support child rights and children's participation in your life?

What are some actions that your company/organization can take to better support child rights and children's participation?

What are some of the supports and resources needed to make this a reality?



Reflection and Questions

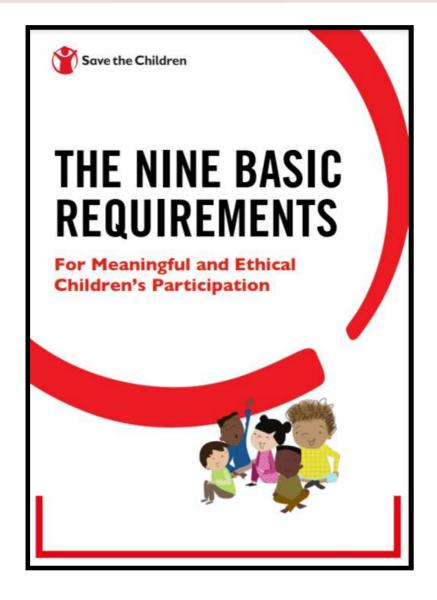




Tools and Resources



Tools and Guidance





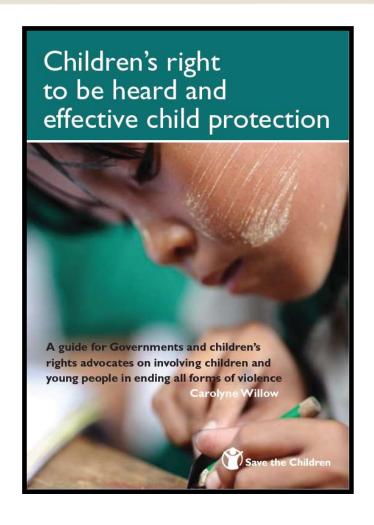


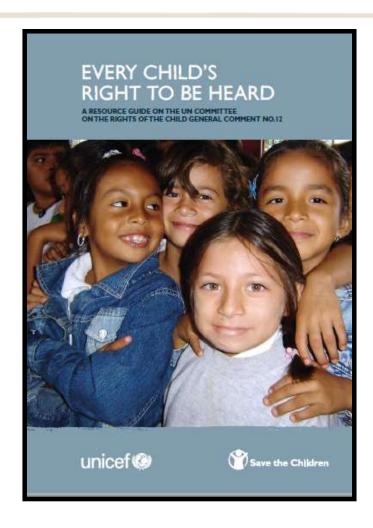
Children's clubs and schools which seek to engender a democratic, listening culture will not succeed while corporal punishment and other forms of violence against children remain sanctioned.

Silenced and ignored children are not safe; abused and exploited children are not heard.

Approach and Policy

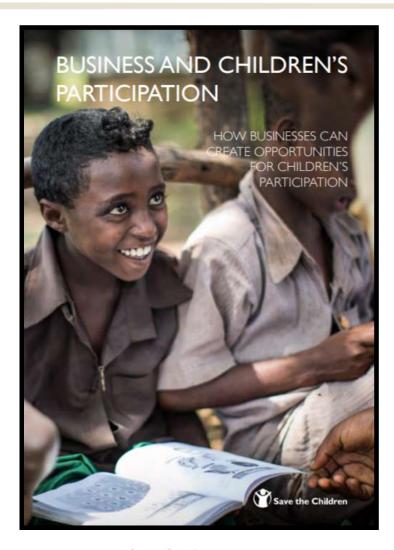






Approach and Policy





IDEAS FOR CREATING SPACE AND OPPORTUNITY FOR PARTICIPATION

Many businesses are already engaged in social programmes where children are direct beneficiaries. While these are certainly worthwhile and important, there also exist various opportunities to specifically support children in helping to define and prioritize business activities and investment relating to Principle 10.

Business can create spaces and opportunities for children's participation in several areas relating to Principle 10. Here are a few ideas:

Children's Participation in Planning and Implementation

Business should support children's participation in the planning and implementation stages of any social investment initiative. Business might consider partnering with civil society to engage young people from the outset as children's voices could play an important role throughout the developmental process of a given programme or initiative. Similarly, children can play an active role in implementing programmes.

Participation through Art

Art made by young people can articulate social issues for business to consider. Children's art might even suggest possible solutions. Such artistic endeavours can also raise the profile of children's rights. Business should therefore consider partnering with civil society to create space and opportunity for young people to express their thoughts and concerns through art. This could mean, for example, supplying young people with necessary tools: a camera and editing facilities for a documentary film; time at a local recording studio for a musical project; a computer for a graphic art piece; or perhaps a safe and suitable space for a dance ensemble performance.

Facilitating Child Rights Governance

Children's parliaments, student councils, and child rights governance initiatives are among the ways that children inform government decision making processes. These established mechanisms – and the children participating within them – can help define business activities related to Principle 10. Business can help support, invest and enable these structures through sponsorship and/or facilitation. Business should also consider cooperating and coordinating with existing government programmes that are institutionalizing children's rights and making them a part of children's everyday lives.

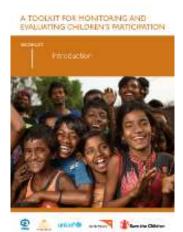
Child Participation and Business

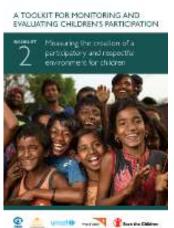


Feedback and Reporting Mechanisms



Toolkit for Monitoring and Evaluating Children's Participation









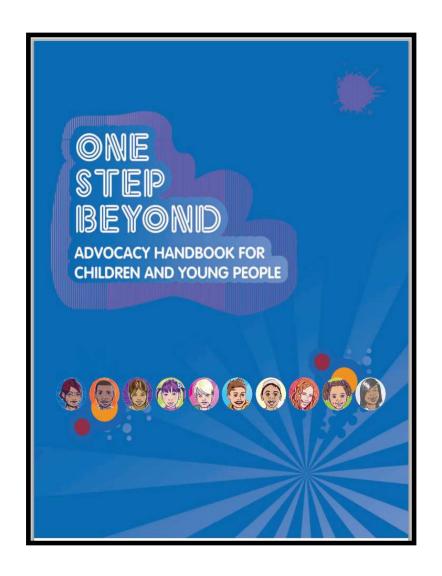


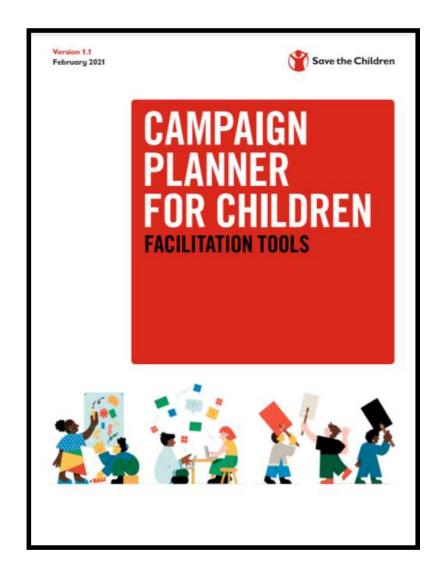


Protecting the right to participate	Promoting awareness of and commitment to participation	Creating spaces for participation
I Right to participate is included in national laws or constitutions 2 An independent commissioner or ombudsman is established 3 Accessible and child-friendly court procedures are in place 4 Provisions are in place for children's views to be heard in all civil and criminal proceedings 5 Children's evolving capacities are respected through legal provisions 6 Public service complaints mechanisms and means of redress are in place 7 Children in need of protection and care are entitled to be involved in decisions affecting them 8 Children are entitled to democratic structures in schools 9 Children have the right to establish their own organisations 10 Laws define parental responsibilities and include respect for the views of the child	II Education is free and compulsory 12 Children have access to independent information from a wide range of sources 13 Government information is available in child-friendly and appropriate formats 14 Human rights education is included in the curriculum 15 Child rights training is provided for professionals and policy-makers working with children 16 Programmes for parent education are available 17 Research is undertaken to assess respect for children's participation	18 Mechanisms are in place to consult children on legislation, public policies, services and resource allocation 19 Mechanisms are in place for children to provide feedback on the quality, accessibility and appropriateness of public services and policies 20 Children are represented in governance bodies at local and national levels, including through their own organisations 21 Democratic child-led organisations are established at local and national levels 22 Children have access to the media to communicate their views 23 Schools are child-friendly and participatory 24 Children are entitled to access confidential healthcare services 25 Children are consulted in decision-making processes concerning their own healthcare, consistent with their evolving capacities



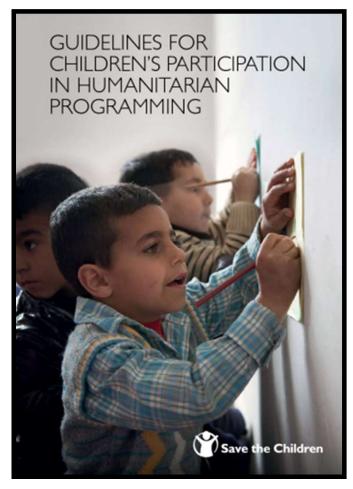


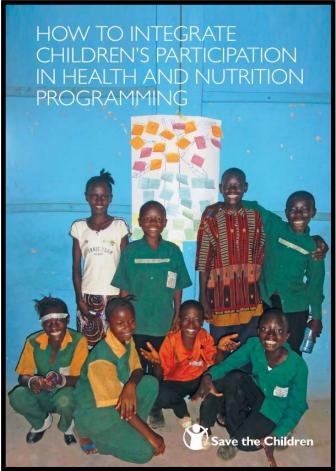


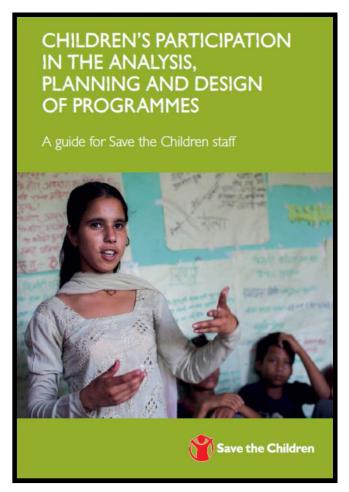


Advocacy/Campaigning with Children









How to...





How to...

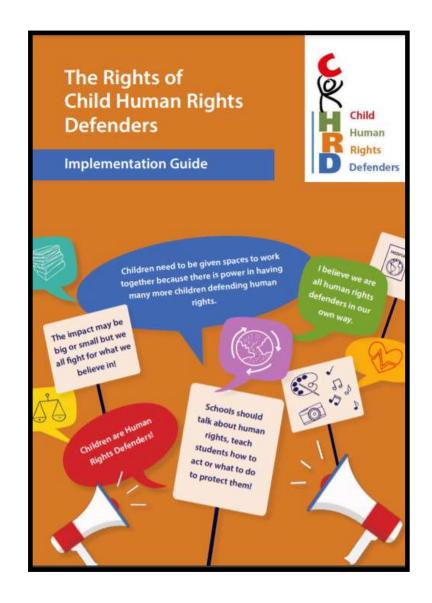


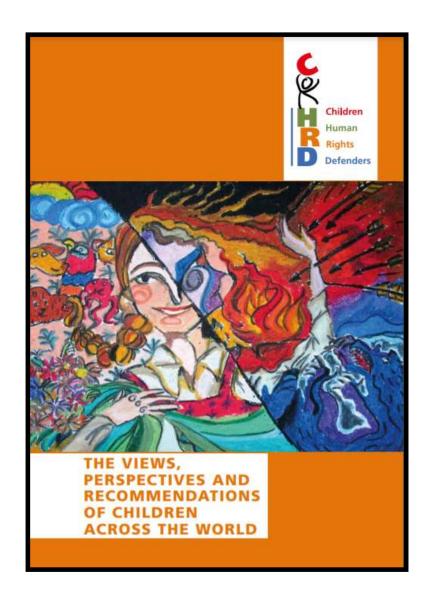




Research with Children











Reflection and Questions





Thank You!



