CHILD RIGHTS TOOLKIT
EU-UNICEF
Child Rights Toolkit:
Integrating Child Rights in
Development Cooperation
European
Commission
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Integrating Child Rights in Development Cooperation

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Foreword from EU Commissioner for Development Andris Piebalgs

During my visits to countries around the world as part of my role as EU Development Commissioner, one of the things which I have constantly found the most disturbing is when I see children in distress. It is a sad fact that those who are the most affected by poverty and its knock on effects are those who are the least able to cope with it. In a crisis, it is almost always children who suffer the most.

Across the world, thousands of children are denied the rights which here in the EU we often take for granted. Many are still unable to go to school. They are recruited into armed forces. They are forced into marriage at an early age. They have to work to provide for their family. In short, they are denied the basic human rights and the opportunity to meet their full potential as they grow up.

And take the area of hunger and malnutrition, for example, where children suffer disproportionately. I have just come back from Guatemala, where half of all children are malnourished. I find it incomprehensible that in today's era of technology and advancement, some 3 million children still die every year from under-nutrition. That's why I recently pledged to reduce stunting (when children don't have enough food to enable them to grow properly) in children under five by 7 million by 2025. And there are countless other ways in which children lose out because of poverty – lack of education, poor access to healthcare, inadequate water or sanitation facilities, to name just a few.

But there are other areas, apart from those which are obviously focused on children, and which you may not expect, in which children's rights are compromised. That's why the new Child Rights Toolkit is so important. It looks beyond traditional child-focused sectors and programmes (such as education) to demonstrate how EU development cooperation can effectively contribute to the fulfillment of children's rights in every area of its work. For example, it looks at how we can help protect child rights in areas such as infrastructure, governance or budget support.

By providing practical guidance on how we can focus on children in all of the work we do, this new toolkit aims to ensure that children's rights and initiatives to promote the well-being of all children are effectively integrated and applied across all of our EU development programming.Children's rights have always had a special place in EU external policy and the EU Agenda for the Rights of the Child aims to reinforce commitments of the EU to promote, protect and fulfill the rights of the child in all relevant EU policies and actions.

Together with our partners like UNICEF, we're already doing a lot to improve children's lives. Yet, I'm convinced that more can still be done to make sure that children's rights are at the heart of everything we do. I hope that this toolkit will become an important resource for colleagues in EU headquarters and delegations and across the international cooperation field in ensuring that they take children's rights into account in all areas of their work, so that we continue to ensure our work helps those who need it most.

Andris Piebalgs
Commissioner for Development, EU

Foreword from UNICEF Executive Director Anthony Lake

Children must be at the heart of human development: they should be our highest priority, the first call on our resources. The investment case for education and healthcare services for children is solidly established. Investing in the health, education and protection of a society's most disadvantaged and excluded children and families gives all children the opportunity to fulfil their potential, and thus leads to sustained growth and stability of countries. But this is not enough.

The Convention on the Rights of the Child (CRC) reminds us of the fundamental importance of children's rights. All children must have an equal opportunity to survive, develop and reach their full potential without discrimination or exclusion. To the degree that any child has an unequal chance in life, her or his rights are violated.

As we near the 25th Anniversary of the CRC and look forward to a post-2015 world, it is an opportune time to reflect on the successes and challenges of the Convention's implementation. One central lesson of the last twenty five years is this: no government, donor or agency can meet the multiple child rights challenges alone. While it is UNICEF's fundamental mission to promote the rights of all children, everywhere, in everything we do, it has become abundantly clear that broad partnerships are vital to the realization of children's rights, and that children can be essential partners in this process.

It is in this context of our broader strategic partnership for children that UNICEF and the EU have partnered to develop this comprehensive "Child Rights Toolkit: Integrating child rights in development cooperation".

We know that whether decisions relate to trade or taxation, diplomacy or debt, there is no such thing as a 'child-neutral' policy, law, budget, programme or plan. This is why this Toolkit looks beyond traditional child-focused sectors. It provides guidance on how children's rights can be considered in national budget decisions or when designing or evaluating sector strategies. It offers tools for different sectors – from infrastructure to transport and rural development – to consider how their assistance works for children. It also contains practical tips on how development partners and national governments can magnify the views of women and children, and reflect them in laws, practices, policies and programmes among other things.

Only as we move closer to realizing the rights of all children will countries move closer to their related goals of development, prosperity and peace. We hope that this Toolkit will be a useful resource as we work together with our partners in the EU and across the development community to realize the full promise of the CRC.

Anthony Lake
Executive Director, UNICEF

CHILD RIGHTS TOOLKIT

Integrating Child Rights in Development Cooperation

Introduction

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The Treaty on European Union, Article 3

"In its relations with the wider world, the Union shall uphold and promote its values and interests and contribute to the protection of its citizens. It shall contribute to peace, security, the sustainable development of the Earth, solidarity and mutual respect among peoples, free and fair trade, eradication of poverty and the protection of human rights, in particular the rights of the child."

Purpose and scope

Since 2008, the European Union (EU) and its member States have been committed to applying a comprehensive and integrated human rights-based approach in all areas of EU external action, including EU development cooperation. The 2009 Treaty on European Union (Treaty of Lisbon) contains an explicit commitment to protect and promote the rights of the child, and in 2011 the EU High Representative for Foreign Affairs and Security Policy announced the promotion of the rights of the child as one of the Union's three explicit foreign policy priorities.[1]

These commitments are in line with the Convention on the Rights of the Child (CRC), which has been ratified by virtually every country in the world. They also reinforce the 15-year on-going partnership between the European Commission and the United Nations Children's Fund (UNICEF) aimed at fulfilling the rights of the most vulnerable children in fundamental areas such as nutrition, health, education and access to water and sanitation. Moreover, in December 2012, the Council of the European Union adopted a Strategic Framework and Action Plan on Human Rights and Democracy for the 27 EU member States as well as European institutions that proposes several outcomes and activities that are also in synergy with the work of UNICEF in the area of gender and child protection, especially addressing child marriage, female genital mutilation/ cutting, birth registration, justice for children and children affected by armed conflict.

Children's rights form part of the human rights obligations that the EU and its member States are bound to respect under international and European treaties. While responsibility for realizing the rights contained in these treaties and instruments lies primarily with governments, donor countries can also play an important role in the effective and timely achievement of implementation of children's rights through programmes of bilateral and multilateral development assistance.

As part of their strategic collaboration, this 'Child Rights Toolkit: Integrating child rights in development cooperation' has been developed by UNICEF and the EU to strengthen the capacity of development partners, European Commission staff, bilateral donors and other development actors to integrate a child rights approach throughout development programming, budgeting, policy-making and law making. The toolkit looks beyond traditional child-focused sectors and programmes (such as education and maternal health) to demonstrate how development cooperation can effectively contribute to the fulfilment of children's rights. Sector reforms and development initiatives in areas such as infrastructure, governance or budget reform all have a strong impact on child well-being and rights. Yet, these sectors tend to consider children's rights as an afterthought at best and oftentimes not at all. Even in child-focused programmes, children's interests, perspectives, vulnerabilities, capacities and rights are frequently overlooked.

By providing practical guidance on how to take a rights-based, child-focused approach, this toolkit aims to ensure that children's rights as well as initiatives to promote the well-being of all children can be effectively integrated and applied across programmes of bilateral and multilateral development assistance.

Target audience

This toolkit has been developed primarily for *development professionals working in bilateral and multilateral donor agencies* (such as European Union delegations, UNICEF, other UN agencies, regional development banks, the World Bank, and others). It is also expected that it will be useful for government and civil society professionals in countries addressing development challenges as well as for experts engaged in providing technical assistance in the design and implementation of development programmes.

The intended audience includes policy makers and practitioners who are not child rights experts but need practical guidance on:

- How to operationalize international commitments on child rights within different phases and sectors of development cooperation programming and external action;
- How to support partner governments in implementing their commitments under international treaties and standards to protect, respect and fulfill children's rights.

How to use this toolkit

There are at least three ways that development professionals can use this toolkit:

1. To gain an overview of key concepts and principles on child rights and be aware of key sources of data and selected resources for further reading and information.
2. To gain a better understanding of the obligations of relevant actors to realize international commitments on child rights and of some specific strategies and frameworks for ensuring these are put in place through national laws, policies and budgets.
3. To use specific tools and examples as a practical step-by-step guide for implementing programme strategies that facilitate the integration of child rights concerns within different sectors and phases of development cooperation programming.

The different toolkit modules are designed to be used independently of each other. However, it is recommended that Modules 1 and 2 are reviewed first as they define key concepts and set out critical programming parameters for applying the tools and interventions in subsequent modules.

For added functionality, the toolkit includes references and direct web-based links to useful sources of information and other tools. It should be noted that guidance within the toolkit is not meant to be prescriptive or directive. Rather, identified guidance offers recommendations that can be adapted and tailored across settings, regions and priorities.

Toolkit contents

The toolkit consists of eight modules on key areas, each of which contains associated tools for application:

MODULE	KEY CONTENTS	TOOLS
Module 1: Overview of Child Rights in Development Cooperation	▪ Overview of key issues and international legal and political commitments on child rights	▪ Child rights country context analysis ▪ Key sources of child-focused indicators and data
Module 2: Child Rights in Programming and Sector Policies	▪ Key entry points and considerations for the integration of child rights within different phases and sectors of development cooperation programming	▪ Checklist for assessing whether a programme promotes child rights ▪ Terms of reference (ToRs) for addressing child rights issues in feasibility studies ▪ Sector checklists
Module 3: Child Participation	▪ Methods for supporting national governments in putting in place child participation rights ▪ Operationalizing child participation within donor programming	▪ Matrices for assessing the environment, scope and quality of child participation ▪ Matrix for monitoring the outcomes associated with children's participation
Module 4: Child Rights in Governance	▪ Implementing child-friendly governance reforms ▪ Conducting child-focused governance assessments	▪ Child-sensitive governance assessment ▪ Checklist of considerations for model legislation ▪ Questions for parliament
Module 5: Child Impact Assessment	▪ Accountability and capacities for carrying out an ex-ante child impact assessment (IA) ▪ Step-by-step guidance for conducting a child IA	▪ Areas of policy reform and their potential impacts on children ▪ Drafting ToRs for a child IA expert/ team ▪ Consultation with children during ex-ante child IAs ▪ Options assessments for identifying affected rights, age-related vulnerabilities and gender and other social determinants of vulnerability
Module 6: Child-responsive Budgeting	▪ Defining child-responsive budgeting as a concept and key considerations ▪ Identifying entry points for engagement with partner governments on child-responsive budgeting	▪ Testing the level of inclusion of children's concerns in budgets ▪ Using existing budget analysis tools ▪ Identifying stakeholders and opportunities at each stage of the programming cycle

Module 7: Child Rights in Crisis and Risk-prone Situations	▪ Obligations of government and development partners to prepare, prevent, mitigate and respond to the impact of adverse events on children ▪ Specific actions to ensure preparedness, emergency response and long-term development efforts contribute to building resilience and promoting child rights	▪ Identifying capacity assets and needs for crisis response ▪ Guidance on integrating child rights into disaster risk reduction (DRR) programming ▪ Guidance for resilience-focused contextual analysis ▪ Key interagency assessment tools and frameworks
Module 8: Working with Civil Society on Child Rights	▪ Entry points and recommendations for meaningful engagement with civil society organizations (CSOs) on child rights	▪ Quick assessment of the enabling environment ▪ Mapping of child rights-focused CSOs ▪ Assessing the capacity of CSOs ▪ Assessing the integrity and core values of CSOs

ENDNOTES

1. High Representative of the European Union for Foreign Affairs and Security Policy, 'Human Rights and Democracy at the Heart of EU External Action: Towards a more effective approach', Joint Communication to the European Parliament and to the Council, Brussels, 12 December 2011.

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CHILD RIGHTS TOOLKIT

Integrating Child Rights in Development Cooperation

Module 1

Overview of Child Rights in Development Cooperation

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ACRONYMS AND ABBREVIATIONS

AIS	AIDS Indicator Survey
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child
CRDP	Convention on the Rights of Persons with Disabilities
Child IA	child impact assessment
DHS	Demographic and Health Surveys
GMIs	general measures of implementation
HRBA	human rights-based approach
LFS	Labour Force Survey
LSMS	Living Standards Measurement Study
MODA	Multiple Overlapping Deprivations Analysis
MDG	Millennium Development Goal
MICS	Multiple Indicator Cluster Surveys
NGO	non-governmental organization
PIRLS	Progress in International Reading Literacy Study
SIMPOC	Statistical Information and Monitoring Programme on Child Labour
TIMSS	Trends in International Mathematics and Science Study
UNCT	UN Country Team
UNDAF	UN Development Assistance Framework
UPR	Universal Periodic Review

1. Introduction

Children make up more than one third of the world's population. In 2010, there were 2.2 billion children; if current demographic trends continue, another 2 billion will be born by 2025 and the proportion living in the world's poorest countries will continue to rise. In sheer numbers alone, children are central to development as they are one of the most important beneficiaries of development cooperation.

Investing in children is both an obligation and an opportunity. It is an obligation because poverty, undernutrition, poor health and other deprivations undermine children's abilities to develop to their full potential. It is an opportunity because the gains achieved – through better nutrition, primary health care, education and protection for children – are likely to be far greater and longer lasting than those in almost any other area of development.

> *"By 2025, nearly two-thirds of children will live in low- and lower-middle-income countries; by mid-century, this number will be almost 70 per cent."*[1]

The global commitment shared almost universally by countries is that all children everywhere have the right to survive and develop, to be protected from violence, abuse and exploitation, to have their views respected and to have actions concerning them be taken in their best interests. These universal rights are codified in a number of legally binding treaties and international standards, most importantly in the 1989 Convention on the Rights of the Child (CRC).

As the most universally ratified human rights treaty, the CRC represents a legitimate framework and agenda for action for mutual accountability and dialogue among development cooperation actors. With respect for human rights, child rights and fundamental freedoms having become core principles of development cooperation, the norms and standards enshrined in the CRC provide useful guidance for development programmes aimed at reducing inequity and promoting inclusive and sustainable growth.[2]

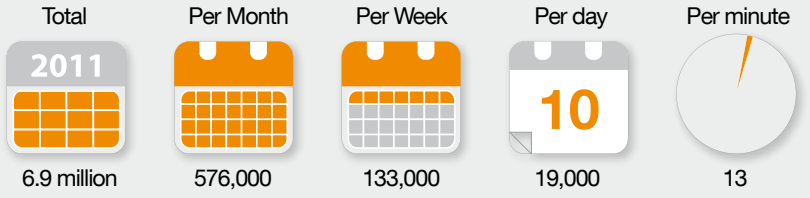
Despite these global commitments, however, millions of children still remain without the essential services needed to ensure survival, improve health and nutrition, allow access to safe water and sanitation and obtain a high-quality education. In 2010, 7.2 million children died before reaching the age of five largely due to highly preventable causes such as pneumonia, diarrhoea and birth complications.[3] Many children lack protective policies and community environment required to safeguard them from discrimination, neglect, exploitation and abuse.

Violence against children is particularly alarming, with an estimated 500 million to 1.5 billion children experiencing violence annually.[4] Undernutrition contributes to more than a third of under-five deaths globally.[5] One in every six children in developing countries aged 5–14 is exploited by child labour, with many of these children working in hazardous conditions.[6]

The Convention on the Rights of the Child (CRC)

- Recognizes that children are the holders of their own rights – not passive recipients of charity but empowered actors in their own development.
- Defines childhood as a separate space from adulthood and sets out the rights that must be realized for children to develop their full potential, free from hunger and want, neglect and abuse.
- Obliges governments to put its commitments into practice by amending and creating laws and policies to fully implement the Convention and consider all actions in light of the best interest of the child.

NUMBER OF UNDER-FIVE DEATHS DUE TO PREVENTABLE CAUSES[7]



In 2011, 13 children under the age of five died of preventable causes every minute.

1.1 Purpose and objectives

This module introduces readers to the CRC, defines key terms and concepts and provides a framework for analysing and putting into effect the international legal and political commitments to child rights within a country context.

In this module we will:

1. Define child rights as the norms and standards for child well-being codified in international law
2. Identify the key international and EU legal and political commitments to child rights, as well as the key considerations for engagement on child rights issues
3. Identify the purpose, main components and methodology for conducting a child rights-based country context analysis

2. Key concepts and considerations

2.1 Childhood – a protected space

Children are defined in the CRC as all those below the age of 18 years.[8]

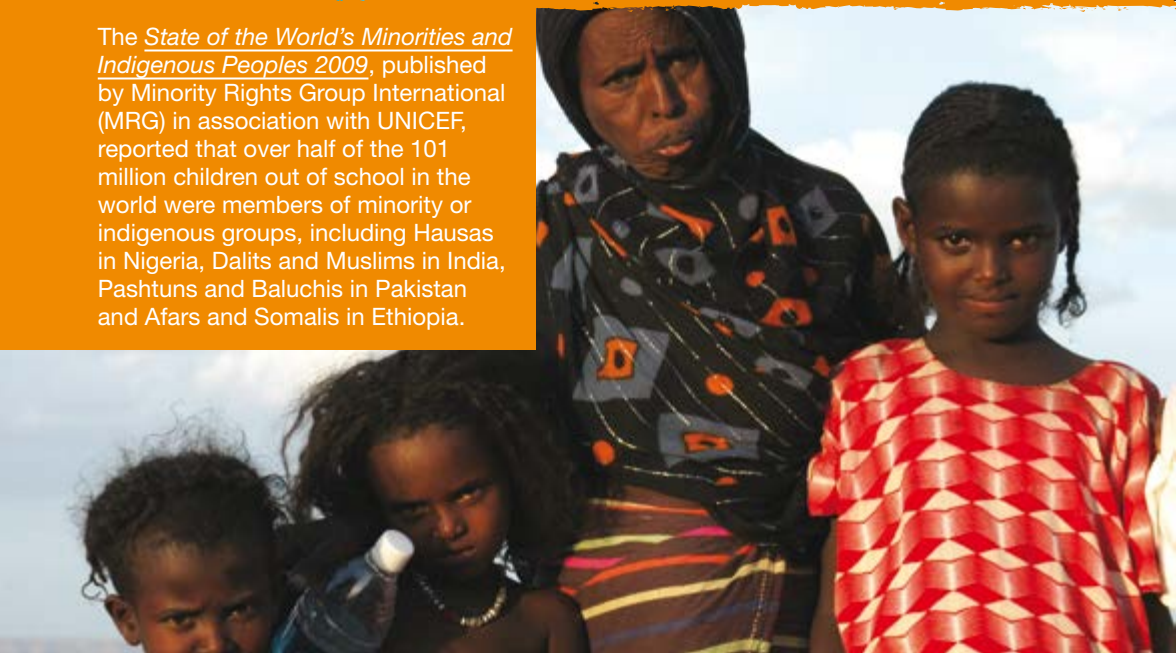
Childhood refers to much more than just the space between birth and adulthood. It is recognized in the Universal Declaration of Human Rights (1948) as a period where one is entitled to special care and assistance.[9] Childhood is the time for children to be in school and at play and to grow strong and confident with the love and encouragement of their family and an extended community of caring adults. It is a precious time in which children should live free from fear and protected from violence, abuse and exploitation.

Similarly, *adolescents* up to 18 years old are also holders of all the rights enshrined in the CRC. They are entitled to special protection measures and, according to their evolving capacities, can progressively exercise their rights. Investing in adolescent development is imperative to fully realize the rights of all children.

In Pakistan, girls and boys from the richest quintile have an equal likelihood of reaching grade 6, but boys from poorer households are over twice as likely to reach this grade as their female peers.[10]

Around 90 per cent of children with disabilities in developing countries do not attend school.[11]

The *State of the World's Minorities and Indigenous Peoples 2009*, published by Minority Rights Group International (MRG) in association with UNICEF, reported that over half of the 101 million children out of school in the world were members of minority or indigenous groups, including Hausas in Nigeria, Dalits and Muslims in India, Pashtuns and Baluchis in Pakistan and Afars and Somalis in Ethiopia.



2.2 Vulnerability and types of discrimination

Children are not only vulnerable due to their age and dependency; many children face multiple and overlapping forms of discrimination and disadvantage, at times leading to extreme forms of exclusion.

Poverty is a key vulnerability affecting children's ability to enjoy their basic rights. Child poverty differs from adult poverty as children have only one opportunity to develop. Being poor can cause lifelong cognitive and physical impairment and damage a child's emotional and spiritual development. Where children become permanently disadvantaged, this in turn perpetuates the cycle of poverty across generations. Investing in children, therefore, is not just a moral imperative but also critical for achieving equitable and sustainable human development. (*For more, see UNICEF's Multiple Overlapping Deprivations Analysis (MODA)*[12] *and UNICEF Global Study on Child Poverty and Disparities.*[13])

Gender inequality is one of the most pervasive types of discrimination. Gender represents more than a child's sex; it reflects social expectations and norms that influence her or his opportunities and treatment. In many countries, girls have markedly fewer opportunities than boys and are often more vulnerable to violence, exploitation and abuse. Girls are more likely than boys to be deprived of a quality education, to be married as children, to experience restrictions on mobility and to be burdened with domestic chores. While discrimination against girls is far more common, boys may also face disadvantages and exploitation due to social expectations and norms (which helps account for the dominance of boys among child soldiers, for example).

Children with disabilities are frequently overlooked in programming, in part because persons with disabilities are so rarely given a voice in the development discourse at national or international levels and in part because the societies in which they live frequently prevent them from enjoying their rights more broadly. Yet, by one widely used estimate, some 93 million children – or 1 in 20 of those aged 14 or younger – live with moderate or severe disability of some kind.[14]

Children of minority or disadvantaged groups also suffer multiple deprivations and experience poor outcomes in health and education. Many indigenous children, for example, are not in school due to the distance to the nearest school, the lack of bilingual instruction or the lack of consistency between the school calendar and seasonal work typical of farming or hunter-gathering and pastoral communities. When in school, indigenous children experience language discrimination, low literacy rates, low enrolment, high drop-out rates and disparities in national academic achievements.

> *"We are the children of the world, and despite our different backgrounds, we share a common reality. We are united by our struggle to make the world a better place for all. You call us the future, but we are also the present."*[15]

2.3 Key approaches to programming for children

Lifecycle approach

Childhood is a unique window of opportunity. Children are more than a 'country's future' or the next generation of workers who will drive their country's economic growth and social development. They are human beings with rights and needs that vary depending on their age and stage of physical, neurological, intellectual and social development.

Recognizing the different stages of childhood and identifying critical needs and concerns by children's stage of development is referred to as the **lifecycle approach**. (*For more information on development concerns throughout a child's lifecycle, see Annex 1.1.)*

CRITICAL DEVELOPMENT CONCERNS BY LIFECYCLE STAGE

Maternal and early years
(pre-birth to 5 years):

- Mother's health and nutrition
- Child's physical and neurological health and development
- Early gender socialization

School age
(6 to 12 years):

- Access to high-quality education
- Physical, neurological and intellectual health and development
- Safety (especially protection from violence and abuse)
- Socialization and differentiation

Adolescence
(13 to 19 years):

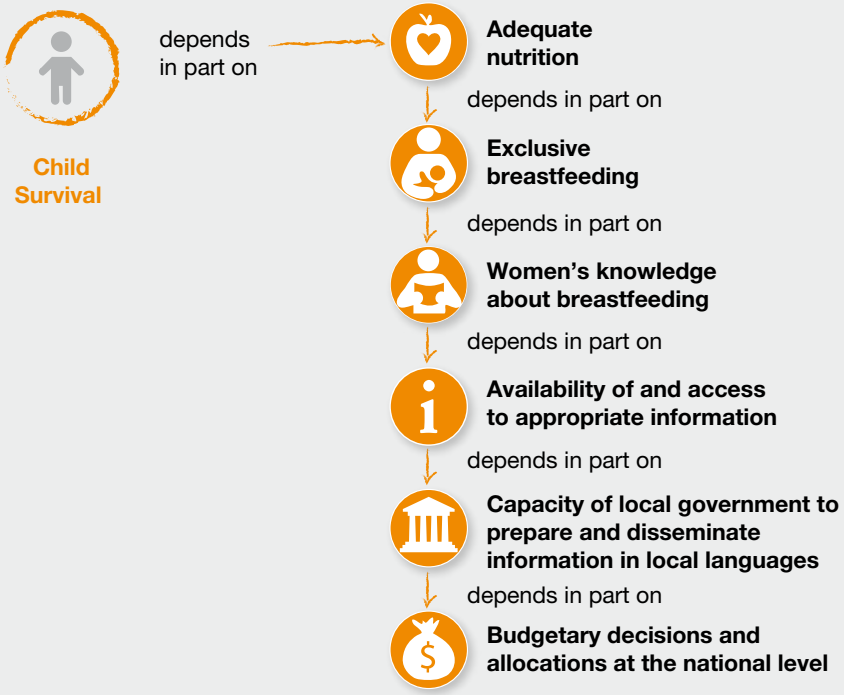
- Sexual development
- Vulnerability to new risks
- Social participation and self-determination
- Preparation for the roles and responsibilities of adulthood

Whole child approach

Implementing a child rights focus recognizes the interdependence and indivisibility of issues – a principle sometimes expressed as a '**whole child approach**'. In practice, this means holistically addressing the interrelated issues affecting children and their communities.

While development cooperation may prioritize and make choices among options for support, these decisions must be mindful of all aspects of children's rights as they relate to survival, development, protection and participation. These are also reflected by national efforts to develop comprehensive policies and plans for children, such as children's codes, children's budgets, and the national plans of action for children that derive from the 2002 United Nations General Assembly Special Session on Children

INTERDEPENDENCE: AN EXAMPLE



2.4 Applying a human rights-based approach

Human rights are a set of internationally agreed, legally binding norms and standards to which all people – including children – are entitled. They can be understood as standards of human dignity and identity rooted in every culture, religion and tradition throughout the world.

Human rights provide the legal and ethical basis for development work and are codified in international treaties which most countries have ratified. As such, they represent a legitimate framework and agenda for action for mutual accountability and for dialogue among international development partners and civil society.

Human rights are critical to sustainable and equitable development for children. For example:

- ***Health.*** Access to health-care services is vital, but it is equally important to consider how these services are provided so that every child's right to health is fulfilled, without exception. This means meeting the challenges not only of physical access but also of the quality and affordability of services. It means providers should treat everyone with respect and may call for services to be available in local languages and to take into consideration local customs and traditions. It also includes empowering adolescent girls with information and skills to better protect themselves against HIV transmission and sexual violence.
- ***Education.*** Evidence shows that to make education inclusive and to reduce the number of school dropouts, the design of sanitary latrines in schools needs to be suitable not just for able-bodied girls and boys but also for children with disabilities.
- ***Water and sanitation.*** Access to clean water and sanitation must also reach those population groups from lower socio-economic status, living in remote areas, from lower castes or who belong to minority groups (such as Roma children or indigenous populations).

The human rights-based approach to development is the translation of these universally recognized and legally codified norms, standards and principles into practice. It changes how development actors assess, plan and implement programmes by:

- **Drawing attention to the most marginalized and excluded.** Human rights approaches mean giving particular attention to the most discriminated against and excluded groups within a society: women, minorities, children with disabilities, unaccompanied minors, indigenous peoples and others. However, there is no one universal checklist of who is left behind in every given context; rather, the following question must be answered locally: Who is excluded here and how?
- **Changing the way development support contributes to results.** Development actors should be participatory, inclusive and accountable to those they are seeking to reach. A key component of that is ensuring children have the opportunity to contribute and are consulted in defining development priorities and results. Decisions that are fully informed by children's own perspective will be more relevant, more effective and more sustainable in the long run.
- **Identifying the underlying and structural factors that cause exclusion.** Development actors should not only identify and reach the most marginalized and excluded groups but also draw attention to the broader determinants and structural causes that lead to marginalization and exclusion. These may include discrimination (both in law and practice), lack of political will, low capacities among service providers and the absence of child protection systems. Analysis needs to be undertaken of not only the immediate deprivations that so many children face but also the social, political and institutional factors constituting an enabling environment that will allow these rights to be realized.
- **Building strategic partnerships for sustainable results.** Human rights principles and standards provide a common framework to build more effective and inclusive partnerships for development at international, national and local levels. It is critical that such partnerships are expanded beyond governments to foster closer relationships with civil society, especially with local and national non-governmental organizations (NGOs), marginalized communities, minorities, indigenous peoples, children and youth, disability advocates and women. Ideally, this will lead to more open discussion on human rights and greater collaboration between national and international stakeholders. (*See Module 8 on Working with civil society on child rights.*)

2.5 Overview of key stakeholders

In addressing child rights within development cooperation, a critical first step is to identify the stakeholders with a central role to play in implementing the principles and standards to make these rights a reality for all children.

KEY STAKEHOLDERS IN ADDRESSING CHILD RIGHTS	
STAKEHOLDERS	**RESPONSIBILITIES**
The state	The state has the primary responsibility for realizing the CRC and translating its principles and standards into reality for all children. This includes not only implementing its legal provisions but also prioritizing children's rights in public expenditure.

Parliamentarians	Parliamentarians can and should be among the foremost champions of children's rights. They can legislate, oversee government activity, allocate financial resources and, as leaders within their nations and communities, raise awareness of issues and provide advocacy.
Civil society/ NGOs/non-state actors	Civil society organizations are among the primary agents engaged in actively promoting and realizing children's rights. Their numerous efforts spurred and sustained the process that resulted in the drafting and finalization of the CRC in the late 1970s and the 1980s, and article 45 of the Convention provides a designated role for NGOs in monitoring its implementation by States Parties. They also play a critical role in lobbying decision-makers and acting as watchdogs to ensure governments are held accountable in realizing the commitments under the CRC.
Religious leaders	Religious leaders can play an important role in ensuring greater realization of children's rights. As respected and influential members of societies and communities, they can galvanize actions in favour of children's survival, development, protection and participation and challenge practices, customs and norms that discriminate against or undermine these rights.
Media	By bringing attention to issues affecting children, the media have a unique role in realizing child rights. Greater awareness of child rights deprivations and violations is in part due to increased media focus on these issues. For example, the British Broadcasting Corporation (BBC), the world's largest public broadcaster, has a dedicated portal on children's rights and issues on its website.
Private sector	The private sector has become an increasingly important stakeholder in international development through global partnerships for health, education and HIV and AIDS in particular. While private sector entities cannot sign or ratify the CRC, they have a tremendous role to play whether as partners in building a protective environment or in directly supplying essential services.
Individuals, families and communities	Parents and children, teachers and community members can all work to help children understand and realize their rights. While individuals can take responsibility for doing their part, they can also put pressure on governments to fulfil their obligations to pass laws and advance policies centred on the best interests of the child.

3. International legal framework

3.1 Convention on the Rights of the Child (CRC)

Rights and principles under the CRC

The 1989 Convention on the Rights of the Child (CRC) is the most comprehensive articulation of the rights of children in international law. It was the first instrument

of human rights law to consolidate in one place legal standards relating to economic, social, cultural, civil and political rights. The CRC is supplemented by three Optional Protocols:

- On the sale of children, child prostitution and child pornography
- On the involvement of children in armed conflict
- On a communications procedure.

States that ratify the CRC and its Optional Protocols are legally committed to realize their provisions. While the CRC calls on societies, private individuals, donors and other non-state actors to comply with its provisions, States are the primary duty-bearers obliged **to respect, to protect and to fulfil** children's rights. It is therefore the responsibility of development cooperation to support countries to effectively realize the commitments of the CRC.

The CRC is the most comprehensive international human rights treaty in existence in that it addresses the whole spectrum of rights as categorized below.

Government obligations under the CRC

- **Respect:** Ensure that governmental actions are in compliance with the provisions of the CRC
- **Protect:** Put in place mechanisms to prevent violations of the rights in the CRC by others
- **Fulfil:** Put in place supportive measures to promote the full realization of the rights of the CRC.

RIGHTS UNDER THE CRC	
Survival and development rights	These are rights to the resources, skills and contributions necessary for the survival and full development of the child. They include rights to adequate food, shelter, clean water, formal education, primary health care, leisure and recreation, cultural activities and information about their rights. States' obligations are not only to put the necessary guarantees into place to realize these rights but also to ensure universal access to them by all children. Specific articles address the needs of child refugees, children with disabilities and children of minority or indigenous groups.
Protection rights	These rights include protection from all forms of child abuse, neglect, exploitation and cruelty, including the right to special protection in times of war and protection from abuse in the criminal justice system.
Participation rights	Children are entitled to express their opinions and to have a say in matters affecting their social, economic, religious, cultural and political life. Participation rights include the right to be heard and rights to information and freedom of association. Engaging these rights as they mature helps children bring about the realization of all their rights and prepares them for an active role in society.

The four guiding principles of the CRC

The CRC guiding principles represent the underlying requirements for any and all rights under the Convention to be realized. These include:

- **Non-discrimination:** Article 2 affirms that States Parties "shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion political or other opinion, national, ethnic or social origin, property, disability, birth or other status".
- **Adherence to the best interests of the child:** Article 3 states, "In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration".
- **Life, survival, and development:** Article 6 states that "every child has the inherent right to life" and that States Parties "shall ensure to the maximum extent possible the survival and development of the child".
- **Participation:** Rather than being affirmed by a specific article of the Convention, children's right to have their views heard and respected in matters concerning them according to their age and maturity is guaranteed by a wide range of provisions.

Universality, indivisibility, interdependence and non-derogability

Children's issues are sometimes viewed by development partners as an area where agreement and common approaches are easily achieved; in practice, however, they may prove to be politically and socially challenging. In some national contexts, negative attitudes and patterns of discrimination against ethnic, religious and cultural minority and indigenous children, or the right of children to have a say in decisions that affect them, can be culturally and politically sensitive.

While an understanding of culture and local traditions is critical in development cooperation, children's rights as enshrined in the CRC are universal, indivisible, interdependent and non-derogable.

- **Universal**, as they apply to all children, including children without legal status (illegal migrants), children without birth certificates, children with disabilities and children from marginalized ethnic or religious groups
- **Indivisible**, meaning no right is inferior to another
- **Interdependent**, as rights cannot be realized in isolation
- **Non-derogable**, which means that the accountability of government to ensure equitable provision of services and protection cannot be suspended during periods of financial difficulty or during conflict or natural disasters.

Learn More

The full texts of the CRC and Optional Protocols and the most up-to-date lists of signatures, accessions and ratifications can be found on the website of the Office of the High Commissioner for Human Rights.

CRC article 3:

1. *"In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.*

2. *States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures*

3. *States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision."*

CRC article 4:

"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."

General measures of implementation

The Committee on the Rights of the Child is the body entrusted with monitoring the implementation of the CRC and its Optional Protocols. It has produced guidance for national implementation through its General Comments.

Under article 4, all signatory States of the CRC – which include all 27 EU member States – are obliged to work toward the fulfilment of children's rights in their own countries and through international cooperation as well as to assist other States Parties in addressing the factors that impede progress. Technical assistance is especially important for governments that are aiming to address inequities and multiple deprivations experienced by children of marginalized groups.

Recognizing the critical role of governance, the Committee on the Rights of the Child in its General Comment No. 5 (2003) not only called on States Parties to "undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention", but also described in detail the means necessary to promote the full enjoyment of children's rights. These are known as the general measures of implementation (GMIs).

GENERAL MEASURES OF IMPLEMENTATION AND THEIR PRACTICAL IMPLICATIONS

GENERAL MEASURES OF IMPLEMENTATION	PRACTICAL IMPLICATIONS
1. Ensuring that legislation is fully compatible with the Convention, removing reservations and ratifying the CRC's Optional Protocols and other human rights instruments for children (including regional instruments)	States should review their national legislation and ensure its compatibility with the CRC. They also have an obligation to ensure laws are enforced. States should withdraw reservations made on Convention articles and ratify the three Optional Protocols.
2. Ensuring there is a systematic process of assessing new laws, policies or programmes for their impact on children's rights (Child Impact Assessments)	Child Impact Assessments (also called Child Rights Impact Assessments, or CRIAs) are assessments of the potential impact on children of a proposed policy, plan or programme. CRIAs are guided by the principle of the best interest of the child. (*For more on Child Impact Assessments, see Module 5.*)
3. Developing a detailed, comprehensive national strategy or agenda for children, based on the CRC, and taking into account policies of decentralization, federation and privatization	States should develop a national strategy for children that will promote and protect child rights at all public and private organizational levels.
4. Ensuring adequate resource allocation and making children 'visible' in budgets	Budget preparation should take into account the best interest of the child. Proposed budgets should be able to clearly demonstrate the link between children-responsive policies and the resources allocated for this purpose. (*For more on Budgeting, see Module 6.*)

5. Developing permanent mechanisms in government to ensure the effective coordination, monitoring and evaluation of implementation	Coordination is needed both vertically (within state departments and technical agencies) and horizontally (between distinct public bodies). Coordination is also required between the central governmental level and any decentralized level of government.
6. Develop training, education and capacity building for all those involved in the implementation process	Capacity building should be directed to all those affected by the CRC – children and adults alike. A specific focus should be put on adults working directly with children. The implementation process comprises regular reports, which should be made available and accessible to the public at large.
7. Promoting cooperation and coordination with civil society – with professional associations, NGOs, children	The implementation of the CRC is an obligation for States Parties but all sectors of society have responsibilities regarding the realization of rights.
8. Ensuring the development of appropriate indicators and sufficient data collection on the state of children	States should use qualitative and quantitative data to inform the situation of child rights in the country. Verifiable indicators are proposed by the Committee. Participation of children is required.
9. Creating statutory independent children's rights institutions/ ombudsmen offices	Independent human rights institutions are complementary to governmental institutions. They are required to independently monitor the State's compliance and progress towards implementation and to do all they can to ensure full respect for children's rights.

CRC monitoring: concluding observations

States Parties are required to report regularly to the Committee on the Rights of the Child. The Committee's 18 members also provide States Parties with guidance on how to interpret and apply the treaty. The reporting requirement provides an opportunity for governments, civil society and international partners to work together on an assessment of the effectiveness and efficiency of equity-focused programmes in meeting the State's obligations under the Convention.

After reports are reviewed, the Committee issues concluding observations in response. While these observations are not legally binding on governments, they provide a good basis for policy dialogue on a wide range of development issues. The concluding observations also provide useful guidance to development partners on key issues relating to children that might be prioritized in development cooperation. In addition, they can add persuasive force to arguments for particular child-focused policy responses. (*For more information on the concluding observations, see Annex 1.3.*)

3.2 Other relevant treaties and standards

In addition to the CRC, there are other important treaties reinforcing rights that concern children. At the international level these include the 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which is particularly pertinent to the rights of girls, and the 2006 Convention on the Rights of Persons with Disabilities (CRPD), which the European Union ratified in 2010 (*see box and also Annex 1.5 References/resources*).

The *Universal Periodic Review (UPR) process*, which assesses with States the extent to which they respect their human rights obligations, can also provide a holistic picture of the situation of a country. Under this mechanism, the human rights situation of all UN Member States is reviewed by the Human Rights Council every 4.5 years. As with treaty bodies, the recommendations emerging from the review, contained in the outcome report, may serve to enrich the dialogue with States and inform the contents and conduct of policy dialogue at the country level.

Identifying the legal standards that pertain in a particular national context, understanding their provisions and analysing how these relate to that context are essential for building child rights into development cooperation (*A full list of other relevant treaties and standards is provided in Annex 1.2.).*

3.3 EU commitments to child rights

Respect for human rights and fundamental freedoms lies at the core of the European Union. The Treaty on European Union (better known as the Lisbon Treaty) which came into force in 2009, contains the first explicit commitment to protect and promote the rights of the child in EU internal and external actions. The Treaty also marked a milestone by making the EU Charter of Fundamental Rights legally binding. Article 24 of the Charter specifically commits the EU to consider a child's best interest in all its actions and to protect and care for children as necessary for their well-being.

This strong and reinforced commitment to child rights is also reflected in the 2011 'EU Agenda for the Rights of the Child', which calls on European institutions and member States to "move up a gear on the rights of the child and to transform policy objectives into action".

The EU Agenda sets out specific actions aimed at respecting the provisions and rights of children as prescribed in the Charter and the CRC. It identifies a number of concrete actions for the EU to translate these commitments into action, such as child-friendly justice, protecting children in vulnerable situations and combating violence against children.

Child rights in EU external action

The 2008 'Council Conclusions on the Promotion and Protection of the Rights of the Child in the European Union's External Action' underlined the political commitment of the EU and its member States by "**affirming the importance of a comprehensive and integrated human rights-based approach towards the promotion and protection of the rights of the child**, as embodied in the Convention on the Rights of the Child (CRC) and its two optional protocols, encompassing all areas of EU external action".

Specific actions and measures to mainstream children's rights throughout EU external action proposed in 2008 included the following priority areas:

- Universal birth registration
- Access to safe drinking water, sanitation, adequate nutrition and shelter
- Universal and free access to basic health services
- Protection from violence and exploitation, including child labour
- Free, compulsory and universal primary education
- Access to sexual and reproductive health care and education
- Adequate vocational training and skills-development schemes
- Opportunities for productive employment and decent work after the minimum age of labour.

In terms of tools, the 2008 guidelines identified the following four intervention modalities:

- Political dialogue
- Démarches
- Bilateral and multilateral cooperation,
- Developing partnerships and intensifying coordination with international stakeholders.

Building on these earlier commitments, the 2011 EU Communication on 'Human Rights and Democracy at the Heart of EU External Action' once more confirmed the EU's human rights commitment, stating that: "the protection and promotion of human rights is a silver thread running through all EU action both at home and abroad". It goes so far as to identify the rights of the child as one of three explicit foreign policy priorities. In an effort to translate this into action, the 'EU Strategic Framework and Action Plan on Human Rights and Democracy' commits the EU to a range of actions, campaigns and measures aimed at advocating for the rights of children.

Child rights as a cross-cutting issue

The EU Consensus on Development identifies child rights as a cross-cutting development issue – like good governance, gender equality and environmental sustainability – to be addressed at the policy, institutional and programme levels (*see box*). Child rights are therefore important not only as an objective in themselves but also as a critical component of development goals such as poverty reduction, political development and economic growth.

The Treaty on European Union, Article 3

"In its relations with the wider world, the Union shall uphold and promote its values and interests and contribute to the protection of its citizens. It shall contribute to peace, security, the sustainable development of the Earth, solidarity and mutual respect among peoples, free and fair trade, eradication of poverty and the protection of human rights, in particular the rights of the child."

Charter of Fundamental Rights of the EU, Article 24: The rights of the child

1. *Children shall have the right to such protection and care as is necessary for their well-being. They may express their views freely. Such views shall be taken into consideration on matters which concern them in accordance with their age and maturity.*

2. *In all actions relating to children, whether taken by public authorities or private institutions, the child's best interests must be a primary consideration."*

European Council Conclusions (2008)

"The rights of the child should not only be promoted through specific actions, as set out above, but also through effective mainstreaming across EU development cooperation tools, particularly within all country and regional programmes and strategies. Mainstreaming is especially important for general budget support and for key sectors, such as social sectors (especially health, education and social protection for all children), rural development (with emphasis on food security and access to safe water) and governance."

European Council Conclusions (2008)

"(…) special attention should be given to the specific rights and needs of boys and girls, and to particularly vulnerable groups of children, which include children belonging to ethnic minorities, migrants, displaced children or refugees, children affected by armed conflicts, orphans, separated or unaccompanied children, children living in extreme poverty, street children, children affected by HIV/AIDS, children with disabilities and indigenous children."

The Treaty on European Union, Article 21

"The Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law."

EU external action

Efforts to put the EU's commitment to child rights into practice in external action date back several years. Following the 2006 Communication 'Towards an EU Strategy on the Rights of the Child' a flurry of documents outlined EU priorities and focus areas, including

- 'A Special Place for Children in EU External Action' and its accompanying Staff Working Paper on 'Children in Emergency and Crisis Situations' (2008)
- The 'EU Guidelines for the Promotion and Protection of the Rights of the Child' (2007)
- The 'EU Guidelines on Children and Armed Conflicts 2008' (2003, updated 2008)
- The 'Council Conclusions on Child Labour' (2010)

EU Consensus on Development

The EU Consensus on Development calls for a "strengthened approach to mainstreaming" cross-cutting issues, including a focus on them within policy dialogue with partner countries:

*101. In all activities, the Community will apply a strengthened approach to mainstreaming the following cross-cutting issues: the promotion of human rights, gender equality, democracy, good governance, **children's rights** and indigenous peoples, environmental sustainability and combating HIV/AIDS. These cross-cutting issues are at once objectives in themselves and vital factors in strengthening the impact and sustainability of cooperation."*

Mirroring the EU's commitment to children in development cooperation, the European Consensus on Humanitarian Aid also highlights the specific attention required to meet the needs of vulnerable children. 'Increasing the Impact of EU Development Policy: An agenda for change' (2011) once more affirms the EU's commitment to human rights, democracy and the rule of law as the best way to promote good governance as well as inclusive and sustainable development.

REGIONAL COMMITMENTS	
Africa, Caribbean and Pacific	The Cotonou Agreement contains provisions regarding human rights and children's rights, including the active participation of young citizens in public life. The EU Strategies for Africa, the Caribbean and the Pacific specify children's rights, child labour, education, health and basic services and the special attention necessary for vulnerable children as priority areas.
European Neighbourhood (East and South)	The European Neighbourhood and Partnership Instruments make specific reference to children's rights (including child labour) as being among the areas of cooperation eligible for Community assistance.
Latin America	EU Strategy for Latin America and the Vienna Declaration of Ministers attending the EU-LAC Summit in 2006 makes commitments to "ensure the respect and implementation of the rights of the child" and recognizes the need to "generate specific public policies for the protection of children and youth and to break the cycle of poverty".
South East Asia	The improved cooperation between the EU and the Association of South East Asian Nations (ASEAN) in the field of combating child trafficking is specifically envisaged in the Action Plan adopted at the EU-ASEAN Summit that took place in November 2007.

A list with additional EU commitments on child rights can be found in Annex 1.5.

4. Child rights country context analysis

In order to meaningfully integrate a child-rights focus into development cooperation, **a child rights country context analysis is an essential first step**. Knowing the current status of children's and women's rights in a country and the causes of shortfalls and inequities is essential to ensuring programme priorities and investment choices are based on evidence and shape national development strategies in ways that accelerate the achievement of child-related goals.

EU operational mechanisms to monitor human rights trends in a country

Operationally, there are a number of mechanisms in place that enable the EU to monitor trends in the situation as regards human rights more broadly. These include:

- Regular political reporting from the Heads of the EU Delegation (and/or EU Heads of Mission when appropriate) provides continuous information and assessments of political developments, including in terms of fundamental values.
- Ongoing political dialogue between the EU and the partner country is a key forum to address concerns and challenges relating to fundamental values, including human rights issues.
- The EU human rights country strategies are very useful tools and represent comprehensive assessments covering the principles defined in Article 21 of the Lisbon Treaty. They take into account, and link to, the UPRs undertaken in the United Nations context.

4.1 Purpose and objectives of the analysis

The objectives of a child rights country context analysis are:

- **To accurately identify trends, patterns, incidence and causes of key deprivations** (e.g., child mortality, stunting, low levels of birth registration, low school enrolment and achievement or violence against children), disaggregated by relevant segments of the population.
- **To identify and analyse barriers and bottlenecks** that prevent disadvantaged children and families benefiting from interventions and services, including the social, political and economic conditions that result in shortfalls in the creation of an enabling environment for the realization of children's rights.
- **To analyse whether evidence-based interventions and services needed to address deprivations are prioritized in national policies, laws, strategies, plans and budgets.** This analysis would cover the extent to which there is an enabling environment for the realization of the rights of all children, including the promotion of positive social norms and behaviours, organization of services and institutional capacities at national, sub-national and community levels.

This analysis is used throughout all stages of the programming process:

- **As the basis for dialogue with partner governments**, the development of country strategy papers, mid-year review of these plans, etc.
- **During project identification** to reveal whether child rights objectives are articulated in the initial idea, whether the planned activity will contribute to or challenge existing inequalities and whether there are any child rights issues that have not been addressed.
- **During identification and formulation phases** to contribute to the identification of entry points for actions that will be needed in order to meet child rights objectives.
- **During monitoring and evaluation:** A child rights-sensitive monitoring and evaluation system should also be in place from the design phase onwards, including the establishment of indicators to measure the extent to which objectives are met and changes in child rights achieved.

The child rights country context analysis can also have a reciprocal relationship with the *EU Human Rights Country Strategies*. It can inform the country strategies, while the strategies themselves will be integrated into the programming and implementation of all assistance to countries. Child rights issues should permeate the agreed list of 'minimum items' that EU member States and institutions raise with their relevant counterparts "in third countries during meetings and visits, including at the highest political level and during summits".[16]

See Tool 1.1 for more hands-on guidance regarding how to undertake the steps in the country context analysis outlined below.

To be most effective, such analysis is ideally conducted once in every programming/funding/national planning cycle.

4.2 Step 1: Review critical resources

The *CRC Committee's concluding observations and government and UNICEF situation analyses* for each country can generally provide an excellent and comprehensive starting point, laying out a set of priority issues for discussion and action, as well as related technical guidance. Child rights analyses are also contained in State Party reports to the CRC or other relevant international or regional human rights bodies such as the Committee on the Elimination of Discrimination against Women or the African Committee of Experts on the Rights and Welfare of the Child.

Child rights organizations – such as Save the Children, for example – also conduct child rights situation analyses, which can be good sources of additional data. In-country civil society organizations may be key sources of data as well. For example, they often produce shadow or alternative reports (to State Party reports) and submit them to human rights treaty bodies, including the CRC Committee, as well as the UPR, with information evaluating how a State Party has fulfilled the substantive rights outlined in the treaties. These shadow/alternate reports often highlight the perspectives and experiences of certain constituents such as women, children, indigenous peoples or ethnic minorities that may be absent from the country's report to the treaty body or illuminate issues that may not typically emerge in policy dialogue with governments. By consulting these reports as sources, development partners may make these policy dialogues more comprehensive as they are better informed and can draw attention to the most marginalized and excluded, such as children with disabilities.

Most sources of existing data are not adequately analysed to draw out disparities or patterns of exclusion or disadvantage. Country analysis needs to make full use of *data disaggregated across a wide range of inequalities* (such as gender, minority or disability status, race, age and religious and socio-economic background) to identify who is left behind, to inform policy decisions and to guide investments in services to reach the most marginalized and excluded.

Data, both quantitative and qualitative, is usually available from household special purpose surveys as well as from administrative or routine reporting systems, such as those in the health or education systems (see box on examples of data sources). As these data offer varying degrees of disaggregation, they are rarely in themselves adequate for an assessment from a child rights point of view. However, they provide an excellent resource for further targeted analyses.

In some instances, data or analysis is not available at all or is very limited. In those cases, additional surveying can be explored – whether in the form of expanded samples of existing surveys or additional surveys – to increase the data available on specific groups such as minorities, indigenous groups or children with disabilities. Donor support may include support to national partners in conducting such an analysis. Ensuring that this information is available to national partners to inform the development of national plans, policies and strategies is a typical form of cooperation to support a child rights-based approach.

EXAMPLES OF DATA SOURCES	
Primary data sources	**Routine statistics generated by ministries or statistical offices:** ▪ Health management information systems (HMIS) ▪ Education management information systems (EMIS) ▪ Finance laws and national budgets (Ministry of Finance) ▪ National surveillance systems ▪ Birth/vital registration systems ▪ National disaster and emergency statistics
Secondary data sources	**Special-purpose surveys:** ▪ Census ▪ Demographic and Health Surveys (DHS) ▪ Multiple Indicator Cluster Surveys (MICS) ▪ Household welfare monitoring surveys ▪ Household budget and expenditure surveys ▪ Child labour surveys ▪ Baseline surveys
	Focus group discussions, knowledge-attitude-practice (KAP) studies and consultations with representative groups of: ▪ Children/adolescents ▪ Young people ▪ Women ▪ Communities ▪ Especially disadvantaged groups, such as ethnic minorities and children with disabilities
	Socio-cultural/ethnographic research
	Routine reports from government: ▪ Annual reports of ministries ▪ Sectoral and thematic reports ▪ Treasury expenditure reports
	Reporting on internationally agreed conventions, treaties and targets: ▪ MDGs reports ▪ State Party reports to the Committee on the Rights of the Child ▪ Concluding observations and recommendations of the Committee ▪ State reports to the UPR ▪ State Party reports on CEDAW and CRPD and concluding observations and recommendations of the respective committees ▪ Alternative/shadow reports submitted by NGOs and/or independent national human rights institutions ▪ Report of country visits (if any) by Special Rapporteurs, Special Representatives and/or independent experts
	Reports from programme reviews and evaluations: ▪ Mid-term review findings ▪ Country programme evaluations

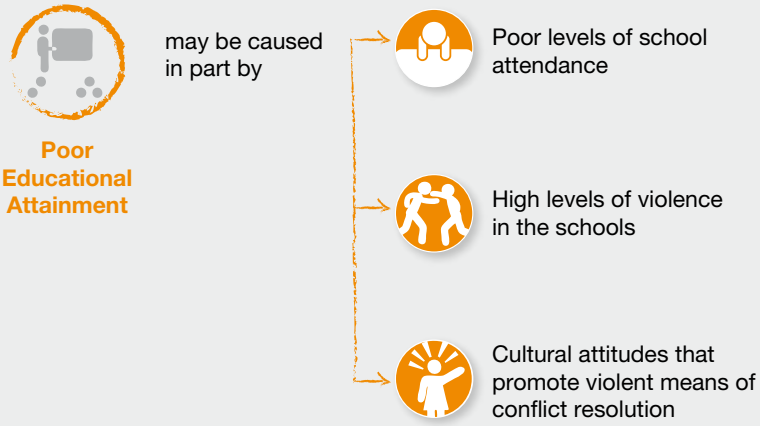
See Tool 1.2 and Tool 1.3 for key sources of global child-focused indicators and child-focused databases.

4.3 Step 2: Analyse patterns of social exclusion and identify underlying factors

The next step is to analyse the trends and patterns of social exclusion and discrimination and to identify the underlying and structural factors and inequities that need to be addressed in development cooperation agreements.

This analysis helps to highlight the drivers for development and identify priorities, gaps and opportunities for both removing obstacles to equitable access to quality services and strengthening the relevant policy frameworks in key sectors. This means analysing not only the immediate deprivations that children face but also the social, political and institutional factors that make up the enabling environment for realizing their rights. These include social norms, policy and legal frameworks, budgetary allocations, coordination mechanisms and institutional capacities.

CAUSAL ANALYSIS: AN EXAMPLE



Other factors for analysis include access to and control over material and non-material resources, the legal basis for patterns of inequity, political commitments and the culture, attitudes and stereotypes that affect all issues. A vulnerability analysis – which considers actual and potential hazards, the likelihood of their occurrence, the host/resident population that will be affected and their ability to cope – helps reveal the situation of those marginalized in society and those most severely affected by crises, as well as their capacity to act on their own behalf.

Understanding the societal and governmental arrangement is also critical. For every problem, the question 'why?' needs to be asked and asked again to understand the causes at different levels that drive children's development challenges.

Broadly, this equity-focused analysis should include the following components:

1. **Causality analysis**, which examines the causes of shortfalls and inequities within a conceptual framework, probing beyond the immediate causes to determine the underlying and structural ones. This analysis identifies the bottlenecks and barriers that prevent women and children accessing and benefiting from essential interventions and services in order to support the establishment of a baseline for action in reducing inequities.
2. **Role-pattern analysis**, which delves into the roles and relationships between duty-bearers and rights holders in relation to specific rights.
3. **Capacity-gap analysis**, which examines the capacity of key individuals and institutions responsible for respecting, protecting and fulfilling the rights of children.
4. **Analysis of the enabling environment**, which examines broader policy, legal, administrative and budgetary issues and social norms that influence the realization of the child rights and the reduction of inequalities.

Guidance on these types of analyses is provided in the Tools section.

Dd
Gg
dog
girl

Module 1 Tools & Annexes

TOOLS

Tool 1.1 Child rights country context analysis

STEP 1: REVIEW CRITICAL RESOURCES AND AVAILABLE DATA

- Review government and UNICEF country situation analyses
- Review concluding observations of human rights treaty bodies
- Review statistics generated by ministries or statistical offices
- Identify other sources of data, such as:
  - » Census
  - » Demographic and Health Surveys (DHS)
  - » Multiple Indicator Cluster Surveys (MICS)
  - » Household welfare monitoring surveys
  - » Household budget and expenditure surveys
  - » Child labour surveys
  - » Baseline surveys
- Are child-specific statistics available within any of these?
- Are they sufficiently disaggregated to see the difference between different groups within the country (e.g., by sex, age, ethnicity, disability, etc.)?

For more information see www.childinfo.org and Tool 1.2.

STEP 2: PERFORM ANALYSES

A. CAUSAL ANALYSIS

A causal analysis helps construct a comprehensive picture of cause and effect relationships at various levels to help to tailor strategic responses. This analysis must be context specific, as the underlying cause of a problem may be a more deep-rooted structural determinant in one country than another.

It should help answer the following questions:

- What are the shortfalls and inequities in the achievement of rights and how are these manifested through key indicators?
- What are the key drivers of inequities and shortfalls for particular population groups and/or geographic regions?
- What are the macro-level determinants for these inequities, such as legislation, policies, budgets and other factors such as patterns of migration, dependency on remittances and the aid environment?

B. ROLE PATTERN ANALYSIS AND CAPACITY-GAP ANALYSIS

The role pattern analysis involves understanding who is responsible for the various rights not being respected, protected or fulfilled. It is important to clearly define the *rights-holders* (individuals or groups with valid claims) and *duty-bearers* (those with obligations to realize rights, which may include family members, community leaders and important cultural or social actors, such as midwives) and their respective roles and relationships in each context. A role pattern analysis should help answer the following questions:

- For the specific development issue being considered
  - » Who are the rights-holders?
  - » Who are the duty-bearers and what obligations are they supposed to meet?
  - » What is the relationship between the rights-holders and duty-bearers?

In parallel, examining the capacity gaps among duty-bearers can help development cooperation actors to address those gaps and achieve child-focused development results. Completing the columns under role pattern analysis and ‘capacity analysis’ in the chart on the following page should help guide this process.

LEVEL/TYPE OF DUTY	ROLE-PATTERN ANALYSIS	CAPACITY ANALYSIS		
As defined in relation to the issue at hand and local situation	Who is supposed to do what to help solve the problem? This should also examine whether they might also be part of the problem or not recognize the problem exists in the first place	**Motivation** Does the duty-bearer accept the responsibility? If not, why not?	**Authority** Does the duty-bearer have the authority to carry out the role? If not, who does?	**Resources** Does the duty-bearer have knowledge, skills and organizational, human and materials resources? If not, what material resources are missing?
Immediate care giver				
Household				
Community group				
Local government				
National government				
International				

C. ANALYSIS OF THE ENABLING ENVIRONMENT

An analysis of the enabling environment permits an in-depth examination of the strengths and weakness of national institutions, social policies and legislative and budgetary systems that influence the realization of the rights of children and women. An examination of social norms, a policy-gap analysis, a legislative analysis, a budget analysis and an institutional analysis are important analytical components in understanding the shortfalls related to the fulfilment of rights for all children.

GUIDE FOR ANALYSIS OF ENABLING ENVIRONMENT

Social norms analysis	**A social norm is a rule or behaviour that members of a community follow because there are positive social rewards or negative sanctions attached to it.**

- What are some of the prevalent negative social norms affecting children?
- Who are the key actors in the country perpetuating these norms?
- What is the degree to which these negative norms influence disadvantaged groups within the country?

Policy-gap analysis	**Examines the principles and long-term goals that form the basis for making rules and guidelines, giving overall direction to planning and development.**

- Does the government have sufficient technical capacity to implement policy from national through to local level?
- How are the best interests of the child and other child rights principles reflected in current policy implementation?
- To what extent do other social and development policies – including national development plans, poverty reduction strategies, urban development plans, employment and agricultural policies, etc. – affect access to quality social services?
- Are there opportunities for the engagement of children, including adolescents, in policy formulation and implementation responsive to child rights-related concerns?

Legislative analysis	**Should examine and highlight the degree to which the national legislative framework is compatible with the provisions of the CRC, CEDAW and the CRPD.**

- Does the government have any particular problems in transposing the CRC into domestic law? If so, why?
- Does the government have any particular problems in transposing into domestic law any other child-rights relevant international legal instruments it has been a party to? If so, why?
- Is the definition of a child in all legal instances (formal and informal) defined as any individual under the age of 18? If not, how is a child defined and how does this definition impact boys and girls differently?

Analysis of budget allocations and disbursements	**Analyse the share of resources allocated to government functions related to the realization of children's rights and the overall distribution of public investments.**

- Is there an analysis of the impact of budgetary allocations on quality social services for all children? Is funding allocated (directly and indirectly) to children? Is this funding tracked to determine how it gets spent and whether this is the most efficient and effective use of the budget?
- Are sectoral budgets analysed in terms of their impacts on inequities and capacities of government at all levels to respond to the needs of children living in adversity?

- Review of financing policies (budgets, user fees, taxation, social insurance, etc.) and how they address access to basic services.
- Review of budget distribution by region (state, province, district, etc.) by type of service.
- Review of implementation of budgets and outputs and the extent to which resources actually reach and benefit local service facilities and families (operational efficiency).
- Trend analysis of public investment in social service sectors over time, disaggregated by region and lowest administrative levels.
- Revenue trend analysis to determine the sustainability and predictability of revenue generated for these public investments (proportion of investment coming from tax system, from external debt, from central bank financing, from multi-lateral or bilateral aid, from 'off budget' funds).
- Examination of national and sub-national budgets targeted to appropriate social service sectors (e.g., primary health care, basic education, water and sanitation, environment, child and social protection, HIV and AIDS programmes, etc.) and essential commodities provision within each sector.

Institutional analysis: structures, capacities and mechanisms	**The form and function that public institutions and structures take are a crucial determinant in ensuring a legitimate, effective and efficient framework for the formulation and conduct of public policy in support of child rights.**

- Is there an oversight body that gives priority consideration to children (generally and/or within sectors)?
- Are there coordination mechanisms at the horizontal and vertical levels for policy development and implementation of programmes for children? Additional questions within that include:
  - » Are they sufficiently funded?
  - » Are they given political priority?
  - » Do they include governmental departments responsible for planning and resource allocation?
  - » Is there fragmentation of efforts across sectors?
  - » Do they include the active participation of regional/local authorities?
  - » Do they involve civil society?
- Are there district development committees with child rights functions?
- Are there district sector committees?
- Does the government have sufficient capacity to formulate evidence-based policy?
- What is the capacity of government to mainstream children's rights and integrate a child rights perspective into its work, at local as well as national level?
- Do government staff demonstrate awareness of and sensitivity to children's rights and child rights principles?
- What support is provided for developing capacities within ministries (including policy formulation, improved legislation, promoting structures to give children a voice, budget analysis, child rights mainstreaming and so on)?
- Does the government have sufficient capacity to implement policy from national through to local level?
- How are the best interests of the child and other child rights principles reflected in current policy implementation?
- Is there a national plan of action for child rights? Is this based on the whole of the CRC? Does it consider children's participation in policy formulation and implementation? Does it include an examination of budget expenditure on children (direct and indirect)? Does it include an examination of child participation in governance issues? Does the plan have a timeframe and budget attached to it?

- Have official and independent mechanisms been established with outreach to local levels to ensure compliance with the CRC? Are they adequately resourced? Do they work across public management systems? Do they have sufficient authority to demand changes?
- Is the government held to account over child rights principles through, e.g., CRC reporting? How do the public and children hold it to account?
- Do service delivery and regulatory agencies across sectors include child rights indicators to measure results? Do they involve children in this process?

Tool 1.2 Global child-focused indicators

GLOBAL CHILD-FOCUSED INDICATORS		
AREA OF CHILD RIGHTS	**INDICATORS**	**KEY DATA SOURCES**
Survival and health	Infant mortality rate	Multiple Indicator Cluster Surveys (MICS), Demographic and Health Surveys (DHS)
	Under-5 mortality rate	MICS, DHS
	Incidence of specific diseases such as diarrhoea and prevalence and treatment of respiratory disease	DHS
	Use of improved water and sanitation facilities	MICS, DHS
	Antenatal care and rates of institutional deliveries	MICS, DHS
	Young people's sexual behaviour – for example, condom use and multiple partners	MICS, DHS, AIS[17]
	Young people's use of drugs or alcohol	MICS, DHS, administrative data
Nutrition	Prevalence of underweight, stunting, wasting, low birth weight and obesity	MICS, LSMS[18]
	Breast-feeding rates and infant and young child feeding practices	MICS, DHS
	Micronutrient deficiencies and intake among children and mothers	DHS, MICS
Education	Preschool attendance among relevant age group (usually ages 3/4–5/6)	MICS
	Net primary and secondary school attendance ratios	MICS
	Drop-out rates at different levels	MICS, LSMS
	Gender parity indices for primary and secondary school	MICS, LSMS
	Learning outcomes	PIRLS, TIMSS[19]
Protection from exploitation, abuse and neglect	Children under age 5 cared for by children under age 10	MICS
	Children experiencing serious accidents	MICS and administrative data
	Child victims of sexual exploitation, trafficking and abandonment	MICS, SIMPOC[20]
	Child labour rates; children engaged in worst forms of child labour	LFS[21]
	Youth employment opportunities	Administrative data
	Child/youth victims of violence	Administrative data and MICS
	Numbers of street children	Administrative data
	Rates of child/youth drug and alcohol use	Administrative data
	Youth suicide rate	Administrative data

Tool 1.3 Additional sources of data and child-focused databases

ADDITIONAL SOURCES OF DATA AND CHILD-FOCUSED DATABASES		
DATA SOURCE		**LINK**
Secondary data	UNICEF country situation analyses for children	www.unicef.org/sitan/index_43348.html
	National reports for the UNICEF Global Child Poverty Study (2008–10) and UNICEF country and regional thematic web pages	http://unicefglobalstudy.blogspot.com/
	MDG progress reports	http://unstats.un.org/unsd/mdg/Default.aspx
	Government reports to the Committee on the Rights of the Child and alternative NGO reports	http://tb.ohchr.org/default.aspx
	Eldis resource guides on children and young people	www.eldis.org/go/topics/resource-guides/children-and-young-people
	Child Rights Information Network	www.crin.org
	Child rights observatories/children's observatories	www.childoneurope.org/ http://africanchildinfo.net/ www.childwatch.uio.no/research/child-rights-observatories/
Child-focused databases	**Childinfo** is a searchable database of information collected from Multiple Indicator Cluster Surveys (MICS) on child health, nutrition, maternal care, education, water and sanitation, HIV and AIDS and child protection. It can be searched by country	www.childinfo.org
	Health Behaviour in School-Aged Children (HSBC) surveys. These are conducted with 11, 13 and 15 year-olds and focus on individual and social resources (that may affect health), health behaviours (e.g., related to diet, exercise, substance abuse, violence and dental health) and health outcomes.	www.hbsc.org/
	European School Survey Project on Alcohol and Other Drugs. This survey of 16-year-olds gathers information on the socio-economic background of participants as well as their use of alcohol and various other drugs. The survey has taken place every fourth year since 1995.	http://www.espad.org/

Child-focused databases	**TransMonEE** draws on administrative data collected in central and eastern European countries and the Commonwealth of Independent States. Although there are some concerns about data quality and consistency, it is a useful source of information on child health, education, child protection and crime.	www.transmonee.org/
	Southern and Eastern African Consortium for Monitoring Educational Quality (SACMEQ). SACMEQ has information on children's performance in mathematics and reading in 15 eastern and southern Africa countries.	www.sacmeq.org
	Young Lives. This 15-year longitudinal study of child poverty and well-being has been conducted in Ethiopia, India, Peru and Viet Nam since 2000. Its data are publicly available.	www.younglives.org.uk/what-we-do/access-our-data

ANNEXES

Annex 1.1 The nature of childhood

Childhood has different phases. Those working with and for children often refer to the lifecycle approach. This approach views the child throughout her or his 'lifecycle' – in the womb, at birth, in infancy, during the school years and finally in adolescence. As touched on below, it is important to note that gender inequality is experienced in different ways throughout the lifecycle.

Maternal and early years (birth to 5 years)

These phases begin with the mother's pregnancy, where her health and nutrition can have implications for a child's development throughout her or his life and influence the incidence of low birth weight, birth defects and infant (before first birthday) or child (before fifth birthday) mortality.

The early years of a child's life are also critical. Physical and neurological developments happen extremely fast at this time. Many disadvantages in the early years stem from preventable and treatable causes such as diarrhoea, pneumonia, malaria, neonatal problems and HIV and AIDS. Undernutrition, micronutrient deficiencies, lack of potable water and poor hygiene and sanitation are a concern in many parts of the world, with diarrhoea causing a large number of preventable deaths globally.

It is at this early age that the foundations of gender socialization are laid, with differential treatment of girls and boys affecting their expectations for their own lives and the way they treat others. In some communities, girls may be seen as unworthy of investment. Oftentimes, in families, they are taught to believe they are not as valuable as their brothers.

School age (6 to 12 years)

The school years present new challenges. Failure to attend school can have serious implications for a child. Receiving low quality education, being exposed to violence and abuse, early childhood marriage, child labour, discriminatory gender norms, poor nutrition or walking great distances to school can all undermine children's education and prevent them from achieving their potential.

Adolescence (12 to 19 years)

As a child moves into adolescence different challenges emerge, in particular around sexual development, vulnerability to new risks and, later on, the need for suitable opportunities for employment or a path to such opportunities. Poverty moves adolescent children into adulthood by forcing them to withdraw from school and

seek work or to marry at an early age. Keeping adolescents in school, providing them protection from violence, exploitation and abuse, involving them in decision-making and providing them with access to quality health care empowers young people and allows for them to reach their full potential.[22]

Recent data shows that gender disparities grow over the life cycle and deepen with puberty. It is during adolescence that many girls become 'invisible'; for example, they may have left school to assume adult roles as mothers or workers and thus may no longer be counted in research or statistics. While there has been great progress in achieving development goals in the areas of health, access to education and social services, many indicators reveal gender gaps increase at the onset of adolescence. In some cases, deepening gender inequality in adolescence becomes evident as the gains made for girls in early childhood are not sustained.[23] Furthermore, by adolescence, many girls have internalized attitudes, stereotypes and behaviors that harm them, many of which are reinforced by those around them, both children and adults, male and female.[24]

Annex 1.2 Other relevant human rights treaties and standards

OTHER RELEVANT TREATIES AND STANDARDS	
Core international human rights instruments	▪ Universal Declaration on Human Rights (UDHR) 1948 ▪ International Covenant on Economic, Social and Cultural Rights (ICESCR) 1966 ▪ International Covenant on Civil and Political Rights (ICCPR) 1966 ▪ International Convention on the Elimination of All Forms of Racial Discrimination (CERD) 1965 ▪ Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) 1979 ▪ Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) 1984 ▪ International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICMW) 1990 ▪ Convention on the Rights of Persons with Disabilities (CRPD) and Its Optional Protocol 2008
Charter based human right bodies	▪ The Human Rights Council and the Universal Periodic Review (UPR) 2006
Selected treaties relevant to child rights	▪ Geneva Convention Relative to the Protection of Civilians in time of War and their Additional Protocols 1949 ▪ Convention Relating to the Status of Refugees 1951 and Protocols 1967 ▪ Convention on the Prevention and Punishment of the Crime of Genocide 1964 ▪ Convention on Consent to Marriage, Minimum Age of Marriage and Registration of Marriages 1964 ▪ Minimum Age Convention (No. 138) 1973 ▪ Worst Forms of Child Labour Convention (No. 182) 1999
Europe	▪ European Convention for the Protection of Human Rights and Fundamental Freedoms 1953, and its Protocols ▪ European Social Charter adopted 1961, revised 1996 ▪ Framework Convention for the Protection of National Minorities 1998 ▪ European Union Charter of Fundamental Rights 2000 ▪ Council of Europe Convention on Action against Trafficking in Human Beings 2005 ▪ Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse 2010 ▪ Guidelines of the Committee of Ministers of the Council of Europe on Child-friendly Justice 2010
Africa	▪ African Charter on Human and Peoples' Rights 1986 ▪ African Charter on the Rights and Welfare of the Child 1999
Americas	▪ American Declaration on the Rights and Duties of Men 1948 ▪ American Convention on Human Rights 1978 ▪ Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women 1994
Middle East and North Africa	▪ League of Arab States, Arab Charter on Human Rights 2008

Annex 1.3 CRC negotiation and related controversies

In 1979, the Commission on Human Rights established a working group to draft the Convention on the Rights of the Child (CRC). A first draft (known as first reading) was agreed on 1988 and, after being reviewed by the UN Secretary-General, was distributed to delegations before the second reading in the autumn of 1988. The Convention was then adopted on 20 November 1989.

Interest in the CRC did not develop quickly. Some Western nations viewed it as an Eastern Bloc project focusing mostly on economic, social and cultural rights. Things changed beginning in 1983, primarily because the original draft slowly shifted to include more civil and political rights and because the quality and text began to be subjected to scrutiny by an ad hoc group of NGOs. (Some of the rights included in the Convention that can be traced to NGO Group activities are protection against harmful practices and sexual exploitation, protection of indigenous children rights, rehabilitation for victims of abuse and exploitation, and standards of school discipline.)

Controversial issues

From the outset many argued that there was no need for a specific convention on child rights as these were already adequately protected by other treaties, while others asserted that existing treaties were too general to adequately protect specific child rights. In fact the Convention clearly spells out the applicability of general rights to the specific situation and vulnerability of children (e.g., juvenile justice standards and the relationship between the individual child, the family and the state) as well as articulating additional rights that are specific to children.

During the second reading, four areas of particular controversy emerged:

1. Rights of the unborn child, which stemmed from the drafting of Article 1 (the definition of a child) – some delegations and NGOs argued that the rights of the unborn child were protected by every State to some degree (regardless of its national law relating to abortion) and that this protection should have been spelled out in the treaty. As the careful compromise language "every human being" (leaving to every State the interpretation) did not satisfy some delegations, a second compromise expanded the preamble of the Convention to include a paragraph quoting the 1959 Declaration of the Rights of the Child, which refers to "appropriate legal protection, before as well as after birth".
2. Right to foster care and adoption – some delegations from Islamic countries asserted that the first reading was in conflict with the Koran and their national legislation. This position was partially based on the concept of consanguinity and protecting inheritance within an inter-related extended family, which should not be affected by bringing an outsider into the family. Instead Islamic countries use the kafala method of caring for abandoned children, a form of guardianship that is closer to the concept of foster care than adoption. The formulation of Article 20 was the result of complex negotiations.

3. Freedom of religion – the same countries opposed this Article for similar reasons of contradiction with the Koran as they considered this right to be a privilege reserved for adults. The wording of Article 14 was the result of difficult negotiations.
4. Minimum age of participation in armed conflict – the majority of the working group was keen to raise the minimum age to 18 years from the 15 set forth in the 1977 Geneva Protocols. The United States, lone dissenter, took the procedural position that this working group was not the proper forum in which to alter the existing standards on international humanitarian law. Since the drafting of the Convention was based on consensus rather than vote, the US position prevented the necessary agreement needed to raise the minimum age (*see Article 38*).

Annex 1.4 Concluding observations

Observations and recommendations are issued by the Committee on the Rights of the Child after it has considered a State Party's report. Concluding observations refer to both positive aspects of a State's implementation of the treaty and areas where the treaty body recommends that further action needs to be taken by the State. The Committee is committed to issuing concluding observations that are concrete, focused and implementable and is paying increasing attention to measures to ensure effective follow-up.

Reporting system

Concluding observations contain comments and recommendations based on information gathered through the CRC reporting system. States Parties to the CRC must report on the measures they have adopted that give effect to the rights enshrined in the Convention, with an initial report due two years from entry into force of the treaty for the State Party and further reports due every five years (Article 44 CRC). The reporting system is organized around seven stages:

1. *Submission of the initial report*. The report must be submitted to the Secretary-General and it is then processed by the Secretariat. Once processed, the report is scheduled for consideration by the Committee at one of its regular sessions.
2. *List of issues and questions*. In advance of the session at which it will formally consider the report, the Committee draws up a list of issues and questions that is submitted to the State Party. This provides an opportunity for the Committee to request any additional information that may have been omitted in the report or that members consider necessary for the Committee to assess the state of implementation of the treaty in the country concerned. It also allows the Committee to begin the process of questioning the State Party in more detail on specific issues raised by the report that are of particular concern to members.
3. *Written response to list of issues*. Sometimes the State Party may submit its responses to the list of issues and questions in written form.
4. *Other sources of information available to the Committee*. In addition to the State Party's report, the Committee may receive information on a country's child rights situation from other sources, including UN agencies, other intergovernmental organizations, NGOs (both international and national), academic institutions and the press. Article 45 of the CRC specifically mentions the role of UNICEF, along with other UN agencies and bodies.
5. *Formal consideration of the report: constructive dialogue between the treaty body and the State Party*. The Committee invites States Parties to send a delegation to attend the session at which it is considering their report in order to allow them to respond to members' questions and provide additional information on their efforts to implement the treaty provisions. This procedure is not adversarial and the Committee does not pass judgment. Rather, the aim is to engage in a constructive dialogue in order to assist the government in its efforts to implement the treaty as fully and effectively as possible. States are not obliged to send a delegation to attend the session, although they are strongly encouraged to do so.

6. *Concluding observations and recommendations*. The examination of the report culminates in the adoption of concluding observations intended to give the reporting State practical advice and encouragement on further steps to implement the rights contained in the treaty.
7. *Implementation of concluding observations and submission of the next periodic report*. While the adoption of the concluding observations by the Committee concludes the formal consideration of the report, the process does not end there. The observations will be used to assess the progress made by the State Party when its next report is submitted in five years.

Concluding observations have often had an important impact on a country's situation. For example, India took concrete initiatives in 2001 to follow up the recommendations. It increased the age of the child under the Juvenile Justice Act to 18 years old, implemented an integrated programme for children living and working on the street and developed a plan to ensure free access to education to all children (*http://wcd.nic.in/crcpdf/ACTION.PDF*).

Annex 1.5 UN Common Learning Package on HRBA Programming

The UN Inter-agency Common Learning Package on a Human Rights-Based Approach (HRBA) to Programming aims to strengthen the capacity of staff to apply an HRBA to UN common country programming. The package is primarily targeted to the UN Country Team (UNCT) with emphasis on the Resident Coordinator, Heads of Agencies, programme officers and technical level staff with responsibility for developing the Common Country Assessment (CCA)/UN Development Assistance Framework (UNDAF). National partners are also targeted since the objective of the trainings is to take forward rights-based national programming. As an HRBA is one of the five core UNDAF programming principles, the package guides UNCTs in applying the approach to every stage of the UNDAF cycle: assessment and analysis, priority setting, planning, implementation and monitoring and evaluation. The package contains:

- A stronger focus on **results-based management (RBM)** to help users develop more rights-based oriented results in their UNDAF;
- An additional section on **country experiences** to help users learn from and build on the experience of other UNCTs;
- An updated **facilitation manual** to support UNCTs who want to use the package to train their national partners in using the HRBA.
- More **participatory and examples-based** modules throughout the package.

The training package is meant to be a flexible tool for training on the HRBA and can be enhanced and complemented on a regular basis. Currently, it consists of a facilitation guide and learning tools including relevant Powerpoints, handouts and, for some modules, group exercises and case studies. It is available in Arabic, English, French and Spanish.

A full link to the training package can be found at: http://hrbaportal.org/archives/resource-types/learning-training-materials

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CHILD RIGHTS

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HUMAN RIGHTS IN EXTERNAL ACTION

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24. EU Guidelines on Human Rights Defenders (2008)

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CHILD RIGHTS TOOLKIT

Integrating Child Rights in Development Cooperation

Module 2

Child Rights in Programming and Sector Policies

European Commission

unicef

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ACRONYMS AND ABBREVIATIONS

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child
Child IA	child impact assessment
CRSA	child rights situation analysis
CSO	civil society organization
DAC	Development Assistance Committee (OECD)
KAP	knowledge, attitudes and practice
M&E	monitoring and evaluation
MDG	Millennium Development Goal
MIP	Multi-annual Indicative Plan
MIS	management information system
MPI	Multidimensional Poverty Index
MTR	mid-term review
NDP	national development plan
NMT	non-motorized transport
OECD	Organisation for Economic Co-operation and Development
PPCM	programme and project cycle management
PRS	poverty reduction strategy
PRSP	poverty reduction strategy paper
ROW	rights of way
SUN	Scaling Up Nutrition
TAPs	technical and administrative provisions
ToRs	terms of reference
UNDOC	United Nations Office on Drugs and Crime
WASH	water, sanitation and hygiene

1. Introduction

Development interventions may potentially open up major opportunities for the benefit of children. Countering risk and maximizing investments in children's well-being is not only an obligation but also an opportunity to support the wider social and economic development of societies.

Development partners have a major role to play in ensuring all children get the best start in life, have access to school, are protected from violence and exploitation, live free from HIV and AIDS and grow up healthy to realize their full potential. Achieving this requires partners to use a specific child rights lens to complement the pursuit of poverty reduction through economic growth. Such a lens enables one to look beyond income and consumption data, and beyond service delivery, to identify the key structural, social and political constraints – as well as economic constraints – at the household and societal level that hinder children's development. It also ensures support interventions are in place to build the capacities of government to deliver, and of children and their families to claim, their rights.

Example: Including child rights in poverty reduction strategy papers (PRSPs)

By including child rights-sensitive indicators in its poverty reduction strategy paper (PRSP), Honduras helped to ensure improved delivery of services for children. This led to better outcomes for children and better recognition of child protection issues, such as care and rehabilitation.

While addressing children's issues is sometimes considered by development partners to be one of the easiest aspects of development cooperation on which to arrive at agreed and common approaches, in practice it is often one of the most politically and socially challenging. Effective and coordinated engagement of development partners is therefore crucial at all steps of planning, management and implementation to translate child rights commitments into programming reality.

The role of and relationship between development partners has evolved since the 2005 Paris Declaration on Aid Effectiveness in line with its principles. A critical focus is country ownership and alignment of systems to better support national processes, while mutual accountability and managing for results provide clear direction for managing development aid. These commitments greatly affect how donors engage in dialogue with governments and civil society, how they align their priorities with those of countries themselves and how they design development interventions. The commitments offer both opportunities and challenges to incorporate a child rights focus.

Cambodia: Realizing access to quality education for all children

In 2011, the Development Partners' Group in the education sector in Cambodia agreed to prioritize two policy issues that would improve children's access to quality education: increased government resources allocated to education and effective utilization of the available funds by the Ministry of Education, Youth and Sports (MoEYS).

A detailed sector analysis, including a budget review, was undertaken. In addition, using five key indicators, UNICEF also clearly identified the most disadvantaged districts with the lowest performance.

Contextual analysis and donor coordination led to meaningful dialogue with the MoEYS to align aid and ensure coverage of previously neglected regions. Concrete results included:

- An 8.3 per cent increase in the MoEYS programme budget (less than the 28 per cent increase initially proposed by the Ministry but still higher than the 2 per cent average annual increase in the previous five years).
- A commitment to use part of the budget increase to support socially vulnerable secondary students through the provision of scholarships and additional textbooks.
- Procurement of 400 motorbikes for District Education Officers to ensure access and monitoring of schools in remote areas.
- The implementation of standardized assessments of Khmer and mathematics in a sample of 150 schools in November 2012 as a way of monitoring improvements in educational outcomes.

1.1 Purpose and objectives

This module looks at how to mainstream child rights in programming at the country level, applying aid effectiveness principles in synchronization with the partner country's cycles of policy-making, programme design and budgeting and applying principles and tools applicable to all aid modalities. The module takes a step-by-step approach showing how – using tools and techniques – to render children visible and hear their voices[1], and how to translate child rights commitments into programming realities.

This module will:

1. Explain how the aid effectiveness agenda and its key principles can take child rights on board
2. Identify concrete ways of integrating child rights at each step of the programming process
3. Identify specific ways a child rights focus can be included in key sectors by mitigating risks and optimizing opportunities

2. Key considerations

2.1 Aid effectiveness agenda and EU development policy: A child rights perspective

New opportunities for mainstreaming child rights

All donors operate within a specific legal and policy framework that drives their actions and determines their programming cycle. The EU's legal framework is the Lisbon Treaty, which defines the eradication of poverty as the primary objective of development policy and establishes the importance of fundamental human rights. By anchoring development policy firmly within EU external action, managed by a rapidly expanding European External Action Service, the Lisbon Treaty improved EU policy coherence for development. This is a critical step, given the EU's multi-faceted role as a donor, trading partner and policy maker.

The EU's development policy framework, established by the 2011 European Commission's 'Agenda for Change', reaffirmed that poverty should be addressed in the context of inclusive and sustainable growth. Thus the framework offers an opportunity to ensure child rights are mainstreamed not only across development cooperation but also in other external action (e.g., trade, climate change, energy, education and employment) through different types of engagement and partnerships across countries.

The EU's development cooperation policy is part of a wider consensus on development aid strengthened most recently in 2011 by the Busan Global Partnership. The aid effectiveness agenda represents a new opportunity for mainstreaming child rights through a stronger, more results-oriented dialogue with partner governments.

PRINCIPLES OF AID EFFECTIVENESS FROM THE PERSPECTIVE OF CHILD RIGHTS	
STAKEHOLDERS	**RESPONSIBILITIES**
Ownership	From a child rights perspective, the principle of ownership needs to extend beyond government ownership to encompass ownership of the development process by a nation as a whole. Civil society engagement and efforts to systematically involve children, their parents and their communities in the development process are thus necessary qualities of ownership.
Alignment	The process of aligning donor and local priorities must recognize the extent to which local systems address child rights. A donor relying on a government reporting system should check that this system provides the necessary information to assess potential child rights implications. For example, where a government reporting system is unable to capture outcomes for children from marginalized groups, donors may need to find ways to gather additional information or support capacity development within government to improve reporting systems with specific attention to realizing the rights of all children.
Harmonization	Harmonization of donor practice offers an opportunity to improve coordination around child rights. This might include agreement on common approaches, shared assessments and analysis or basket funding of initiatives.
Results	An increased focus on results has the potential to improve attention to child rights. However, the quality of results must be considered. For example, results understood in terms of national averages generally fail to recognize the differential circumstances of children from minority groups. Rights-based results should also consider improvements in societal or governmental structures and norms, such as in laws, policies or systems.
Mutual accountability	International human rights standards offer a point of common reference for mutual accountability. The provisions of the Convention on the Rights of the Child (CRC), alongside other related international standards, represent a basis for development partners to hold themselves accountable not only to one another but also to the mutually agreed obligations articulated in the CRC.

2.2 Policy dialogue: Realizing child rights commitments through programme and project cycle management (PPCM)

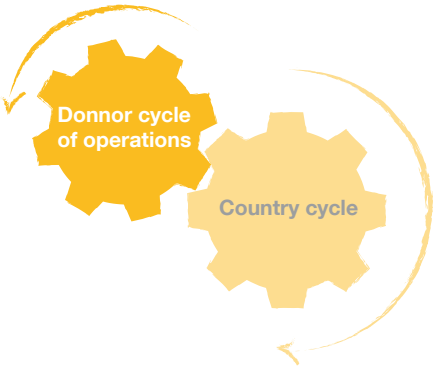
In order to translate the aid effectiveness principles into operational terms, EuropeAid has developed integrated guidance for its staff in delegations and headquarters titled project and programme cycle management (PPCM). Its rationale is that EuropeAid's actions will lead to better results if they are based on lessons from experience and aligned with the needs and policy objectives of countries receiving aid.

Within this context, *policy dialogue* is the process through which the EU builds consensus on national policy ssues. Through this process it can provide added value and then design and implement a strategy to support government-led policy change that is

progressive, measurable and sustained. Although it is not a linear process, policy dialogue offers a mechanism for aligning the donor cycle with the country cycle. This dialogue should inform a donor's cycle of operations at all stages (from programme identification and design to evaluation).

The ongoing policy dialogue between the EU and the partner country is a key forum to address concerns and challenges relating to fundamental values, including child rights issues.

Policy dialogue is an important vehicle for addressing critical issues related to child rights from the perspective of policy formulation, budgeting and implementation and for providing solutions that respond to the needs of the most vulnerable and marginalized populations. It also provides an opportunity to close the gaps in addressing partner governments' obligations with regards to child rights.



Specifically, from a child rights perspective, policy dialogue offers a platform for:

- Taking stock of the *implementation of a partner country's policies and reforms* pertaining to children and assessing progress on the basis of defined criteria and performance indicators.
- Using a forward-looking tool to identify *potential policy slippages* relating to child rights and reaching a common understanding on potential measures needed to meet national commitments under the CRC.
- Addressing issues relating both to the *process* of formulating national policies, resource mobilization and allocation impacting on children (such as the existence of broad-based consultations with national stakeholders), as well as the *substance* contained in these (e.g., education policy, performance indicators and so forth).
- *Addressing critical issues emanating from the central to sub-national levels of government* related to implementation, political commitment, capacities and resource allocation regarding issues that affect children.

2.3 Challenges of putting in place a child rights focus

Ensuring the inclusion of a child rights focus may be politically and socially challenging. Challenges may include:

- **Prioritization:** Making trade-offs among goals in light of social priorities and resource constraints is an integral part of policy-making. Human rights-based approaches highlight this, since they require consideration of the full range of rights people are entitled to and do not allow a hierarchy among them. Similarly, with children's rights, *the overall intent is for the realization of all rights for all children*. This means that

a child rights framework will not, in itself, offer solutions to prioritization problems. Instead, development partners will often use other bases for prioritization, such as comparative advantage or urgency of need. A child rights approach does establish certain boundaries on prioritization:

- Regardless of resource constraints or levels of development, it requires States to ensure *measures are set in place for the "progressive realization" of all rights*. While some rights (such as the right to health, for example) may be difficult in practice to achieve over a short period of time, States are still required to act as best they can within their means and demonstrate intent towards the full realization of this right.
- *It requires that everyone's rights be respected, protected and fulfilled* without creating disproportionate advantages or disadvantages for certain groups of people.
- *It rules out any trade-off that leads to retrogression of a human right* from its existing level of realization or to non-achievement of certain minimum levels of realization that have been identified as core obligations. This prohibits measures that make people worse off or deprive them of rights that they previously used to enjoy, such as cutting access to social services or education.
- *It demands that prioritization choices be justified* in the context of appreciation of and respect for the interests and rights of all, that decision makers be held accountable for their choices and that these choices be guided by the views and preferences of those affected by them.

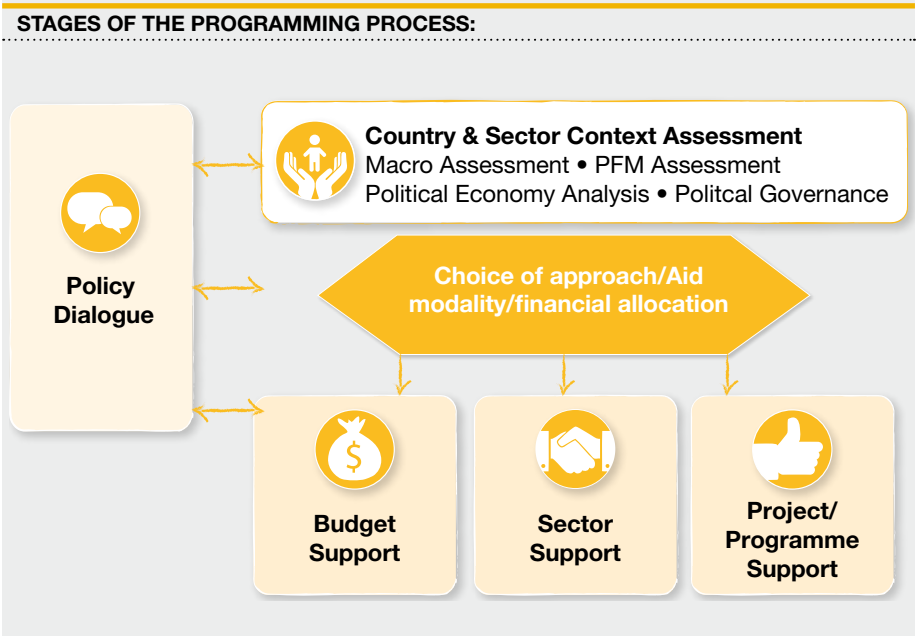
- **Political sensitivity:** In some development contexts, certain ideas – such as equal rights of minority and indigenous children, accountability of political leaders for decisions that affect children or that children should have a say in decisions that affect them – can be extremely politically sensitive. A child rights approach requires all development partners to recognize this and respond appropriately.
- **Cultural obstacles:** These may include a wide range of cultural norms and beliefs, discriminatory practices relating to gender, entrenched caste systems or a belief in links between children's disabilities and witchcraft. Challenging social and cultural norms is often an area with which development partners are comparatively unfamiliar. While culture is not fixed but constantly changing, norms that adversely affect children can take many years to modify. In addition, the engagement of foreign donors on issues of culture can be perceived as unwelcome outside interference with tradition. Such perceptions demand that development partners acquire a high degree of understanding, sensitivity and cooperation, since changes in cultural norms and beliefs can often be key to advancing both the rights of children and the development of a nation as a whole.
- **Complexity of analysis:** A child rights approach demands a depth and breadth of analysis that can go beyond traditional country analysis. It requires looking into complex political and social determinants; examining the capacities, incentives and motivations of a range of decision makers and actors who influence development outcomes; and considering a full range of inter-related and interdependent rights. As this depth and breadth of analysis can introduce significant additional burdens on development partners, the complexity of issues affecting children is often best addressed through partnership, drawing on the expertise and perspectives of others.

Understanding the social and political dynamics driving outcomes for children offers a great return on investment in terms of better and more effective programming.

3. Mainstreaming child rights in programming

Ensuring that child rights issues and concerns feature prominently throughout development cooperation programming at the country level requires that careful attention be paid to key international and national commitments, as well as to the causes of inequalities and exclusion, throughout each step of the programming process. *This is most critical in the assessment of a country's context and the selection of how best to respond to country priorities.*

The overall process of development cooperation programming and the specific entry points within which child rights issues and concerns could be integrated can be summarized by the framework below.



3.1 Assessment of the country and sector contexts

Comprehensive country and sector context assessments represent the starting point in analysing the extent to which child rights form national priorities and defining the country strategy for engagement. These assessments are meant to improve the understanding of the country context and inform the choice of response strategy, including the choice of sectors and eligibility for budget support. Importantly, they form the basis for selecting aid delivery modalities and ensuring coherence and complementarity among interventions in the same sector. This analysis is also intended to inform the way in which development actors think about development and design, as well as implement and monitor operations.

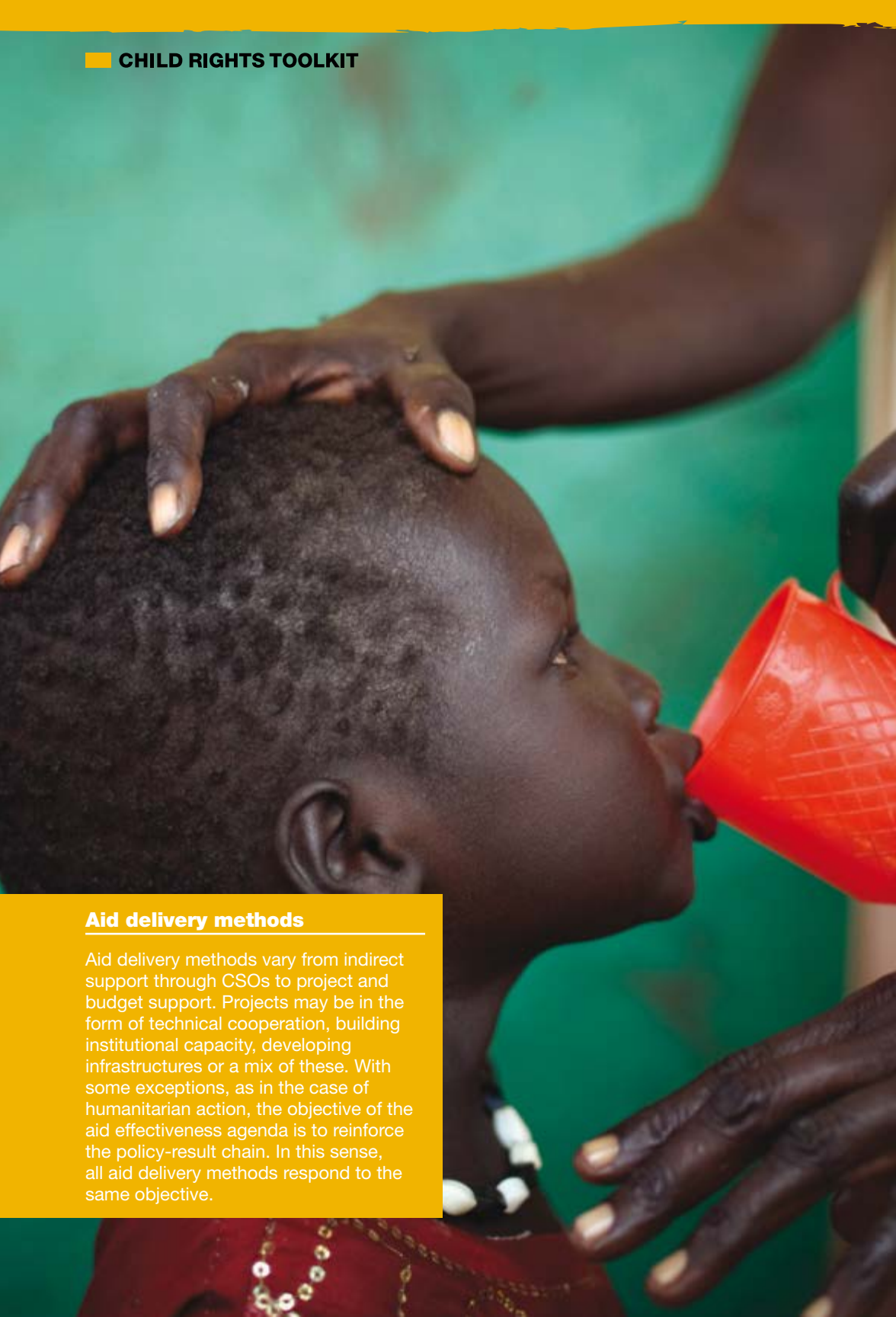
From a child-rights perspective, *country-level analysis* should seek to capture the overall governance situation and the main drivers and bottlenecks that prevent children from enjoying their rights. It should aim to highlight the current status of children's and women's rights in a country, and the causes of shortfalls and inequities, in order to ensure that programme priorities and investment choices are based on evidence and shape national development strategies in ways that accelerate the achievement of child-related goals. Analysis at this level serves to capture important factors, such as trends, patterns, incidence and causes of key deprivations and barriers and bottlenecks that prevent disadvantaged children and families from benefiting from interventions and services. Such analysis is crucial for reaching a common understanding of the country context in which development actors operate. Its most direct uses are to inform country assistance strategies and to serve as a background for a more specific issue-based or sector analyses.

See Tool 2.1 Child rights country context analysis.

Sector and thematic analyses inform how development cooperation actors identify opportunities for translating child rights commitments into concrete programming realities at the sector level. They help identify how these opportunities can get translated into sector performance and the potential for reform. They support donor programming decisions on the priority of different sectors. Furthermore, they help identify priorities within the sectors and choice of modalities and provide essential background for policy dialogue on the sector.

COUNTRY AND SECTOR CONTEXTS ANALYSES: WHAT TO LOOK FOR FROM A CHILD RIGHTS PERSPECTIVE	
Sectoral disaggregation: extent to which policy agenda is reflected in sectors	▪ Compare the goals and standards enshrined in the CRC to country and sector data as a benchmark to determine gaps and to set plans and priorities that address those gaps. ▪ Does the country's policy orientation look at outcomes and impact, particularly in relation to achievement of the rights to survival, development and protection? ▪ Are the objectives and plans comprehensive, looking beyond service delivery and viewing children as holders of rights and not objects of social policy? ▪ Are child rights priorities as defined in national policy also articulated in sectors? Are sectors defined? Are there coherent supporting sector strategies?
Stakeholders: adequate involvement	▪ Is there an extended stakeholder engagement process in place through all stages of the development of the national policy agenda that is broadly conceptualized, sufficiently funded and includes children's perspectives according to their age and capacities? ▪ Are there other strong opportunities for citizens to provide input into policy implementation, particularly in relation to child rights and the participation of children?

	▪ Are all interested stakeholders consulted in the design process? Is there a need for outreach to include a wider scope of voices/ participants? Do the most concerned stakeholders have the capacity to define success criteria to influence policy design?
Costing and financing: adequate resources to support sustainability	▪ Are there sufficient and effectively utilized resources to finance the implementation of child rights commitments? ▪ Are other ministries also involved in the planning process or does the finance ministry dominate national or sectoral planning processes? ▪ Are there 'fracture points' that need to be watched out for between objectives, plans, budgets and implementation to ensure child rights priorities are fully budgeted and implemented?
Monitoring framework: adequate capacity and focus	▪ Are there comprehensive information systems, including the collection of sufficient (and adequately disaggregated data) and good reporting? ▪ Are there more flexible budget management frameworks that better reflect planning and are able to reallocate resources to child rights-related national development plan (NDP) priorities over the long term, as reflected in multi-annual budget perspectives? ▪ Are there monitoring and evaluation (M&E) indicators in place to reflect child rights so as to eliminate 'policy evaporation' in implementation? ▪ Do results get published for feedback and transparency?
Evaluation basis: adequate criteria and use	▪ Are success criteria as defined by stakeholders translated into indicators (*see Module 5: Child impact assessments*)? ▪ Are evaluations evidence-based? Are evaluations published? ▪ Are evaluation results used for policy-making and stakeholders engagement? ▪ Are good experiences shared among countries and among aid organizations, including civil society organizations (CSOs), to capture promising approaches?
Institutional arrangements (policy coordination): adequate mandate and processes	▪ Are there robust horizontal communication, coordination and networking arrangements among government agencies, donors, and other actors involved in working on child rights? Policy coordination is particularly important with child rights as these involve cross-cutting issues, which require collaboration among agencies ▪ Are there effective accountability structures that uphold commitments on policy implementation in line with child rights commitments and promote strong monitoring capacity by relevant government agencies? ▪ Are all relevant local government levels involved in planning, budgeting and implementation? ▪ Are there processes that identify problems and consider alternatives? Are actions followed through? Which ministry/ ministries and institutions are responsible? What coordination mechanism exists across institutions for policy design and implementation?



Aid delivery methods

Aid delivery methods vary from indirect support through CSOs to project and budget support. Projects may be in the form of technical cooperation, building institutional capacity, developing infrastructures or a mix of these. With some exceptions, as in the case of humanitarian action, the objective of the aid effectiveness agenda is to reinforce the policy-result chain. In this sense, all aid delivery methods respond to the same objective.

3.2 Identification of strategic responses

The outcomes of the analysis should feed into the identification of strategic programming responses and the selection of modalities and corresponding financial allocations. They should help define how development cooperation actors can identify opportunities for child rights mainstreaming.

Consideration of aid delivery methods and selection of strategic responses should aim to better address the needs of the vulnerable and to close gaps related to the realization of child rights. Where policies and capacities are still in need of development, support may take the form of capacity building and pilots (policy experimentation and policy learning). How best to support change is therefore a question of finding the best fit of aid modality to support the dynamics and agents of change within country systems.

When sensitive or 'non-priority' issues cannot be addressed through the government itself, a window of opportunity can be created through support for CSOs and local authorities and through harmonizing donors' agendas.

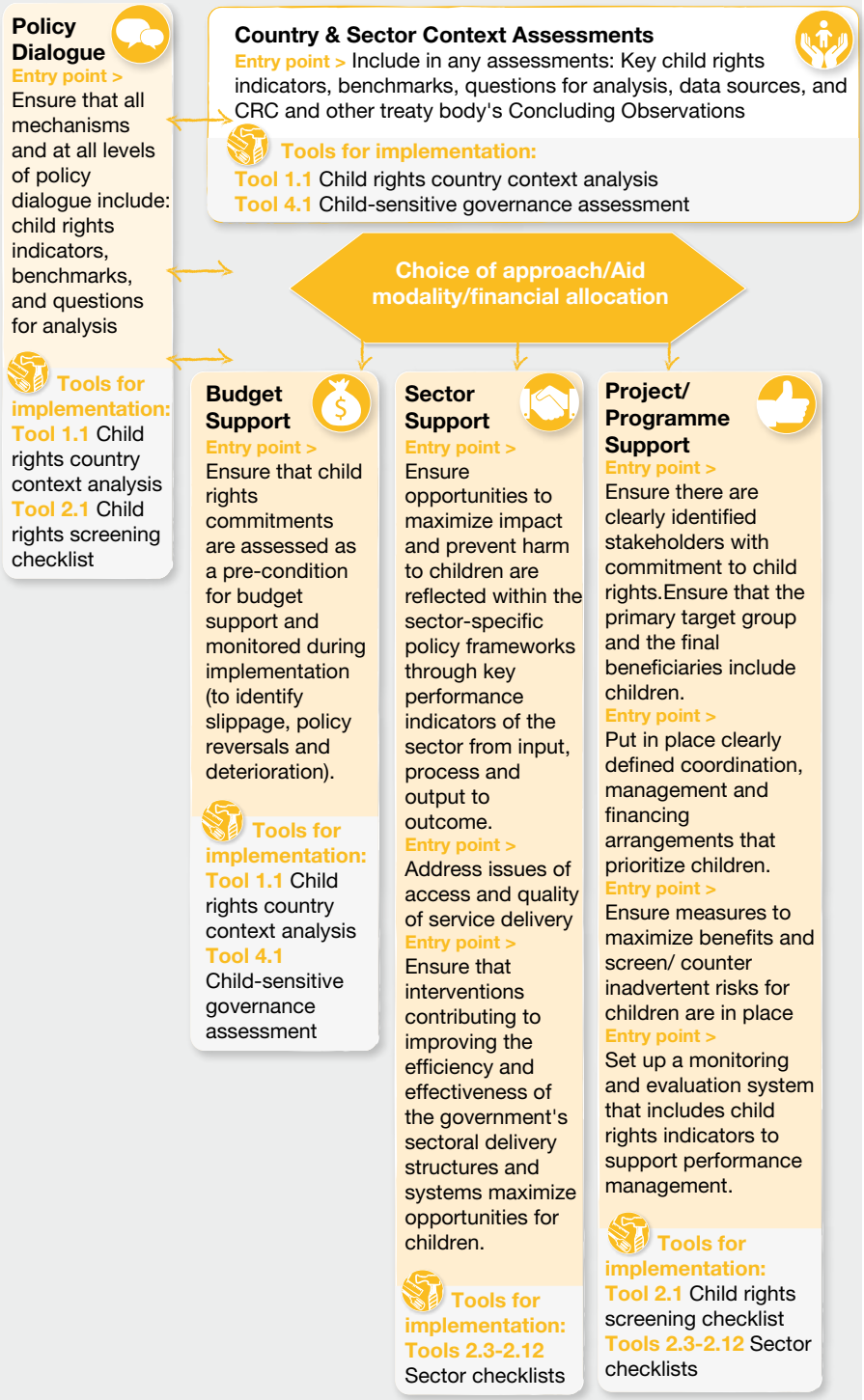
Examples of possible responses to pursue in addressing child rights based on outcomes of the analyses are shown in the box that follows.

ADDRESSING CRITICAL CHILD RIGHTS ISSUES THROUGH PROGRAMMING RESPONSES	
PROBLEM TYPE	**POSSIBLE SOLUTIONS TO PURSUE**
Sector ministry capacity: Sector ministries might not have the necessary capacity on a range of issues (child rights and child rights programming, planning and budgeting, management, etc.) to develop plans and strategies reflecting new child rights commitments as reflected in the national policy agenda.	Support strengthening of the planning capacity of ministries, including through financing proposals to organize trainings, to ensure there are technical and financial personnel in relevant ministries. This can include working with UNICEF and other development partners to strengthen the capacities and modalities of government institutions at both the national and local levels. These efforts should focus not only on those agencies that have an explicit mandate to lead on children's issues but also across all areas and levels of government (*see Module 4: Child rights in governance*)
Coordination: Although the realization of child rights-related programmes requires coordination across sectors, effective spaces for such coordination are seldom fostered.	Recognizing there might be 'coordination fatigue', with government and non-government stakeholders already meeting frequently in sector groups, possibilities to foster coordination might include: ▪ Setting up relevant thematic groups on child rights with clear action plans and strong leadership ▪ Maximizing existing sector coordination spaces by promoting cross-sector coordination on child rights as one agenda item

	▪ Creating a distinct group on child rights that interacts with sector groups, promotes coordination and develops a joint action plan based on plans in each of the sectors.
Clear leadership: There is neither sufficiently functional leadership promoting synergies across sectors nor adequate collaboration (at national and local levels) to foster better realization of child rights.	While the ministry in charge of children's affairs is typically weak (in terms of human and financial resources) and tends to focus on child protection issues, a strategy that maps how actions in each sector contribute to the better realization of rights in a range of other sectors could provide some guidance and leadership for coordination. A well-designed, evidence-based strategy that identifies the necessary actions and synergies would enable sector ministries to better meet their goals and targets, rather than imposing new ones. (*For specific sectoral inputs, refer to the sector checklists Tools 2.3–2.12).* An important communication effort would be needed to persuade stakeholders – government, development partners and CSOs – of this possibility, and stakeholders would need to agree to convey the coordination leadership role to this ministry. Ministry officials need to develop their capacity to manage this role with the support from partners such as UNICEF and other child-focused actors.
Sustained commitment: The lack of institutional memory, generally the result of political instability and ever-fluctuating government posts, hinders a thorough understanding of child rights issues and the development of capacity to plan accordingly and might weaken the commitment to this purpose.	Given that many of these changes in positions result from political decisions, they are difficult to mitigate. However, promoting a system of knowledge management with constant assessment of ministries' actions can contribute to better implementation regardless of who is in charge. This should be based on monitoring and evaluation (M&E). Actions resulting in implementation of policies and programmes should be institutionalized though a broad base of support, backed by official documentation, to avoid discontinuation when decision makers change.
Decentralization: Many policy decisions and mechanisms for implementation are developed at the national level, but in the context of decentralization more information on good experiences regarding child rights programmes should be shared.	Bring the ministry in charge of local development/coordination of decentralization on board as an important partner on child rights so that information on good implementation practices is disseminated more effectively. Develop a 'community of practice' with UNICEF and CSOs working at the grass-

	roots level so they can replicate good models for implementing child rights-related programmes stemming from the poverty reduction strategy (PRS)/national development plan (NDP). (*For more, see Module 4: Child rights in governance.*)
Sufficiency of resources and spending: Budgeted resources to finance ministry plans are generally insufficient to meet objectives.	Improving planning through a child rights-based outcomes approach that increases synergies may reduce duplication in the use of resources and structures; this can lead to more efficient spending. Evidence of this can be a strong argument for further financial support. (*For more, see Module 6: Child-responsive budgeting.*)
Service delivery capacity: Education and health typically have strong service delivery structures on the ground; other ministries, such as those providing child protection, lack such structures.	For implementation to take place, in addition to policies, strategies, plans and resources, adequate structures and capacities to deliver the services are needed. Where resources are insufficient to allow for specialized structures to provide protective services for children, strategic alliances with existing structures (local governments, education or health centres) should be fostered so national development priorities have a better chance of being rolled out.
Civil society engagement: CSOs in many countries carry out their own plans and implement projects according to their own priority areas of intervention, thus their actions are often not well coordinated. In many cases their actions are positive, but a lack of coordination can undermine governments' efforts at effective implementation, such as spending resources on non-priority issues instead of contributing to the realization of national child rights priorities and commitments.	To facilitate collaboration, CSOs aiming to complement government actions or address gaps in implementation should be encouraged to make their actions more transparent. One mechanism to do this is a central coordinating agency for CSOs that requires their registration. (*For more, see Module 8: Working with civil society on child rights.*)

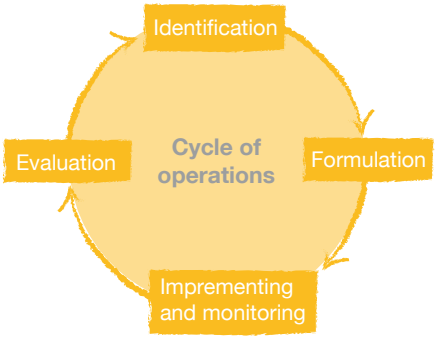
OVERVIEW OF CHILD-RIGHTS ENTRY POINTS WITHIN THE DIFFERENT STAGES OF THE PROGRAMMING PROCESS:



4. Mainstreaming child rights in the cycle of operations

4.1 Integration in the identification stage

The purpose of the identification stage is to identify project ideas that are consistent with partner and EU development priorities and to assess the relevance and feasibility of the aid modality. It is recommended that a preliminary analysis and screening of child rights issues and inequities be done at this stage as a way of assessing the extent to which the given programme initiative promotes child rights and positive outcomes for children (*see Module 5: Child impact assessment*).



See Tool 2.2 Child rights screening checklist.

It is worth distinguishing at this stage between child-focused and non-child-focused interventions.

In child-focused sectors, it is essential:

- To build from programming to identification and then formulation of the indicators and targets that will be used to assess programme success in terms of child rights with stakeholders.
- To ensure that the monitoring capacity in place adequately covers child rights.
- To include a capacity-building programme addressing child rights for government institutions and CSOs.

In non-child focused sectors, the emphasis is on determining the impact of the project or programme on child rights.

Pre-feasibility studies

During the identification stage, pre-feasibility studies offer the opportunity to gather child rights-specific information. This information is needed to define project priorities and identify key stakeholder strategies to be pursued. It includes:

- **Stakeholder analysis:** Who are the main stakeholders with influence over issues of concern to children and who can have an impact on the extent to which all children enjoy their rights? (*For more on stakeholder analysis, see Module 1: Overview of child rights in development cooperation*)
- **Problem analysis:** Drawing on the child rights country context analysis tool (*see Module 1, Tool 1.1*), identify and analyse the barriers and bottlenecks that prevent disadvantaged children and their families from benefiting from required

interventions and services. This analysis should be conducted in a participatory manner, involving a wide range of stakeholders including children.

- **Analysis of objectives:** What is the desired future situation from the perspective of reaching the most marginalized children? What are the means by which these ends can be achieved?
- **Analysis of strategies:** In the selection of the most appropriate strategy, specific constraints related to the issues facing marginalized children as identified in the analysis should be addressed.

4.2 Integration in the formulation stage

At this stage it is necessary to systematically address all child rights issues relevant to the project. The formulation stage leads to an Action Fiche supported by a draft of the technical and administrative provisions (TAPs), which also represent the basis for implementation, monitoring and evaluation.

The Action Fiche contains a section on risk assessment and mitigation. For child-focused interventions, this should address the likeliness of policy failure; for non-child-focused interventions, the risks of negative impacts and how these may be mitigated should be included.

To ensure that child rights concerns are adequately addressed during the formulation stage, key concerns include:

1. **Issues affecting the most marginalized and disadvantaged children** addressed in the project are consistent with and refer to the EU and partner government's policy commitments to child rights.
2. **Statistics are disaggregated by key variables of exclusion** (such as sex, ethnicity, disability status and others) and that qualitative information on issues affecting children has also been used in the formulation process.
3. **Objectives, results, indicators and assumptions are based on child rights analysis** and adequately reflect key issues of exclusion and deprivation affecting children.
4. **Factors affecting the sustainability of child rights actions** have been addressed (for example, by enhancing the capacity for child rights mainstreaming, policy coordination amongst institutions and by reporting).
5. **All children prioritized in the project benefit equally** from its results.

See Tool 2.2, which provides terms of reference (ToRs) for addressing child rights issues in feasibility studies to be conducted at the formulation stage.

4.3 Integration in the implementation and monitoring stages

The implementation stage, which is normally the longest part of the project cycle, is also the most critical; planned results, targets and goals must be delivered while available resources are managed efficiently. To keep child rights issues and concerns at the heart of the project, it is important that the *key child rights principles and approaches are embedded in the design, structure and mechanisms that make the project function*.

An intervention, project or budget support modality on its own is unlikely to yield substantial benefits unless anchored in a clear policy framework that promotes child rights. This framework is the context of the intervention that requires monitoring. Monitoring programme activities is only one focus that determines how implementation is reviewed and guided.

Monitoring needs to be appropriate to the programme's design. For example:

- If the focus of the programme addresses children's issues, monitoring should help appraise how the situation of children in the country has evolved and the extent to which all children benefit equally from the programme's outputs.
- If the programme's focus is non-child-related, monitoring should update the results of the child impact assessment (Child IA) if one is available, or assessed through alternative means such as the sector checklists. (See *Module 5: Child impact assessment, Tools 2.3–2.12*.)

During implementation, monitoring should address both the progress of activities and the changes in context that may impede success. This process includes monitoring the implementation of government's policies. Such information is vital to managing and dialoguing with government institutions and CSOs.

Child rights-sensitive monitoring consists of collecting and analysing information based on the following questions:

1. How is money spent and who in particular benefits? How are the most disadvantaged children affected by the allocation of financial project resources? Does budget allocation respond to practical and strategic needs and interests of children as prioritized through the child-rights context analysis?
2. What are the results? Which groups of children benefit from the results (use disaggregated data on groups specified by age, sex, ethnicity, disability status, household income and rural/urban)?
3. Did the activities address the underlying causes of inequality and discrimination?
4. What is the quality of the process? Does it involve children and what is the quality of their participation? Does it support capacity building among children, high-level stakeholders and grass-roots practitioners by financing/facilitating stand-alone capacity-building sessions on child rights mainstreaming (in partnership with CSOs or other development partners such as UNICEF) or including child rights programming in other policy-planning training courses?
5. What is the preliminary response of men/boys and women/girls to the project?

6. Is there any unexpected or adverse response by children (girls and boys) or their caregivers to the project activities? Is remedial action needed to promote issues affecting the realization of child rights?
7. Does the project offer opportunities to promote greater coordination and communication across sector working groups to realize child rights?
8. Are there remedial actions in place not only to strengthen policy commitments but also to mitigate against 'policy evaporation' (dilution of commitments during the implementation stage)?

4.4 Integration in the evaluation stage

With the aid effectiveness agenda, development actors have renewed their focus on achieving longer-term results. Assessments serve to feed the dialogue between the government, the programme, policy stakeholders and donors involved in the sector. This is an opportunity for *fostering child rights through lessons learnt and protecting and recognizing achievements in these rights.*

This accountability and feedback mechanism improves when children are represented in the process, have access to evaluation results and are invited to share their concerns. The EU recognizes this in its policy dialogue guidance for engaging stakeholders.

> *"A rights-based evaluation is not just a technical exercise in data collection and analysis. It is a dialogue and a democratic process to learn from each other, to strengthen accountability and to shift power from duty bearers to rights holders"*[2]

At the country level, some strategies to ensure national M&E systems are strengthened and effectively used to foster lessons learned and the achievement of sustainable results for children include working with UNICEF and other child-focused partners to:

- Build capacities of national partners to design and manage evaluations and determine what strategies work for children based on evaluative evidence.
- Develop and share innovative approaches and methodologies for evaluating results for children.
- Support national evaluation organizations to foster national demand and supply for evaluation, including through setting national evaluation standards and norms.

Child-rights focused evaluation questions

Based on the commonly used Organisation for Economic Co-operation and Development (OECD)-Development Assistance Committee (DAC) evaluation criteria (relevance, effectiveness, efficiency, impact and sustainability), evaluation questions from a child-rights perspective should take into account the following:

1. **Outcomes:** If child-focused, has the programme delivered the desired child rights outcomes? If non-child-focused, have the outcomes (intended or not) affected the realization of child rights? If so, How?
2. **Long-term impact:** What are the long-term impacts of the development intervention on children?
3. **Policy effectiveness:** Assess the effectiveness of the policy in meeting child rights objectives on the ground. Did the Child IA mitigate risks to children??
4. **Stakeholder satisfaction:** Conduct a survey of the intended beneficiaries and stakeholders to the policy process using success criteria defined in programming and identification.
5. **'What works':** Draw clear lessons with regards to the:
   - » Policy-budget process
   - » Design of EU interventions and how to better respond to country priorities and child rights objectives
   - » Response of intended beneficiaries and children to the policy and programmes.

Evaluation criteria provide an overarching framework for an assessment and define the evaluation questions. However, the mainstream definitions of the OECD-DAC criteria are neutral in terms of human rights and child rights. As a result, their application in evaluations often does not take into account rights-based dimensions.

INTEGRATING CHILD RIGHTS CONSIDERATIONS INTO THE OECD-DAC EVALUATION CRITERIA

OECD-DAC CRITERIA AND DEFINITIONS	TAKING ON A CHILD RIGHTS LENS
Relevance: Extent to which the objectives of a development intervention are consistent with beneficiaries' requirements, country needs, global priorities and partners' and donors' policies	Assessing the child rights relevance of an intervention entails examining how the intervention is designed and implemented to align with and contribute to child rights, as defined by international and regional conventions and national policies and strategies and the needs of children and national authorities targeted by an intervention. Some examples of areas to assess include the: ▪ Extent to which the intervention is aligned with the CRC and the standards and principles of other relevant international instruments (e.g., Convention on the Elimination of All Forms of Discrimination against Women, Convention on the Rights of Persons with Disabilities) and contributes to their implementation ▪ Extent to which the intervention is aligned with and contributes to regional conventions and national policies and strategies on child rights ▪ Extent to which the intervention is informed by substantive and tailored child rights analysis that identifies underlying causes and barriers to child rights ▪ Extent to which children have been consulted and find the intervention of relevance.

Effectiveness: Extent to which the development intervention's objectives were achieved, or are expected to be achieved, taking into account their relative importance. Effectiveness assesses the outcome level, intended as an uptake or result of an output	Analysis of an intervention's effectiveness involves assessing the way in which results on child right were defined, monitored and achieved (or not) and whether the processes that led to these results were aligned with key child rights and human rights principles (e.g., inclusion, non-discrimination, accountability). In cases where child rights results were not explicitly stated in the planning document or results framework, assessing effectiveness in terms of child rights is still possible and necessary as all development cooperation interventions will have some effect on child rights and should aim to contribute to their realization. Some issues to consider include the: ▪ Extent to which the results framework of the intervention integrated child rights ▪ Presence of key results on child rights.
Efficiency: Measure of how economically resources/inputs (funds, expertise, time, etc.) are converted to results. It is most commonly applied to the input-output link in the causal chain of an intervention	The child rights dimensions of efficiency require a broader analysis of the benefits and related costs of integrating child rights in interventions. A key aspect that needs to be considered is that promoting child rights involves long-term and complex change processes that require sustained support. While a direct relationship between resource investment and long-term results should be carefully established, the assessment of efficiency should also consider short-term process achievements (participation, inclusiveness, etc.) and medium-term results (developing an enabling environment, building capacity, etc.). Some aspects to consider include the: ▪ Provision of adequate resources for integrating child rights in the intervention as an investment in short-term, medium-term and long-term benefits ▪ Extent to which the allocation of resources to targeted groups takes into account the need to prioritize the most marginalized children.
Sustainability: Continuation of benefits from a development intervention after major development assistance has been completed; the probability of continued long-term benefits; the resilience to risk of the net benefit flows over time	To assess the sustainability of results and impacts on child rights, the extent to which an intervention has advanced key factors that need to be in place for the long-term realization of child rights should be studied. Some examples include: ▪ Developing an enabling environment for real change on child rights ▪ Institutional change conducive to systematically addressing child rights concerns ▪ Permanent and real attitudinal and behavioural change conducive to child rights realization ▪ Establishment of accountability and oversight systems between citizens and national authorities ▪ Capacity development of children (to demand) and government (to fulfil) rights

	▪ Existence of CSOs and think tanks systematically addressing child rights as part of their constitution.
Impact: Positive and negative, primary and secondary long-term effects produced by a development intervention, directly or indirectly, intended or unintended	Positive child rights impact can be defined as **the actual and long-lasting realization and enjoyment of child rights** by all children and the capacity of government and other key stakeholders to respect, protect and fulfil child rights. Impact can be positive or negative, intended or unintended, primary or secondary. For a number of reasons (e.g. multi-causality, timeframe to observe impact, etc.), the assessment and measurement of impact that can be attributed to an intervention, or to which an intervention has contributed, is a complex endeavour. However, it is essential to assess impact to learn what works and what does not in terms of advancing child rights. For interventions that are not primarily focused on child rights, it may also help identify whether these are reinforcing existing discrimination and power structures that are contrary to child rights. Some aspects that should be considered in such an assessment include: ▪ Whether children have been able to enjoy their rights and national partners have the ability to comply with their obligations, whether there is no change in both groups, or whether both are less able to do so ▪ Empowerment of targeted groups and influence outside the intervention's targeted group ▪ Unintended effects on any groups that were not adequately considered in the intervention design (e.g., children belonging to a broader group within which they were not considered as a specific group) ▪ Effective accountability mechanisms operating on child rights.

5. Child rights in sector programmes

Child rights issues and considerations should be taken into account in the different sectors through scoping for child-centric risks and opportunities in policy, strategies and planning.

Such child-specific scoping is intended to:

- Inform and form part of the sector-specific child rights situational analysis
- Facilitate comparison with the relevant sector-specific principles of the CRC and international and national development goals to help determine sector planning priorities
- Identify areas for attention through sector working groups and sector-wide approaches
- Complement other forms of sector analyses, especially those focusing on poverty, vulnerability, gender and social and economic dimensions
- Plan and design project interventions in each sector (some sector-based financing facilities group together multiple sub-projects based on a sector policy framework and plan).
- Emphasize the interdependence and indivisibility of children's rights and underline the complementary and mutually reinforcing nature of poverty-reduction paradigms and rights principles within the sector.

Not all development interventions will have a significant impact on children. Those that are most likely to affect large numbers of children – or to significantly affect smaller numbers – are those that:

- Significantly affect household incomes and livelihoods
- Affect access to and quality of key services used by children and their families
- Affect key forms of social capital that protect children and help them develop
- Affect current and future opportunities for children in terms of education and career

Sector checklists

The sector checklists in the Tools section are designed to make explicit the relationship between various economic and development policies that may impact on children in the following sectors:

☑ Education, vocational training and culture
☑ WASH (water, sanitation and hygiene)
☑ Social protection
☑ Rural development
☑ Urban development
☑ Transportation (infrastructure and services)
☑ Energy

☑ Finance
☑ Criminal justice
☑ Nutrition

See Tool 2.3 through Tool 2.12.

Each checklist highlights links with other sectors, underlining the importance of inter-sectoral and inter-agency working relations and partnerships in the best interest of the child. Potential M&E indicators may be developed or drawn from the analysis performed using the checklists, as appropriate.

Each sector tool includes:

- **A brief overview of sector scope and activities**, including policy and institutional frameworks.[3]
- **Norms and standards**: Some key applicable child rights principles that may serve as a benchmark for setting sector-specific plans and priorities.
- **Checklists on risk and opportunities:**
  1. **Risks** – this section focuses on some key risks to children, with potential planned countermeasures that may be introduced through sector policies, strategies or projects to avoid or mitigate them. Risks may arise inadvertently through policy conditions, sector plans or projects in the sector.
  2. **Opportunities** – this section presents some sector-specific opportunities for children, with potential measures designed to enhance and extend such opportunities through sector policies, strategies or projects.

Detailed analysis

The checklists are likely to identify the need for more detailed stakeholder engagement, qualitative or quantitative data collection and/or analysis. Participation of children in accordance with their age-related capacities, a key principle of the CRC, should also underpin this analysis.

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Module 2 Tools & Annexes

TOOLS

Tool 2.1 Child rights screening checklist

To be used at project identification stage

CHILD RIGHTS SCREENING CHECKLIST		
Have issues pertaining to the situation of children and child inequities relevant to the project been identified? Comments:	Yes	No
Are the issues relevant to the situation of children in the country identified supported by reference to partner governments/EU policy commitments to child rights? Comments:	Yes	No
Are statistics used for project identification disaggregated by sex and other forms of exclusion (such as ethnicity, household income, disability status and so forth)? Comments:	Yes	No
Has qualitative information about experiences of children and their households – for example, with respect to access to services, their well-being or the fulfilment of their rights – been used in the project identification stage? This includes information obtained through focus group discussions, key stakeholder interviews, field visits and so forth. Comments:	Yes	No
Does preliminary stakeholder analysis clearly identify children (girls and boys) and their respective roles in accordance with their stages of development? Comments:	Yes	No
Does the problem analysis provide information on the problems specific to the lack of realization of children's rights? Comments:	Yes	No
Is there a requirement for more in-depth child rights analysis to be undertaken at the formulation stage? Comments:	Yes	No
Has the requirement for more in-depth child rights analysis been reflected in the ToRs prepared for the formulation stage? Comments:	Yes	No

Tool 2.2 ToRs for addressing child rights issues in feasibility studies to be conducted at the formulation stage

At the early stage of formulation, there are cross-cutting risks to children that require assessment. Terms of reference (ToRs) should ensure that these are addressed according to strategic policy and programming approaches (such as poverty reduction strategies, national development goals, and agencies' assessment of country-level issues pertaining to children's rights in general).

ToRs should include a brief that assesses to what extent the particular needs of children and the underlying profile of children's rights are reported and reflected in strategic cross-cutting development documents and reports. From the perspective of cross-cutting risks to children, the ToRs should focus on some of the issues outlined below.

1. SCOPING FOR RISKS		
RISKS	**COUNTERMEASURES**	**INDICATORS**
Monetary poverty	Poverty reduction strategies are national formulated approaches to pro-poor development. Programmes developed to reach MDG1 to reduce extreme poverty by 2015. Integrated social protection design and implementation should reduce monetary poverty incidence, but indicators should note the net contribution of government transfers to poverty reduction. UN agencies, and UNICEF in particular, produce periodic situational analysis documents that show the position on child poverty and children's rights using an equity perspective.	National-level poverty statistics produced by government that give breakdowns of poverty by age. Child poverty is the percentage of children who are poor (live in households with resources below the poverty threshold). These national profiles are often shown for geographical areas and sub-groups of the population. Different poverty thresholds – for instance, 'food poverty' lines may be drawn at a lower level of basic needs (sometimes called 'extreme poverty') alongside the poverty line for all basic needs. International measures of poverty at the national level are used for MDG1 and are based on $1.25 per capita per day using purchasing power parity assumptions. Other poverty lines are available using the same approach (e.g., $2 per day).
Multiple deprivation	Programme and other sectoral activity aimed at education, health, sanitation, water and protection needs of children. Improved coordination of programming activity can occur when age-specific needs of various programmes overlap – for instance, the success of de-worming (health) programmes in schools.	Multi-deprivational poverty indicators are available for the whole population from the Multidimensional Poverty Index (MPI) Multiple deprivational data for children is available from two UNICEF evidence bases: ▪ *Global Study on Child Poverty and Disparities*. Country and regional reports can be found at: http://www.unicef.org/socialpolicy/index_45357.html ▪ *Multiple Overlapping Deprivation Analysis*

Tool 2.3 Sector checklists: Education, Vocational Training and Culture

Sector focus: Education is a fundamental human right, and every girl and boy in every country is entitled to it. Quality education is critical to development both of societies and of individuals, and it helps pave the way to a successful and productive future. When all children have access to a quality education rooted in human rights and gender equality, it creates a ripple effect of opportunity that influences generations to come.

Overall, the focus of this sector includes early childhood development and school readiness, quality education, enhancing equal access to education and universal primary school education, education policy and administrative management education facilities and training, teacher training and educational research for pre-school, basic, secondary, vocational and tertiary training.

Relevant norms and standards

- Convention on the Rights of the Child (CRC)
  - Articles 19 and 24 set out State Party responsibilities for child education
  - Article 23 recognizes the special needs of disabled children to education
  - Article 28 recommends measures to ensure equal educational opportunity at all levels
  - Article 29 spells out the principles, rights and entitlements imparted through education
  - Article 31 sets rights to leisure, play and participation in cultural and artistic activities
  - Article 32 prohibits work interference in a child's right to education
  - Article 33 requires appropriate measures, including educational measures, to protect children from use and trafficking of harmful substances
  - Article 40 requires education for children caught up in the legal system
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW): Article 10 specifies equal educational rights for women and men.
- Other UN initiatives for child education: UNESCO's Education For All (EFA) Global Action Plan; EFA Fast Track Initiative (EFA-FTI); and the United Nations Girls Education Initiative (UNGEI). MDG 2 aims to achieve universal primary education whilst MDG 3 promotes gender equality and women's empowerment.

1. SCOPING FOR RISKS		
RISKS	**COUNTERMEASURES**	**INDICATORS**
Fall in educational enrolment, attendance and attainment at various levels.	*Access:* ▪ Ensure adequate educational buildings with safe water and adequate sanitation facilities for girls, boys and children with disabilities.	▪ Number/percentage of children attending all levels of school (according to key variables such as age, gender, ethnicity, religion, poverty status, disability status, location).

MDG 2 on universal primary education at risk of not being met. **Resources:** ▫ *See UNICEF/ UNESCO Institute of Statistics Global Initiative on Out-of-school Children* ▫ *See UNICEF and World Bank School Fee Abolition Initiative* ▫ *See UNICEF and World Bank Simulations for Equity in Education*	▪ Provide school transport that is affordable and accessible. ▪ Provide school lunches. *Standards:* ▪ Provide sufficient trained teachers of both sexes who are receiving competitive salaries and regular refresher training. ▪ Plan and design, culturally appropriate curricula and adequate teaching materials and aids ▪ Provide information technology in schools at higher levels in particular. *Affordability:* ▪ Ensure affordability for all groups of children. ▪ Consider subsidies, scholarships and/or free equipment and uniforms for lower income students. *Acceptability:* ▪ Ensure respect for children and their articulated needs through education system. *Adaptability:* ▪ Adjust school infrastructure and staffing for changes in student population in terms of absolute numbers age, gender, membership of different social or minority groups (refugees, displaced, ethnic minority groups, etc.). ▪ Address key life issues in vocational, health, safety training.	▪ Ratio and distribution of school buildings to primary school age students. ▪ Pupil/teacher ratios in distance education. ▪ Number/percentage of students with transport access. ▪ Ratio/distribution of male and female teachers and data on their attendance. ▪ Review of teacher salaries, terms and conditions of employment, number/ percentage of teachers receiving refresher training. ▪ Review of curricula and materials, including for cultural sensitivity. ▪ Number/percentage of children with access to training in information technology. ▪ Number/distribution of computers per school. ▪ Number of scholarships, subsidies offered. ▪ Number/percentage of children attending school by key variables (e.g., socio-economic level). ▪ Legislation in force and implemented prohibiting harsh and corporal punishment. ▪ Increase in incidence of child participation in planning. ▪ Enrolment, attendance and graduation data disaggregated by key socio-economic variables over time reflected in deployment of schools, staff. ▪ Number/percentage of children trained in vocational and selected life skills.
Children with special needs cannot access educational services.	▪ Introduce universal design standards into education planning, construction management and learning environments. ▪ Introduce legislation and policies establishing the right to inclusive education.	▪ Number/percentage of children with special needs utilizing education facilities at all levels. ▪ Number of teachers trained in special needs approaches.

Resources: ▫ *See UNICEF The Right of Children with Disabilities to Education: A rights-based approach to inclusive education*	▪ Introduce inclusive curricula, teaching and learning methods. ▪ Create inclusive learning environments. ▪ Ensure funding to mainstream schools for the implementation of inclusive education, as well as the provision of individualized support. ▪ Train teaching staff in special needs approaches.	▪ Availability of laws and appropriate policies to guarantee the right to inclusive education.
Loss of cultural identity and language through education system.	▪ Well-planned, culturally appropriate curricula and adequate teaching materials and aids. ▪ Use of local language in schools and curricula; hiring of local language teachers. ▪ Use of positive teaching materials that value cultural difference.	▪ Review of curricula and materials including cultural sensitivity. ▪ Number/percentage of children from other language groups receiving some training in their own language. ▪ Number/percentage of teachers skilled in local language. ▪ Availability of laws and appropriate policies to guarantee the right to inclusive education.
Girls drop out of school early.	▪ Conduct a child rights situational analysis focusing on broader political, economic and socio-cultural context, for example, society's low value on girls' education may result in many girls withdrawn from school in order to get married, or to enter the labour market. ▪ Develop counter strategies to facilitate and support girls' continued education in close consultation with stakeholders, including gender-aware curricula and teaching methods that discourage stereotyping and negative streaming that disadvantages girls. ▪ Promote women's membership of educational associations, boards, teacher's unions, etc. ▪ Develop gender budget analysis and associated recommendations.	▪ Stakeholder engagement that includes community children. ▪ Qualitative and quantitative data collection for community values and attitudes towards education as a basis for a child rights situation analysis (CRSA). ▪ Participative problem diagnosis, agenda setting and awareness raising in support of girls' education. ▪ Review of curricula and teaching methods for gender sensitivity. ▪ Number/percentage of women represented in school boards, and regulatory bodies, parent-teacher groups, employers associations, teachers unions, children's and women's machineries, both official and non-governmental.

	▪ Develop culturally attuned media campaigns emphasizing proven benefits of education to girls as possible mothers and potential wage-earners; and positive correlation between education and literacy status of mother with the health and development of their children. ▪ Ensure that schools are 'girl-friendly' with separate toilet facilities and with sufficient number of female teaching staff.	▪ Completion of gender budget analysis and implementation of recommendations to support gender equality. ▪ Quality and coverage of promotional campaigns for girls' education. ▪ Discriminatory streaming, stereotypes, etc., in schools declines over time. ▪ Data on girls' enrolment, attendance and completion at all levels improves over time ▪ Decline in number/percentage of girls withdrawn from school over time ▪ Number/percentage of schools with appropriate facilities for girls
Risk of displacement or forced evictions due to land acquisition for education facility construction, with risks to children's well-being. Families without land title that is (or could be made) legal are particularly at risk.	▪ Collect data on child welfare and perceptions specifically during census and survey work for WASH construction activities. ▪ Include special resettlement measures to address the needs of children in displacement, asset loss and resource access. ▪ Do not undertake slum clearances or other evictions without preparing and activating resettlement plans to international standards in consultation with residents, including children.	▪ Resettlement plan is in line with international standards and has special measures to ensure children's well-being during transition/rehabilitation phases. ▪ Screen out with countermeasures any risks for children such as landlessness, joblessness, homelessness, loss of community assets and services and food security, social disarticulation/ marginalization. Include measures to provide secure title to non-titled relocatees and compensate them for lost assets/services.

2. MAXIMIZING OPPORTUNITIES		
OPPORTUNITIES	**MEASURES**	**INDICATORS**
Child-friendly education sector frameworks for extending quality and coverage of education to children through planning, design, financing, user charges, and	▪ Establish child-friendly policy/legal frameworks in line with international standards for educational planning, design, management and financing.	▪ Educational policy and legal frameworks in line with international standards. ▪ Educational budget to meet requirements.

management that coordinates public and private providers, donors and financiers. **Resources:** ▫ *See UNICEF Child Friendly Schools*	▪ Include principles of universal children's education and gender equality especially as concerns preparedness for education, inclusion of the most vulnerable, special attention to education for children affected by emergencies (refugees, displaced) and the disabled. ▪ Include principles of continuity and collaboration between different levels of the education system from early childhood education through to tertiary education and vocational training institutions with respect to mainstreaming children's rights and gender equality. ▪ Develop education-focused CRSA with emphasis on children's rights to be heard. ▪ Develop multi-agency decentralized management systems and capacity to support stakeholder engagement and disaggregated data collection on children's educational use patterns and needs, setting objectives and targets, child-friendly design, professional staff, time lines, budget, senior management responsibility, coordinated activities, environmental soundness, tracked commitments, clear monitoring and reporting on educational quality and attainments at all levels.	▪ Review of policy frameworks and implementation data for education on principles of universal children's education and gender equality, preparedness for education, inclusion of the most vulnerable, special attention to education for children affected by emergencies (refugees, displaced) and the disabled. ▪ Review the policy frameworks and articulation in practice of continuity and collaboration between different levels of the education system from early childhood education through to tertiary education and vocational training institutions. ▪ Review of measures to address access, standards, affordability, acceptability and adaptability as set out under Risks above. ▪ Stakeholder engagement in educational sector planning, including children's participation as a basis for CRSA in education. ▪ Number/percentage of community representatives, including children's perspectives, on educational advisory boards and regulatory bodies, parent-teacher groups, employers associations, teachers unions, children's and women's machineries, both official and non-governmental. ▪ Regular stakeholder surveys of educational coverage and quality. ▪ Special external advisers; external M&E teams; and community-based M&E of selected civil works, contracting, training and education development arrangements to include child-friendly approaches.

Pro-poor education sector development frameworks that include migrant, minority or otherwise disadvantaged children. **Resources:** ▫ *See UNICEF/ UNESCO Institute of Statistics Global Initiative on Out-of-school Children* ▫ *See UNICEF and World Bank School Fee Abolition Initiative*	▪ Plan and design child-friendly educational systems and services that are accessible, physically and financially, for children who are disadvantaged and/or below the poverty line. ▪ Facilitate inclusion of poor and otherwise disadvantaged community members, including women, on school committees, etc.	▪ Stakeholder engagement with community members, including children. ▪ Conduct CRSA for education sector. ▪ Number/percentage of children from low-income or otherwise disadvantaged families attending school at all levels. ▪ Number/percentage of school committees with representation of women and those from low socio-economic groups.

Tool 2.4 Sector checklists: WASH (Water, Sanitation and Hygiene)

Sector focus: Access to water, sanitation and hygiene (WASH) plays a critical role in the lives of children. Increasing the equitable access to and use of safe water and basic sanitation services and improved hygiene practices will reduce child mortality, improve health and education outcomes and contribute to reduced poverty and sustainable development as a whole.

As a sector, WASH includes water resources policy and administrative management, water supply and sanitation – large reticulated systems as well as basic drinking water supply and basic sanitation, waste management and disposal, education and training in water supply, sanitation and hygiene practices. (*For rural WASH, see also Tool 2.6: Rural development checklists; for urban WASH see also Tool 2.7: Urban development checklists). In addition, see UNICEF Water, Sanitation and Hygiene Strategies 2006–2015 and WHO/UNICEF Joint Monitoring Programme (JMP) for Water Supply and Sanitation.*)

Relevant norms and standards

- Article 24 of the CRC recognizes the right of the child to health, including provision of sufficient clean drinking water and reduced environmental pollution.
- WASH is essential to the MDG for water and sanitation: to halve, by 2015, the proportion of people without sustainable access to safe water and basic sanitation. WASH programmes also underpin MDG4 on child survival and MDG5 on maternal health.
- WASH is also critical to realizing the right to education through ensuring that all schools have adequate child-friendly water and sanitation facilities, and hygiene education.

1. SCOPING FOR RISKS		
RISKS	**COUNTERMEASURES**	**INDICATORS**
Loss of children's access to WASH through increased cost of services to users, risking children's health through water-related diseases from unsafe, insufficient drinking water, reduced bathing and clothes washing.[4] Associated risk that women and girls spend more time collecting water. **Resources:** ▫ *See UNICEF WASH Strategies*	▪ Assess the patterns of social and economic activity, by women and children using WASH services, including knowledge, attitudes and practice (KAP). ▪ Plan with (i) low cost but environmentally sound, safe, clean WASH alternatives; (ii) lifeline tariffs (low price or free access up to a certain threshold deemed sufficient to guarantee basic needs) and/or subsidized tariffs for low-income consumers for	▪ Stakeholder engagement includes children; qualitative/quantitative data collection for children's patterns of WASH use, for KAP. ▪ Number/percentage of children using selected WASH services pre- and post interventions. ▪ Number/percentage of low-income households with access to WASH services through lifeline or subsidized tariffs and targeted subsidies, pre- and post interventions.

▫ *See UNICEF Soap, Toilets and Taps: A foundation for healthy children* ▫ *See UNICEF Water Quality Handbook*	low-income households for connection fees to WASH services.	▪ Prevalence of diarrhoeal and other water-related diseases among children, especially for under 5 years, pre- and post interventions. Time spent by women and girls caring for the sick and collecting water pre- and postintervention.
Children with special needs cannot access WASH services. **Resources:** ▫ *See UNICEF Raising Even More Clean Hands: Advancing health, learning and equity through WASH in schools*	▪ Introduce universal design standards into WASH planning, construction and management, including hygiene education according to Article 23 of the CRC.	▪ Number/percentage of children with special needs utilizing WASH pre- and post intervention.
Loss of children's access to WASH through construction of new developments cutting community economic and social networks and services.	▪ Assess the patterns of social and economic activity and usage of WASH services, including KAP by children, in impact zones. ▪ Plan and design countermeasures, in consultation with local communities including children, for design features facilitating continued access to networks and services or children supporting WASH.	▪ Stakeholder engagement that includes children. ▪ Qualitative and quantitative data collection for children's patterns of WASH KAP in impact zones. ▪ Number and distribution of access-related design features in planning documents. ▪ Number/percentage of children accessing WASH services pre- and post intervention.
Construction: For reservoirs/other large scale WASH construction, risks for health, safety, etc., for children in construction camp zones.	▪ Collect data/consult on child welfare/perceptions in zone of impact. ▪ Prepare and implement a social impact mitigation plan designed to mitigate adverse social/child impacts.	▪ Social impact mitigation plan includes measures to protect children. ▪ Child mortality and morbidity rates pre- and post intervention in zone of construction impact.
Risk of displacement or forced evictions due to land acquisition for WASH construction, with risks to children's well-being. Families without land title that is (or could be made) legal are particularly at risk.	▪ Collect data on child welfare and perceptions specifically during census and survey work for WASH construction activities. ▪ Include special resettlement measures to address the needs of children in displacement,	▪ Resettlement plan is in line with international standards and has special measures to ensure children's well-being during transition/ rehabilitation phases. ▪ Screen out with countermeasures

	asset loss and resource access. ▪ Do not undertake slum clearances or other evictions without preparing and activating resettlement plans to international standards in consultation with residents including children.	any risks for children such as landlessness, joblessness, homelessness, loss of community assets and services and food security, social disarticulation/ marginalization. Include measures to provide secure title to non-titled relocatees and compensate them for lost assets/services.

2. MAXIMIZING OPPORTUNITIES		
OPPORTUNITIES	**MEASURES**	**INDICATORS**
Child-friendly sector frameworks for extending WASH to children through environmentally sound planning, design, financing, user charges, and management that coordinates public and private providers, donors and financiers. **Resources:** ▫ *See UNICEF WASH Strategies for 2006–2015*	▪ Establish child-friendly policy/ legal frameworks in line with international standards for WASH planning, design, management and financing, integrating hygiene practices based on child/mother KAP. ▪ Develop multi-agency decentralized management systems and capacity to support stakeholder engagement and data collection on children's WASH use patterns and needs, setting objectives and targets, child-friendly design, professional staff, time lines, budget, senior management responsibility, coordinated activities, environmental soundness, tracked commitments and clear monitoring and reporting on WASH.	▪ WASH policy and legal frameworks in line with international standards. ▪ Stakeholder engagement in sector planning. Number/ percentage of community representatives, including children's perspectives on consumer advisory boards, complaints resolution or WASH regulatory bodies. ▪ Regular stakeholder surveys of mother/child KAP and focus groups including children. ▪ Special external advisers; external M&E teams; and community-based M&E of selected civil works and contracting arrangements to include child-friendly approaches. ▪ Environmental studies take account of climate change effects for WASH.
Pro-poor WASH sector development frameworks that include migrant, minority or otherwise disadvantaged women and children.	▪ Plan and design child-friendly WASH systems and services that are accessible, physically and financially, for children who are disadvantaged and/or below the poverty line. Plan, in consultation with stakeholders including women and children, for (i) low cost but environmentally sound, safe, clean WASH alternatives;	▪ Stakeholder engagement with children ▪ Data on children's/mothers' patterns of WASH use and needs based on KAP. ▪ Number/percentage of children from low-income, disadvantaged households using selected WASH services pre- and post interventions including through lifeline or

Resources: ▫ *See UNICEF WASH Strategies for 2006–2015*	(ii) lifeline tariffs (low price or free access up to a certain threshold deemed sufficient to guarantee basic needs) and/or subsidized tariffs for low-income consumers for WASH services; (iii) subsidies to low-income households for connection fees to WASH services.	subsidized tariffs and targeted subsidies, pre- and post interventions. ▪ Prevalence of diarrhoeal and other water-related diseases among children, especially under 5 years, pre- and post interventions. Time spent by women and girls caring for the sick and collecting water pre- and post intervention.
Child-friendly management of WASH services and hygiene training for children in low-income or otherwise under-served communities and neighbourhoods. **Resources:** ▫ *See UNICEF WASH Strategies for 2006–2015*	▪ Support the formation and operation of local management and financing groups for standpipes, wells, toilets, bathing and washing points, disposal points, drainage, etc. through facilitation and training, including for women. ▪ Extend hygiene programmes to schools and communities.	▪ Number/percentage of community/neighbourhood WASH management groups operating. ▪ Number/percentage of women and children taking part in WASH groups and hygiene programmes. ▪ Pre- and post intervention child and maternal mortality rates in low-income communities for water-related diseases.

Tool 2.5 Sector checklists: Social Protection

Sector focus: Social protection can be broadly defined as policies and actions that enhance the capacity of all people, but notably poor and vulnerable groups, to escape from poverty, or avoid falling into poverty, and better manage risks and shocks, and that aim at providing a higher level of social security through income security and access to essential services (in particular, health and education) throughout active and inactive periods and periods of need throughout the life-cycle. It is essential to furthering the realization of the rights of children, women and families to an adequate standard of living and essential services.

As a sector, it includes: (i) social transfers (cash or in-kind); (ii) programmes to ensure access to social services; (iii) social support and care services; and (iv) legislation and policies to ensure equity and non-discrimination in access to services and employment/livelihoods (*see: 'Social Protection in European Union Development Cooperation' (EC Communication 2012) and 'Social Protection Strategic Framework' (UNICEF, 2012)).*

Relevant norms and standards

- Universal Declaration on Human Rights
  - Article 22: the right to social security
  - Article 25(1): the right to a standard of living adequate for the health and well-being of oneself and one's family, including food, clothing, housing and medical care and necessary social services
  - Article 25(2): motherhood and childhood are entitled to special care and assistance
  - Article 26: right to education
- Convention on the Rights of the Child
  - Articles 26: the right to social security
  - Article 27: the right to a standard of living adequate for the child's physical, mental, spiritual, moral and social development
  - Also supported in other articles, including 18, 19, 24, 28 and 32
- International Covenant on Economic, Social and Cultural Rights
  - Articles 9, 12 and 13

1. SCOPING FOR RISKS		
RISKS	**COUNTERMEASURES**	**INDICATORS**
Social protection programmes do not reach children because they are not prioritized in policy decisions, there is insufficient	▪ Conduct evidence-based advocacy for considering children's needs at all levels of policy-making. ▪ Ensure that social protection programmes can identify and reach children by conducting vulnerability assessments, collecting disaggregated data,	▪ Disaggregated data on children is collected and used to target programmes effectively. ▪ National vulnerability assessments inform social protection policy and programme priorities and design.

understanding of children's and families' vulnerabilities, intra-household distribution is not taken into account, etc. **Resources:** ▫ *See UNICEF, 2012, 18.*	evaluating programmes regularly, etc. ▪ Consider a range of social protection programmes, including programmes that provide direct benefits to children, such as school feeding and social support. ▪ Conduct outreach to specific groups of children, including those who do not live in a household.	▪ National social protection policies and strategies address children's needs and budget allocations for child-sensitive programmes are expanded. ▪ Children living on the street, children living in institutions and other children living outside of households are effectively reached by social protection programmes. ▪ Programmes that are not specifically targeted to children (health insurance, cash transfers, etc.) are child-sensitive.
Children cannot access social protection programmes due to social dimensions of vulnerability such as gender, ethnicity, disability and geographic location (e.g., school feeding programmes may fail to reach girls if families choose to send only boys to school; caretakers with disabilities are unable to collect cash transfers). **Resources:** ▫ *See UNICEF, 2012, Chapter VI.*	▪ Foster the participation of socially excluded groups in policy development, design, implementation and evaluation. ▪ Collect data that is disaggregated by gender, ethnicity, disability status and geographic location and evaluate impact of social protection on specific groups. ▪ Ensure that social protection benefits are accessible to all eligible beneficiaries regardless of ethnicity, location, etc. ▪ Provide clear, culturally and linguistically appropriate communication on programme eligibility requirements. ▪ Ensure integration between programmes addressing economic vulnerabilities with those addressing social vulnerabilities such as discrimination (e.g., health insurance with a social support component). ▪ Pay attention to exclusion issues in social protection programme design, implementation and monitoring. (*See UNICEF, 2012, Chapter VI, Table 14 for specific examples.*)	▪ Number/percentage of women, ethnic minorities and disabled groups representatives participating in stakeholder engagement processes ▪ Number of surveys, studies and impact evaluations that dedicate attention to excluded or vulnerable groups. ▪ Effective coverage rates of social protection programmes among excluded or vulnerable groups. ▪ National social protection policies incorporate an integrated, multi-sector approach. Inter-ministerial committees exist for coordinating among social sectors. ▪ Appeal and redress mechanisms are available and used at national and local levels.

Children cannot access existing social protection programmes due to inadequate programme design including overly stringent eligibility requirements, inadequate targeting, inflexible conditionalities, etc. (e.g., beneficiaries without an ID may not be able to benefit from a programme; cash transfers conditional on school attendance may exclude children with no access to school).	▪ Design flexible eligibility requirement verification mechanisms and benefit collection options. ▪ Conduct parallel birth registration campaigns. ▪ Consider exclusion errors, as well as inclusion errors, in programme design, implementation and monitoring and evaluation. ▪ Ensure that conditional programmes are closely coordinated with the provision of social services such as health and education; or investigate if they are feasible given the context. ▪ Create appeal and redress mechanisms allowing beneficiaries to report instances of discrimination, etc. ▪ Provide ample information on programme eligibility requirements, benefit distribution points, etc.	▪ Rate of additional children with birth registration certificates from year to year. ▪ Number of social protection programmes with alternative eligibility verification options such as fingerprinting, options for designating a family member to collect benefits, etc. ▪ Percentage of communities with available appeal and redress mechanisms. ▪ Frequency of communication campaigns for existing social protection programmes.
Programmes may have unintended consequences, such as making demands on caretakers' time thereby leading to decreased availability for children and/ or transfer of responsibilities to children, including labour (e.g., public works programmes).	▪ Adapt social protection programmes (such as public works and conditionality requirements) to families with childcare responsibilities. ▪ Monitor changes in children's responsibilities inside households. ▪ In public works programmes, exempt or limit the number of working hours required of breastfeeding or pregnant mothers. ▪ Consider and monitor potential impacts of design choices, such as location of pay points, type and timing of work or conditionality requirements. ▪ Design monitoring and impact evaluations to be flexible enough to pick up unintended consequences, e.g. through incorporating qualitative, more open-ended feedback questions and asking for respondents other than household heads.	▪ Percentage of public works participants with young children who can access childcare facilities within a short distance from working site. ▪ Impact of programmes on women and children's time use.

Social protection programmes targeting specific groups of children create or exacerbate the stigma and/or discrimination they experience (e.g., HIV-affected households that benefit from programmes may be singled out; beneficiaries may be the targets of jealousy).	▪ Consider broader targeting options, including universal programmes wherever possible. ▪ Involve community members in decision-making from the conception of a programme to its design, implementation and evaluation (e.g., consider community-based targeting mechanisms and community review committees). ▪ Incorporate qualitative M&E and incorporate questions related to stigma and discrimination in quantitative M&E.	▪ Number of reported instances of stigmatization and discrimination before and after programme implementation. ▪ Percentage of communities who have representatives participating in social protection programme steering committees.
Programmes do not accurately assess and/ or respond to the multi-dimensional nature of children's needs (health, education, sanitation, childcare, economic, etc.) (e.g., an in-kind food transfer may have limited impact if health needs are not simultaneously addressed). **Resources:** ▫ *See UNICEF, 2012, Chapter IV.*	▪ Conduct assessments to evaluate beneficiaries' needs, cultural practices, etc. ▪ Ensure integration between programmes across sectors through coordination between ministries and implementers at different government levels. ▪ Harmonize similar programmes and capitalize on the synergies between social protection programmes and other programmes.	▪ Year of most recent multi-dimensional poverty analysis, situation analysis, etc. ▪ Number of surveys, studies and impact evaluations that collect information on the situation of children ▪ National social protection policies incorporate an integrated, multi-sector approach. ▪ Existence of a single registry system and a management information system (MIS) ▪ Inter-ministerial committees exist for coordinating among social sectors.

2. MAXIMIZING OPPORTUNITIES		
OPPORTUNITIES	**MEASURES**	**INDICATORS**
Social protection helps fulfil children's rights and addresses child-specific vulnerabilities	▪ Give support to overall social protection systems and national policies/frameworks that integrate, coordinate and improve effectiveness across multiple sectors.	▪ National social protection frameworks/policies incorporate an integrated, multi-sector approach. ▪ Coverage of children by social protection programmes.

such as age-specific needs, dependency, etc., that will affect the individual throughout his/her life. **Resources:** ▫ *See UNICEF, 2012, 2.0*	▪ Ensure that programmes that are not specifically targeted at children (health insurance, cash transfers, etc.) are nonetheless sensitive to children's needs and, if necessary, consider additional programmes that are specifically dedicated to children. ▪ Through programme design, empower caretakers within the household and take into account their specific roles and needs. ▪ Implement programmes that address children's needs through the lifecycle – e.g. early childhood, adolescence.	▪ Percentage of social transfer amounts spent on general household needs, including children's health and education ▪ School attendance rate ▪ Birth registration rate ▪ Level of decision-making power as reported by female head of household ▪ Birth weight ▪ Stunting ▪ Retention of children in households ▪ Child labour rates
Programmes address both social and economic vulnerabilities. **Resources:** ▫ *See UNICEF, 2012, 28.*	▪ Give support to overall social protection systems and national policies/frameworks that integrate, coordinate and improve effectiveness across multiple sectors. ▪ Consider the value of programmes such as social support services and legislation ensuring non-discriminatory access to social services in order to reduce social exclusion. ▪ Where appropriate, integrate programmes that address social vulnerabilities with those that address economic vulnerabilities (e.g., a cash transfer with a social support component).	▪ National social protection frameworks/policies incorporate an integrated, multi-sector approach and include provisions for reaching vulnerable or excluded groups ▪ Percentage of individuals who report fewer instances of discrimination when accessing health care or education than prior to being beneficiaries
Programmes address children's needs in a holistic way (health, education, sanitation, etc.). **Resources:** ▫ *See UNICEF, 2012, Chapter IV.*	▪ Consider programmes that address different needs simultaneously (e.g., home-based care). ▪ Create mechanisms that foster linkages across sectors such as inter-ministerial committees, common targeting systems, management information systems, etc.	▪ Existence of a single registry system and an MIS ▪ Inter-ministerial committees exist for coordinating among social sectors

Tool 2.6 Sector checklists: Rural Development

Sector focus: Rural development includes integrated rural development projects; e.g., regional development planning; promotion of decentralized and multi-sectoral competence for planning, coordination and management; implementation of regional development and measures (including natural reserve management); land management; land use planning; land settlement and resettlement activities (excluding resettlement of refugees and internally displaced persons); functional integration of rural and urban areas; and geographical information systems.

Relevant norms and standards

- CRC Article 24 recognizes the right of the child to health, including provision of clean drinking water.
- Rural programmes contribute to MDG1 on eradicating extreme poverty and hunger and also to goals on water and sanitation, health, education and environmental sustainability.
- The practice of forced eviction, which involves the involuntary removal of persons from their homes or land, directly or indirectly attributable to the State, constitutes a gross violation of human rights, especially the right to housing (Commission on Human Rights Resolution 1993/77).
- The UN Guiding Principles on Internal Displacement provide protection against arbitrary displacement, offer a basis for protection and assistance during displacement and set forth guarantees for safe return, resettlement and reintegration.

1. SCOPING FOR RISKS		
RISKS	**COUNTERMEASURES**	**INDICATORS**
Risks to children's food supplies with nutritional costs, arising from changes to farming and agricultural production systems, e.g., from pastoralism or swidden systems to intensive sedentary systems or irrigation; or cropping changes; or risks arising from associated increases in mother's workload.	▪ With the participation of rural communities, including women and children, assess the patterns of social and economic activity in agricultural production for income and subsistence, for all socio-economic groups. ▪ Assess the level of risk to children and their families in the proposed changes, including intra-household risk and gender-disaggregated risk. ▪ Screen out radical change, or introduce countermeasures to safeguard food supplies for children, including measures supporting mothers in breastfeeding for infants.	▪ Stakeholder engagement includes women and children; qualitative/quantitative data collection for children's patterns of production and food-related needs ▪ Consultation with local communities including women and children on risk assessment and possible countermeasures ▪ Rates of child malnutrition disaggregated by variables such as socio-economic group, caste, ethnicity, religion, location, gender and pre- and post intervention ▪ Rates of breastfeeding infants pre- and post intervention

Loss of children's access to essential services or risk to food supplies via increased cost of services to users, risking children's health, development and well-being. Risk that girls, in particular, drop out of school, spend more time collecting water and fuel, with environmental risks for common, public or private resources – this in turn can harm their education prospects, health and security.	▪ Assess the patterns of social and economic activity of women and children using rural services and accessing food supplies. ▪ Assess the likely impact of increased costs intra- and inter- household level with data disaggregated by gender and social group. ▪ Plan, in consultation with communities including women and children, for (i) low cost but environmentally sound, safe, clean service alternatives; (ii) for WASH and energy services, provide lifeline tariffs (low price or free access up to a certain threshold deemed sufficient to guarantee basic needs) and/or subsidized tariffs for low-income consumers; (iii) subsidies to low-income households for connection fees to services.	▪ Stakeholder engagement includes women and children; qualitative/quantitative, disaggregated data collection for children's patterns of service use and food access ▪ Number/percentage of children using selected rural services pre- and post interventions ▪ Number/percentage of low-income households with access to rural services through lifeline or subsidized tariffs and targeted subsidies, pre- and post interventions ▪ Prevalence of child diarrhoeal and other water-related diseases, especially for those under 5 years, pre- and post interventions ▪ Time spent by women and girls caring for sick and collecting water and fuel pre- and post intervention ▪ School participation rates for boys and girls pre- and post intervention ▪ Rates of child malnutrition pre- and post intervention
Children with special needs cannot access rural services.	▪ Introduce universal design standards into rural planning, construction and management, in line with CRC Article 24.	▪ Number/percentage of children with special needs utilizing rural services pre- and post intervention
Risk of some families missing out on land title in land titling and settlement schemes, for example, children of divorced mothers may suffer from loss of access to productive land and housing.	▪ In planning land titling and land settlement schemes, use data disaggregated by sex and other social variables such as socio-economic status and ethnicity, to assess the patterns of access to and use of productive land and ownership of other assets including housing. ▪ Ensure all social groups, including women, have title reflecting their usage.	▪ Stakeholder engagement that includes women and children from all social groups ▪ Disaggregated data by gender and other social variables on access to and use of productive land and other assets including housing ▪ Number/percentage of women receiving joint or full title to land and other assets including housing pre- and post intervention ▪ Number/percentage of women-headed households receiving title for productive land and assets

Risks to children's well-being through loss of access to rural resources for income or subsistence purposes, displacement, and/or forced evictions due to rural developments, including infrastructure and land management including natural reserve management. Families without land title that is (or could be made) legal are particularly at risk.	▪ Collect data on child welfare and perceptions specifically during census and survey work for resettlement planning. Include gender-disaggregated data on resource use for income, cultural and subsistence needs and common property. ▪ Include special resettlement measures to address the needs of children in displacement, asset loss and loss of resource access. ▪ Do not undertake forced evictions without preparing and activating resettlement plans to international standards in consultation with residents including children.	▪ Resettlement plan is in line with international standards and has special measures to ensure children's well-being during transition/rehabilitation phases ▪ Screen out with countermeasures any risks for children such as landlessness, joblessness, homelessness, loss of community assets and services and food security, social disarticulation and marginalization ▪ Include measures to provide secure title to non-titled relocatees and compensate them for lost assets/services

2. MAXIMIZING OPPORTUNITIES		
OPPORTUNITIES	**MEASURES**	**INDICATORS**
Child-friendly sector frameworks benefiting children through environmentally sound rural development that extends food security and rural services through planning, design, financing, user charges and management that coordinates public and private providers, donors and financiers.	▪ Establish child-friendly policy/legal frameworks in line with international standards for rural development and food security planning, design, management and financing. ▪ Develop multi-agency decentralized management systems and capacity to support stakeholder engagement and data collection on mothers' and children's rural development and food security-related activity patterns and needs, setting objectives and targets, child-friendly design, professional staff, time lines, budget, senior management responsibility, coordinated activities, environmental soundness, tracked commitments, clear monitoring and reporting on rural developments.	▪ Rural development and food security policy and legal frameworks meet international standards ▪ Stakeholder representation, including women's and children's perspectives on consumer advisory boards, complaints resolution or rural development regulatory bodies, agricultural production and food security bodies ▪ Regular stakeholder surveys of rural production, food and service needs include children and are disaggregated by gender and intra-household ▪ Special external advisers; external M&E teams; and community-based M&E of selected rural developments to include child-friendly approaches

Pro-poor rural development and food security frameworks that include women and children by variables such as socio-economic group, location, age, ethnicity, caste, religion, gender, etc.	▪ Plan and design child-friendly rural development and food security planning and services that are accessible, physically and financially, for children who are disadvantaged according to social, economic or locational variables. Plan, in consultation, for a range of measures to foster child safety, food security and well-being such as (i) agricultural production, business development and environmental measures in line with community preferences; (ii) low cost but environmentally sound, safe, clean rural service alternatives; (iii) lifeline tariffs where appropriate and/or subsidized tariffs for low-income consumers for WASH and energy services; (iii) subsidies to low-income households for connection fees to WASH and energy services.	▪ Stakeholder engagement includes women and children from groups disaggregated by socio-economic status, location, age, ethnicity, caste, religions, gender, etc ▪ Agricultural production data over time ▪ Business development data over time ▪ Number/percentage of children from low-income and otherwise underserved households using selected rural services including through lifeline or subsidized tariffs and targeted subsidies, pre- and post interventions ▪ Prevalence of diarrhoeal and other water-related diseases amongst children, especially for those under 5 years, pre- and post interventions. Time spent by women and girls caring for sick and collecting water pre- and post-intervention ▪ Malnutrition rates over time disaggregated by key variables
Child-friendly management of community facilities in low-income or otherwise under-served rural communities.	▪ Support the formation and operation of community management and financing groups e.g., user groups for agriculture including irrigation; resource protection and management; WASH; health and education facilities.	▪ Agricultural production indicators pre- and post intervention ▪ Pre- and post intervention child and maternal mortality rates in low-income communities ▪ Number/percentage of community management groups operating; number/ percentage with women/ children
Provide secure land title to low-income residents without formal title.	▪ Land titling and settlement schemes to provide land and income security to low-income rural residents.	▪ Number/percentage of low-income households provided with secure land title and income opportunities pre- and post intervention

Tool 2.7 Sector checklists: Urban Development

Sector focus: Urban development includes integrated urban development projects; local development and urban management; urban infrastructure and services; municipal finances; urban environmental management; urban development and planning; urban renewal and urban housing; and land information systems. (*For urban education, see Tool 2.3: Sector checklists on education; see also Tool 2.4: Sector checklists on WASH; Tool 2.8: Sector checklists on Transport; and Tool 2.9: Sector checklist on energy.)*

Relevant norms and standards

- Basic CRC principles apply supporting the best interests of the child and affirming their economic, social and cultural rights and rights to survival and development in the urban living environment.
- Urban developments that provide child-friendly, safe, clean, hazard-free environments in which children can access essential services contribute to achievement of the MDGs.
- The practice of forced eviction, which involves the involuntary removal of persons from their homes or land, directly or indirectly attributable to the State, constitutes a gross violation of human rights, especially the right to housing (Commission on Human Rights Resolution 1993/77).
- The UN Guiding Principles on Internal Displacement provide protection against arbitrary displacement, offer a basis for protection and assistance during displacement and set forth guarantees for safe return, resettlement and reintegration.

1. SCOPING FOR RISKS		
RISKS	**COUNTERMEASURES**	**INDICATORS**
Risk of displacement or forced evictions due to land acquisition for urban developments and/or slum clearance and urban renewal schemes with risks to children's well-being. Families without land title that is (or could be made) legal are particularly at risk.	▪ Collect data on children's/ women's welfare and perceptions specifically during census and survey work for urban resettlement planning. ▪ Include special resettlement measures to address the needs of women and children in displacement, asset loss and resource access. ▪ Do not undertake slum clearances and evictions without preparing and activating resettlement plans to international standards in consultation with urban residents including children.	▪ Resettlement plan is in line with international standards and has special measures to ensure children's well-being during transition/rehabilitation phases ▪ Screen out with countermeasures any risks for children such as landlessness, joblessness, homelessness, loss of community assets and services and food security, social disarticulation/ marginalization. Include measures to provide secure title to non-titled urban relocatees and compensate them for lost assets/services
Loss of children's access to	▪ Assess the patterns of social and economic activity by women and children using	▪ Stakeholder engagement includes women and children qualitative/quantitative data

essential urban services through increased cost of urban services to users, affecting children.	urban services including health, education, transport, energy, WASH, solid waste and drainage. Plan, in consultation, for (i) low cost but environmentally sound, safe, clean urban service alternatives; (ii) lifeline tariffs (low price or free access up to a certain threshold deemed sufficient to guarantee basic needs) and/or subsidized tariffs for low-income consumers for water, energy; (iii) subsidies to low-income households for connection fees to WASH and energy services; targeted transport subsidies.	collection for women and children's patterns of urban use, needs ▪ Number/percentage of children using selected urban services pre- and post interventions ▪ Number/percentage of low-income households with access to urban services through lifeline or subsidized tariffs, targeted subsidies and connection fees ▪ Number/percentage of boys and girls attending school ▪ Prevalence of diarrhoeal and other water- and environment-related diseases disaggregated by gender and social group
Loss of children's access to essential urban services through construction of new urban developments cross cutting community economic and social networks and services.	▪ Assess the patterns of social and economic activity and usage of urban services by women and children, among all social groups in urban development impact zones. ▪ Assess likely impacts of cost increases through ability and willingness to pay survey. ▪ Plan and design countermeasures, in consultation with local communities including children, for design features facilitating continued access to networks and services for children.	▪ Stakeholder engagement that includes women and children ▪ Qualitative and quantitative data collection for children's patterns of urban service use, needs, preferences, for all social groups ▪ Conduct of ability and willingness to pay for urban services ▪ Number and distribution of access-related design features in urban planning documents ▪ Number/percentage of children accessing urban services pre-and post-intervention
Children with special needs cannot access urban services.	▪ Introduce universal design standards into urban development planning, construction and management according to Article 23 of the CRC.	▪ Number/percentage of children with special needs utilizing urban services pre- and post intervention
Increased noise and pollution from urban developments disturbs child development.	▪ Introduce mitigative urban planning and design features: siting, barriers, etc. to minimize disturbance. Legislate for use of unleaded fuels, energy-efficient vehicles.	▪ Ambient air quality and noise levels ▪ Legislation implemented for air and noise ▪ Prevalence of environment-related morbidity among girls and boys

Safety risks to children from hazards in construction and operation of urban development facilities.	▪ Cooperation among all urban development planning and management agencies and urban services operators to include child-friendly safety design features, hazard reduction and management, and plans to inform and educate children on hazards, post-accident assistance and medical care, establishment of accident data systems. ▪ Develop/implement urban services safety programmes in close consultation with at-risk children.	▪ Institutional analysis of capacities of key urban agencies and urban service operators in planning and managing child-friendly safety design features and plans to reduce hazards, inform and educate children on hazards, post-accident assistance and medical care, accident data systems ▪ Number and distribution of accidents resulting in injury or death to children ▪ Number and effectiveness of urban safety programmes in schools, etc
Risks for health, safety, marginalization, etc. for children in urban construction camps zones.	▪ Collect data/consult on child welfare, needs and perceptions in zone of impact. ▪ Prepare and implement a plan designed to mitigate adverse social/child impacts.	▪ Social impact mitigation plan includes measures to protect children ▪ Child mortality and morbidity and accident rates pre- and post intervention

2. MAXIMIZING OPPORTUNITIES		
OPPORTUNITIES	**MEASURES**	**INDICATORS**
Child-friendly sector frameworks benefiting children through environmentally sound rural development that extends food security and rural services through planning, design, financing, user charges and management that coordinates public and private providers, donors and financiers.	▪ Establish child-friendly urban policy/ legal frameworks to international standards for environmentally sound urban planning, design, management and financing. ▪ Develop management systems to support child-friendly stakeholder engagement, with objectives and targets, professional staff, time lines, budget, senior management responsibility, coordinated activities, tracked commitments, clear monitoring and reporting. Build capacity in key agencies to address children's risks and ensure urban services access, use and safety.	▪ Urban policy and legal frameworks meet international standards ▪ Stakeholder representation, including women's and children's perspectives on urban service consumer advisory boards, complaints resolution or regulatory bodies ▪ Regular stakeholder surveys and focus groups including women and children ▪ Special external advisers; external M&E teams; and community-based M&E of selected civil works and contracting arrangements to include child-friendly approaches

Pro-poor urban development frameworks that include migrant and otherwise disadvantaged children.	▪ Plan and design child-friendly urban systems and services that are accessible, physically and financially, for children who are disadvantaged, from migrant families and/or below the poverty line. ▪ Develop programmes to reduce risk of exploitation for poor, migrant and other vulnerable children and adolescents – including child/adolescent homelessness and legal exposure. ▪ Coordinate with child-based services such as health, education to extend coverage and provide back up/referral in low-income or otherwise underserved neighbourhoods.	▪ Number/percentage of children below poverty line or otherwise disadvantaged using urban services pre- and post-intervention ▪ Number/percentage of poor, migrant or otherwise vulnerable children and adolescents covered in risk-reduction programmes including homelessness and appearance in legal system ▪ Number and distribution of effectively stocked, staffed and operating health and education facilities in low-income neighbourhoods ▪ Pre- and post child, adolescent and maternal mortality rates in low-income neighbourhoods
Child-friendly management of community facilities in low-income or otherwise under-served rural communities.	▪ Support the formation and operation of community management and financing groups - e.g., user groups for agriculture including irrigation; resource protection and management; WASH; health and education facilities.	▪ Agricultural production indicators pre- and post intervention ▪ Pre- and post intervention child and maternal mortality rates in low-income communities ▪ Number/percentage of community management groups operating; number/percentage with women/children
Provide secure land title to low-income residents without formal title.	▪ Develop urban renewal and land titling capacity to provide land and income security to low-income urban residents.	▪ Number/percentage of low-income households provided with secure land title and income opportunities pre- and post intervention

Tool 2.8 Sector checklists: Transportation (Infrastructure and Services)

Sector focus: Transportation may include (i) transport infrastructure, which includes construction and/or rehabilitation of roads, waterways, railways, airports and ports; (ii) transport services, including those provided by bus, air travel, boat, taxi and truck, which may be public or private, and non-motorized transport (NMT) systems such as walking, cycling or animal transport, often utilized by poor families for transport and micro-enterprises; and (iii) local, regional, national and international transport policy and institutional frameworks that form the basis for planning, regulating, financing and managing the sector, including safety management.

Relevant norms and standards

- Basic CRC principles apply supporting the best interests of the child and affirming their economic, social and cultural rights and rights to survival and development.

1. SCOPING FOR RISKS		
RISKS	**COUNTERMEASURES**	**INDICATORS**
Loss of children's access to essential services through increased cost of transport to users, affecting children, for example, from tolls and fare increases.	▪ Assess the patterns of social and economic activity by children using those services. ▪ Plan for (i) NMT-friendly transport systems, (ii) improved public transportation on which lower socio-economic groups depend, (iii) targeted fare reduction schemes for poor and otherwise disadvantaged children to attend school and other services.	▪ Stakeholder engagement includes women and children; qualitative/quantitative data collection for women and children's patterns of transport use, needs ▪ Number/percentage of women and children using NMT and/or public transportation pre- and post interventions ▪ Number/percentage of children attending school/health services pre- and post intervention
Loss of children's access to essential services through construction of new transport systems with alignments including limited access toll roads, railways, canals, etc.	▪ Assess the patterns of social and economic activity and transport usage by children in transport impact construction zones. ▪ Plan and design countermeasures consulting with local communities, including children, for design features facilitating continued crossings and access for children (underpasses, access roads, etc).	▪ Stakeholder engagement that includes children ▪ Qualitative and quantitative data collection for children's patterns of transport use, needs, preferences ▪ Number and distribution of access-related design features; number/percentage of children attending school/health services pre- and post intervention
Children with special needs cannot access social services.	▪ Introduce universal design standards into transport planning and construction according to Article 23 of the CRC.	▪ Number/percentage of children with special needs attending school/health services pre- and post intervention

Increased transport noise and pollution disturbs child development.	▪ Design features: Siting transport away from settlements, use of barriers, etc., to minimize disturbance. Legislate for use of unleaded fuels, energy-efficient vehicles.	▪ Ambient air quality and noise levels over time ▪ Legislation implemented for unleaded fuels, energy efficient vehicles, noise barriers, etc
Safety risks to children from increased traffic flows, unexpected transport hazards.	▪ Local, regional, national or cross-border cooperation schemes among transport agencies to include child-friendly safety design features and plans; transport management plans to ensure vehicle, driver, user and pedestrian safety standards; post-accident assistance and medical care, accident data systems, safe management of rights of way (ROW). ▪ Develop/implement traffic safety programmes in close consultation with at-risk children.	▪ Institutional analysis of capacities of key transport agencies in planning and managing ROWs, ribbon development and traffic safety measures in consultation with communities including women and children ▪ Number and distribution of traffic accidents resulting in injury or death to children pre- and post intervention ▪ Number and effectiveness of traffic safety programmes in schools, etc
Risk of increased communicable diseases from transport access that may affect children and adolescents, e.g., the risk of HIV and AIDS.	▪ Conduct social analysis on patterns of risk behaviours and consultation with at-risk social groups. ▪ Plan and implement effective legislation and child/adolescent-inclusive awareness campaigns aimed at preventing the spread of disease.	▪ Prevalence of key communicable diseases in children and adolescents pre- and post traffic intervention ▪ Effectiveness of legislative framework for managing disease risk for children ▪ Number and percentage of children and adolescents covered by such awareness campaigns
Risk of displacement from assets, resources or social services and networks due to land acquisition for transport investments with risks to children's well-being.	▪ Collect data on women/ child welfare and perceptions specifically during census and survey work for resettlement planning. Include special resettlement measures to address the needs of children in displacement, asset loss and resource access. ▪ Do not undertake slum clearances or other evictions without preparing and activating resettlement plans to international standards in consultation with residents including children.	▪ Resettlement plan is in line with international standards and has special measures to ensure children's well-being during transition/rehabilitation phases ▪ Screen out with countermeasures any risks for children such as landlessness, joblessness, homelessness, loss of community assets and services and food security, social disarticulation/ marginalization. Include measures to provide secure title to non-titled relocatees and compensate them for lost assets/services

Risk of increased human and drug trafficking from transport access that may affect vulnerable children.	▪ Conduct social analysis on patterns of risk behaviours and consultation with at-risk social groups. ▪ Plan and implement effective legislation and awareness campaigns aimed at preventing trafficking.	▪ Community, government, NGO and media reporting on child trafficking and drug use ▪ Effectiveness of legislative framework for managing such risks for children ▪ Number and percentage of children/adolescents covered by awareness campaigns
Risk of violating core labour standards on child labour for transport construction.	▪ Ensure/develop government legal, policy and management capacity to prevent harmful child labour in contracting process and bidding documents.	▪ Institutional review of legal frameworks, policy and management capacity ▪ Incidence of harmful child labour pre- and post intervention
Risks for health, safety, marginalization, etc. for children in transport construction camps zones.	▪ Collect data/consult on children's risks and needs in zone of impact. ▪ Prepare and implement a plan designed to mitigate adverse social/child impacts.	▪ Social impact mitigation plan includes measures to protect children ▪ Child mortality and morbidity rates pre- and post intervention

2. MAXIMIZING OPPORTUNITIES		
OPPORTUNITIES	**MEASURES**	**INDICATORS**
Child-friendly sector frameworks for extending benefits of transportation whilst minimizing risks to children through environmentally sound planning, design, financing, user charges and management that coordinates public and private providers, donors and financiers.	▪ Establish child-friendly policy/legal frameworks for environmentally sound transport planning, design, management and financing to meet international standards. ▪ Develop management systems to support child-friendly stakeholder engagement, with objectives and targets, professional staff, time lines, budget, senior management responsibility, coordinated activities, tracked commitments and clear monitoring and reporting. Build capacity in key agencies to address children's risks and ensure transport access, use and safety.	▪ Policy/legal frameworks meet international standards ▪ Stakeholder representation, including women's and children's perspectives on transport consumer advisory boards or transport regulatory bodies ▪ Regular stakeholder surveys and focus groups including women and children ▪ Special external advisers; external M&E teams; and community-based M&E of selected civil works and contracting arrangements to include environmentally sound, child-friendly approaches

Pro-poor transport frameworks that extend transport-related access and benefits for children in poor, remote or under-served communities.	▪ Plan and design child-friendly transport systems that are accessible, physically and financially, for children who are disadvantaged and below poverty line, including rural access roads. ▪ Coordinate with child-based services such as health and education to extend coverage and provide back up/referral in poor/remote or otherwise underserved areas.	▪ Number/percentage of children below poverty line using transport for school, health services, pre- and post intervention ▪ Number and distribution of effectively stocked, staffed and operating health and education facilities in remote/ poor areas, including cold chain health facilities, pre-and post intervention ▪ Pre- and post intervention child and maternal mortality rates

Tool 2.9 Sector checklists: Energy

Sector focus: Energy may include (i) infrastructure, which includes construction and/or rehabilitation of energy production infrastructure such as power plants, reservoirs, renewables (wind farms, solar plants, etc.) or plantations for biofuel or fuelwood; (ii) energy distribution systems including transmission lines and substations; and (iii) local, regional, national, and international energy policy and institutional frameworks which form the basis for planning, regulating, financing and managing the energy sector, including pricing policy.

Relevant norms and standards

- Basic CRC principles apply supporting the best interests of the child and affirming their economic, social and cultural rights and rights to survival and development.
- Safe, clean energy contributes to the MDGs.

1. SCOPING FOR RISKS		
RISKS	**COUNTERMEASURES**	**INDICATORS**
Loss of access to essential energy for heating, lighting and power through increased cost of energy to users, affecting women and children. Risk of increased child labour collecting fuel. Risk of household pollution and associated health risks through unsafe fuel alternatives.	▪ Assess patterns of social and economic activity, disaggregated by gender, intra-household by women and children using energy supplies at home or outside. ▪ Plan, in consultation with women and children, for (i) low cost but environmentally sound, safe, clean energy alternatives; (ii) lifeline tariffs (low price or free access up to a certain threshold deemed sufficient to guarantee basic needs) and/or subsidized tariffs for low-income consumers; (iii) subsidies to low-income households for energy connection fees.	▪ Stakeholder engagement includes women and children; qualitative/quantitative data collection for women and children's patterns of energy use, needs ▪ Number/percentage of children with access to safe, clean energy supplies for lighting, heating, power, etc. pre- and post interventions ▪ Number/percentage of low-income households with access to energy supplies through lifeline or subsidized tariffs and connection fees ▪ Time spent by children per day collecting fuel pre- and post interventions, gender/age disaggregated ▪ Prevalence of respiratory infections among girls and boys
Increased energy generation noise and pollution disturbs child development; raises safety	▪ Design features: siting away from communities, barriers, etc. to minimize disturbance and reduce	▪ Ambient air quality and noise levels pre- and post intervention

risks to children around energy installations and in energy use.	risks and hazards to children. ▪ Legislate for use of low polluting types of energy generation. ▪ Introduce child-centred public awareness programmes for safety with energy.	▪ Legislation implemented for environmentally sound, low polluting types of energy generation and distribution ▪ Accident rate for children related to energy sources and usage pre- and post intervention ▪ Number/percentage of children trained in safe energy use
Risk of displacement from assets, resources or social services and networks due to land acquisition for energy generation (especially large-scale hydro-electric reservoirs) and transmission systems, with risks to children's well-being.	▪ Collect data on women and child welfare and needs specifically during census and survey work for resettlement planning. Include special resettlement measures to address the needs of women and children in displacement, especially from areas with reservoirs for hydro-electricity power generation, loss of assets and access to resources, e.g., from transmission lines (reservoirs or fuel plantations.)	▪ Resettlement plan is in line with international standards and has special measures to ensure children's well-being during transition/rehabilitation phases ▪ Screen out with countermeasures any risks for children such as landlessness, joblessness, homelessness, loss of community assets and services and food security, social disarticulation/ marginalization. Include measures for project benefit sharing with those displaced. Include measures to provide secure title to non-titled relocatees and compensate them for lost assets/services
Risk of violating core labour standards on child labour for construction.	▪ Ensure/develop government legal, policy and management capacity to prevent harmful child labour in contracting/ bidding documents.	▪ Institutional review of legal frameworks, policy and management capacity ▪ Incidence of harmful child labour over time
Risks for health, safety, marginalization, etc. for children in zones of large-scale energy construction camps zones.	▪ Collect data/consult on women and child welfare and needs in camp impact zone. ▪ Prepare and implement a plan designed to mitigate adverse social impacts that includes special measures for children.	▪ Social impact mitigation plan includes measures to protect children ▪ Child mortality and morbidity rates pre- and post intervention

2. MAXIMIZING OPPORTUNITIES		
OPPORTUNITIES	**MEASURES**	**INDICATORS**
Child-friendly sector frameworks for extending benefits of clean, safe and environmentally benign energy supplies to children through environmentally sound planning, design, financing, user charges, and management that coordinates public and private providers, donors and financiers.	▪ Establish child-friendly policy/ legal frameworks for energy planning, design, management, financing and pricing policy to meet international standards. ▪ Develop management systems to support child-friendly stakeholder engagement, with environmentally sound objectives and targets, professional staff, time lines, budget, senior management responsibility, coordinated activities, tracked commitments and clear monitoring and reporting. Build capacity in key agencies to address energy risks to children and ensure access and safe use.	▪ Policy and legal frameworks on energy meet international standards ▪ Stakeholder representation, including women's and children's perspectives on energy consumer advisory boards or energy regulatory bodies ▪ Regular stakeholder surveys and focus groups including children ▪ Special external advisers; external M&E teams; and community-based M&E of selected civil works and contracting arrangements to include child-friendly approaches
Low-cost, safe, clean pro-poor energy frameworks. Extend energy-related access and benefits for children in poor, remote or underserved communities through low cost, safe, clean supplies via lifeline tariffs, subsidized connection fees, etc.	▪ Plan and design child-friendly, safe and non-polluting energy systems that are accessible, physically and financially, for women and children who are disadvantaged and below poverty line. ▪ Assess patterns of social and economic activity by low-income women and children using energy supplies in and outside home. ▪ Plan, in consultation, for (i) low cost but environmentally sound safe energy alternatives; (ii) lifeline tariffs (low price or free access up to a certain threshold deemed sufficient to guarantee basic needs) and/or subsidized tariffs for low-income consumers; (iii) subsidies to low-income households for energy connection fees. ▪ Coordinate with child-based services such as health and education to extend coverage and provide energy sources for lighting, cooking, heating and power supplies in essential services in poor/remote/ otherwise under-served areas.	▪ Number/percentage of low-income households with access to energy supplies through lifeline or subsidized tariffs and connection fees ▪ Time spent by children per day collecting fuel pre- and post interventions ▪ Number/percentage of children below poverty line with access to safe energy for lighting, cooking, heating and power at home and at school, health services, etc. pre- and postintervention ▪ Number and distribution of effectively stocked, staffed and operating health and education facilities with appropriate lighting, heating and power supplies in remote/poor areas, including for cold chain health facilities, pre- and post intervention

Tool 2.10 Sector checklists: Finance

Sector focus: Finance sector policy, planning and programmes; institution capacity building and advice; financial markets and systems; all formal sector financial intermediaries; credit lines; insurance, leasing, venture capital, etc. (except when focused on only one sector); micro credit, savings and credit cooperatives etc.; education/training in banking and financial services.

Relevant norms and standards

- Basic CRC principles apply supporting the best interests of the child and affirming their economic, social and cultural rights and rights to survival and development.
- The finance sector contributes to MDG1 on reducing poverty.

1. SCOPING FOR RISKS		
RISKS	**COUNTERMEASURES**	**INDICATORS**
Risk of indebtedness of households: children and their families may experience loss of assets such as land, houses; and/or increased workloads, for example, through bonded labour, or forced marriages, putting at risk their educational and development prospects.	▪ Collect qualitative/quantitative data on households at risk of indebtedness disaggregated by location, ethnicity, age, gender, socio-economic group, other relevant social variables. ▪ Collect data on existing lending practices including mobilization of savings, credit associations, use and terms, including for moneylenders, pawnshops, etc. ▪ Ensure stakeholder engagement with at-risk communities/households. ▪ Introduce community-based credit unions or micro-credit lending programmes at low rates of interest. ▪ Introduce/extend livelihood programmes to at-risk communities and households.	▪ Number/percentage of indebted households by key social variables ▪ Stakeholder engagement record ▪ Number/percentage of at-risk households using community focused rotational saving, credit unions, credit associations or micro-credit lending programmes at low rates of interest ▪ Number/percentage of indebted households assisted with livelihood development programmes ▪ Number/percentage of indebted households falls over time ▪ Income levels for indebted households increases over time ▪ Number/percentage of at-risk children working harmful long hours falls
Risk of environmental over-use and degradation due to household indebtedness both for those resources that are privately	▪ Assess the patterns of social and economic activity, by women and children, of usage of private, public and communal resources, including time spent per day.	▪ Stakeholder engagement includes women and children; qualitative/quantitative, disaggregated data collection for children's patterns of usage of private, public and communal resources, including time spent per day

owned or used (such as land) and common resources (such as forests or water). This can affect children through their impact on household livelihoods and on children's available time (e.g., if they travel further to collect fuel), which in turn can affect their access to education and their health and security.[5]	▪ Assess the likely impact of increased costs intra- and inter- household level with data disaggregated by gender and social group. ▪ Plan, in consultation with communities including women and children, for (i) low cost but environmentally sound, safe, clean service alternatives; (ii) for WASH and energy services, provide lifeline tariffs (low price or free access up to a certain threshold deemed sufficient to guarantee basic needs) and/or subsidized tariffs for low-income consumers; (iii) subsidies to low-income households for connection fees to services.	▪ Number/percentage of children using selected services pre- and post interventions ▪ Number/percentage of low-income households with access to rural services through lifeline or subsidized tariffs and targeted subsidies, pre- and post interventions ▪ Prevalence of child diarrhoeal and other water-related diseases, especially for those under 5 years, pre- and post interventions ▪ Time spent by women and girls caring for the sick and collecting water and fuel pre- and post intervention ▪ School participation rates for boys and girls pre- and post intervention ▪ Rates of child malnutrition pre- and post intervention
Loss of children's access to essential services through increased cost of services to users, limiting children's well-being and development.	▪ Assess the patterns of social and economic activity, including by women and children, using essential services, e.g., health, education, transport, energy, WASH, solid waste and drainage. ▪ Plan, in consultation, for (i) low cost but environmentally sound, safe, clean service alternatives; (ii) lifeline tariffs (low price or free access up to a certain threshold deemed sufficient to guarantee basic needs) and/or subsidized tariffs for low-income consumers for water, energy; (iii) subsidies to low-income households for connection fees to WASH and energy services; targeted transport subsidies.	▪ Stakeholder engagement includes women and children; qualitative/quantitative data and updates for women and children's patterns of use, needs, for essential services ▪ Number/percentage of children using selected services pre- and post interventions ▪ Number/percentage of low-income households with access to essential services through lifeline or subsidized tariffs, targeted subsidies and connection fees increases over time ▪ Number/percentage of boys and girls attending school increases over time ▪ Prevalence of diarrhoeal and other water and environment related diseases disaggregated by gender and social group ▪ Gender- and age-disaggregated data shows time spent collecting fuel or water falls

Risk that reforms that downsize public services may also reduce capacity for policy and service development, inter- institutional coordination and 'joined-up' service delivery. This, in turn, may undermine capacity for multi-sectoral intervention, (e.g., in health, education, social protection, and water and sanitation), which have crucial synergies for promoting child well-being.[6]	▪ Enhance formal arrangements to coordinate the efforts of all actors horizontally (across different government departments) and vertically (between different levels of government). ▪ Plan for multi-sectoral input – e.g., access to sufficient family income, supportive care, decent housing and good quality health care will have a positive impact on a child's life, both now and into the future.	▪ Coordination mechanisms operational, e.g., through NDP/PRSP at national level, through inter-sectoral committees, and between different levels of government. ▪ Stakeholder engagement includes women and children; qualitative/quantitative data and updates for women and children's patterns of use, needs, for essential services. ▪ Number/percentage of children using selected services pre- and post interventions.

2. MAXIMIZING OPPORTUNITIES		
OPPORTUNITIES	**MEASURES**	**INDICATORS**
Expanded fiscal space for coordinated child-rights projects and approaches.	▪ Examine options to expand fiscal space: (i) re-allocating public expenditures, (ii) increasing tax revenues, (iii) lobbying for increased aid and transfers, (iv) tapping into fiscal and foreign exchange reserves, (v) borrowing and restructuring existing debt and/or (vi) adopting a more accommodative macroeconomic framework.[7]	▪ Expanded budget sources and additional expenditure for child rights from: (i) re-allocating public expenditures, (ii) increasing tax revenues, (iii) lobbying for increased aid and transfers, (iv) tapping into fiscal and foreign exchange reserves, (v) borrowing and restructuring existing debt and/or (vi) adopting a more accommodative macroeconomic framework
Child-friendly micro-credit policy, framework and capacity for low-income households.	▪ Build policy environment and institutional capacity for facilitating micro-credit and community-based credit provision to low-income households for men and women.	▪ Baseline and updated data on number, type and distribution and mandates of in low-income community-based credit associations ▪ Baseline and updated data on number, type and distribution and mandates of micro-credit outlets such as banks, credit unions, in low-income areas

	▪ Conduct sex disaggregated assessment of local level capacity in low-income communities in managing business, mobilizing resources, such as savings, use and repayment of credit, management of community-based credit associations, revolving funds. ▪ Engage women to develop credit and collateral arrangements that will foster household willingness and ability to meet loan requirements. ▪ Increase the number of community-based and micro-credit providers. ▪ Training of credit providers in client-friendly approaches.	▪ For each type, baseline and updated data on terms and conditions of credit, collateral requirements, interest rates, effective transaction costs, number of loans, arrears, defaults and amounts lent ▪ Baseline and follow up gender disaggregated data on credit records of low-income borrowers ▪ Number, type and distribution of credit providers, including changes over time in number of borrowers, terms and conditions, defaults and amounts lent over time ▪ Income levels of borrowing households over time

Tool 2.11 Sector checklists: Criminal Justice

Sector focus: Children encounter the justice system as victims, witnesses, because they are in conflict with the law or as parties to a justice process, such as in custody arrangements.

Most countries do not have a separate system of justice for children, so children are subject to the same justice system as adults despite their very different physical and psychological development and educational and emotional needs. Whether children enter the justice system as victims, perpetrators or witnesses, they need to have their special status recognized and protected. This applies to legal and judicial development generally including constitutional development; legal drafting; institutional strengthening of legal and judicial systems; legal training and education; legal advice and services; and crime prevention. (*For more information see the OECD DAC Creditor Reporting System Sector Codes, section on Government and Civil Society (OECD 2011). See also: Secretary-General's Guidance Note on UN Approach to Justice for Children, and UNICEF Toolkit on Diversion and Alternatives to Detention.*)

Relevant norms and standards

- The CRC contains articles on non-discrimination, the best interests of the child, the rights of the child to survival, development and protection, and respect for the views of the child:
  - Article 33 requires legislative, administrative, social and educational measures to protect children from the illicit use of narcotic drugs and psychotropic substances.
  - Article 37(a) prohibits capital punishment and life imprisonment for children; and (b) and (d) limit restriction of their liberty.
  - Article 39 requires rehabilitation and reintegration of child victims, and article 40 requires special measures for children in the administration of juvenile justice.
- The International Convention on Civil and Political Rights (1996) applies, especially articles 6, 7, 9, 10(b), 14.4, 25, 26.
- Other relevant documents include UN Guidelines for the Prevention of Juvenile Delinquency (1990); Guidelines for Action on Children in the Criminal Justice System, ECOSOC Res. 1997/30; UN Standard Minimum Rules for the Administration of Juvenile Justice (1985); and UN Rules for the Protection of Juveniles Deprived of their Liberty (1990). *(See also Module 1: Overview of child rights in development cooperation)*

1. SCOPING FOR RISKS		
RISKS	**COUNTERMEASURES**	**INDICATORS** (see also UNICEF and UNODC *manual on measurement of juvenile justice indicators*)
Children's rights and needs not addressed because	▪ Establish a separate and comprehensive system of justice for children	▪ System of justice for children meeting international law established and operational

children are generally not recognized as key stakeholders in rule of law initiatives, with adverse outcomes for them. **Resources:** ▫ *See UNICEF Toolkit on Diversion and Alternatives to Detention*	as victims, witnesses or perpetrators as part of the rule of law agenda, which considers the needs of all children, without discrimination against particular groups, while recognizing the different needs of boys and girls and of children of different age groups.	▪ Text of laws is gender and age-disaggregated and takes account of different needs among children ▪ Number/percentage of legal and paralegal personnel trained in child-friendly implementation of laws over time
Risk that children will come into conflict with the law because of a lack of preventive measures.	▪ Include prevention measures as a crucial element of juvenile justice policy. ▪ Prevent girls and boys coming into conflict with the law by addressing the care and protection challenges they face and through enhancing the child protection system. ▪ Decriminalize 'status offences' and survival behaviours and other anti-social behaviours. ▪ Decriminalize child victims of sexual exploitation, trafficking and prostitution.	▪ Juvenile justice policy, laws and practices include preventive measures ▪ Legal, police, probation, social work and other relevant staff trained and resourced in preventive concepts and measures ▪ Percentage of status offences such as vagrancy treated as criminal cases falls ▪ Percentage of survival behaviours such as begging treated as criminal cases falls ▪ Percentage of child victims of sexual exploitation, trafficking and prostitution treated as criminal cases falls over time ▪ Number/percentage of children under 18 in detention per 100,000 of child population falls over time
Risk of deprivation of liberty of children that separates children from families and does not necessarily rehabilitate and reintegrate children into their family, community and society.	▪ Emphasize restorative justice, diversion and alternatives to deprivation of liberty that promote children's reintegration into society in line with principle of deprivation of liberty as a measure of last resort for serious cases. ▪ Ensure that prevention, diversion and protection strategies are gender-sensitive, taking into account the over-representation of boys in the system as well as the problems faced by girls	▪ Principle of deprivation of liberty as a last resort established for children ▪ Laws and practices favour diversion and alternatives to deprivation of liberty that promote children's reintegration into society ▪ Percentage increase over time of child cases utilizing diversion as presumed response to offence ▪ Percentage falls of child cases proceeding to the formal criminal/juvenile justice system

Resources: ▫ *See UNICEF Toolkit on Diversion and Alternatives to Detention*	due to their minority status within the system.	▪ Number/percentage of children under 18 in detention per 100,000 of child population falls over time ▪ Percentage of children in detention who have been visited by or visited parents, guardians or an adult family member in the last three months increases over time
Risk of unfair trial due to untrained personnel and lack of awareness and commitment to child rights. **Resources:** ▫ *See Administrative Detention of Children: A Global Report, UNICEF 2011*	▪ Capacity-building in legal and judicial institutions on rights of children as offenders, victims or witnesses. ▪ Training of personnel in law enforcement and the social sector on rights of children as offenders, victims or witnesses. ▪ Briefing/familiarization for children to be aware of their right to question witnesses and to appeal against their conviction; and to be guaranteed legal or other appropriate assistance, and the involvement of their parents.	▪ Number/percentage of prosecutors, legal representatives, judges, probation officers, social workers etc. trained in special needs and rights of children ▪ Number/percentage of children coming to trial who are aware of their right to question witnesses and to appeal against their conviction; and to be guaranteed legal or other appropriate assistance ▪ Percentage increase in children in trial who are supported by parents' involvement
Risk of child abuse through detention with adults.	▪ Provide separate detention facilities for children, further separating boys and girls. ▪ Discontinue caning and other forms of corporal punishment for children in detention facilities.	▪ Percentage of detained boys and girls housed in separate facilities increases over time ▪ Percentage of children in detention caned and subjected to other forms of corporal punishment declines/ is eliminated over time
Risk that children in the criminal justice system are unaware of non-state mechanisms that address issues of direct relevance to the most disadvantaged children including rights to land and property of AIDS orphans and protection of their entitlements to public services.	▪ Coordinate between official and non-state/informal systems of justice to support vulnerable children. ▪ Support community-based legal and para-legal services for children; counselling services, legal aid clinics and socio-legal defence centres to provide information and to represent children. ▪ Ensure non-state or informal justice systems are brought in line and monitored to guarantee the rights of the child throughout the system.	▪ Coordination mechanisms established between official and non-state/informal systems of justice for vulnerable children ▪ Funding and resourcing levels increase over time for community-based legal and para-legal services for children; counselling services, legal aid clinics and socio-legal defence centres to provide information and to represent children ▪ Independent human rights oversight instituted for non-state or informal justice systems

Risk that children held in detention will not be rehabilitated. **Resources:** ▫ *See UNICEF Toolkit on Diversion and Alternatives to Detention*	▪ Provide education/counselling programmes for children in detention. ▪ Prepare communities through information/facilitation programmes to re-integrate child offenders back into society.	▪ Percentage of children receiving education programmes in detention increases ▪ Percentage of community members participating in re-integration programmes for child offenders increases ▪ Number/percentage of children under 18 in detention per 100,000 of child population falls over time ▪ Percentage of children in detention who have been visited by or visited parents, guardians, or an adult family member in the last three months increases

2. MAXIMIZING OPPORTUNITIES		
OPPORTUNITIES	**MEASURES**	**INDICATORS**
A separate juvenile justice system that is mainstreamed in national constitution, laws, policy reform and national development plans. **Resources:** ▫ *See UNICEF Toolkit on Diversion and Alternatives to Detention*	▪ Advocate for national level commitment to international standards on children's justice. ▪ Ensure coordination with donors. ▪ Support the mainstreaming of children's justice into broader rule of law agenda, into security and peace operations and emergency response. ▪ Support the mainstreaming of international norms and standards pertaining to justice for children into constitution, law and policy reform efforts under the rule of law agenda. ▪ Conduct national child rights/justice situation analysis.	▪ Agreements signed in line with international standards on children's justice ▪ Frequency of donor coordination meetings and outcomes ▪ Child-friendly review and amendment of legal, security and emergency frameworks and the constitution ▪ Completion of national child rights/justice situation analysis, with data disaggregated by gender, age, income, ethnicity and other relevant socio-economic variables and with action recommendations
Sectoral policy and plan as a basis for inter-sectoral and donor coordination for child justice through sector-wide approaches (SWAPs), etc.	▪ Support participation in sector policy development of legal and judicial institutions, parliamentarians, law enforcement officials, paralegals, social sector	▪ Stakeholder identification and engagement records ▪ Sector policy and planning framework for child justice developed and approved ▪ Child-friendly codes of conduct, recruitment and

	and staff of detention facilities. ▪ Promote development of child-friendly codes of conduct, standards for recruitment and standards for justice for children for law enforcement and judiciary personnel, detention facilities management and staff, lawyers, social workers, paralegals, and other professionals in touch with children in contact with the law. ▪ Support establishment of better protection for children including a comprehensive birth registration system. ▪ Facilitate coordination between between state and non-state systems. ▪ Allocate special budget for sector initiatives including training of state and non-state personnel, data collection and monitoring. ▪ Support stakeholder engagement and the systematic collection of data on children who come into contact with the legal system as victims, witnesses or offenders; disaggregated by age, sex, ethnicity, socio-economic class. ▪ Support collection of data on the treatment of child offenders if convicted. ▪ Advocate for the establishment of programmes with families and communities for rehabilitation of child offenders.	justice standards developed for relevant state and non-state personnel ▪ Percentage of children coming to trial who are aware of their right to question witnesses, to appeal against their conviction and to be guaranteed legal or other appropriate assistance, and the involvement of their parents, increases over time ▪ Number/percentage of children in birth registration system increases ▪ Percentage falls over time of child cases proceeding to the formal criminal/ juvenile justice system ▪ Number/percentage of state and non-state personnel trained in children's rights to justice ▪ Data collection system established and operational for children disaggregated by relevant social variables ▪ Number and distribution by variable of children coming into contact with the legal system as victims, witnesses or offenders ▪ Number/percentage of children being treated in accordance with child justice principles rises over time ▪ Number/percentage of children under 18 in detention per 100,000 of child population falls over time ▪ Percentage of children in detention who have been visited by or visited parents, guardians or an adult family member in the last three months increases

Tool 2.12 Sector checklists: Nutrition

Sector focus: Children live free of malnutrition and survive, grow and develop to their full potential, through interventions in the following key focus areas:

- Infant and young child feeding – with a view to creating an environment in which all mothers are able to practice optimal infant and young child feeding behaviours, including exclusive breastfeeding for the first six months of life, followed by the introduction of safe and adequate complementary feeding with continued breastfeeding for two years or beyond
- Elimination of micronutrient deficiencies through fortification and supplementation
- Ensuring optimal infant and young child feeding practices in humanitarian crises and in the context of HIV
- Treatment of severe and acute malnutrition.

Relevant norms and standards

- CRC
  - » Article 24 (e) requires States Parties to take appropriate measures "to ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of … the advantages of breastfeeding …"
- Universal Declaration on Human Rights
  - » Article 25(1): the right to a standard of living adequate for the health and well-being of oneself and one's family, including food, clothing, housing and medical care and necessary social services
  - » Article 25(2): motherhood and childhood are entitled to special care and assistance
- Committee on Economic, Social and Cultural Rights, General Comment No. 12: The right to adequate food
- World Health Organization, International Code of Marketing of Breast-milk Substitutes and subsequent relevant World Health Assembly Resolutions
- ILO Maternity Protection Convention 2000 (No. 183)
- WHO/UNICEF Global Strategy for Infant and Young Child Feeding
- CEDAW, including article 12 on health services for women and "adequate nutrition during pregnancy and lactation"
- 2012 WHA resolution/SUN Comprehensive Implementation Framework
- The Sphere Project, Humanitarian Charter and Minimum Standards in Humanitarian Response

1. SCOPING FOR RISKS		
RISKS	**COUNTERMEASURES**	**INDICATORS**
Aggressive marketing of breast-milk substitutes undermines breastfeeding.	▪ Support monitoring of the implementation and enforcement of the International Code of Marketing of Breast-milk Substitutes.	▪ Number of countries with adequate Code legislation in place

Women give up breastfeeding because they have to return to work too soon after birth of baby.	▪ Support adoption of adequate maternity protection measures based on ILO Maternity Protection Convention as a minimum standard.	▪ Number of countries with adequate maternity protection provisions in place

2. MAXIMIZING OPPORTUNITIES		
OPPORTUNITIES	**MEASURES**	**INDICATORS**
Growing political awareness of importance of nutrition to the development agenda.	▪ Support the Scaling up Nutrition (SUN) movement.	▪ Number of countries joining the SUN movement
Reporting process to the Committee on the Rights of the Child.	▪ Contribute to alternative reports to raise issues of concern to the Committee around nutritional status of children.	▪ Number of recommendations made to governments regarding improvements to nutritional status of women and children

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ENDNOTES

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CHILD RIGHTS TOOLKIT

Integrating Child Rights in Development Cooperation

Module 3 Child Participation

European Commission

unicef

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ACRONYMS AND ABBREVIATIONS

CRC	Convention on the Rights of the Child
ICT	information and communications technology
NGO	non-governmental organization

1. Introduction

Child participation is one of the fundamental values of the Convention on the Rights of the Child (CRC). It is not only a free-standing right but also one of the CRC's four guiding principles (participation; non-discrimination; the best interests of the child; and life, survival and development).

DID YOU KNOW?

Children can form and express views from the earliest age, but the nature of their participation – and the range of decisions in which they are involved – will necessarily increase in accordance with their age and evolving capacities.

Creating an environment in which child participation is fully and effectively realized has been challenging for all governments. Traditionally, most societies throughout the world have viewed children as the property of their parents or as subject to the authority of elders within their community, with scant recognition of any entitlement to their emerging autonomy.

Since the CRC was adopted in 1989, there has been significant global investment in initiatives designed to offer children opportunities to engage in matters of concern to them at the community, local, regional, national and international levels. Some examples of these include support to child-led organizations and networks, involvement of children in politics and governance such as child parliaments and establishing standards for ethical and meaningful participation. The EU also has explicit commitments to enabling children's involvement in the development, implementation and monitoring of policies and actions that affect the realization of their rights (*see section* 2.4).

Despite this, child participation remains elusive for most children around the world. Both governments and donors have tended to address participation in rather limited ways – primarily through specific projects or one-off consultative events. Too often these initiatives, while achieving benefits for the individual children and local services involved, have made very limited progress in transforming the social, political and cultural environment towards greater opportunities for sustained engagement.

"If you had a problem in the Black community and you brought in a group of White people to discuss how to solve it, almost nobody would take that panel seriously. In fact, there'd probably be a public outcry. It would be the same for women's issues or gay issues. But every day, in local arenas all the way to the White House, adults sit around and decide what problems youth have and what youth need, without ever consulting us."[1]

Recognizing children as active agents in their own lives represents a profound change in the legal and social status they have traditionally been afforded in most countries in the world. It is a fundamental recognition of citizenship and of the dignity of every child, with implications for every arena of their lives.

In this module we will:

1. Explain the importance of child participation as a right in itself and also as an instrument to realize all other rights
2. Explain what is meant by authentic/meaningful participation and identify opportunities for this at all levels
3. Identify the steps necessary to develop an environment conducive to realizing the right to participation within political dialogue and programming
4. Identify recommended interventions to support the realization of child participation rights

2. Key issues and considerations

2.1 Participation as a right

Participation can be defined as "an ongoing process of children's expression and active involvement in decision-making at different levels in matters that concern them. It requires information-sharing and dialogue between children and adults based on mutual respect, and requires that full consideration of their views is given, taking into account the child's age and maturity".[2]

Participation rights refer to a set of interlocking provisions of the CRC that require children's active engagement and participation at every level of society on matters that concern them.

Together, these provisions reflect the international consensus that children have civil and political rights that governments have an obligation to respect, protect and fulfil.

Relevant articles of the CRC

- **Art. 5** – Parental direction and guidance in accordance with respect for children's evolving capacity
- **Art. 9** – Non-separation of children from families without the right to make their views known
- **Art. 12** – The right to be listened to and taken seriously
- **Art. 13** – The right to freedom of expression
- **Art. 14** – The right to freedom of conscience, thought and religion
- **Art. 15** – The right to freedom of association
- **Art. 16** – The right to privacy
- **Art. 17** – The right to information
- **Art. 29** – The right to education that promotes respect for human rights and democracy
- **Art. 42** – The right for children to know their rights

2.2 Participation as a path to other rights

Child participation is not only a right in itself; *it is also a prerequisite for the exercise of all other rights* within families, schools and the larger community context. For example:

- **Child-responsive budgeting:** Children need to be consulted on the choice of competing priorities for the use of resources and for the design of plans and policies

affecting them. They can effectively advocate for budget allocations and monitor the implementation of social schemes crafted for their welfare. In this way, they can contribute to the political, social and economic progress of their countries and support the process of strengthening democratic governance.

- **Health:** Children are entitled to have access to basic information about health and nutrition and to be supported in the use of this knowledge.
- **Education:** Children should have the opportunity to develop their talents and abilities to fulfil their potential, to gain confidence and self-esteem, to use their initiative and creativity, to gain life skills and take informed decisions and to understand and experience pluralism, tolerance and democratic coexistence. They also have the right to influence and have a say in the design of school curricula, learning methods and school governance structures.

2.3 Participation as a contributor to child-development, programmatic and societal outcomes

- **Participation contributes to personal development:** Empowered children can become active and effective advocates for the realization of their own rights. Children acquire skills, knowledge, competencies and confidence through participation.
- **Participation leads to better decision-making and outcomes:** Adults do not always have sufficient insight into children's lives to be able to make informed and effective decisions when designing legislation, policies and programmes for children. Children have a unique body of knowledge about their lives, needs and concerns, together with ideas and views that derive from their direct experience. Decisions that are fully informed by children's own perspectives will be more relevant, more effective and more sustainable.
- **Participation serves to protect children:** Children who are silenced and passive can be abused by adults with relative impunity. Providing them with information, encouraging them to articulate their concerns and introducing safe and accessible mechanisms for challenging violence and abuse are key strategies for providing effective protection. Opportunities to participate have been found to be of particular importance in situations of conflict and emergencies.
- **Participation contributes to civil society development, tolerance and respect for others:** Participation promotes civic engagement and active citizenship. Through experience of direct participation in matters of concern to them, children acquire the capacity to contribute to the creation of peaceful and democratic societies that are respectful of human rights.
- **Participation strengthens accountability:** Participation is central to a process of building accountability and promoting good governance. It is a means through which governments and other duty bearers can be held to account. Investment in building children's capacities for and commitment to active participation will contribute towards the creation of more transparent and open government. (*See Module 6: Child-responsive budgeting for more on this topic.*)

> *"We, the children, are experts on being 8, 12 or 17 years old in the societies of today. Nobody knows better what children actually need. To consult us will make your work more effective and give better results for children."*[3]

2.4 EU's commitment to child participation

The EU has explicit commitments to effectively promote and safeguard children's rights in socio-economic and development policies. An integral part of this is enabling children's involvement in the development, implementation and monitoring of policies and actions that impact the realization of their rights.

Additional commitments on child participation:

Cotonou Agreement

"…cooperation shall support policies, measures and operations aimed at protecting the rights of children and youth, especially those of girl children" and "promoting the active participation of young citizens in public life" (Art. 26).

"…cooperation shall play systematic attention to institutional aspects and in this context, shall support the efforts of the ACP States to develop and strengthen structures, institutions and procedures that help to ... promote and sustain universal and full respect for and observance and protection of all human rights and fundamental freedoms" (Art. 33).

EU Guidelines for the Promotion and Protection of the Rights of the Child

"The EU reaffirms its determination to observe as a matter of priority in its external human rights policy the promotion and protection of ALL rights of the child, i.e. persons below the age of 18 years, taking into account the best interests of the child and its right to protection from discrimination and participation in decision-making processes, founded on the principles of democracy, equality, non-discrimination, peace and social justice and the universality, indivisibility, interdependence and interrelatedness of all human rights, including the right to development."

The importance of children's participation is further emphasized in:

- A Special Place for Children in EU External Action (Commission of the European Communities, 2008)
- The European Union's Action Plan on Children's Rights in External Action (Commission of the European Communities, 2008)
- Council Conclusions on the Promotion and Protection of the Rights of the Child in the European Union's External Action: The development and humanitarian dimensions (Council of the European Union, 2008)

This key policy framework clearly identifies respect for children's views as one of the priorities and principles to guide EU programmes and actions.

2.5 Challenges to realizing participation rights

Despite widespread recognition that child participation is a fundamental human right, there still remain some powerful challenges to its universal acceptance. These include the following views:

- **Children lack the competence or experience to participate.** Yet 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 and 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 – through pictures, poems, drama and photographs as well as more conventional discussions, interviews and group work – all children can participate in issues that are important to them.
- **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.
- **Giving children the right to be heard will take away their childhood.** Article 12 does not impose an obligation on children to participate. Rather, it provides a right for children to do so. Children's right to be heard, in fact, is critical to improving the nature and quality of the childhood they experience.
- **It will lead to lack of respect for parents.** On the contrary, listening to children is not about teaching them to ignore their parents but about respecting them and helping them learn to value the importance of respecting others. It can be difficult for some parents to respect children's right to participate when they feel that they themselves have never been respected as possessors of rights. Nevertheless, this does not imply the need to hold back from encouraging children to participate but, rather, the need to be sensitive in doing so.
- **Children cannot have the right to be heard until this right is respected for adults.** But if societies are to build more opportunities for their citizens to be heard, it is important that this process begins with children. Encouraging children from the earliest ages to engage in critical enquiry, challenge abuses of rights and acquire the confidence and capacity to express their views will contribute to wider societal change.
- **Children's rights are a Western concept being imposed on other countries.** It has been argued that the very concept of child participation, which promotes the visibility and individual rights of a child, is a Western-imposed principle that conflicts with the cultural commitment to the primacy of the family in many other cultures. In fact, history and mythology of the non-Western world has many examples of children and young adults who have had a 'defining' role in their own lives and in the lives of their communities long before the CRC came into being in the modern world. The continued viability and strength of the family is actually central to the realization of children's rights.

3. Mainstreaming child participation within country programming

Development cooperation actors can contribute to furthering effective and ethical child participation by supporting the creation of a conducive environment at the national policy and programming level, as well as by supporting the integration of participation at all stages of the programme and project cycle management.

3.1 Participation rights context analysis

Building greater understanding of the ways in which participation rights can be identified and monitored – and analysing the extent to which a national context is conducive to their realization – is an important starting point in establishing long-term and meaningful child participation. This could be done through a participation rights analysis.

STEPS OF PERFORMING A PARTICIPATION RIGHTS ANALYSIS

Step 1. Identify legal entitlements to participate

The right of children to express views on issues that concern them is codified in legal standards and procedures. Examples of these include the availability of child-friendly court procedures, legal guarantees for children to be heard in judicial proceedings and requirements for schools to establish school councils. It is important for the analysis to be able to properly identify the extent to which these are present across national policies and legislation.

Step 2. Identify the key stakeholders within government and civil society with accountability to support the realization of the right to participate

It is critical to identify the key stakeholders that have responsibility and influence to realize children's participation rights. Among those are: Office of the Head of State, Ministry of Education, Ministry of Health, Ministry of Local Government, Ministry of Justice, other relevant government institutions at all levels, including municipalities and local councils, members of the judiciary, parliamentarians and mayors, educators, religious leaders, community leaders, parents and teachers.

Step 3. Identify mechanisms to provide access to information and raise awareness

Access to information is a critical component of realizing children's participation rights. Development cooperation actors can assess the extent to which children have access to independent information from various sources (radio, television, helplines, etc.) and whether this information is available in child-friendly and accessible formats.

It is equally important to assess the extent to which training is in place to raise awareness on child rights and participation at pre- and in-service levels for all professionals working with and for children (including teachers, doctors, nurses, lawyers, judges, police, psychologists, social workers and prison staff).

Step 4. Identify opportunities for children to influence public agendas and meaningfully participate in their daily lives

Development cooperation actors can support the creation of concrete opportunities for children to influence public agendas (for example, by providing feedback on the quality, accessibility and appropriateness of public services available for them, by being represented in local and national governance bodies or by having the right to establish their own organizations).

It is also important to assess the extent to which concrete opportunities are in place for children to meaningfully participate in their daily lives, in accordance with their evolving capacities to do so. These include child-friendly and participatory learning environments in schools and involving children in decision-making processes concerning their own health care.

See Tool 3.1 for a list of matrices used to 'map' where a country currently stands with regard to participation rights.

3.2 Child participation in programme implementation

In order for children's participation in programme implementation to be meaningful, effective, ethical, systematic and sustainable, compliance with certain principles and standards is essential.

PRINCIPLES AND STANDARDS FOR MEANINGFUL PARTICIPATION[4]	
CHILDREN'S PARTICIPATION MUST BE:	
Transparent and informative:	Children must be provided with full, accessible, diversity-sensitive and age-appropriate information about their right to express their views freely and their views to be given due weight, and how this participation will take place, its scope, purpose and potential impact.
Voluntary:	Children should never be coerced into expressing views against their wishes and they should be informed that they can cease involvement at any stage.
Respectful:	Children's views have to be treated with respect and they should be provided with opportunities to initiate ideas and activities.
Relevant to children's lives:	Opportunities must be available for children to express their views on issues of real relevance to their lives and enable them to draw on their knowledge, skills and abilities.
Child-friendly:	The approaches to working with children should be adapted to their capacities. Consideration needs to be given to the fact that children will need differing levels of support and forms of involvement according to their age and evolving capacities.
Inclusive:	Participation must be inclusive, avoid existing patterns of discrimination, and encourage opportunities for marginalized children, including both girls and boys, to be involved.
Supported by training for adults:	Adults need preparation, skills and support to facilitate children's participation effectively, to provide them, for example, with skills in listening, working jointly with children and engaging children effectively in accordance with their evolving capacities.
Safe and sensitive to risk:	In certain situations, expression of views may involve risks. Adults have a responsibility towards the children with whom they work and must take every precaution to minimize the risk to children of violence, exploitation or any other negative consequence of their participation.
Accountable:	A commitment to follow-up and evaluation is essential. Children are also entitled to be provided with clear feedback on how their participation has influenced any outcomes.

3.3 Evaluation of child participation

There are three distinct dimensions to participation that require measurement if practice is to be monitored and evaluated effectively: scope, quality and outcome.

1. **Scope:** What degree of participation has been achieved and at what stages of programme development? In other words: **What is being done?**

   In order to assess the scope of participation in which children are involved, it is necessary to address two perspectives:

- **Point of engagement.** Children can be involved at different stages in the process of developing a programme – from the initial concept through to implementation and monitoring and evaluation. The earlier they are involved, the greater their degree of influence.
- **Level of engagement.** At each stage of developing a programme, there are three potential levels of engagement for children – consultative, collaborative and child-led (*see Annex 3.2 for details*). The extent to which children are empowered to exercise agency within an initiative will be influenced by the level at which they are participating. However, all three are valid approaches and can be appropriate, depending on the goals of the programme.

See Tool 3.2 for a matrix for measuring the scope of children's participation.

2. **Quality:** To what extent have participatory processes complied with the agreed standards for effective practice? In other words: **How is it being done?**

   Nine basic requirements have been recognized as the foundation for effective, meaningful and ethical participation. Benchmarks have been elaborated against each of these nine requirements and can be used to measure the quality of any participatory processes involving children.

See Tool 3.3 for a matrix containing details of the nine basic requirements.

3. **Outcome:** What has been the outcome – for young people themselves, for families, for the supporting agency and for the wider realization of children's rights within families, local communities and at local and national governmental levels? In other words: **Why is it being done?**

   The outcomes associated with child participation should be assessed in accordance with the objectives for involving them (for example, to promote children's self-esteem and build skills and confidence, to ensure that programmes reflect children's expressed priorities, to enable children to participate in challenging neglect or violations of their rights, or to change a law or policy to strengthen child protection). These different objectives need to be clear at the outset of any programme and will influence what indicators are constructed for measuring effectiveness.

See Tool 3.4 for matrices on possible outcome indicators.

4. Recommended interventions to realize participation rights

This section provides a summary of the steps for developing an environment conducive to realizing participation rights within national policy and country programming.

Governments, supported by donors, need to implement a broad range of measures to ensure that child participation is embedded and institutionalized. If children's participation is to be more than an occasional practice on the part of a limited number of well-intentioned adults, it needs to be recognized as an entitlement.

While a regulatory framework is not sufficient on its own to achieve meaningful participation, it is a necessary foundation for establishing clear patterns of entitlement, obligation and accountability. Beyond legislation, investment is needed in policy, guidance and training to ensure that those rights are translated into the reality of children's everyday lives.

4.1 Awareness-raising to change attitudes

If children are to have a voice, they need access to information that is both timely and appropriate to their intellectual stage of development. Children themselves need to be consulted on the most effective and appropriate means of disseminating knowledge of their rights to themselves, other children, their parents and others. Partnerships with non-governmental organizations (NGOs), youth groups and the media are also important in this regard as they have a crucial role to play in communication and information.

Specific investment is needed in the following areas:

- **Encouraging positive government messages**

  Bringing about change in attitudes and practices needs leadership from governments in the way they talk about children, promote respect for them and recognize them as citizens within society. This positive cultural environment can be engendered by:

  - » Engaging children as citizens
  - » Making the case for participation

- **Promoting information and awareness**

  Children cannot exercise the right to participate if they do not know they have such a right or how to realize it. Information about rights can be included in the school curriculum or promoted through child rights clubs in schools. Governments should invest in publicity campaigns, disseminating the CRC in child-friendly versions that should be developed in collaboration with children. These should also be made available in the languages of groups that are marginalized and excluded, such as may be the case for minorities and indigenous peoples. Dissemination can

be achieved through, for example, magazines, television, radio, the Internet and social media. Materials might also be made available at youth clubs, doctors' offices, hospitals and clinics and religious institutions.

It is also important to ensure that information is disseminated through media accessible to children with disabilities (for example in Braille), through appropriate electronic formats and by signing provision on any television programming.

- **Providing sensitization for families**

  The CRC requires governments to "render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and … ensure the development of institutions, facilities and services for the care of children" (Article 18). A key aspect of such assistance would involve education and counselling for parents and other family members to encourage positive and sensitive relationships with young children and to enhance their understanding of children's rights and best interests. Such programmes should involve both fathers and mothers and should address:

  - **Promoting respectful relationships** between parents and children. This is often a challenge: While there are longstanding assumptions in most cultures that children should respect their parents, it is far less common for cultures to recognize the importance of parents respecting children.
  - **Involving children** in decision-making.
  - **Giving due weight** to the views of every family member, including children (both girls and boys).
  - **Understanding, promoting and respecting** children's evolving capacities.
  - **Dealing with conflicting views** within the family.
  - **Emphasizing the principle that both girls and boys have equal rights** to express views.

4.2 Building capacities, skills and behaviours for meaningful participation

Programmes aimed at strengthening the capacity of children to actively participate and claim their rights are crucial in equipping children with the ability to present their views more effectively and without adult permission. School settings, for example, have particular potential to spearhead a participatory, child-centred methodology that allows adults and children to put this right into practice.

Governments should also provide sustainable and continuing pre- and in-service training for all professionals, officials and policy makers working with and for children. Training should be provided for:

- **Professional bodies**, such as paediatric societies, to support them in adapting existing curricula

- **Civil society organizations** that currently provide capacity-building programmes for professionals to help them incorporate child rights into their curricula and collaborate with governments in creating effective child rights curricula within mainstream training
- **Universities and other academic and training institutions** to encourage the incorporation of child rights education within their curricula and to build the capacity of teaching staff to provide training on child rights.

4.3 Establishing standards for child participation

Legal, administrative and regulatory framework for information sharing and consultation

Participation of children cannot be guaranteed without a regulatory framework that sets standards and creates the spaces for such consultations to take place on a regular basis. One example might be legal reforms that give young people the right to develop democratic structures in their schools by introducing formal mechanisms for political dialogue between youth and officials at all levels of government.

While policy and regulatory frameworks alone do not automatically translate into changes in practices and resource allocation, they can provide clarity and a platform for developing common strategies and plans across programmes, agencies and departments and create opportunities for closer collaboration between different child rights actors and children's and youth groups.

4.4 Ensuring mandated and allocated resources: time, money and people

Without adequate resources – including finances, time and designated human resources – efforts to support children's participation are bound to be limited and unsustainable. Resources must be not only sufficient but also mandated and protected by regulatory framework and standards. Limited capacity in local and central government to provide services for young people (such as schools that have difficulty in reaching vulnerable and marginalized groups) negatively affects participation.

STRATEGIES FOR RESOURCE ALLOCATION	
Financing: Donors can support governments by contributing to budgets that acknowledge the costs associated with sustained engagement of children.	▪ **Dedicated staff** – Staff should be trained and appointed to provide a range of services to ensure governments fulfil their obligations – for example, by managing and supporting children's access and setting up complaints procedures. Staff in local and national government should also be trained and appointed with a mandate to facilitate children's participation. ▪ **Child-friendly government documentation** – In order for

	children to be able to participate effectively in, for example, consultations, advisory forums or planning processes, they will need access to information and materials in accessible formats. ▪ **Promotional materials** – Creation and dissemination of information about children's rights can involve written materials, posters, cartoons, television advertising or age-appropriate websites. ▪ **Meetings** – Wherever children are involved in participation in meetings, at community, local, regional or national level, there will be associated costs for travel, facilitation, accommodation and the provision of staff to provide them with protection and supervision. ▪ **Support for children's own organizations** – To be able to establish their own organizations, children will need both practical and financial support. For example, they may need paid adult advisors, they will incur administrative costs and they will need a meeting place and transport to attend meetings. Many children's organizations will utilize social media for communications, which can be exploited free of charge, but they may incur costs through the creation of websites or the production of leaflets or headed paper. They may also need equipment such as computers or mobile phones to enable them to link with other children and disseminate their work.
Investment of time: Children's participation takes time. Governments need to recognize this and build sufficient time into processes where children are to be involved.	▪ **In public consultation**s – Whether it is in the development of a national plan of action, a consultation on legal reform, the preparation of a poverty reduction strategy paper or the design of a new children's hospital, the necessary time for meaningful engagement of children needs to be guaranteed. A commitment to extending timeframes to make participation possible should be institutionalized for such processes. ▪ **In the courts** – Any legal process involving children needs to be timetabled to take account of the importance of preparing children, providing them with the necessary age-appropriate information, seeking their views in advance of hearings and enabling sensitive and appropriate systems for giving evidence. ▪ **In health care** – Ensuring that children are provided with information about proposed treatments and enabling them to play an active part in decision-making will necessarily involve health professionals spending more time with individual children. This obviously presents a challenge in many developing countries, where resources are extremely limited. However, at a minimum, hospital staff can provide all children with information about who to ask for help or information about their care when they need it or where to go if they feel unhappy with the way they have been treated, or can develop simple and accessible resource material to address basic questions or concerns that all children are likely to have. Staff should always be respectful and involve children as far as is possible in any treatment or intervention.

4.5 Establishing structures, procedures and mechanisms for consultation

Mechanisms to facilitate child participation should be institutionalized. This will ensure children are systematically consulted as opposed to their participation being limited to what might be one-off events. For example:

- Government structures with key responsibility for the implementation of the rights of the child should establish direct contact with child- and youth-led organizations.
- Governments can designate a lead authority for children's participation to coordinate implementation among all relevant departments, together with designating a lead contact in each department.
- Each relevant government department should also undertake responsibility for ensuring children's participation within its own area of policy.

4.6 Mobilizing children and young people to participate

Children should first and foremost be invited to participate on issues relevant to their own experience and wider environment – home, school and community – and their participation should progressively be institutionalized. There are many and different mechanisms for mobilizing children and young people to participate and supporting their civic engagement. Some examples include:

- Establishing youth ministries (or equivalent official government agencies)
- Forming youth bodies such as councils, parliaments, advisory boards, commissions or forums
- Appointing youth representatives to other government bodies
- Creating youth policies, acts or constitutional articles or policies supporting youth participation and civic engagement specifically
- Incorporating youth perspectives and foci into other sectoral or national policies and strategies
- Creating a positive legislative environment for civil society and volunteering
- Creating school-based community service requirements or mandatory curricula relating to youth civic engagement
- Establishing government-sponsored and government-run programmes
- Funding non-governmental or school-based programmes.

See Annex 3.1 for additional opportunities for child participation at the local and national level.

4.7 Integrating child participation in settings frequented by children

The right to be heard extends to every part of children's lives. While much impressive work has been undertaken in recent years to create opportunities for children to participate in the public arena, it is important not to forget that equal investment needs to be made in addressing the opportunities for children to be heard in their day-to-day lives – in the family, at school, in their health care, in institutions, in play and recreation and in the workplace.

Schools and education

Respect for participation rights within education is fundamental to the realization of the right to education. An entitlement to be heard within the education system should be introduced at a number of levels:

- **Involving children in decisions affecting their education.** When decisions are made about a child's education (such as, for example, to exclude her or him from school), the child must have the right to appeal that decision. This will necessitate having access to information about how to challenge the decision, where to go for help and who can support her or him through that process.
- **Participatory child-centred learning.** Children and young people should be recognized as active contributors to their own learning rather than passive recipients.[5] Through active participation, children can be helped to acquire skills in thinking, analysing, investigating, creating and applying knowledge to achieve their optimum potential.
- **Establishing democratic structures within schools.** Children should have the right to establish democratic procedures, such as school councils, through which they can express their views, influence school policies, raise issues of concern and contribute towards building a positive learning environment.
- **Opportunities to inform the development and implementation of education legislation and policies.** Children should be involved at the local and national levels on all aspects of education policy, including the development of school curricula, teaching methods, school structures, standards, budgeting and resources, and child-protection systems.
- **Support for national student organizations.** Governments can introduce the right to establish independent children's organizations or student unions, which can play a role in monitoring and evaluating the quality of education provided in schools and respect for children's rights in the education system.

(*For more information, see UNICEF's A framework for rights-based, child-friendly schools.*)

Health care

Children's participation rights have significant implications for the way health-care treatment and health services are provided. In respect of children's access to health care and individual treatment, there are three distinct but linked issues that need consideration in legislation and policy:

- **Involvement in decision-making.** Children have a right to information and to be involved in discussions and decisions concerning their own health care, consistent with their level of understanding.
- **Access to confidential medical counselling.** Children need access to confidential medical counselling and advice. It is important to stress that this is distinct from the right to give medical consent and should not be subject to any age limit.
- **Consent to treatment.** As soon as the child can demonstrate the capacity to take responsibility for decisions, she or he should be entitled to do so. As children mature they want, and should be allowed, to make decisions for themselves about their treatment, while continuing to get support from health professional and their parents.

Child protection

The CRC establishes the right of children to be protected from all forms of violence and imposes a responsibility on governments to fulfil this right for every child, without discrimination. Children can only be protected effectively when they understand their right to protection from violence and have access to effective mechanisms to be heard.

It is particularly difficult for a child to report an incidence of abuse in countries where there is no tradition of children speaking up on their own behalf. The problems are intensified in the context of sexual abuse, particularly in countries where topics related to sex are seldom discussed or where there is a profound stigma attached to sexual activity. In these cases, the child may have no language through which to describe what has happened.

Donors should encourage governments to implement the findings of the UN Secretary-General's Study on Violence against Children, including the recommendation to provide the space for children to freely express their views and give these views due weight in all aspects of prevention, reporting and monitoring violence against them.[6]

In particular, action to ensure that children can express their views when they experience violence, exploitation or abuse should include:

- **Establishing hotlines or websites** where children can access professional help and support in confidence.
- **Encouraging professional codes of practice** providing clear guidance on children's right to confidentiality, and ensuring that children are provided with information on these codes.
- **Establishing procedures** for every institution (whether it is a day-care centre, school hospital, orphanage, care home or penal institution) through which children can report an instance of abuse.
- **Exploring mechanisms for children with disabilities or from ethnic or indigenous groups** to report violence or abuse. Many routes are not accessible to children with disabilities – for example, they may not be in school, may be unable to access hotlines, may be less mobile and may need alternative forms of communication. Disabled people's organizations, as well as children with disabilities themselves, should explore strategies that will work for them. Article 16 of the Convention on

the Rights of Persons with Disabilities places a clear obligation on governments to provide support for children with disabilities to avoid, recognize and report instances of exploitation, violence and abuse.[7]

- **Supporting and facilitating** children to undertake research, share information and put forward proposals on prevention of violence.

Courts and legal systems

The responsibility to listen to and take seriously what children have to say must be understood by all those involved in judicial and administrative proceedings. Whenever a child is involved in a proceeding, there are four key areas that need to be considered to ensure that the right to be heard is implemented effectively.

1. **Preparation:** Children are likely to feel very confused and vulnerable when facing a court hearing. The provision of clear and practical information about the process is a vital way to allay those fears and help children participate effectively.
2. **The hearing:** Children often face difficulties in pursuing breaches of their rights and in gaining access to justice. There are two key issues to address: (a) ensuring the legal right of the child to be heard in their own language (in age- and disability-sensitive ways and through representation whenever necessary); and (b), ensuring an environment where the child feels sufficiently confident to talk.
3. **Assessment of the capacity of the child:** A child should not be precluded from a hearing solely on the basis of age. The court should begin with a presumption of capacity. Only where the court has genuine concerns, based on evidence that the child lacks capacity, should a child be denied the right to express his or her views.
4. **Feedback on the weight given to the views of the child:** Children are entitled to know what decision has been made about them and to be informed about how their views were considered. This feedback is a guarantee that the views of the child are not heard only as a formality but are taken seriously.

Module 3 Tools & Annexes

TOOLS

Tool 3.1 Matrices for assessing the environment for child participation

1. ASSESSING LEGAL ENTITLEMENTS TO PARTICIPATE				
LEGAL PROVISIONS	**NO PROVISION**	**LIMITED PROVISION**	**MODERATE PROVISION**	**COMPREHENSIVE QUALITY PROVISION THAT IS IMPLEMENTED**
Accessible and child-friendly court procedures	No child-friendly court procedures	Rules and procedures for child-friendly court procedures developed but not yet put into practice.	Child-friendly court procedures applied in selected courts, mainly in urban areas.	Fully functioning, child-friendly procedures in all courts. Children provided with information about their rights and courts obliged to consider children's views when deciding matters that affect them.
Representation in court hearings	No mechanisms for legal aid exist for children.	Legal aid mechanisms are being developed.	Legal aid mechanisms are in place for children in certain (mostly urban) parts of the country.	Girls and boys in all parts of the country have ready access to legal aid mechanisms.
Respect for evolving capacities	No legal provisions for children to express their views on matters of custody, guardianship, medical treatment, religion, etc.	Entitlement to express views from age 15 and up.	Entitlement to express views from age 10 and up. The law provides for fixed ages when children can give consent to, for example, adoption or medical treatment.	Children are entitled by law to express their views from the earliest age possible – in accordance with their capacities. In addition to fixed age limits for consent, the law provides that children below those ages who can demonstrate competence can also give consent. Law is understood and implemented.
Complaints mechanisms and means of redress	No feedback or complaints mechanisms.	Complaints procedures in urban centres accessible to some children. Follow-up mechanisms not effective.	Complaints procedures widely available. Follow-up, referral and response mechanisms are working well in some areas.	Complaints procedures are mandated by law and easily accessible by all children. Follow-up, referral and response mechanisms are well-established, accessible and effective.

Child protection	There are no child protection proceedings provided for by legislation.	There is no legal requirement that the child's view's should be heard.	The law mandates that children must be heard through a body or representative.	The law mandates that children must be heard directly at all stages of the child protection process and it is implemented.
Children in care	All decisions are made by adults without reference to children.	Guidance to encourage listening to children but no explicit right for children to be heard.	Law requires that children are consulted on all matters of concern to them and their views given due weight, but it is not widely implemented.	Law requires that children are consulted on all matters of concern to them and their views given due weight. Court officials and other professionals have training in listening to children and apply their learning in practice.
Children in civil proceedings (e.g., divorce, separation and adoption)	All decisions made by adults without reference to children.	Guidance to encourage listening to children but no explicit right for children to be heard.	Law requires that children are consulted on issues of custody and access and their views represented in court, but it is not widely implemented.	Effective implementation of law requiring that children are consulted on issues of custody and access and that their views are represented in court. No child capable of forming a view can be adopted against her or his wishes.
Democratic schools	No student councils exist.	Student councils in some experimental schools. The best students are appointed by teachers. Students debate issues but have no influence over the final decisions.	Student councils are widespread in schools. Members of student councils are elected by the students. Children's decision-making power is limited.	Mandatory student councils and school management committees where students have real control over important decisions. Student councils are fully representative of the student body.
Parental responsibilities	Parents have complete authority over their children.	Law provides some protection against abuse in families.	Encouragement on the part of government towards more democratic parenting and some parent education courses provided.	Law defines parental responsibilities and includes provision that parents must consult with children when making decisions that affect them.

2. ASSESSING THE RIGHT OF ACCESS TO INFORMATION				
	NO ACCESS TO INFORMATION	LIMITED ACCESS TO INFORMATION	MODERATE ACCESS TO INFORMATION	COMPREHENSIVE ACCESS TO INFORMATION
Free and compulsory education	Education not free and only compulsory at primary level.	Primary education compulsory and free.	Primary and secondary education free and compulsory but low rates of enrolment, attendance and completion.	Primary and secondary education free and compulsory and on track to meet the Millennium Development Goals for girls and boys.
Legal rights to information	No laws guarantee information rights. Public access to government documents is extremely limited.	Public access to government documents is limited but expanding.	Legislation regarding public access to information is in place, but in practice it is difficult to obtain government documents.	Government documents are broadly and easily accessible to the public.
Access to independent information from a wide range of sources	Children have no access to information.	Children's access to information is largely limited to better-off children in urban areas.	Children have access to a range of information, but large disparities exist between children.	All boys and girls have access to a wide range of information from various sources: radio, television, libraries, books, press, Internet, helplines.
Information available in child-friendly and appropriate formats	No child- or disability-friendly information is available.	A few documents are available in child-friendly formats – usually just one format for all children.	Child-friendly information is widely available.	Information is readily available in child- and disability-friendly formats that are appropriate for children of different ages. Government departments are mandated to produce key documents in child- and disability-friendly formats.
Human rights education included in the curriculum	No human rights are part of the education curriculum.	Willingness to consider the inclusion of human rights in curriculum but no action yet taken.	Human rights in curriculum but only taught in limited number of schools.	Human rights included in the curriculum, teachers trained and teaching resources provided.

Awareness of rights	Children lack basic knowledge in a wide range of areas.	Better-off, mostly older children in urban areas have knowledge about their rights, sexuality, HIV and AIDS and contraceptive methods.	A majority of children have knowledge about their rights, sexuality, HIV and AIDS and contraceptive methods.	All children have adequate knowledge about their rights, sexuality, HIV and AIDS and contraceptive methods and how to realize those rights.

3. ASSESSING AWARENESS-RAISING ON CHILDREN'S CIVIL RIGHTS				
	NO AWARENESS-RAISING	LIMITED AWARENESS-RAISING	MODERATE AWARENESS-RAISING	COMPREHENSIVE AWARENESS-RAISING
Child rights training for professionals working with children	No training available on child rights.	Some workshops on child rights provide for some professional groups.	Some courses for professionals are beginning to introduce training on child rights.	All pre and in-service training for professionals working with and for children includes child rights, as well as the development of competencies for assessing capacity.
Programmes for parent education	No programmes available.	Some non-governmental and civil society organizations provide parent education.	Government provides limited resources to civil society organizations to develop parent education programmes.	Government has supported the development and dissemination of parent education programmes in all areas of the country.
Awareness of children' participation rights by policy makers	Policy makers are not informed about or trained in children's rights and not expected to involve children in any policy-making.	Voluntary training is offered for policy makers. Individual initiatives to involve children in policy-making take place.	Policy makers in government departments with direct responsibility for children (e.g., health and education) are trained in children's rights and expected to consult with children on major policies.	Policy makers across government at local and national levels are trained in children's rights and provided with clear guidance from the government about the obligation to introduce and support children's participation in policy-making.

4. ASSESSING OPPORTUNITIES TO INFLUENCE AGENDAS				
	NO INFLUENCE	LIMITED INFLUENCE	MODERATE INFLUENCE	COMPREHENSIVE INFLUENCE
Consultation on legislation, public policies, services and resource allocation	Children are never consulted.	Some consultations are held with some children on some policies.	The views of girls and boys are gathered systematically in relation to a majority of policies affecting children.	The development of all legislation, policies and services affecting children must take children's views into account.
Children are able to provide feedback on quality, accessibility and appropriateness of public services	Children are provided with no opportunities for feedback on public services.	Some local health, education and social welfare services provide complaints mechanisms.	Public services are required to establish feedback systems including evaluation forms, surveys and complaints mechanisms.	Public services implement effective feedback systems including evaluation forms, surveys and complaints mechanisms.
Mechanisms for auditing and inspection involve children on a systematic basis.	Policy makers are not informed about or trained in children's rights and not expected to involve children in any policy-making.	Voluntary training is offered for policy makers. Individual initiatives to involve children in policy-making take place.	Policy makers in government departments with direct responsibility for children (e.g., health and education) are trained in children's rights and expected to consult with children on major policies.	Policy makers across government at local and national levels are trained in children's rights and provided with clear guidance from the government about the obligation to introduce and support children's participation in policy-making.
Child representation in governance bodies at local and national level	No children are represented.	A few youth councils and children's parliaments exist, but are often not sustained for very long.	A range of effective mechanisms has been developed for children's representation at local and national levels and are being spread across the country.	Local and national governance bodies are mandated by law to have children represented.
Right to establish child-led organizations	Children are prevented by law from forming their own associations.	Legislation entitles children to form their own associations,	Procedures for establishing and registering child-led associations have been	Children are entitled by law to form their own associations and to join unions. Responsible government

	Child workers are prevented from joining labour unions.	but bureaucratic procedures make it very difficult for children to formally register their associations.	simplified with the result that the number of registered child-led associations is growing steadily.	departments process applications for child-led associations in a professional and speedy manner.
Existence of child-led organizations	No child-led associations exist.	Only a few types of child-led associations are active, mostly for only short periods of time.	Growing number and diversity of child-led associations.	Large number of different types of child-led associations are active and effective in the country.
Respect for children's right to run their own organizations	Children's associations are completely controlled by adults.	Adults set the agenda of the children's organizations and make all important decisions.	Girls and boys set some of the agenda. Adults listen to children's views but retain final say over the agenda of the organizations.	Child-led associations receive support, advice and resources from adult civil society organizations without interference in their internal decisions.
Access to broadcast media to communicate views	No opportunities exist for children to use broadcast media to communicate their own views.	A few projects exist to support young journalists and reporters.	A growing number of opportunities are available for children to broadcast their views. Access to these opportunities is concentrated on better-off children in urban areas.	Opportunities for children to use broadcast media to communicate their own views are readily and easily available for a majority of girls and boys (radio, newspapers, ICT, television).
Access to information and communication technology (ICT)	No ICT available in the country.	Only children from better-off families, mostly in urban areas have access to ICT.	Over 50–70 of children in the country have access to ICT.	All boys and girls have access to ICT.

5. ASSESSING RESPECT FOR CHILDREN'S PARTICIPATION IN THEIR EVERYDAY LIVES				
	NO DAY-TO-DAY PARTICIPATION	LIMITED DAY-TO-DAY PARTICIPATION	MODERATE DAY-TO-DAY PARTICIPATION	COMPREHENSIVE DAY-TO-DAY PARTICIPATION
Children are listened to within their own families	Parents never listen to or consult children on their views.	Parents consult older adolescent boys on some major decisions.	Parents consult adolescent boys and girls on some decisions.	Parents regularly involve all children, including very young children, in decisions within the family.
Child-friendly and participatory schools	No child-centred learning and teaching methods.	A few schools experiment with child-centred teaching methods.	Child-centred learning and teaching methods have been promoted widely in the country.	Child-centred teaching methods are mandatory in all schools.
Access to confidential health-care services	No confidential services available. All children must get parental consent to access health care.	Individual health centres provide adolescent clinics, but no clear policies exist on confidentiality.	Some free and child- and adolescent-friendly, confidential services available in urban areas.	Free, accessible, child- and adolescent-friendly, confidential services available throughout the country and widely publicized.
Children are consulted in decision-making processes concerning their own health care, consistent with their evolving capacities	No children under 18 years are consulted or involved in decisions concerning health care.	Some individual medical practitioners consult older children, but no policy exists.	Doctors are encouraged to involve children in their own health care/a policy exists, but no training is provided and its implementation is uneven.	A policy has been drawn up requiring staff to involve children in their own health care as far as possible. Age-appropriate information is provided, as is training for all health professionals on the application of the policy.
Children participate in activities within their local communities	A very small minority (less than 10 per cent).	A small minority (10–30 per cent).	A minority (20–50 per cent).	Most children volunteer regularly and take part in social, cultural or environmental activities.
Child-friendly cities or communities	No strategies to develop child-friendly cities or communities.	Small-scale initiatives to create child-friendly environments in a limited number of communities.	Most cities have begun to explore strategies for involving children in the development of child-friendly environments.	A comprehensive national strategy is being introduced, in partnership with children, to create child-friendly cities and communities.

Tool 3.2 Matrix for assessing the scope of child participation

This matrix can be used to assess both children's point of entry into any particular process and the nature of their involvement in it.

MATRIX FOR ASSESSING THE SCOPE OF CHILD PARTICIPATION				
	CHILDREN NOT INVOLVED	CONSULTATIVE	COLLABORATIVE	CHILD-INITIATED, LED OR MANAGED
Situation analysis		Children's views are solicited but the design and process for information gathering as well as the analysis are undertaken by adults.	Children are invited to contribute to the design of the methodology and their views are sought for both data collection and data analysis.	Children undertake their own research with other children to identify issues of concern.
Strategic planning		Planning takes account of the issues raised by children in the identification of key issues.	Children are involved in contributing to what programmes are to be prioritized and developed.	Children identify and determine what programmes they would like to see developed.
Programme development and design		Children are consulted on ideas conceived by adults.	Children work with adults on the design of the programme and deciding what activities will take place and who should be involved.	Children work together to design their own programme.
Implementation		Children are invited to participate, for example, in delivering a peer education programme.	Children work with adults in the implementation of the programme, for example, communicating what the programme is seeking to achieve and taking part in programme activities.	Children organize and manage the programme and have full responsibility for its implementation.

Monitoring and evaluation		Children are consulted on whether the programme has been successful in achieving its objectives.	Children collaborate with adults in developing the criteria for evaluating the programme and they are consulted on whether the programme has been successful in achieving its objectives.	Children determine what should be evaluated and, with adult support, undertake the evaluation of the programme.

Tool 3.3 Matrix for assessing the quality of child participation

This matrix can be used to identify the extent to which the basic requirements for ethical and meaningful participation have been adhered to when children are given opportunities to participate. The overall picture will provide clear guidance as to what needs to improve and how.

MATRIX FOR ASSESSING THE QUALITY OF CHILD PARTICIPATION				
REQUIREMENT AND STANDARDS	STANDARD HAS NOT BEEN CONSIDERED	AWARENESS BUT NOT REFLECTED IN PRACTICE	EFFORTS TO ADDRESS BUT NO SYSTEMATIC PROCEDURES IN PLACE	STANDARD IMPLEMENTED AND MONITORED
1: Participation is transparent and informative				
Children understand what the programme is about and feel confident and informed about the nature and scope of their participation.				
The roles and responsibilities of all involved are clearly defined and understood.				
Clear goals and targets are agreed upon with the children concerned.				
2: Participation is voluntary				
All participating children have voluntarily, and without coercion, agreed to be involved in the process.				
Children are given time to consider their involvement.				
Children can withdraw at any time if they wish.				
3: Participation is respectful				
Children's time commitments are respected and accommodated.				
Ways of working and methods of involvement incorporate and build on local structures, knowledge and practice and take into account social, economic and cultural practices.				

Support for key adults in children's lives is gained to ensure wider encouragement and assistance for the participation of children.				
4: Participation is relevant				
The issues are of real relevance to children's own lives.				
Children do not feel pressurized by adult support workers to participate in processes that they do not perceive as important or relevant to their lives.				
5: Participation is child friendly				
Ways of working are developed in partnership with children and build the self-esteem and self-confidence of boys and girls of different ages and abilities.				
Sufficient time and resources are made available for quality participation, and children are properly supported to prepare for their participation.				
Child-friendly meeting places are used where girls and boys feel relaxed and comfortable and have access to the facilities they need. The meeting places are accessible to children with disabilities.				
Children are asked what information they need and accessible information is shared with children in good time, in child-friendly formats and in languages that the children understand, including children with visual or hearing impairments.				
Recognition is given to the need for participation to be fun and enjoyable.				

6: Participation is inclusive				
All children have an equal chance to participate and voice their opinions through systems that ensure that they are not discriminated against on grounds of age, race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.				
Efforts are made to ensure the equal participation of all children consistent with their evolving capacities.				
Those working with children facilitate an environment that is non-discriminatory and inclusive.				
Positive discrimination measures are introduced where they are needed to ensure the equal inclusion of all children.				
Influential adults are engaged to gain family and community support for the participation of discriminated-against groups.				
The initiative is sensitive to the cultural context of all participating children within a framework of universal rights.				
7: Participation is supported by training for adults				
All staff and managers are sensitized to children's participation and are committed to children's participation.				
Staff are provided with appropriate training, tools, supervision support and other development opportunities in participatory practice to enable them to work effectively and confidently with children of different ages and abilities.				

Staff regularly evaluate their participation practice.				
Staff are able to express any views or anxieties about involving children in the expectation that these will be addressed in a constructive way.				
8: Participation is safe and sensitive to risk				
These standards are used in conjunction with agencies' child protection policies, which are well communicated and understood by all staff involved in the process.				
The protection rights of children are paramount in the way children's participation is planned and organized.				
Children involved in participation work are aware of their right to be safe from abuse and know where to go for help if needed.				
Careful assessment is made of the risks associated with children's participation in speaking out, campaigning or advocacy. Depending on the risks identified, steps may be needed to protect children's identity or to provide follow-up measures to give protection (e.g., to ensure their safe reintegration into their communities).				
Consent is obtained for the use of all information provided by children, and information identified as confidential is safeguarded at all times.				
Children involved in participatory activities have access to a safe and confidential complaints procedure in respect of any issue concerning their involvement.				

No photographs, videos or digital images of a child can be taken or published without that child's explicit consent for a specific use.				
Unless otherwise agreed, it must not be possible to trace information back to individual/groups of children.				
9: Participation is accountable				
Children are supported to participate in follow-up and evaluation processes.				
Follow up and evaluation is addressed during the planning stages as an integral part of any participation initiative.				
All children involved are given rapid and clear feedback on the impact of their involvement, the outcome of any decisions/ next steps and the value of their involvement.				
Mistakes identified through evaluation are acknowledged and commitments given about how lessons learned will be used to improve participatory processes in the future.				
Adults evaluate how they have translated and implemented children's priorities and recommendations into their policies, strategies and programmes.				
Sustainability of support is discussed with children. Adults provide clear feedback to children regarding the extent/limit of their commitment to support children's on-going initiatives and organizations. If on-going support is not possible, adults provide children with resources and				

support to make contact with other agencies who can support them				
Children are supported to participate in follow-up and evaluation processes.				

Tool 3.4 List of outcome indicators

This matrix provides an illustrative framework as a guide in monitoring the outcomes associated with children's participation in respect of each of the relevant stakeholders. It would need to be adapted for each programme based on the anticipated outcomes. It can then be used during and at the end of the programme to help measure whether those objectives have been achieved and what needs to change to improve the programme.

1. PROCESS OUTCOMES				
EFFECTS	NEGATIVE PROGRESS	NO PROGRESS	SOME PROGRESS	SUBSTANTIAL PROGRESS
On children				
Acquisition of skills and knowledge				
Enhanced self esteem and self confidence				
Level of rights awareness				
Sense of efficacy and empowerment				
On parents and staff				
Greater awareness of children's rights				
Awareness of children's capacities				
Greater understanding of the importance of listening to children				
Willingness to consult with children				
Greater sensitivity to children's rights and needs				
Improved quality of relationships with children				
On institutions				
Change in organizational culture towards greater respect for children's rights				
Willingness of staff to reconsider power balances				
Children's participation built in to all programme areas				
Changes in programmes to reflect children's concerns and priorities				

On local community				
Improved status of children within the community				

2. EXTERNAL OR STRUCTURAL OUTCOMES (illustrative only – each initiative would need to identify its own objectives and desired outcomes)				
OUTCOME	**NEGATIVE CHANGE/HARM ARISING FROM PARTICIPATION**	**NO CHANGE**	**IMMEDIATE OUTCOMES CHANGE/CHANGE ONLY IN SOME STAKEHOLDERS/ NO SUSTAINABILITY**	**SIGNIFICANT AND SUSTAINED CHANGE ACKNOWLEDGED BY CHILDREN AND ADULTS**
Legal/policy reform				
The age of marriage is raised.				
Corporal punishment in the family and all other environments is ended.				
The right of children to access confidential medical advice and counselling is established.				
Primary and secondary education is compulsory and free.				
Legislation on child labour is introduced, implemented and monitored in dialogue with children themselves.				
Awareness of children's rights				
Children have knowledge about their rights and how to realize them.				
Human rights education is included in the school curriculum.				
Policy makers are sensitive to and aware of children's right to participation.				
Opportunities to influence public decisions				
Children are consulted on local and national government legislation, policies, services and resource allocations.				

Children are represented in local and national governance bodies.				
Children have the right to establish their own organizations.				
Children have the opportunity to use broadcast and online media to communicate their own views.				
Political commitment to respect children's rights				
Government provides transparent budget indicating levels of expenditure on children.				
Social protection policies address and are informed by the rights and needs of children.				
Respect for rights in the daily lives of children				
Schools provide a child-friendly, participatory learning environment.				
Children are involved in decision-making processes concerning their own health care, consistent with their evolving capacities.				
Children can access confidential health-care services, including reproductive health care.				
Children participate in local community actions or decision-making processes.				
Child-friendly cities and communities are introduced.				
Schools provide a child-friendly, participatory learning environment.				

ANNEXES

Annex 3.1 Opportunities for child participation at local and national levels

At the local level

There are many models and opportunities for children's engagement. The approach taken will depend on the nature of the local community, the issues concerned, the cultural environment and any existing structure or mechanisms available. Donors can support local authorities to introduce and support such initiatives and take account of the views that are expressed through them. Some approaches that might be developed include the following:[8]

OPPROTUNITIES FOR CHILD PARTICIPATION AT THE LOCAL LEVEL	
Child-led initiatives and organizations	Children need the opportunity to organize among themselves to identify issues of concern to them and determine how to address these. Facilitating and strengthening children's organizations and networks has proved to be an effective strategy to help children and young people become active citizens by providing them with the experience of democracy and increasing their power to claim their rights. Such organizations offer children the opportunity to come together to share their experiences, access information and analyse issues and power relations that affect them. Through their participation and organization, children have increased realization of their rights to protection, development and survival[9] and contributed to community development and wider development and peace processes.[10] Networking among child-led organizations should be actively encouraged to increase opportunities for shared learning and platforms for collective advocacy.
Representation on local bodies with responsibility for management of local issues	Local committees that deal, for example, with education, forest management, housing, child protection and water conservation and utilization should include representatives of child-led organizations. In addition, children can play a key role in the management and updating of data and information related to their local community. Their active engagement will enable improved planning and monitoring of the situation of children and youth by local governments.
Targeted consultations on local policy issues	Such consultations enable children in general or specific groups of children to contribute their perspectives. For example, children can be invited to comment on the design of parks, school playgrounds, health facilities and local transport systems to ensure more appropriate services; children with disabilities might be engaged to undertake an audit of the accessibility of local transport and buildings; children across a wide age range might be involved in determining how safe a given area is for children and what might be done to reduce the dangers to which they are exposed.
Politicians 'surgeries' or consultations	These can create additional opportunities for communication. Local councillors or members of parliament can set up sessions specifically for children and publicize where and when those sessions will take place. They can also undertake visits to school and kindergartens in order to hear directly from children.

Local youth parliaments and municipal children's councils	These bodies create opportunities for participation in decision-making and must be managed by children and young people themselves, with the active support of and facilitation by adults. They need to have formal and regular access to local elected decision-making bodies and to be respected and taken seriously at that level. Many such bodies have been set up, and some have been allocated budgets to spend on issues of local concern.
Research to inform policy and service provision	Research can be undertaken by and with children. Children can participate in identifying the gaps in knowledge about a particular dimension of their lives, developing the research questions and methodology, undertaking the surveys or interviews, analysing the data and formulating recommendations.
Local media initiatives	Opportunities should be provided for children to develop their own local newspapers, run their own radio programmes and contribute to the mainstream media. These spaces for children can be a means of enabling them to share information on rights with other children, raise awareness of issues of importance for children and campaign for changes they see as necessary.
Peer education	Peer education allows children to provide information, support and awareness to other children. Examples include initiatives where children take literacy programmes out to children working and living on the streets and health education programmes to share information on HIV and AIDS or hygiene and sanitation.
Children as monitors or auditors of local services	Children can be involved in investigating local hospital and health services, the police and schools to monitor whether they are complying with the principles and standards of the CRC. They can undertake investigations to assess whether indicators have been met, and then engage in a dialogue with the relevant service providers to share their findings and explore what action might be taken to improve outcomes.
Community dialogue	Involving children in dialogue with other members of the community can be an effective approach to conflict resolution, building resilience and reinforcing cultural and community assets. One model for such dialogue is the Circles of Care in which local governments in partnership with local communities build a circle of care around children (or other vulnerable groups) – for example, the family, the school or the community. It uses a participatory approach to promote resilience within each of these circles. It builds on the development of strategies that are culturally relevant and sensitive and is rooted in the perspectives of children and young people themselves as well as those of the adults who have responsibility for them.

OPPROTUNITIES FOR CHILD PARTICIPATION AT THE NATIONAL LEVEL	
Institutionalize child participation at all levels of government decision-making Mechanisms for their engagement might include: ▪ Children's parliaments ▪ Youth advisory committees ▪ National or regional consultations ▪ Dialogue with children through electronic media ▪ Focus groups on specific issues ▪ Collaboration with existing children's	This might include legislative reform, policy-making, planning, data collection and resource allocation. For example: ▪ **Children can inform the planning**, design, implementation and evaluation of processes such as national plans of action and poverty reduction strategy papers. Relevant government documents should be translated into child-friendly language to make it easier for children to participate. ▪ **In order to strengthen the mechanisms to protect children from on-line sexual abuse and exploitation**, it is essential to engage in dialogue with children about how they use the Internet, the degrees and nature of risks they face, the strategies they adopt to protect themselves and the policies they would like to see put in place by governments. Children are likely to be far greater experts than adults in understanding what happens in those environments, and their expertise needs to be acknowledged when developing laws and policies to reduce exposure to risk. ▪ **Children with disabilities** will be the greatest source of knowledge with regard to the discrimination and social exclusion they face and can contribute significantly towards understanding the attitudinal, communication, physical and mobility barriers that need to be removed before they can realize their rights.[11] It is also worth noting that Article 4 of the Convention of the Rights of Persons with Disabilities introduces a requirement to consult with representative organizations of children with disabilities in these processes.
Create a supportive environment for the creation of child-led organizations	In many countries throughout the world children are now actively involved in developing their own forums such as working children's unions, student unions, parliaments, clubs and other bodies. Governments need to support these developments and can play an active role in ensuring that there is a legal framework conducive to the establishment of child-led organizations. They can provide financial support, establish clear guidelines on how the views these bodies present will be taken into account in the formal political process and ensure that children are provided with adequate responses in relation to their proposals
Involve children in monitoring implementation of their rights	Children can play an important role in monitoring the realization of their rights. It is not sufficient to rely on data or evidence produced by adults alone or to make recommendations for action to strengthen the implementation of rights without regard to children's own perspectives. Children can be involved in agreeing indicators and monitoring the implementation of all the rights enshrined in the CRC, including within the family and alternative family environments, and the impact of their participation on policy, court decisions and programme implementation. They can be directly involved in research both as respondents and researchers.[12]

Involve children in the reporting process to the Committee on the Rights of the Child	In many countries, NGOs, including national alliances on children's rights, have involved children in the process of parallel reporting under the CRC, including their presence during pre-session country briefings with the Committee.[13] Children's engagement in this process strengthens their capacity to play an active role in identifying human rights aspects in need of further attention and monitoring the implementation of concluding observations of the Committee on the Rights of the Child at the national level. The Committee also proposes that governments "… actively involve children in the periodic review process" of the CRC. It urges children to play an active role in identifying human rights aspects in need of further attention and monitoring the implementation of concluding observations at the national level.[14] It encourages NGOs to continue to engage children directly in the process of shadow reporting, and encourages the presence of children during pre-sessional country briefings.[15]
Support children's participation in national and international forums	Children can play a key role in national, regional and international conferences. Recent examples include the UN Special Session on Children in 2002, the regional consultations for the UN Study on Violence in 2005, the World Congress on Sexual Exploitation of Children in 2009 and the involvement of children in the J8 sessions that have been organized by UNICEF alongside the G8 meetings of Heads of State. Participation at this level enables children to bring their concerns to the world's leaders and seeks to ensure that they are not marginalized in the face of other powerful and competing lobbies. Governments should take active measures to facilitate children's involvement in relevant events.[16]

Annex 3.2 Approaches to integrating child participation in programming

Participation can take many forms and engage children in different ways and at different levels. There are three broad approaches to integrating child participation during the programming process. Each offers a different degree of opportunity for children to influence matters affecting them, and each is appropriate in different circumstances.

1. Consultative participation: Adults seek children's views in order to build knowledge and understanding of their lives and experience. It can be characterized as:

- Adult initiated
- Adult led and managed
- Lacking any possibility for children to control outcomes.

Although it does not transfer decision-making processes to children themselves, consultative participation recognizes that children have expertise and perspectives that need to inform adult decision-making. Consultation is an appropriate means of enabling children to express views when undertaking research, in planning processes, in developing legislation, policies or services, in decisions affecting individual children within the family, in health care or education, or when children are witnesses in judicial or administrative proceedings.

2. Collaborative participation: There is a greater degree of partnership between adults and children and the opportunity for active engagement at any stage of a decision, initiative, project or service. It can be characterized as:

- Adult initiated
- Involving partnership with children
- Empowering children to influence or challenge both process and outcomes
- Allowing for increasing levels of self-directed action by children over a period of time.

Collaborative participation might include involving children in designing and undertaking research, policy development, peer education and counselling, participation in conferences or representation on boards or committees. Individual decisions within the family, in education and in health care can also be collaborative rather than consultative, involving children more fully in decision-making processes.

3. Child-led participation: Children are afforded the space and opportunity to initiate activities and advocate for themselves. It is characterized by:

- Issues of concern being identified by children themselves
- Adults serving as facilitators rather than leaders
- Children controlling the process.

Children can initiate action as individuals (for example, in choosing a school, seeking medical advice, pressing for the realization of their rights through the courts or utilizing complaints mechanisms). They can also initiate action as a constituency by establishing and managing their own organizations for the purposes of policy analysis, advocacy and awareness raising; through peer representation and education; and through the use of and access to the media. The role of adults in child-led participation is to act as facilitators to enable children to pursue their own objectives, providing information, advice and support.

Annex 3.3 References/resources

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4. Committee on the Rights of the Child, General Comment No. 9: The rights of children with disabilities, Forty-third session, Geneva, 11–29 September 2006.

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16. Laws, Sophie and Gillian Mann, 'So You Want to Involve Children in Research? A toolkit supporting children's meaningful and ethical participation in research relating to violence against children', Save the Children Sweden, Stockholm, 2004.

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18. NGO Group for the Convention on the Rights of the Child, *A Guide for Non-governmental Organizations Reporting to the Committee on the Rights of the Child*, NGO Group, Geneva, 2006.

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22. United Nations, 'United Nations Millennium Declaration', New York, 8 September 2000.

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Websites

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30. www.unicef.org/adolescence/cypguide/resourceguide_intro.html – child and youth participation online resource directory.

31. www.unicef.org/specialsession/child_participation/index.html – on children's participation at the Special session and related links.

32. www.unicef.org/polls – information on large-scale polls among children in East Asia and the Pacific, Europe and Central Asia, and Latin America and the Caribbean.

33. www.voicesofyouth.org – the Voice of the Youth homepage.

34. www.unicef.org/magic – for media initiatives aimed involving young people.

35. www.unicef.org/teachers – UNICEF's website for teachers includes ideas on how to involve children as researchers and on child-friendly schools.

36. www.childfriendlycities.org – for ideas on participatory urban planning.

37. www.unesco.org/most/growing.htm – for the 'Growing Up In Cities' initiative.

38. www.savethechildren.net – home page of the Save the Children Alliance.

39. go.worldbank.org/FMRAMWVYV0 – World Bank site on participation and civic engagement, with direct links to sources on participatory tools methods.

40. www.ids.ac.uk/ids – the Institute for Development Studies, Sussex is one of the leading centres for research and teaching on participatory development.

41. www.oxfam.org/en/about/issues/youth – OXFAM's website includes a page on its International Youth Partnership.

42. http://www.ncb.org.uk/what-we-do – site of the UK National Children's Bureau, for free downloads of a wide variety of books and papers on children's participation.

43. http://web.gc.cuny.edu/che/groups/cerg.html – the Children's Environments Research Group (CERG) provides an important link between university scholarship and the development of design, policy and programmes that both improve the quality of environments for children and enhance children's interaction with them.

44. www.schoolcouncils.org – a site with information on how to set up and run school councils.

45. www.un.org/youth – the UN Programme on Youth is the focal point on youth within the United Nations. It aims to build awareness of the global situation of young people as well as promote their rights and aspirations.

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ENDNOTES

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2. Op cit., Lansdown, 2011.
3. Heidi Grande, 17, child delegate from Norway to the UN Special Session on Children, 2002
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5. See General Comment No. 5 on General measures of implementation of the Convention on the Rights of the Child, Committee on the Rights of the Child, 2003, para. 24.
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CHILD RIGHTS TOOLKIT

Integrating Child Rights in Development Cooperation

Module 4 Child Rights in Governance

European Commission

unicef

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ACRONYMS AND ABBREVIATIONS

ACPF	African Child Policy Forum
CCA	common country assessment
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
GGDCs	Good Governance and Development Contracts
CRC	Convention on the Rights of the Child
MDG	Millennium Development Goal
MICS	Multiple Indicator Cluster Surveys
NGO	non-governmental organization
OHCHR	Office of the High Commissioner for Human Rights
SMS	short message service
UNDAF	UN Development Assistance Framework

1. Introduction

The relevance of governance to development work is now well established and widely recognized. *Good governance* determines the extent to which institutions and rules are effective and efficient in achieving equity, transparency, participation, accountability and the rule of law. It forms the enabling environment – the systems and mechanisms that need to be in place to effectively achieve a wide range of development outcomes (from poverty eradication to economic growth and broader social goals and objectives).

Good governance and child rights

Good governance is central to the realization of child rights. These rights cannot be realized unless:

- The rules, institutions, and practices that govern social interactions are inclusive and fair.
- Women and girls are equal partners with men and boys in private and public spheres of life.
- Children and youth are seen as active citizens, integral to society.

In recent years, donors have invested heavily in developing their approaches to governance reforms. In 2006 and 2007 several major donors (including the European Union, France, the Netherlands, the United Kingdom, the United States, the United Nations Development Programme and the World Bank) adopted new strategies on governance. Promoting good governance is now an integral part of their development programming. However, there is little evidence that the leading agencies in the governance debate take account of children and their rights in the guidance and tools currently used to improve governance and build effective States. This is indeed a missed opportunity as *governance reforms will not deliver sustainable results if they are not mindful of children.*

The reality, as the Committee on the Rights of the Child has noted, is that: "…children's developmental state makes them particularly vulnerable to human rights violations; their opinions are still rarely taken into account; most children have no vote and cannot play a meaningful role in the political process that determines governments' response to human rights; children encounter significant problems in using the judicial system to protect their rights or to seek remedies for violations of their rights; and children's access to organizations that may protect their rights is generally limited".[1]

The true test of good governance is the extent to which it brings equal benefits for all, including children. The link between governance and child rights outcomes is supported by empirical evidence as well. For example, corruption is negatively associated with child survival rates, the likelihood of attended births, immunization coverage and low birth weight.[2]

> *"Improvement in governance, in rule of law or in corruption control by one standard deviation has the potential not only to raise income per capita by 300 per cent in the long run but also to reduce infant mortality by two thirds."*[3]

Governance and the CRC

The CRC, through its principles and standards, defines both the rights that must be realized (and that governments have committed to) for children to reach their full potential and the processes governments need to set in place in order to achieve them.

The exercise of child rights through participatory processes, for example, is essential to the achievement of sustainable development because it helps ensure government accountability and effectiveness.

Furthermore, there is evidence that corruption occurs in the allocation, execution and use of government budgets earmarked for education. Transparency International notes that corruption is a "principal reason" for many of the problems affecting access to and quality of education; these problems include classroom overcrowding, poorly maintained schools, absent teachers, lack of textbooks and supplies and unacceptably high fees and expenses.[4] It also notes that of the 47 per cent of girls who were able to get into primary education in one province of Pakistan, all reported unofficial demands for money, signalling that an education is dependent on the ability to pay bribes. At the same time, countries such as Ghana and United Republic of Tanzania attribute significant leakage of educational funds to lack of information.[5]

Specific examples of areas where governance reforms can further the realization of child rights include: the governance institutions and institutional capacities that are in place to implement the rights of the child; how children's voices are heard within governance structures; a child rights approach to justice and security sector reform; the role of good governance in the delivery of equitable social services for children; the means by which good governance for children is assessed; measures for protecting children from the impacts of corruption; and appropriate systems of taxation.

1.1 Purpose and objectives

This module offers guidance on how development partners working in the field of governance can place the promise and obligations of the Convention on the Rights of the Child (CRC) at the heart of governance reforms. It also provides tools to mainstream consideration of children into standardized governance assessments and the resultant programming while also supporting child-specific governance programmes.

In this module we will:

1. Explain the key principles by which governance reforms can reinforce child rights
2. Describe the methodology by which child rights can be mainstreamed in governance assessments and resultant programming
3. Identify support actions to improve governance systems to deliver results for children

2. Key considerations

2.1 Definition and key principles

There is no one single or all-exhaustive definition of what 'good governance' means nor a clear delineation of its scope that is universally accepted. The Office of the High Commissioner for Human Rights (OHCHR) notes "the term is used with great flexibility; this is an advantage, but also a source of some difficulty at the operational level... Depending on the context and the overriding objective sought, good governance has been said at various times to encompass: full respect of human rights, the rule

of law, effective participation, multi-actor partnerships, political pluralism, transparent and accountable processes and institutions, an efficient and effective public sector, legitimacy, access to knowledge, information and education, political empowerment of people, equity, sustainability, and attitudes and values that foster responsibility, solidarity and tolerance".[6]

For the purposes of this module, the following definition of governance will be used. This definition incorporates all relations between state and society – from the means of articulating and reconciling needs and expectations to mechanisms of service delivery.

Despite the lack of an internationally agreed definition, many actors work with the following core principles of governance.[8] These were further defined in Resolution 2000/64 of the former Commission on Human Rights:

The communication 'Governance in the European Consensus on Development: Towards a harmonised approach within the European Union' (2006) identified "good governance, democracy and respect for human rights as integral to the process of sustainable development and as major objectives of EU development policy".

DEFINITION: GOVERNANCE

Governance is essentially understood as the exercise of economic, political and administrative authority to manage a country's affairs at all levels. It comprises the mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and mediate their differences.[7]

- **Participation:** Involvement of affected stakeholders
- **Equity and inclusiveness:** Rules apply equally to everyone in society
- **Accountability:** Political actors are responsible to society for what they say and do
- **Transparency:** Clarity and openness in the decision-making process
- **Efficiency:** Limited human and financial resources are applied without unnecessary waste, delay or corruption
- **Responsiveness** to the needs of the people.

These principles provide a set of performance standards against which development actors can be held accountable. They also represent the key elements of an enabling environment conducive to the enjoyment of human rights and sustainable and inclusive development.

The Committee on the Rights of the Child has emphasized different elements of governance in a number of its concluding observations and comments.[9] It has mentioned that lack of political will, structural incapacities and lack of understanding of the specific nature of child rights lie at the heart of all failures to effectively and efficiently enforce child rights.[10]

2.2 EU commitments to governance and child rights

The EU, like many other donors, has put democratic governance at the top of its agenda. This is also an integral part of its commitment to promote human rights, democracy and the rule of law in its external policies. The benefits expected from democratic governance include enhanced poverty reduction, strengthened security and stability, greater respect for human rights and improved aid effectiveness.

Given this broad definition, governance must be "approached holistically, taking account of all its dimensions (political, economic, social, cultural, environmental, etc.) … Accordingly, the concept of democratic governance has to be integrated into each and every sectoral programme" while avoiding a compartmentalized approach.[11]

The 2008 EuropeAid guidelines 'Analysing and Addressing Governance, in Sector Operations', provided the rationale for dealing with governance in sectors:

- **Democratic governance is a key priority for the EC.** Governance touches on fundamental principles such as participation, inclusion, transparency and accountability, which are goals in their own right. It is about strengthening the legitimacy and delivery capacity of domestic institutions. This holds particularly true in fragile situations, where sector support should ideally be linked to state formation/building processes.
- **Good governance is required for sustainable sector development.** Governance concerns the State's ability to serve its citizens – how public functions are carried out, public resources are managed and regulatory powers are exercised strongly influences the performance of the main sector actors, the focus of sector policies and their concrete outcomes. While poor governance is certainly not the only reason for sector weaknesses, there is strong evidence that it tends to severely limit the opportunities for sustainable sector development. Governance is required to reinforce public functions for the sake of everyone (e.g., in terms of ensuring efficient use and more equitable distribution of resources). Supporting governance means supporting reforms in a given country.
- **Good governance is critical for aid effectiveness.** The new aid modalities seek to promote domestic ownership of sector policies and the use of domestic capacities and institutions for implementation. Adequate governance conditions (e.g., transparent budget processes, the existence of watchdog agencies and inclusive citizenship) are also crucial for achieving sector results.
- **Democratic governance principles also apply to the EC.** Several EC Communications, including those pertaining to specific sectors of intervention, recognize the need to consider the governance of aid. The Paris Declaration and the Accra Agenda for Action emphasize the importance of mutual accountability, which reflects that a donor's own governance behaviour matters. Sector operations therefore do not only have to analyse and address governance challenges at the level of partner countries. They should also pay attention to the way in which aid is disbursed, how donors exercise governance in sectors through their actions and possible incoherencies within the EC that negatively affect sector performance in the partner country. In certain situations, generous donor funding can distort the 'right incentives' among local stakeholders and contribute to the postponement of necessary reforms.

The European Union's Action Plan on Children's Rights in External Action (2007) further establishes that "the development and governance dialogue must include the issue of integrating children's rights issues with Poverty Reduction Strategy Papers, other country processes such as National Development Plans and aid modalities including budget support and MDG contracting".[12] It also notes that "the EU should pay specific attention to children's rights in country programming under the different cooperation instruments available … **taking account of children's rights** in the country situational analysis, **in the governance profile** and other relevant documents".

Human rights considerations also need to be reflected in **Good Governance and Development Contracts (GGDCs)**, formerly known as General Budget Support contracts. Specifically, as the provision of a GGDC may be considered as signalling endorsement of a "country's commitment and path towards the fundamental values" of human rights, democracy and the rule of law, the policy dialogue around this type of budget support should explicitly include the six areas seen as essential for child-sensitive governance.[13]

EU Guidelines for the Promotion and Protection of the Rights of the Child (2007)

"In its relations with Third Countries, and in international fora, the EU will

Pursue the promotion and protection of the rights of the child in full conformity with relevant international instruments and standards, in particular the Convention on the Rights of the Child, by adopting all necessary legislative, administrative and other measures, in particular the cross-cutting measures identified as 'general measures of implementation' by the Committee on the Rights of the Child."

See Tool 4.1 Child-sensitive governance assessment tool, which may be easily integrated into the process to assess and monitor the fundamental values that are a pre-condition for this type of budget support.

3. Mainstreaming children in governance reforms programming

In order to meaningfully mainstream children in governance programming, it is important to begin with an assessment of the quality of governance at a country level from a child rights prospective. Assessments help identify key strategic gaps and inform policy recommendations and programme design. They can also inform the choice of key institutions, processes and sectors requiring strategic investment in order to nurture an enabling environment for the realization of child rights.

This assessment should be part of a consistent approach to a child-sensitive governance analysis based on a set of core principles (*See section 2.1*). The information gathered should be shared with stakeholders and used to identify the entry points and specific actions needed to implement changes (*See section 4*).

3.1 Child rights-sensitive governance assessment

A child rights-sensitive governance assessment offers a strategic opportunity to feature child rights concerns prominently and concretely in governance-related interventions and funding support.

This analysis may be used to:

- **Support the conduct of political dialogue between donors and partner countries** – the EU, for example, has undertaken efforts to integrate human rights and democratization objectives into all aspects of its external policies. Accordingly, human rights, democracy and the rule of law are included in all meetings and discussions with third countries and at all levels, whether ministerial talks, joint committee meetings or formal dialogues led by the Presidency of the Council, Heads of Mission or the Commission. Results from the child-friendly governance assessments could be used in country strategy papers in support of these initiatives.
- **Inform the eligibility criteria for Good Governance and Development Contracts (GGDCs)**, formerly known as General Budget Support contracts. This assessment tool can support the process to assess and monitor the fundamental values that are a precondition for GGDCs.
- **Inform the contents of the Human Rights Country Strategies** – the country analysis can inform the country strategies while the strategies themselves will be integrated into the programming and implementation of all assistance to countries. The outcomes of this assessment should permeate the agreed list of 'minimum items' that EU member States and institutions raise with their relevant counterparts "in third countries during meetings and visits, including at the highest political level and during summits".[14]
- **Monitor governance reform programmes**.
- **Support all phases of governance projects**, including human rights and democratization projects from identification to evaluation.

Categories of governance

Most governance assessment tools currently used by donors examine a number of key categories that are not only critical for good governance, but also for realizing child rights.[15] These categories form the basis of the 'Child-sensitive governance assessment tool' and are summarized in the table that follows.

See Tool 4.1: Child-sensitive governance assessment tool.

Measuring governance: example from the ACPF

The *African Child Policy Forum* (ACPF) has developed a set of indicators aimed at assessing the extent to which governments live up to their commitments in child rights through a child-friendliness index that ranks African governments accordingly.

The ACPF Index was designed to answer the following questions: Which governments are striving to meet their obligations to children and which are not? What accounts for differences in government performance? How do governments rate in relation to one another? How do we measure government performance?

SUMMARY OF KEY CATEGORIES COVERED BY THE ASSESSMENT TOOL	
CATEGORIES	**CHILD RIGHTS ISSUES**
Political governance, voice and accountability	Recommended indicators cover perceptions of the extent to which various constituents – particularly children – in a given country are able to participate in government processes and decisions affecting their lives.
Rule of law and legal and judicial systems	Includes an assessment of the type and quality of judicial systems, as well as the capacities of the police, the court system and others to work with children who are in contact with the law.
Control of corruption	Assesses perceptions of the extent to which public power is exercised for private gain, and some of the specific effects this may have on children, and the ability of the state to deliver its obligations under the CRC.
Government effectiveness	Captures perceptions of the quality of public services as they relate to the provisions of the CRC, the quality of the civil service and its degree of independence from political pressure, the quality of policy formulation and implementation and the credibility of the government's commitment to such policies.
Social governance and socio-economic indicators	Key socio-economic indicators relevant to children, where reliable data exist.
Political dialogue and quality of partnerships	Indicators under this category include participation and openness to partnership with civil society.

Challenges

There are a number of challenges that make it difficult for assessments to illuminate the linkages between governance factors and child rights outcomes. These challenges include:

- **Performance standards:** For many development actors, 'governance' functions as an umbrella concept incorporating a whole range of issues, policy interventions and factors associated with development outcomes. Aid organizations and governmental counterparts often focus on the practicalities of governance that relate to their own agendas. Thus, it can be hard to demonstrate causal relationships between child rights and governance, given the broad and imprecise notion of these concepts. This also makes it difficult to have clear, agreed imprecise performance standards by which development actors working in the field of governance can be held accountable.
- **Operational indicators:** Assessing the impact of governance interventions and support also poses tremendous problems because of the difficulty of agreeing on operational indicators and of establishing clear causal links.
- **Harmonization:** A wide range of methodological approaches is used in monitoring and defining governance work as evidenced by the plethora of governance assessment tools currently in use by donors. Some base their analysis on quantitative data sets that seek to measure the governance situation against a benchmark or

standard. Others use more qualitative approaches, such as mapping and analysing relations between relevant governance actors or analysing factors causing the present governance situation, as well as the actors that would be willing and able to influence it. The use of different approaches points to points to the challenge of harmonizing a common set of governance assessment categories into which child rights concerns can be built.

3.2 Stakeholders in child-friendly governance

While governance as a field focuses primarily on strengthening the performance of the public sector, including state actors and others closely aligned with government, increasingly it also involves a range of other key actors that are instrumental in helping governments meet their goals under the CRC. It is important to identify these key actors and their relevant roles and accountabilities in order to ensure governance reforms comprehensively take children into account.

Stakeholders instrumental in furthering governance reforms for child rights include:

- **Government** – The government is the primary duty-bearer for the obligations it has subscribed to by ratifying human rights treaties. Implementation of the CRC requires effective mechanisms to support prioritization of children's issues and ensure sound, coherent measures across governmental action.
- **Parliament** – National parliaments have four main functions – law-making, oversight, budgeting and representation – that are central to good governance. Parliaments therefore have a critical role to play in promoting good governance for children. To that end, they have increasingly established parliamentary committees specializing in children's issues.
- **Judiciary** – An independent judiciary is critical for the accountability of governments and the ability of rights holders to claim their rights. However, legal mobilization is highly dependent on power structures, including trust in formal justice mechanisms and the legal information available to communities. For judges to take on rights issues and encourage rights-based claims, they also need to be adequately trained and sensitized. International legal systems can provide an additional avenue for claiming rights.
- **Independent human rights institutions (ombudspersons)** – Independent human rights institutions for children are central to child rights and good governance in areas such as monitoring and voicing concerns, analysing policies comprehensively, promoting social change and focusing on marginalized children.
- **Civil society** – The role of civil society is critical in articulating people's concerns, promoting children's views and monitoring government and other actors. (*For more on working with civil society, see Module 8.*)
- **Children** – Child-friendly governance requires children's active participation. Governments have obligations to set in place structures and mechanisms and create an enabling environment that promotes the realization of participation rights.
- **Media** – The media depends on freedom of expression and is key to providing the information, transparency and accountability necessary for good governance. It contributes to shaping attitudes and opinions and plays a significant role in raising awareness and educating the public on child rights issues.

- **Private sector** – The private sector's role in child rights and governance takes many forms. In the context of privatization, the private sector often manages the delivery of goods and services that are essential to the realization of children's rights (such as water, for example).
- **Donors** – Donors have increasingly incorporated governance concerns into their work as a fundamental value and a cross-cutting issue. For the EU, good governance and respect for human rights are "shared values underpinning the EU" and EU aid should have as "the primary objective the eradication of poverty in the context of sustainable development, including pursuit of the MDGs, as well as the promotion of democracy, good governance and respect for human rights".

4. From analysis to action: Suggested entry points

There is no one intervention that will ensure governance can deliver better for the realization of child rights. Rather, getting governance to support child rights requires a comprehensive set of interventions looking at "the institutions that set the rules of the game for economic and political interaction, to decision-making structures that determine priorities among public problems and allocate resources to respond to them, to organizations that manage administrative systems and deliver goods and services to citizens, to human resources that staff government bureaucracies, to the interface of officials and citizens in political and bureaucratic arenas".[16]

Overall, this section will argue that governance becomes child-sensitive when children – both girls and boys – and those who work to promote their interests participate in child-sensitive processes of governance, monitor and evaluate the actions of decision makers and hold them accountable for the achievement of child-sensitive outcomes.

4.1 Establishing structures and institutions that give priority to children's perspectives

While government structures vary from country to country and context to context, ensuring children's concerns are given high priority requires that children are put at their very heart. Giving such high priority to children should be reflected in governance arrangements – both within central government and across levels of government – to communicate government-wide objectives, ensure accountability and allocate resources and decision-making authority in ways that reflect child rights-related values and concerns.

It is organizationally efficient for specific ministries or agencies to assume the lead role in efforts to guarantee the realization of specific rights. However, a holistic approach to the right to health, to give but one example, should also require the active participation of at least those agencies responsible for education, for social welfare, for the environment and for finance in order to address the wide range of causes and consequences of poor health.

Specific measures to ensure children feature prominently in government institutions:

Establishing a national coordination body

The actions of virtually all government departments have an impact on children's lives. In order to ensure good synergy across all government structures at all levels, a national coordination body should be established that covers all public programmes and policies that affect children and their families. "The purpose of coordination," the Committee on the Rights of the Child has observed, "is to ensure respect for all of the Convention's principles and standards for all children within the State jurisdiction" (*General Comment No. 5*, 2003). Such a body or unit is best placed to coordinate and make children's policy more visible when it is close to the heart of Government and given high-level authority – reporting directly, for example, to the President, the Prime Minister, or a Cabinet's Committee on Children.

Establishing permanent structures in local government

Permanent structures at the local level also have a role in ensuring priority of children's perspectives and that all relevant local or customary law is brought into compliance with the Convention. While it is essential that national governments lead in incorporation of the Convention into domestic law, it is important for local governments to also legislate within the framework of the Convention, including by bringing any local or customary law into compliance with the Convention, to ensure effective implementation of the CRC. In cases where power is decentralized from a central structure, permanent local structures may be powerful mechanisms to safeguard the enjoyment of the rights enshrined in the Convention by all children in every region.

Establishing clear mechanisms for sectoral and vertical coordination

Realizing the commitments under the CRC requires appropriate coordination of policy affecting children within and between all levels of government. Specific government ministries or agencies may be identified as having primary responsibility for action in relation to some areas or individual articles of the CRC. However, assigning exclusive responsibility for specific rights to different ministries or agencies – for example, responsibility for the right to education to the Ministry of Education, the right to health to the Ministry of Health and so on – cannot ensure comprehensive protection of any right and may lead to a partial and fragmented consideration of the child.

4.2 Strengthening capacities of government structures and institutions

Child-friendly governance interventions should also focus on strengthening the capacities and modalities of government institutions at both the national and local levels to formulate and deliver policies and collect and analyse evidence on progress in fulfilling children's rights. These efforts should focus not only on those agencies that have an explicit mandate to lead on children's issues but also across all areas and levels of government.

In the area of child rights, two types of capacities are particularly relevant: *functional/cross-cutting capacities* and *technical capacities*. The goal of capacity-strengthening initiatives should be for governments to better manage the delivery of public services to meet basic social needs and produce better outcomes for all groups, including for all children.

DEFINITION: CAPACITY

Most broadly, the capacity of a given structure or institution can be understood to refer to the facilities, material resources, skilled personnel and funding needed for it to operate.

Strengthening relevant functional capacities

Functional or cross-cutting capacities are those needed for good governance and effective functioning, such as policy-making, development, implementation and monitoring of strategies and action plans, cultivation of partnerships and mobilization and management of resources. To that end, strengthening functional capacities, in particular, includes:

- **Strengthened capacity to assess and analyse:** This includes generating national knowledge on the situation of children and women through assisting in assessment, analysis, research and building the capacities of research organizations. At the centre of this is the capacity to set in place processes that ensure the best interest of the child is of primary consideration in all policy and decision-making.
- **Strengthened capacity to claim:** This includes strengthened capacity for advocacy with host governments as well as civil society's capacity to raise awareness about, and demand social services and opportunities for, poor and marginalized children.
- **Strengthened capacity to plan and identify accountabilities:** This includes the ability of government structures to support the preparation of child rights-related laws, policies, budgets and national development plans, as well as other plans such as national plans of action for children, poverty reduction strategies, sector wide approaches and municipal plans. It also includes strengthened work planning, monitoring and evaluation.
- **Strengthened capacity to implement and follow up:** Capacities at this level include the development of specific technical and managerial skills of service providers, institutional capacity development and community and family capacity development.

Budgeting and budgetary analysis

From the perspective of budgeting and budgetary analysis, the CRC implies that children need to be visible in the economic policies of governments. However, few governments can easily tell what proportion of their budgets goes to children or to child-related services and activities or what impact their expenditures has on children. In that regard, it is crucial that national bodies concerned with overall budgeting be linked directly to those developing and implementing policies for children. (*See Module 6 for more on budgeting.*)

Strengthening relevant technical capacities

Sectoral or technical capacities are those required for specialized professions and sectors – for example, management of disease outbreaks, teaching methods and judges and police. Some examples include:

- **Regulatory requirements on qualifications for professionals working with children:** In most countries, training programmes on the rights of children for professionals who work with children (e.g., the police, juvenile court judges, correctional staff, teachers and the staff of child protection facilities) have been introduced during the last 20 years. Some international standards – such as the UN Standard Minimum Rules on the Administration of Juvenile Justice – call for mandatory training on the rights of children. *(See Annex 4.2 for some specific examples of relevant specialized trainings for personnel, decision makers and professionals working with and for children as prescribed by the CRC Committee in its 'General Guidelines Regarding the Form and Content of Periodic Reports [revised 2005].)*
- **Capacity building of communities/parents/those in close contact with the child:** At the community level, capacity-building strategies should look for ways to enhance knowledge and understanding in the area of child rights and child well-being, change individual behaviour and collective practice, influence attitudes, social norms and power relations, and empower individuals and communities to take actions to improve their lives. Examples include campaigns and programmes to provide basic knowledge, information and support to communities, particularly parents and children, on specific issues such as child health, good nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents.

4.3 Institutionalizing accountability mechanisms

Accountability is at the core of the enjoyment of all human rights and has two main components: addressing past grievances and correcting systemic failure to prevent future harm. Accountability includes both horizontal intra-state accountability and vertical citizen-state accountability. Institutionalizing accountability mechanisms for children is one of the key ways of ensuring and tracking the implementation of child rights within national processes and mechanisms. Examples can be found in independent child rights mechanisms such as child ombudspersons, children's councils and national child rights commissions.

The role of independent human rights institutions for children is to monitor the actions of governments and other actors, investigate child rights violations, promote children's rights and offer a space for dialogue between children and the state. They play a central role in the realization of children's rights, and governments should therefore be encouraged to establish and support them.

Among the common characteristics of independent human rights institutions for children are:

- *Establishment by legislation*
- *Independence*, both financially and politically
- *Pluralistic representation* of the various elements of civil society
- *Geographically and physically accessible to children*
- *Broad mandate*, including powers to carry out investigations, monitor institutions that have an impact on children's lives, advocate on behalf of children's rights, denounce children's rights violations and raise awareness of the human rights of children among children and adults
- *Child participation*, including efforts to promote respect for the views of children in all matters affecting them and to act as a channel to ensure government listens to these views at all levels
- *Partnerships* and *cooperation* with a wide range of actors at national, regional and international levels.

4.4 Supporting legislative reforms

The process of law reform requires States Parties to ensure compatibility of existing and new legislation and judicial practice with the CRC in a number of ways, including: comprehensive reviews of legislation; the inclusion of children's rights in the constitution; the development of specific laws to reflect the CRC principles and provisions; responding to 'new' issues related to children's rights; and considering effective remedies for children and their representatives if children's rights are violated.

Tool 4.2 provides a checklist for model legislation content. See also Annex 4.1 on recommendations on how to support legislative reforms.

4.5 Support to parliaments

Parliaments throughout the world have the power to create real and lasting change for children. They can allocate resources from national budgets, establish strong policy direction and debate, shape and enforce laws that protect children. They can ask tough questions, demand answers and hold governments, industries and civil society accountable.

When parliaments speak on behalf of children, their voices resonate. Parliaments are uniquely positioned to send the message that the well-being of children is the responsibility not just of people who work with children but of all society.

The ability of parliaments to effectively fulfil their role in ensuring the implementation of child rights is highly dependent on parliamentarians' knowledge and capacity in this

area and notably on the general measures of implementation set up by the Committee on the Rights of the Child in its General Comment No. 5 (2003).

Tool 4.3 presents a list of questions that will help in making a quick assessment of the functioning of a parliament.

4.6 Ensuring child-friendly services

In the field of service delivery, good governance interventions should aim to strengthen the capacity of the state to fulfil its responsibility to provide public goods and services that are essential for the advancement of child rights, such as the right to education, health, nutrition and protection. Reform initiatives may include mechanisms of accountability and transparency, culturally sensitive policy tools to ensure that services are accessible and acceptable to the needs of all children, and paths for child participation in decision-making. They should also ensure that the policies, services and programmes provided meet the needs of children, youth and their families by striving for quality experiences that are child centred and take a holistic approach to best practices for child development.

In terms of assessing service delivery from a child rights perspective, the following standards and principles should guide the development of any interventions:

- **Services are child centred:** Children have different needs than adults, and this principle emphasizes the centrality of child well-being in all aspects of the delivered services.
- **Services are inclusive:** All children without exception should have access to these services. This includes physical access, as well as affordability and cultural and diversity appropriateness. In the case of water and sanitation, for example, access to safe water supplies and sanitary latrines should be appropriate for girls, boys and children with disabilities. Cultural factors may prevent full and correct usage of the services by all children and steps need to be taken to respond to these obstacles.
- **Services have built-in mechanisms for child participation:** Child participation is a right in itself as per the CRC and thus should be a key outcome of development interventions (*see Module 3: Child participation*). It is also a process and the vehicle by virtue of which other rights can be realized. As an example, child-friendly schools include the views of children on what is in their best interest when developing the curriculum, establishing internal rules or in other aspects (safety, architecture). Child-friendly services also include the views of those who have an obligation or the authority to safeguard the welfare of children (parents, teachers and others).
- **Services have built-in mechanisms for accountability:** A regulatory framework allows mechanisms for monitoring, accountability and redress in instances where services do not meet the standards outlined above.

Furthermore, building the capacity of communities so that they can identify how services can be improved will have no effect if the providers do not have the required capacity to respond to their demands. Therefore, demand-side strategies to improve child-friendly services should be coordinated with appropriate supply-side strategies.

4.7 Anti-corruption efforts

Corruption erodes the capacity of state institutions to provide services and protect child rights. According to CIET International, 86 per cent of parents polled in Nicaragua reported paying mandatory 'contributions' to teachers. In Bangalore (India) the average patient in a maternity ward pays approximately US$22 in bribes to receive adequate medical care. In Nigeria, there have been countless cases of deaths due to counterfeit medications that moved unhindered from production plants, across national borders and into unsuspecting markets.[17] Similarly, the 2008 Global Corruption Report by Transparency International claims that corruption is estimated to raise the price for connecting a household to a water network by as much as 30 per cent and the general price of goods by 20 per cent, denying more than a billion people access to safe drinking water and keeping 2.8 billion from accessing sanitation services.

Furthermore, corruption increases inequality by perpetuating discrimination in accessing services and disproportionately affects the poor and marginalized groups of society. Social services are essential to enable the poor to look after their children adequately. Misallocation of resources due to corruption may lead to a situation where education systems remain underutilized or to poorly staffed and resourced hospitals.

Existing evidence suggests that, despite setting up institutions of oversight (such as Directorates on Corruption and Economic Crimes), new legal frameworks, improved vigilance in regulating corruption and greater involvement by civil society, poor countries continue to be plagued by corruption. The problem affects all sectors, including the judiciary, public service, the private sector and parliaments, which are supposed to be the watchdogs of society. Furthermore, in many countries, governments either lack the political will or are simply unable to address the problem of corruption effectively.

Engaging children and youth in anti-corruption initiatives

Children are often aware of corruption in their environment – they may be asked for money directly, may see what happens with diverted funds through observations at school or may understand that they cannot attend school because their parents cannot pay bribes. Three examples of ways they can play a key role in addressing corruption are:

- Through 'citizen's score cards' where children are asked to identify their own indicators for an essential service (e.g., the health system) and then rate the service against these indicators
- By taking part in public expenditure tracking, where they track public funds from national government level to their school
- By getting involved in forums for participatory planning at the local, district and national levels, speaking out about corruption and participating in youth anti-corruption leagues

Improving the flow of information on key services to children and parents

Evidence shows that where there is clarity in what the government (or other responsible party) is trying to achieve and budgets are published, the supply of services increases and 'leakage' or the embezzlement of funds decreases. For example, 87 per cent of annual central government public funding in Uganda was captured by district officials in 1991–1995. When the Government began publishing the monthly intergovernmental transfers of public funds in newspapers, the capture rate declined to less than 20 per cent in 2001.[18] Aid agencies are experimenting with using new technology, such as SMS messages, to replace paper flows, to provide instantaneous tracking of service deliveries to schools, health clinics and feeding centres. This type of communication not only improves effectiveness but can also reduce opportunities for corruption. (*See Annex 4.3 on Rapid SMS.*)

5. Case studies

5.1 Justice for children

At any one time, more than 1 million children are estimated to be in detention worldwide,[19] the majority of whom do not belong there. Detention is psychologically and often physically damaging to children and should only be used as a last resort, for the shortest period of time and for very serious offences. The majority of children and adolescents in detention who have committed an offence are there for property-related crimes, such as petty theft, often linked to poverty.

Furthermore, in many countries, even if a separate system for the treatment of children and adolescents (as opposed to adults) exists in theory, in practice children and adolescents are often still processed through the adult criminal justice system, which is highly unsuited to their needs and circumstances. In addition, the majority of juvenile justice systems internationally are *retributive* rather than *restorative*: they largely focus on 'punishing criminals' rather than offering other sustainable and ultimately cost-effective options.

Justice for children, unlike criminal justice, recognizes the children who come into conflict with the law as *victims*. It takes into account the fact that children lack the maturity of adults (morally and cognitively, physically and emotionally). It recognizes the vulnerability of children to experimentation, victimization and to becoming involved in crime, as well as recognizing that the problems experienced in childhood and adolescence can have life-long implications.

Reforms in the area of justice for children often must be done in the context of scarce resources, conflicting interests, lack of political will and even negative media influence. Interventions may focus on strengthening legislation and capacity within the law enforcement and justice sectors and influencing public attitudes towards justice for children to ensure that children and adolescents are better served and are protected as victims, witnesses or offenders.

An alarming percentage of children and adolescents are in detention even though they have not committed an offence. For example, they are homeless and have nowhere else to go or they have been apprehended for behaviour that should be decriminalized (e.g., truancy and running away from home) or survival behaviours (e.g., begging, vagrancy and being victims/ survivors of commercial exploitation).

The emphasis should be on increasing the application of international norms in legislation, law enforcement and judicial practice; establishing special protection units for appropriate responses to child victims; and more child-sensitive procedures for handling of children in contact with the justice system. (*See Annex 4.4 for recommended principles to guide interventions concerned with justice for children ranging from policy development to direct work with children.*)

Strengthening justice systems

Justice systems include both formal and informal systems and need to be strongly linked with social protection systems. Conflict, post-conflict or development contexts all require functioning justice systems. These systems, where they affect children, must be child centred in their responses.

Reform of the systems of justice for children to bring them into conformity with international human rights standards is a complex and often daunting task, involving multiple actors and sections of government. As with a tangled knot, there may be many problems in many areas and yet pulling at the knot in some areas may actually make matters worse. For example, attention to conducting physical repairs of detention centres may divert attention and resources away from programmes to ensure that children do not end up in detention in the first place.

Strengthening the capacity of those dealing with children in contact with the law

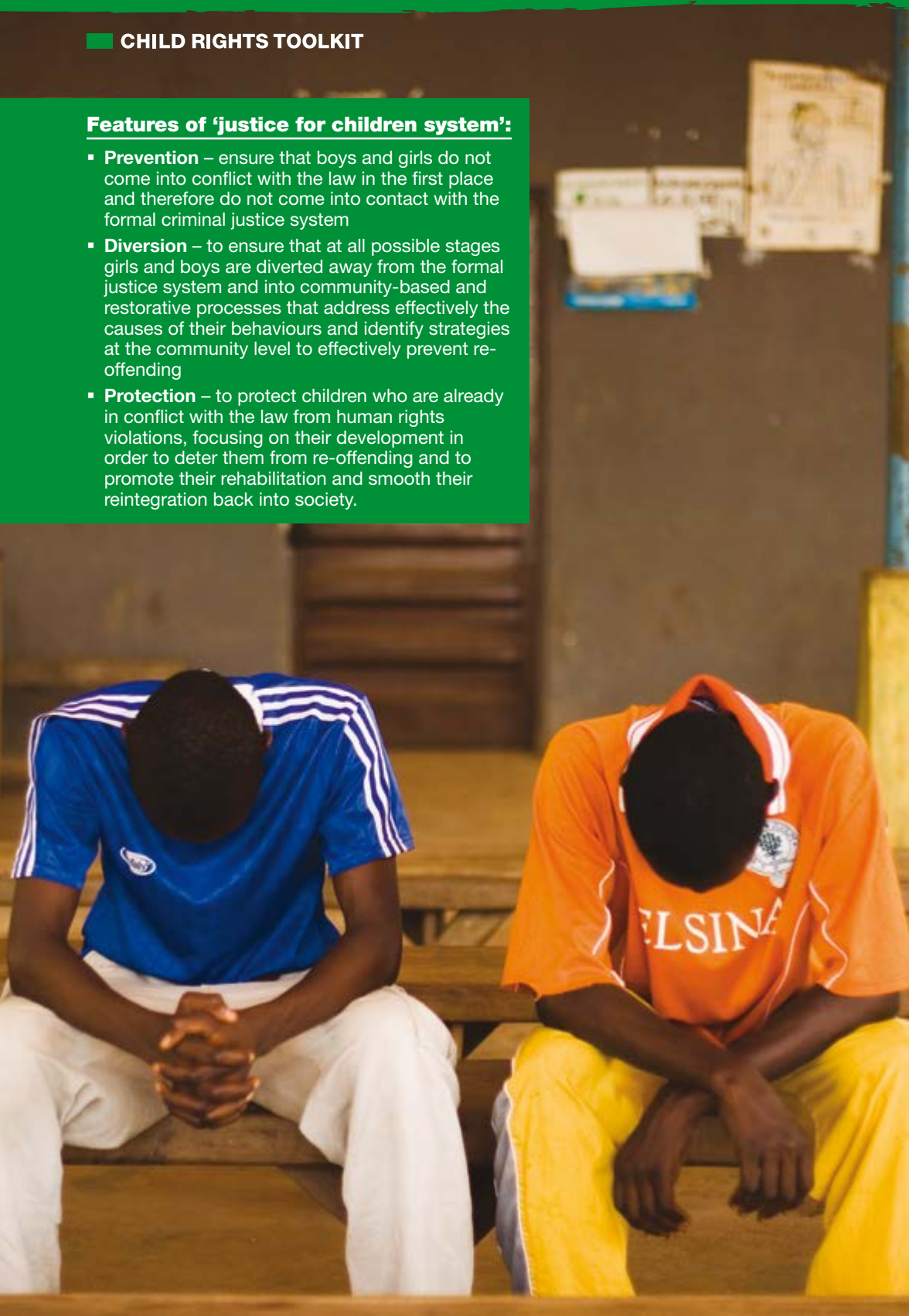
Capacity-strengthening actions include training and sensitization of not only the police but also referral agencies and judges; establishing specialized teams within the justice system to work with children; and providing the space, mandate and resources for police and others (including communities) to identify and apply child rights-based approaches and diversion options.

Other possible actions include:

- Establishing special legal provisions on juvenile police custody, notably to guarantee free medico-legal assistance and full information to children on their rights and on due process
- Guaranteeing high-level qualifications, status and adequate and appropriate wages for all people working with children in conflict with the law
- Selecting and training career juvenile court judges informed and supported by interdisciplinary juvenile justice teams, including civil society partners and observers
- Ensuring adequate resources and training for all aspects of the juvenile justice system.

Features of 'justice for children system':

- **Prevention** – ensure that boys and girls do not come into conflict with the law in the first place and therefore do not come into contact with the formal criminal justice system
- **Diversion** – to ensure that at all possible stages girls and boys are diverted away from the formal justice system and into community-based and restorative processes that address effectively the causes of their behaviours and identify strategies at the community level to effectively prevent re-offending
- **Protection** – to protect children who are already in conflict with the law from human rights violations, focusing on their development in order to deter them from re-offending and to promote their rehabilitation and smooth their reintegration back into society.



Legal empowerment and access to justice

Functioning national state and non-state justice systems will remain irrelevant if children, including the most disadvantaged, cannot access them. Often, there are many barriers to access, including the limited reach of the formal system and discriminatory cultural attitudes. Programmes should proactively promote specific measures and supporting actions that favour those who have difficulty accessing the justice system. Interventions should include a particular focus on girls and other marginalized and excluded groups of children.

Support actions may include:

- **Child rights education and legal awareness.** All children and their communities should know their rights, and communities and families should be aware of their right to bring action on behalf of children when necessary.
- **Full-fledged participation of children.** Children should participate in judicial, administrative and community-based processes, including legislative and policy changes, and action should be taken to change community attitudes towards child participation and promote a stronger child-centred focus by government.
- **Community-based legal and paralegal services for children.** This includes not only direct representation of children but also legal information centres, clinics and, in the post-conflict context, specialized capacity building to address guardianship, inheritance and separation.
- **Support for civil society to facilitate access to non-state institutions.** This support should be directed at raising awareness of these institutions, training them to provide rights-based services and supporting civil society to hold these institutions accountable to rights-based standards.

CRC Article 40

Article 40 is the most detailed article of the CRC and addresses the administration of juvenile justice. It legally binds States to the following principles of juvenile justice:

- **Dignity:** the right of every child in conflict with the law to be treated with respect and dignity
- **Consideration of age:** the treatment of a child should take into account the child's age
- **Reintegration:** the aim of the juvenile justice system is to promote the reintegration and rehabilitation of the child
- **Diversion:** Whenever appropriate, measures for dealing with children without resorting to judicial proceedings should be used, provided that human rights and legal safeguards are fully respected
- **Minimum guarantees:** Minimum guarantees of children's rights in the administration of juvenile justice include presumption of innocence, access to legal support and confidentiality.

EXTRAIT

5.2 Supporting systems for birth registration

Birth registration is another critical area where governance reforms can directly contribute to strengthening results for children. The right to a name and identity is not only a right in itself but is also linked to the enjoyment of a whole host of other rights. For example, it is linked to the right to health since often children who are not registered at birth do not have access to health services.

Some governance interventions that could ensure the right to birth registration is guaranteed and well established could include:

- **Making birth registration compulsory.**
- **Adapting national legislation** to ensure that birth registration is accessible and provided at no cost.
- **Putting programmes/interventions** in place to register children not registered at birth.
- **Ensuring a 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, offices and mobile teams if necessary, provision for clearing the backlog of unregistered children, materials and supplies). Furthermore, this budget needs to permit free registration for all and not depend on contributions through charging fees to some or all of the population.
- **Conducting comprehensive advocacy and information campaigns** through all possible media to reach even the most marginalized groups (e.g., poor rural communities, ethnic minorities, indigenous people, refugee and displaced people). Birth registration could also be promoted through special birth registration days and linked with events such as immunization, school enrolment, adult literacy and others.
- **Supporting coordination among stakeholders** – including civil society organizations and individuals in the community (birth attendants, teachers, etc.) who can provide an entry point into the birth registration system – to work under government leadership to ensure birth registration for all children. This coordination should include inter-sectoral links among line ministries (e.g., education, health) and other institutions so that all possible entry points for birth registration can be employed.

Module 4 Tools & Annexes

TOOLS

Tool 4.1 Child-sensitive governance assessment tool

CHILD-SENSITIVE GOVERNANCE ASSESSMENT TOOL		
1. POLITICAL GOVERNANCE/VOICE AND ACCOUNTABILITY		
This category of questions and indicators under governance assessments usually looks at capturing perceptions of the extent to which various constituents within a given country are able to participate in government processes and decisions affecting their lives. This also includes looking at the environment and the extent to which political and civil rights – such as freedom of expression, information, movement, thought, religion and others as guaranteed under the *International Covenant on Civil and Political Rights* (ICCPR) – are enjoyed. Specifically, the following guiding questions can help ensure child rights concerns and issues are considered in this category.		
Does the government have any particular problems in transposing the Convention on the Rights of the Child into domestic law? If so, why? Comments:	Yes	No
Does the government have any particular problems in transposing into domestic law any other child rights relevant international legal instruments to which it is a party? If so, why? Comments:	Yes	No
Has there been a rigorous national review of legislation affecting children to ensure it respects the CRC? Comments:	Yes	No
In particular, are the four general principles of the CRC appropriately reflected in legislation affecting children: ☑ All rights to be recognized for each child without discrimination on any ground (appropriate anti-discrimination legislation and affirmative action for disadvantaged children) ☑ The best interests of the child to be a primary consideration of all actions affecting children ☑ The right to life and to maximum survival and development ☑ Respect for the child's views, including the right to be heard in any administrative or judicial proceedings affecting the child Comments:	Yes	No
Is the definition of a child in all legal (formal and informal) instances defined as any individual under the age of 18? If not, how is it defined and does this definition impact girls and boys differently? Comments:	Yes	No

Are there barriers or constraints to girls and boys participating (equally) in decisions that affect them (including, for example, in the planning and implementation of policies/legislation and so forth)? How might these be overcome? Comments:	Yes	No
Have participatory processes, mechanisms and systems for children's participation in governance been institutionalized at the national and local levels? Comments:	Yes	No
2. RULE OF LAW/LEGAL AND JUDICIAL SYSTEMS		
Indicators under this category attempt to capture an assessment of the type and quality of judicial systems, as well as the capacity of the police and the court system among others. From the perspective of child rights, the following considerations are important. These represent process and policy indicators that help establish the extent to which the legal and judicial systems conform with the provisions of the CRC and other relevant international standards.		
Is there a specialized justice for children system? Comments:	Yes	No
Is there a system in place guaranteeing regular independent inspection of places of detention of children? Comments:	Yes	No
Is there a complaints system in place for children in detention? Comments:	Yes	No
Is there a national plan in place for the prevention of child involvement in crime? Comments:	Yes	No
Are laws applied to all equally, consistently and coherently, including children? Comments:	Yes	No
Are laws equitable? Do any laws discriminate against children? Comments:	Yes	No
Does the legal system take into account children's evolving capacities when determining the burden of responsibility for a crime? Comments:	Yes	No

Do children have access to judicial and legal systems? Do these systems take into account the special needs of children? Comments:	Yes	No
Do children have access to appropriate legal representation? Comments:	Yes	No
Has an independent oversight institution been established to examine how legal institutions and practices affect children's rights? Do they have sufficient budget and authority? Comments:	Yes	No

In addition, the following quantitative indicators should also be monitored as a way of determining the performance of the judicial system and the way children in conflict with the law are treated:

- ☑ Number of children arrested during a 12-month period per 100,000 child population
- ☑ Number of children in detention per 100,000 child population
- ☑ Number of children in pre-sentencing detention per 100,000 child population
- ☑ Time spent in detention by children prior to sentencing
- ☑ Time spent in detention by children post sentencing
- ☑ Number of child deaths in detention during a 12-month period per 1,000 detained
- ☑ Percentage of children in detention not wholly separated from adults
- ☑ Percentage of children in detention who have been visited by, or visited, parents, guardian or an adult family member in the last three months
- ☑ Percentage of children sentenced receiving a custodial sentence
- ☑ Percentage of children diverted or sentenced who enter a pre-sentence diversion scheme
- ☑ Percentage of children released from detention receiving aftercare

(More information on this can be found at www.juvenilejusticepanel.org/en)

3. CONTROL OF CORRUPTION

Indicators under this category assess perceptions of the extent to which public power is exercised for private gain, and some of the specific impacts this may have on children, and the ability of the state to deliver against its commitments under the CRC.

Which forms of corruption are most prevalent and where do they stem from? Comments:	Yes	No
Which children's rights are being violated or not fulfilled as a result of corruption? Comments:	Yes	No
How is corruption currently affecting access to services? How is affecting the quality of these services? Comments:	Yes	No

What mechanisms are in place to control corruption? How effective are these mechanisms at the local and national levels as well as at levels in between these? Comments:	Yes	No
Do anti-corruption measures target areas where children's rights are most violated (or are most likely to be) such as education, health and protection? Comments:	Yes	No
Is information publicly available so that the public can hold local and national government to account? What mechanisms are available for doing this? Comments:	Yes	No
How are children (and their communities) involved in identifying corruption and in deciding on workable solutions? Comments:	Yes	No
4. GOVERNMENT EFFECTIVENESS		
This category captures perceptions of the quality of public services, the quality of the civil service and the degree of its independence from political pressures, the quality of policy formulation and implementation, and of the government's commitment to such policies. The following considerations are important from the perspective of child rights.		
Does the government have sufficient capacity to formulate evidence-based policy? Comments:	Yes	No
What is the capacity of government to mainstream children's rights and integrate a child rights perspective into its work, at local as well as national level? Comments:	Yes	No
Do government staff demonstrate awareness of and sensitivity to children's rights and child rights principles? Comments:	Yes	No
What support is provided for developing capacities within ministries (including policy formulation, improved legislation, promoting structures to give children a voice, budget analysis and child rights mainstreaming)? Comments:	Yes	No
Does the government have sufficient capacity to implement policy from national through to local levels? Comments:	Yes	No

How are considerations of the best interests of the child and other child rights principles manifested in current policy formulation procedures? Comments:	Yes	No
How many current government policies consider or reflect the best interests of the child and other child rights principles? Comments:	Yes	No
How are the best interests of the child and other child rights principles reflected in current policy implementation? Comments:	Yes	No
Is there a national plan of action for child rights? Is this based on the whole of the CRC? Does it consider children's participation in policy formulation and implementation? Does it include an examination of budget expenditure on children (direct and indirect)? Does it include an examination of child participation in governance issues? Does the plan have a timeframe and budget attached to it? Comments:	Yes	No
Have official and independent mechanisms been established with outreach to local levels to ensure compliance with the CRC? Are they adequately resourced? Do they work across public management systems? Do they have sufficient authority to demand changes? Comments:	Yes	No
Are governments held to account over child rights principles through, e.g., CRC reporting? How do the public and children hold them to account? Comments:	Yes	No
Do service delivery and regulatory agencies across sectors include child rights indicators to measure results? Do they involve children in this process? Comments:	Yes	No
Is there an analysis of how much budget is allocated (directly and indirectly) to children? Is this budget tracked to determine how it gets spent and whether this is the most efficient and effective use of the budget? Comments:	Yes	No
Are budgets judged in terms of their impacts on children's rights and child rights principles? Comments:	Yes	No

5. SOCIAL GOVERNANCE/SOCIO-ECONOMIC INDICATORS		
This category aims to capture some of the key socio-economic indicators relevant to children and illustrative of the degree to which children enjoy their basic rights within a given country. Relying predominantly on quantitative indicators for countries where those are available, it can also be instrumental in exposing areas where potential discriminatory practices may exist or where certain groups of children might be excluded along gender, socio-economic or ethnic dimensions.		
Are child-specific statistics available? Comments:	Yes	No
Are they sufficiently disaggregated to see the difference between different groups within the country (by sex, age, ethnicity, disability, etc)? Comments:	Yes	No
Is child rights promotion included in the set of indicators? **In the area of health:** ☑ Infant mortality rates ☑ Under-5 mortality ☑ Maternal mortality ☑ Immunization coverage, and so forth **In the area of education:** ☑ Primary school enrolment and attendance ☑ Out-of-school rate ☑ Secondary school enrolment and attendance ☑ Survival rate to grade 5/literacy **In the area of child protection:** ☑ Birth registration rate ☑ Child disability: percentage of children who screen positive to at least one of the questions on disability ☑ Percentage of children involved in child labour ☑ Child discipline indicators ☑ Attitudes towards domestic violence ☑ Prevalence of child marriage ☑ Prevalence of female genital mutilation/cutting **In the area of HIV:** ☑ HIV prevalence ☑ Mother-to-child transmission ☑ Number of orphans ☑ Paediatric treatment ☑ Attitudes and behaviour *(For more information on child socio-economic indicators, see www.childinfo.org)*	Yes	No

6. POLITICAL DIALOGUE/QUALITY OF PARTNERSHIP, INCLUDING PARTICIPATION AND CIVIL SOCIETY AND GOVERNANCE		
This category of indicators aims to capture the broader mechanisms for participation in place and how children's rights and voices are included in political dialogue in an appropriate manner that reflects their right to participate in decisions that affect their lives and without political manipulation. It further aims to assess the overall quality of the policy dialogue and implementation and the degree to which it is carried out and creates the space for participation of key stakeholders and the inclusion of children, non-state actors, local government and parliament.		
Are there barriers or constraints to girls and boys participating (equally) in decisions that affect them (including, for example, in the planning and implementation of policies/programmes/legislation and so forth)? How might these be overcome? Comments:	Yes	No
Are children involved in decisions about which factors are important for good governance and thus which factors should be tracked over time? Comments:	Yes	No
Have participatory processes, mechanisms and systems for children's participation in governance been institutionalized at the national and local levels? Comments:	Yes	No
Do children have the skills and competencies to take part in participatory processes? Comments:	Yes	No
Does the government have the necessary skills at the national and local levels to ensure effective participatory governance, public communication and participatory practices? Comments:	Yes	No
Are all key stakeholders – both government (including education, health, social welfare, planning and finance ministries) and non-state actors (including children's NGOs, parent-teacher associations, youth groups, unions, etc.) – involved in decision-making at the policy level? Comments:	Yes	No

Tool 4.2 Checklist of considerations for model legislation content

CHECKLIST OF CONSIDERATIONS FOR MODEL LEGISLATION CONTENT		
Do the legislative provisions reflect international standards and principles as laid out in the relevant instruments? Comments:	Yes	No
Are provisions reflective of international human rights principles? Comments:	Yes	No
Are the four core principles of the CRC (participation, non-discrimination, best interests of the child, right to life, survival and development) incorporated into and reflected in legislation? Comments:	Yes	No
Where necessary, are resource-dependent rights embodied in legislation to the maximum extent possible (or with allowance for steady implementation as resources allow)? Comments:	Yes	No
Do the legislative provisions support the removal of reservations that have been placed against international instruments? Comments:	Yes	No
Do the provisions address reaching vulnerable/marginalized social groups and explicitly address direct and indirect discrimination issues (including those related to women and girls)? Comments:	Yes	No
Is there provision for affirmative action measures for marginalized groups (including women and girls)? Comments:	Yes	No
Have the implications of each provision been considered: ☑ From a gender perspective ☑ In terms of its impact on marginalized/traditionally excluded groups ☑ For internal consistency and consistency with existing legislation and case law (common law countries)? Comments:	Yes	No

Is there provision for consequential amendments to other legislation and/or resolution of conflict of laws? Comments:	Yes	No
Is there an enabling environment for legislative implementation in the social, economic and political context (including acceptance of the legislation and physical and human resource capacity)? Comments:	Yes	No
Does it reflect and reinforce existing positive practices? Comments:	Yes	No
If the legislation make clear provision for the applicability of customary and religious law (plural legal systems), is this in line with international human rights standards? Comments:	Yes	No
Does it contain recourse provisions for violations of rights provided for in the legislation? Comments:	Yes	No
Does it make provisions for implementation factors including: ☑ Budgetary allocations/funding sources ☑ Identification of duty bearers and responsibilities ☑ Creation/reinforcement of institutional structures ☑ Institutional processes ☑ Creation of policy, regulations and other supporting instruments ☑ Training of actors/duty-bearers ☑ Dissemination/civic education in relation to the new legislation Comments:	Yes	No
Is there provision for monitoring of impact and implementation (internal monitoring processes, data collection and independent monitoring institutions)? Comments:	Yes	No

Tool 4.3 Questions for parliament

QUESTIONS FOR PARLIAMENT		
LAW-MAKING:		
Are MPs entitled to introduce legislation? Comments:	Yes	No
Are they invited by the executive to participate in policy formulation and drafting of legislation? Comments:	Yes	No
How much authority does the executive branch have to introduce and influence the course of legislation? Comments:	Yes	No
Does parliament have an independent research capacity to support parliamentarians' policy analyses? Comments:	Yes	No
What are the executive's veto powers? Comments:	Yes	No
Can the legislature override an executive veto – and, if so, how? Comments:	Yes	No
Can the executive rule by decree? Comments:	Yes	No
How much influence do parliamentary committees have? Comments:	Yes	No
Do committees consider every law? Comments:	Yes	No
OVERSIGHT:		
Are there regular sessions where parliament questions government? Comments:	Yes	No
Does parliament have the right to require the executive to produce information about government operations — and, if so, what is the scope of the powers? Comments:	Yes	No
What power does parliament have to call to account and remove executive officials? Comments:	Yes	No
Do parliamentary standing committees visit government facilities and inspect operations for which they have an oversight function? Comments:	Yes	No

BUDGETING:		
Must appropriations be legislated before the government can spend money? Comments:	Yes	No
How detailed must the budget be? Comments:	Yes	No
Can parliament amend the budget? Comments:	Yes	No
What role does parliament play in taxing the populace? Comments:	Yes	No
REPRESENTATION:		
Does parliament conduct outreach to constituents? Comments:	Yes	No
Is parliament involved in civic education? Comments:	Yes	No
Does parliament have a website? Comments:	Yes	No
Does parliament accept public visits? Comments:	Yes	No
Does parliament have a media office? Comments:	Yes	No
Is information about parliamentary proceedings readily available to the public? Comments:	Yes	No
What capacity do parliamentarians have to fulfil their representation function? Comments:	Yes	No
Do parliamentarians have constituency offices and access to constituency development funds? Comments:	Yes	No
Do they travel to their districts and how do they interact with constituents? Comments:	Yes	No
Is there a strong media or civil society infrastructure that can assist MPs to understand the concerns of their constituency? Comments:	Yes	No

ANNEXES

Annex 4.1 Recommendations on how to support legislative reforms

Recommendation 1: Review findings and recommendations of the legislative review and analysis process

Any legislative reform process will require some degree of legislative review, regardless of the entry point to that process. A review process can build a groundswell of support for all steps in the law reform process, identify priority areas and solutions for reform, and may reveal that reform of legislation is unnecessary as the issue in fact lies with the implementation of the law. It consists of two components: a technical analysis and broad based, cross-sectoral consultation processes.

The form and content of the findings of the technical and consultative review processes can significantly affect their likelihood of being turned into real actions for children. The following elements should be considered in formulating the results of the review:

RECOMMENDATION 1: REVIEW FINDINGS AND RECOMMENDATIONS OF THE LEGISLATIVE REVIEW AND ANALYSIS PROCESS		
Are identified gaps accompanied by clear, practical recommendations for rectification? Comments:	Yes	No
Are the recommendations as specific as possible, including who is responsible for implementing them, timeframes for implementation, funding sources and draft provisions for any law or policy reforms? Comments:	Yes	No
Recommendations should not compromise on any children's rights standards. Where a recommendation is outside the current resource/ institutional capacity, is a phased timeframe for its fulfilment provided? Where a recommendation is counter to popular opinion, does it include steps for public education and awareness raising? Comments:	Yes	No
Where a desired rights outcome can be achieved through means other than law or policy reform, is this recommendation prioritized? Law reform is an expensive and lengthy process. Comments:	Yes	No
Where several gaps are identified, are they contained in the minimum number of law and policy reforms? Multiple laws can be confusing and lead to ad hoc awareness and implementation. Comments:	Yes	No

Do the recommendations reinforce and reflect existing positive practices and structures? This is particularly important in plural legal systems and resource-poor contexts. Comments:	Yes	No
Will a summary of the findings in plain language be disseminated? Comments:	Yes	No

Recommendation 2: Select the most appropriate method for legislative reforms

There are essentially two practical methods for reform of legislation for children. One is the creation of a single omnibus bill or consolidated statute/code for children's rights. This involves the overhaul of all relevant legislation for harmonization with the CRC/CEDAW through one comprehensive piece of legislation.[20] The second method is by individual law reform or reform of a cluster of individual laws in an issue area.

The table below outlines the factors to consider in choosing the best approach. A mapping of the social and political context together with a review of the CRC and CEDAW Committees guidance for the country may help in determining the most appropriate method.

MAPPING OF APPROPRIATE METHODS FOR LEGISLATIVE REFORM

OMNIBUS OR CONSOLIDATED STATUTE CREATION	INDIVIDUAL LAW AMENDMENT/CREATION
▪ Tends to be used in civil law traditions or countries with a tradition of codified law. ▪ Immediately creates a substantial body of law dealing with nearly all aspects of children's lives. ▪ Clear complementary relationship among all parts of legislation, with cohesive and mutually supportive provisions between issues. ▪ Other legislation will still need to be reviewed for coherence with the statute's provisions. ▪ Children's rights are complex and far reaching and it is difficult to fully embody all their aspects in one piece of legislation. The bill creation process will be time consuming. ▪ The complexity of the law may result in problems passing, absorbing and implementing the legislation. ▪ One controversial aspect of the legislation may cause rejection of the entire bill.	▪ Tends to be used in common law traditions. ▪ Urgent reforms in specific areas can be prioritized and expedited. ▪ Potential for lack of cohesion between laws. Cluster reform of a number of individual laws in one issue area can assist with this. ▪ Easier to pass as addressing one specialized area at a time. ▪ May lead to conflict, duplication or rights gaps in laws. ▪ Easier to absorb and implement as change is gradual or area specific. ▪ Easier to generate a base of support for a specific issue area. ▪ Easier to inform the public about one specific issue area. ▪ The growth of support for and awareness of children's rights with each law reform process facilitates support for the next law reform.

▪ Important rights may be diluted in order to get the legislation passed as a whole. ▪ Other less direct legislation impacting on children but not covered by the statute will still need individual review and reform. ▪ May not sufficiently address the issues of informality and other peculiarities of codifying customary law.	▪ Legislation may be more in depth and deal with specific peculiarities of codifying informal and customary law. ▪ One piece of legislation may create entry points for legislative reform in other areas.

Recommendation 3: Compare contents with 'models'

The standards provided for under international law are deemed the minimum. State Parties to international human rights treaties should aim for higher standards of content and enforcement. The specifics of the contents of legislation will obviously depend on the right(s) being addressed and the entry point to reform. There will also be country-specific factors such as the legal system, social context, expectations, resources and existing structures. However, there are certain common elements that can be considered for ideal content. (*See Tool 4.2.*)

Recommendation 4: Strategic content for urgent reforms

While a law that perfectly reflects international human rights standards is always desirable, it is not always possible to pass and effectively implement such a law immediately. Human rights are inherent and should not be watered down in an attempt to achieve their legal recognition, but a strategic approach to legislative content may be necessary to maximize the realization of women's and children's human rights in the specific context at that point in time.

Annex 4.2 Examples of specialized trainings

Specific examples of relevant specialized trainings for personnel, decision-makers and professionals working with and for children as prescribed by the CRC Committee in its 'General Guidelines Regarding the Form and Content of Periodic Reports' (revised 2005):

In relation to Article 4 on Implementing of the CRC: The measures adopted to provide education on the Convention to public officials, as well as to train professional groups working with and for children, such as teachers, law enforcement officials, including police, immigration officers, judges, prosecutors, lawyers, defence forces, medical doctors, health workers and social workers. The extent to which the principles and provisions of the Convention have been incorporated in professional training curricula and codes of conduct or regulations (Art. 4, para. 22).

In relation to Article 5 on Parental Guidance and Child's Evolving Capacity: Parental education programmes and training activities provided to relevant professional groups (for example, social workers), including information on any evaluation of their effectiveness. Knowledge and information about child development and the evolving capacities of the child for parents or other persons responsible for the child (para. 63).

In relation to Article 12 on Respect for the Views of the Child: Measures to train professionals working with children to encourage children to exercise their right to express their views, and to give their views due weight. These should cover judges in general, family court judges, juvenile court judges, probation officers, police officers, prison officers, teachers, health workers, and be included in the curriculum of law schools, teachers training schools, medical schools and institutions, nursing schools, social work schools, psychology departments, sociology departments (para. 46).

In relation to Article 34 on Sexual Exploitation of Children: Appropriate training for special units of law enforcement and police liaison officers on dealing with children who have been sexually abused or exploited (para. 159).

In relation to Article 37(a) on Torture, Degrading Treatment and the Deprivation of Liberty: Educative and training activities, particularly with personnel in institutions, services and facilities working with children and for children, aimed at preventing any form of ill-treatment (para. 61).

Annex 4.3 UNICEF innovation: 'Rapid SMS'

One of the biggest challenges facing UNICEF's field operations is access to accurate and timely information. With the recent proliferation of technology throughout the developing world, the ability to improve this access has become cheaper and the tools to do so are now ubiquitous. Mobile phones have spread the fastest and farthest of all these technologies, with the GSMA predicting that by 2010, 90 per cent of the world will be covered by mobile networks. RapidSMS capitalizes on this change by integrating the instantaneous information transfer that mobile phones allow into established methods of UNICEF's work.

RapidSMS is a suite of different products all created from the same underlying pieces of computer code. Each one was crafted to solve a specific problem of a field office. The underlying code base is open source, so anyone can use it to build their own tools, and designed to be customized for the varied needs and constraints of UNICEF and the developing world.

Each RapidSMS product is an SMS-based tool that enables mass-scale mobile data collection and messaging. Users can collect both quantitative and qualitative data through customizable SMS forms adapted to the demands of each situation or project. Quantitative data from the forms can be edited through a RapidSMS web interface, exported to Excel and displayed with a built-in graphing tool. Qualitative data can be collected in open-ended questions known as 'general queries'. General queries can be used to poll a base of users or a community on a certain question or topic, and all responses are stored in an SMS inbox for easy review.

With the RapidSMS web interface, multiple users from around the world (with proper log-in credentials) can simultaneously access the system to view incoming data as it arrives, export new data-sets and send text messages to users. Being open-source software, RapidSMS is free to download, use and modify – and it runs well even on low-powered and older computers, needing only a GSM modem and SIM card to get started. RapidSMS leverages popular programming languages and is thus easily integrated into existing information and communications technology (ICT) systems.

The impact RapidSMS implementation has had on UNICEF's work practices is dramatic. In October 2008, Ethiopia experienced crippling droughts. Faced with the possibility of famine, UNICEF Ethiopia launched a massive food distribution programme to supply the high-protein food Plumpy'nut to under-nourished children at more than 1,800 feeding centres in the country. Previously, UNICEF had monitored the distribution of food through a small set of individuals who travelled to each feeding centre. The monitors wrote down the amount of food that was received and distributed and whether more food was needed. There had been a two-week to two-month delay between the collection of that data and their analysis, delaying action. In a famine situation, each day can mean the difference between recovery, starvation or even death.

The Ethiopian implementation of RapidSMS completely eliminated the delay. After a short training session the monitors would enter information directly into their mobile

phones as SMS messages. This data would instantaneously appear on the server and immediately be visualized into graphs showing potential distribution problems and displayed on a map clearly showing where the problems were. The data could be seen not only by the field office but also by the regional office, supply division and even headquarters, greatly improving response coordination. The process of entering the data into phones was also easier and more cost effective for the monitors themselves, leading to quick adoption of the technology.

Without accurate and timely data, it is very difficult to make decisions, see where there are problems, respond quickly and allocate resources effectively. RapidSMS is a powerful suite of tools that directly address this problem, improving coordination and impact.

Annex 4.4 Justice for children approaches

The UN Approach to Justice for Children recommends the following principles to guide all interventions ranging from policy development to direct work with children:

1. **Ensuring that the best interests of the child is given primary consideration**

   In all actions concerning children, whether undertaken by courts of law, administrative or other authorities, including non-state, the best interests of the child must be a primary consideration.

2. **Guaranteeing fair and equal treatment of every child, free from all kinds of discrimination**

   The principle of non-discrimination underpins the development of justice for children programming and support programmes for all children's access to justice. A gender-sensitive approach should be taken in all interventions.

3. **Advancing the right of the child to express his or her views freely and to be heard.**

   Children have a particular right to be heard in any judicial/administrative proceedings affecting them, either directly or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law. It implies, for example, that the child receives adequate information about the process; the options and possible consequences of these options; and that the methodology used to question children and the context (e.g., where children are interviewed, by whom and how) be child-friendly and adapted to the particular child. In conflict and post-conflict contexts, it is also important to involve children in transitional justice processes.

4. **Protecting every child from abuse, exploitation and violence**

   Children in contact with the law should be protected from any form of hardship while going through state and non-state justice processes and thereafter. Procedures have to be adapted, and appropriate protective measures put in place against abuse, exploitation and violence, including sexual and gender-based violence, taking into account that the risks faced by boys and girls will differ. Torture or other cruel, inhuman or degrading treatment or punishment (including corporal punishment) must be prohibited. Also, capital punishment and life imprisonment without possibility of release shall not be imposed for offences committed by children.

5. **Treating every child with dignity and compassion**

   Every child has to be treated as a unique and valuable human being and as such his or her individual dignity, special needs, interests and privacy should be respected and protected.

6. **Respecting legal guarantees and safeguards in all processes**

   Basic procedural safeguards as set forth in relevant national and international norms and standards shall be guaranteed at all stages of proceedings in state and non-state systems as well as in international justice. This includes, for example, the right to privacy, the right to legal aid and other types of assistance and the right to challenge decisions with a higher judicial authority.

7. **Preventing conflict with the law as a crucial element of any juvenile justice policy**

   Within juvenile justice policies, emphasis should be placed on prevention strategies

facilitating the successful socialization and integration of all children, in particular through the family, the community, peer groups, schools, vocational training and the world of work. Prevention programmes should focus especially on support for particularly vulnerable children and families.

8. **Using deprivation of liberty of children only as a measure of last resort and for the shortest appropriate period of time**

   Provisions should be made for restorative justice, diversion mechanisms and alternatives to deprivation of liberty. For the same reason, programming on justice for children needs to build on informal and traditional justice systems as long as they respect basic human rights principles and standards, such as gender equality.

9. **Mainstreaming children's issues in all rule of law efforts**

   Justice for children issues should be systematically integrated into national planning processes, such as national development plans, CCA/UNDAF, justice sector wide approaches (SWAPs), poverty assessments/poverty reduction strategies and policies or plans of action developed as a follow up to the UN Global Study on Violence against Children; in national budget and international aid allocation and fundraising; and in the UN's approach to justice and security initiatives in peace operations and country teams, in particular through joint and thorough assessments, development of a comprehensive rule of law strategy based on the results of the assessment, and establishment of a joint UN rule of law programme in country.

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CHILD RIGHTS TOOLKIT

Integrating Child Rights in Development Cooperation

Module 5 Child Impact Assessment

European Commission

unicef

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ACRONYMS AND ABBREVIATIONS

CRC	Convention on the Rights of the Child
CRDP	Convention on the Rights of Persons with Disabilities
NGO	non-governmental organization
IA	impact assessment
IDPs	internally displaced persons
ILO	International Labour Organization
OECD	Organisation for Economic Co-operation and Development
PSIA	Poverty and Social Impact Analysis
UNFPA	United Nations Population Fund

1. Introduction

1.1 Working for the child's best interest

There is no such thing as a child-neutral policy. Whether intended or not, every policy positively or negatively affects the lives of children. In recognition of this, the Committee on the Rights of the Child calls on governments to consider the potential effects of programmes and policies on children as an essential component of determining whether children's best interests are being served. Its General Comment 5 states that:

> *"...ensuring the best interests of the child in all actions 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."*

To comply with the Convention on the Rights of the Child (CRC), therefore, the impact on children of all policies, laws and budgetary decisions should be assessed as a matter of standard practice. *Child impact assessments (IAs)* offer a concrete method of ensuring that children are placed at the forefront of the political and decision-making agendas and processes of policy makers.

Child IAs are an opportunity to systematically examine the potential impacts on children of policies and programmes *ex-ante, as they are being developed*, rather than after they have been put into effect. As such, they are powerful tools that can influence major public social and economic decisions. When done properly, they can help prevent potential harm and minimize the risks of costly policy failures and mistakes, while at the same time serving the best interests of the child and enhancing compliance with legal commitments to child rights.

The importance of *ex-ante* impact assessments for evidence-based decision-making has been recognized and practiced by key development partners such as the European Union, the Organisation for Economic Cooperation and Development (OECD), the United Nations Children's Fund and the World Bank. Several donors already include questions concerning children in their social impact assessment and project appraisal processes.

1.2 Purpose and objectives

This module provides an overview and a step-by-step guide to carrying out a child IA for staff of donor agencies, including staff of the EU and governments who are not specialists in children's issues.

DEFINITION: IMPACT ASSESSMENT

"Impact assessment is a set of logical steps to be followed when preparing policy proposals. It is a process that prepares evidence for political decision-makers on the advantages and disadvantages of possible policy options by assessing their potential impacts."[1]

Article 3, Convention on the Rights of the Child (CRC)

"In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration."

This module will:

1. Identify the rationale for undertaking an *ex-ante* child IA
2. Define government accountabilities around conducting an *ex-ante* child IA
3. Outline the steps for undertaking an *ex-ante* child IA
4. Demonstrate how to use the conclusions of the an *ex-ante* child IA to inform policy-making and country programming

2. Key issues and considerations

2.1 What is an *ex-ante* child impact assessment?

A child IA is a tool for looking at a policy, law or decision and assessing its potential impact on children and young people and their rights under the CRC. The assessment measures how the policy or project in question complies with a State's child rights obligations. It allows the impact to be predicted, monitored and, if necessary, avoided or mitigated.

2.2 Purpose and added value

An *ex-ante* child IA helps to translate the CRC into routine government action by using structured analysis to highlight potential impacts on children as an integral part of law and policy-making. The intention is to encourage decision makers to seriously consider the child dimension before decisions are taken. Child IAs are also likely to lead to better decisions and policies and will therefore help decision makers improve their performance and ultimately contribute to better development outcomes.

The main objectives of child IAs are to:

- **Ensure children are at the heart of policies and projects:** Without a specific focus on them, children are likely to be missed. Issues such as energy reforms, trade liberalization or road building may seem at first to be irrelevant or only marginally connected to child well-being. However, the effects on children and young people of programmes in these and other areas of development policy can be profound. For example, a road-building programme could enhance child well-being by increasing access to school, enabling essential medicines to reach remote areas more easily or stimulating economic and employment opportunities. In any given context, it may not necessarily be clear what the effects of a change will be or whether the overall impact is likely to be negative or positive. Including a child perspective in social impact assessments is therefore necessary to understand potential impacts on this stakeholder group.
- **Help governments meet their obligations under the CRC:** Governments have committed to respecting, protecting and fulfilling children's rights and to upholding the 'best interests of the child' as a primary consideration in all actions concerning

children. To meet that commitment, they must first understand what potential impacts their actions may have on children – both positively and negatively.

Undertaking and then acting on the findings of a child IA is one way in which the actions of governments, donors and other agencies (such as civil society organizations) can be made more accountable to children.

Child IAs benefit policies, policy makers and children by:

- **Improving government's coordination** on children's rights by examining potential impacts on the 'whole child' – this involves bringing together relevant departments and ensuring that policy developed in one department coordinates with that developed in others
- **Providing significant returns on investment** as it is much easier and more effective to fix projects in their design stage than to remedy the negative effects of poor planning
- **Improving the quality and quantity of information** available to decision makers
- **Explicitly considering the best interests of the child in the decision-making process** and thus improving the likelihood of positive outcomes for children
- **Considering the impacts on children in the long term**, including future generations, not just immediate impacts
- **Recognizing children as legitimate stakeholders in policy-making**, giving their views due consideration in the policy- and law-making processes
- **Improving support from citizens for public decisions** thanks to more transparent, consultative and defensible policy processes that bring together external stakeholders, including children, for focused discussion.

2.3 Challenges

There are a number of challenges in undertaking child IAs:

- **Models for implementation:** Child IAs are a key measure of implementation called for by the CRC, and the common principles for their implementation are clearly delineated. However, there is no single child IA model or internationally agreed child IA system, and at first it may seem difficult to have a clear view on how one should be implemented. It is up to the child IA initiators, users and stakeholders to define their needs thoroughly.
- **Need for further research:** Good practices in child IA implementation are mostly found in industrialized or high-income countries. There is therefore still a need for exploratory work and research in different country contexts.
- **Need for reliable data:** Impact assessments are difficult to carry out as evidence is not always available, national systems may not be able to provide robust data and projections in the future need to be statistically sound. Furthermore, overall quality checking is fundamental due to the social and political implications of the findings. Child IAs need to guarantee their credibility by using objectively verifiable qualitative and quantitative information.

3. Making child IAs part of programme and project cycle management

3.1 Child IA context analysis

When the need for a child IA has been identified around a certain proposal or project, there are a number of considerations that should be carefully examined related to the broader context in which it will take place. As part of this context analysis, key stakeholders should be identified, along with their capacities to undertake this assignment. Stakeholders could include decision makers, intended beneficiaries, potential implementers, influential groups and the sources to be consulted.

What should be considered?

An important part of background and contextual analysis is to consider the general situation of children in a particular country (and sector, where relevant). This enables analysts to ensure that proposals are focusing on the most crucial child rights issues and to identify programme and policy proposals likely to have a significant impact on children's rights.

As discussed in Module 1 Overview of child rights in development cooperation, detailed situational analyses of children in a country are often available from several sources; these can be complemented by more targeted reports on specific issues as well as any relevant 'Concluding Observations' from the Committee on the Rights of the Child or the Committee on the Elimination of Discrimination against Women.

Another crucial area for analysis is the political economy. Being aware of the agendas, interests and incentives of key stakeholders and institutions at both policy and implementation levels is vital for understanding how proposals are likely to 'play out' in practice. As part of this analysis, it is important to identify any stakeholders with an institutional mandate to promote child rights (e.g., children's ombudspeople, child or youth rights organizations or child-focused civil society organizations), those with an interest in substantive areas of children's rights (such as health, education or juvenile justice) or those with potentially opposing interests.

Who are the stakeholders in a child IA?

Child IAs can be undertaken by a range of stakeholders including governments, parliaments, donors, civil society and the private sector. They are usually commissioned by the body taking the decision to fund or implement a programme but can also be organized by third parties wanting to know more about the potential impacts of specific policies or practices.

Holding governments to account: Trade reforms and children's right to health in Thailand

In 2005, the Swiss NGO 3D (Trade - Human Rights - Equitable Economy) analysed the potential effects of trade reforms on children's access to medicines in Thailand. They found that Thailand's policies on access to medicines, which had helped secure children's right to health, could be undermined by strict intellectual property rules in trade agreements, particularly the rules being requested in the country's bilateral negotiations with the United States and the European Free Trade Association (EFTA). They submitted their analysis to the Committee on the Rights of the Child (3D, 2005). This is an example of a child IA on a 'non-child-specific sector' that sought to demonstrate that policy reforms in key industrial sectors can have a significant impact on child rights outcomes.

When should a child IA be carried out?

The Committee on the Rights of the Child recommends child IAs be undertaken when preparing or implementing:[2]

- New guidelines or programmes
- New legislation, regulations or resolutions
- Budgets or other financial estimates on a national, regional and local level.

A child IA should be undertaken whenever there are public proposals that are likely to have a significant impact on children and their families, including in subject areas that are not necessarily child specific.

3.2 Programming and implementation

Child IAs aim at reinforcing the programme and project preparation stages by identifying impacts, analysing risks and potential mitigation measures and proposing alternatives to be reflected in country programmes and annual plans of action. Child IAs should therefore be implemented as early as possible in the development of policy.

3.3 Integration in evaluation

Some concrete suggestions of how a child IA can be integrated into the evaluation level of programme and project cycle management include:

- Identifying whether a recent child IA has been conducted in the country, ensuring its findings can be used for sectoral and programme accountability and improving the overall responsiveness of programmes on issues concerning child rights
- Ensuring those findings can be used as learning for the future and directly translating and influencing the design of new programme priorities
- Using the child IA to link child rights-related policies to measurable results and impacts

See Tool 5.1 for an overview of areas of policy reform and their potential impacts on children.

4. Implementing a child IA: Step-by-step guidance

This section presents a proposed child IA model comprising seven steps aligned with the EU's 'Impact Assessment Guidelines' (2009). During implementation, the child IA should be conducted in accordance with the four guiding principles of the CRC (*see Module 1: Overview of child rights in development cooperation*):

- Non-discrimination
- Adherence to the best interests of the child
- Life, survival and development
- Participation

Conducting a child IA based on these principles should ensure:

- **Equality and non-discrimination:** The principles of equality and non-discrimination must be considered at all stages and in all aspects of a rights-based impact assessment.
- **Participation:** Meaningful participation of all affected stakeholders, including from marginalized and excluded groups – and children in particular – is a key principle of a child IA (*see Module 3: Child participation*). This could be done by:
  - » Incorporating children's ideas about what the child IA should look at into the process
  - » Ensuring that they have sufficient information about the child IA to understand its purpose and how the results will be used
  - » Consulting children on their views as to how a particular decision might affect them
  - » Sharing the results of the child IA with them
- **Accountability:** Accountability is critical to children's ability to claim their rights. This entails holding those in positions of power responsible for ensuring the best interest of the child is placed at the centre of all decisions and policies. It also means providing children with adequate and safe opportunities to claim their rights, including by voicing their concerns through impact assessments. Child IAs should also analyse the degree to which the policy / project includes accountability mechanisms.

CONDUCTING A CHILD IA IN 7 STEPS

Step 1: **Defining the problem and objectives of assessment**
- Initial screening
- Context analysis & stakeholder mapping
- Core questions

Step 2: **Ensuring stakeholder and child participation**

Step 3: **Outlining alternative policy options**

Step 4: **Assessing the impact of identified policy options**
- Stage 1: General screening
- Stage 2: Detailed compatibility analysis
- Stage 3: Thematic review

Step 5: **Comparing options and proposing scenarios**
- Synthesis from steps 3 & 4

Step 6: **Communicating findings and recommendations**

Step 7: **Ensuring follow-up, linking with monitoring and evaluation**

Step 1: Defining the problem and objectives

The key to a good assessment is to have clear targets and to keep it relevant. The first step is therefore to identify whether a child IA is recommended and, if so, to select the main problem(s) on which to focus. This will help in clarifying the objectives of the assessment.

A. Criteria for conducting an assessment

Three common criteria used for deciding whether to carry out an assessment are:

- **Potential impact:** When there is significance or uncertainty of potential impact, such as with complex programmes.
- **Strategic importance to the implementing institution:** This can include issues that are high on government agendas, policies with large budgetary allocations or actions that are seen as urgent.
- **Potential influence on change:** The assessment may be particularly useful to inform gaps that need to be filled in light of existing laws or regulations.

B. Initial screening of proposed measure

A child IA can be useful to identify impacts on children both where children are the focus of the proposed policy, programme or plan and where the focus of such a proposal is on broader issues. Even when the problem(s) identified in the policy or programme proposal appears not to focus on children's well-being at all, it is worth undertaking an initial assessment of the potential effects on children's rights to ensure that significant impacts have not been missed.

Questions to consider during Step 1:

- What is the aim of the proposal?
- What are the main potential impacts of the proposal on children or on particular groups of children?
- How was the proposal prepared and to what extent did it include the voices of children? Which participatory process was used?
- What CRC articles are particularly relevant to the proposal? Were they taken into account during preparation?
- Are there any risks of inconsistencies or pre-identified incompatibilities with the implementation of the CRC?

TIPS:

- Be realistic about the balance between the depth and scope of a child IA. Choices will need to be made to achieve this balance and to make sure that the child IA is a useful tool for the different audiences it aims to reach. These choices might include prioritizing specific policy areas or sectors (e.g., health, infrastructure, justice, etc.) where impacts on children are likely to be more significant.

C. Context analysis and stakeholder mapping

Since child IAs provide crucial reference information, the purpose of a specific assessment (or the expectations of the decision makers) should be carefully considered during its design. This part of the process also involves identifying stakeholders. Notably, it can be useful to make a mapping including decision makers, intended beneficiaries, potential implementers, groups of influence and the sources to be consulted. An initial mapping may also be useful for identifying which *groups of children* are likely to be particularly affected (*see Step 4, stage 2*).

The child IA process will also help identify whether children should be included as key stakeholders. Mapping tools are available in Module 2: Child rights in programming and sector policies, Module 6: Child-responsive budgeting and Module 8: Working with civil society on child rights.

D. Core questions

The initial screening should help to answer the process's core questions:

CORE QUESTIONS →

Is a child impact assessment recommended?

If so, what are the main issues the child IA should focus on?

See Tool 5.2 for the elements of drafting terms of reference for a child IA expert or team.

Step 2: Ensuring stakeholder and child participation

Consultations are an essential part of a child IA to ensure a broad range of perspectives is taken into account in all issues that could affect children directly or indirectly. A stakeholder analysis will help determine which of these are most critical in any particular context.

MAIN STAKEHOLDERS WHO SHOULD BE CONSULTED AS PART OF A CHILD IA	
Children and young people	A child IA recognizes children and young people as key potential stakeholders in decisions that may affect them. This is based on Article 12 of the CRC, which states that children have the right to express their views and that these must be given due weight in accordance with their age and maturity. This right is also recognized in the 'European Union's Action Plan on Children's Rights in External Action' (2008), which emphasizes the importance of consulting with children on issues that affect them.
Communities	To understand and express concerns about potential impacts on their human rights.
Government	In addition to the ministry implementing the proposed policy or programme, line ministries with direct responsibility for children (e.g., education, health and social welfare) and/or budgetary responsibility (e.g., finance) are relevant stakeholders.
Official child-focused bodies	Examples include national committees for children, children's ombudspeople and children's commissioners.
Professionals in contact with children	Examples include teachers, health workers, social workers, police and justice system officials.
International organizations	Either those with a direct interest in the proposed policy or programme or with particular expertise in child well-being – e.g., the International Labour Organization (ILO), UNICEF, the United Nations Population Fund (UNFPA), the United Nations Refugee Agency (UNHCR) and UN Women.
Other donors and lenders	Particularly those with a direct interest in the proposed policy or programme (e.g., World Bank, regional development banks) or with in-country expertise in child well-being or rights (e.g., the Swedish International Development Cooperation Agency).
Civil society organizations (national and international)	Those with a direct focus on children and youth, women's organizations, those with a direct interest in the proposed policy or programme (e.g., working in agriculture/food security for policies in this area). International non-governmental organizations (NGOs) with a particular interest in child well-being include PLAN International, Save the Children and World Vision.

Insights from consulting children in Mozambique

A World Bank Poverty and Social Impact Analysis (PSIA) of primary and secondary school fee reform in Mozambique included interviews with school-going and non-school-going children and their parents. The analysis revealed that sexual harassment of girls both in and en route to school was an important deterrent to their school attendance. It served to highlight the need for more concerted action on this issue in addition to measures to ease the direct costs of schooling.[3]

Key stakeholders should be children themselves, as they are best placed to provide information on issues that concern them and can improve the quality of impact assessments by, for example:

- **Highlighting issues not considered by others.** For example, in flood planning in Viet Nam, it was only when children were consulted that the issue of evacuation routes from schools was considered.
- **Providing insights into the impacts of policies on different members of the household.** For example, an analysis conducted by UNICEF and partners of the potential impacts on children of an electricity tariff reform in Bosnia Herzegovina highlighted that increased child labour, increased use of dirty fuels and reduced electricity consumption were the main ways that households expected to cope with price rises. Adolescents' opportunities for evening study, for extracurricular activities and for information and recreation (e.g., watching television) were most likely to be negatively affected by the proposed tariff.[4]
- **Providing insights into issues not seen as priorities by adults** or issues on which there is silence (e.g., sexual harassment of girls at school).
- **Fact checking and triangulation of conclusions** with the most relevant stakeholders: children themselves.
- **Identifying effective mitigation strategies** by, for example, identifying promising small-scale approaches that might be scaled up to prevent negative impacts.
- **Enabling research on impacts affecting significantly disadvantaged groups** such as children living and working on the street, child labourers and orphans, for whom there is often very little information, or for children living outside families who are not represented in household surveys.

TIPS:

- Consultations with children must meet ethical standards, which have been agreed by the Committee on the Rights of the Child in its General Comment No. 12 on the right of the child to be heard. (*For more information on standards and principles for child participation, see Module 3.*)
- The participation process is as important as the final content of the child IA: Key stakeholders who will be using the results should be involved in all stages of the process. This will ensure the 'best fit' of the child IA recommendations not only with the stakeholders' needs and expectations but also with implementation capacity.
- Provide space for weaker stakeholders to have a say on the launching of child IAs.
- Depending on the time and resources available, it may be possible to train some adolescents to undertake peer research. This is particularly valuable for reaching marginalized 'hard-to-reach' groups of children, as well as helping the children concerned develop new skills.

See Tool 5.3 for guidance in working out when consultation with children is needed in a child IA.

Step 3: Outlining alternative policy options

This step involves outlining the main policy and programme options that address the problem defined in Step 1, as well as any measures that may be needed to mitigate expected negative impacts. The table below outlines possible approaches to addressing the vulnerabilities of children that may be foreseen at this stage.

EXAMPLES OF ISSUE-SPECIFIC POLICY CHOICES TO ADDRESS VULNERABILITIES OF CHILDREN	
AREA OF VULNERABILITY	**ISSUE-SPECIFIC POLICY RESPONSES**
Nutrition: ▪ Risk of malnutrition and hunger	▪ Agricultural and food security investments ▪ Food subsidies ▪ Micronutrient supplementation and fortification ▪ Increased accessibility of basic services
Health: ▪ Risk of death ▪ Key diseases particularly affecting children ▪ Sexually transmitted diseases	▪ Free treatment for children and young people (fee waivers, eliminating user fees, subsidized insurance) ▪ Targeted action on specific diseases affecting children or their families (e.g., malaria, diarrhoea) ▪ Improvements to water and sanitation ▪ Health education/promotion programmes ▪ Youth-friendly health services
Education: ▪ Lack of affordable preschools ▪ Financial barriers ▪ Poor quality education	▪ Increased investment in early childhood development, primary and secondary education ▪ Protecting/increasing teachers' salaries ▪ Elimination of school fees ▪ School grants
Protection from neglect, abuse and exploitation: ▪ Physical and emotional neglect ▪ Physical and sexual abuse ▪ Exploitation in labour; trafficking and sexual exploitation	▪ Broader poverty reduction measures ▪ Early childhood development programmes and enhanced childcare provision for working parents ▪ Educational/prevention programmes with children and young people and parenting programmes with adults ▪ Support to child protection systems including police and law enforcement agencies, labour inspectors and social workers ▪ Counselling, helplines, shelters and other targeted services (e.g., mobile educational programmes for children at risk)

A. Broader policy responses

There are also a number of broader policy responses that can address the vulnerabilities of children.

Livelihoods

- Measures to help adaptation to new livelihood sources
- Phase-in changes to allow vulnerable households time to adapt

- Support to micro-enterprises
- Pro-poor growth/job creation
- Protection of labour rights
- Regional development in disadvantaged regions

Protecting consumption

- Introduce or expand cash transfer programmes
- Limit sales taxes on essential goods for children and their families
- Reconsider barriers to imports of key goods for children's development

Services

- Maintain/increase expenditure levels in key sectors (education, health, child protection, etc.)
- Pro-poor (progressive) taxation

TIPS:

Policy alternatives need to remain realistic, which requires:

- Social acceptance, coherence with the existing legal framework, complementarity with existing policies or programmes and technical feasibility
- Financial resources and technical capacity to implement the policy and also to maintain a supervision system
- Financial coherence and sustainability, i.e., not depleting resources allocated to other child-specific programmes.

(For more, see Integrating a Child Focus into Poverty and Social Impact Analysis (PSIA): A UNICEF-World Bank guidance note, Annex 5.1, item 11.)

Step 4: Assessing the impact of the identified policy options

Assessing the impact of the proposed measure and of the different options identified in Step 3 on children's rights requires identifying:

- The *types* of impacts on children that may arise
- *Which children* are likely to be affected
- The *significance* of the impact
- The extent to which the proposed options are participatory and offer mechanisms for meaningful engagement of affected population groups, including women and children
- The impact of proposed options on the child rights obligations of the State.

A. Identifying which children are likely to be affected

Children, like adults, are not a homogeneous group and different groups of children may be affected positively or negatively by a particular proposal. Unless policies have been specifically designed to redress inequalities, benefits may accrue to more advantaged groups and negative impacts may more severely affect poorer children, those in more remote locations, girls, children with disabilities, indigenous children and ethnic minorities, migrants or internally displaced persons (IDPs).

The effects of any proposal must be disaggregated at least by age, sex, socio-economic group, location and cultural or ethnic background to ensure that it respects or enhances the rights of all children.

See Tool 5.4 to Tool 5.6 for options assessment tables to help identify which children's rights might be affected, age-related vulnerabilities and gender and other social diversity dimensions of vulnerability.

B. Defining the different types of impacts on children in three stages

Stage 1: General screening in terms of CRC principles
The proposed policy or programme should be screened against all four guiding principles of children's rights to ensure that the full potential range of impacts is considered. Impacts that may affect a child's right to protection or their right to participate in society can easily be overlooked.

Stage 2: Detailed child rights compatibility analysis
Once the key areas of rights potentially affected by the policy or programme have been identified, the analysis will go into more detail across the articles of the CRC related to that area.

Stage 2 will also focus on local child rights legislation relevant to the proposed measure. This qualitative review will:

- Determine potential incompatibilities with the CRC
- Underline which specific CRC articles are concerned
- Isolate the potential impacts, which should be taken into account for further consideration.

This approach will result in a more complete picture of the potential effects on child rights.

See Tool 5.7 for useful examples of practices in *ex-ante* assessments.

Stage 3: Thematic review from the point of view of the proposed measure
The review of potential impacts on children should be complemented by other existing information and indicators in the thematic area (i.e., through the review of external sources such as other impact assessments, academic research, studies commissioned by NGOs or other non-state actors and available objectively verifiable indicators).

The child IA can also be an opportunity to organize primary surveys and research to complement the thematic review. This is particularly helpful to ensure the accuracy and independence of the data. The box below briefly analyses how economic policies can transmit their effects to children.

See Tool 5.8 on distinguishing the short-, medium- and long-term effects on children of declining household incomes.

Lessons learned from integrating a gender dimension in infrastructure projects

As part of its Gender Action Plan (GAP) to advance women's economic empowerment through gender-informed operational and analytical work, the World Bank has undertaken efforts to integrate gender in large-scale infrastructure projects. Case studies of these efforts illustrate that it is possible to engender infrastructure policies and projects, and that mainstreaming gender throughout the design and implementation of such projects led to greater development effectiveness and sustainability.

Integrating a gender dimension was done in a variety of ways that included assessing women's time use and work burdens; getting good baseline data on social relations to assess the local enabling environment; employing sensitivity to local cultures and traditions; assessing women's access to productive resources such as labour, land and capital; reaching out to women to make sure they directly benefited from services; and systematically giving women the opportunity to participate in project management. Listening to women and leveraging their participation can lead to concrete results: for example, evidence from 121 World Bank rural water supply projects indicates that women's participation and project effectiveness are positively correlated.[5]

Gender-sensitive impact analysis has served to underscore that gender analysis is not only vital for the health and education sectors but is equally relevant for the so-called 'hard' sectors including water, transport and ICT.

Just as gender and women's empowerment matter for infrastructure, meeting the needs and fulfilling the rights of boys and girls are also relevant. The scaling up of infrastructure lending represents a significant opportunity to apply lessons learned from the World Bank efforts to integrate child rights into similar projects.

C. Assessing the significance of potential impacts

Here, 'significance' relates to the importance of the impact, whether positive or negative. It is often related to the magnitude of impacts but also covers other concepts that should be considered when assessing potential effects on children.

Estimating the significance of potential impacts is an exercise that builds on the information collected previously and looks at the following dimensions:

- **Numbers** of children likely to be affected
- **Length** of impacts (short, medium or long term)
- **The importance** of any impacts: small, moderate or large – i.e., the severity of potentially negative impacts or the strength of expected positive impacts
- **The probability** that the impact will occur
- **Whether there is a multiplier effect** that increases (positive or negative) impacts on any group of children

Economic policy impacts on children's rights

Economic forces and policy changes often affect children's rights through three main routes:

1. Their effects on household livelihoods
2. Their effects on children's and their families' access to services and the quality of those services
3. Their effects on social cohesion and social capital

Where the livelihoods of households are negatively affected, children's health and nutrition may suffer as families are unable to afford sufficient healthy food or may use less safe sources of water and fuel. Child labour may increase if education becomes unaffordable for all the children in a family or if its quality declines. Children may also be at risk of trafficking or forced marriage to bring money into their families. Adolescents may migrate in search of work, with associated risks of abuse and exploitation. Children may be at greater risk of violence if community social cohesion declines as a result of economic stress. If informal payments are demanded for services, poorer children's access may be constrained.

- **Whether particularly disadvantaged** children are likely to be more severely affected
- **The capacity to cope** with potential negative impacts through realistic, set-in-advance mitigation measures
- **Managing financial resources:** resources, and notably financial resources, dedicated to the implementation of mitigation measures should focus on the more significant impacts.

(For more, see Integrating a Child Focus into Poverty and Social Impact Analysis (PSIA): A UNICEF-World Bank guidance note, Annex 5.1, item 11.)

Step 5: Comparing options and proposing scenarios

This step synthesizes findings from the assessment of potential impact and of policy options and makes recommendations as to which course of action is most supportive of children's rights. The final analysis will not be exhaustive and should focus on the impacts that were considered significant, including the ones found relevant by the children themselves.

See Tool 5.9 for an impact matrix that may be used to summarize the information gathered during Steps 3 and 4.

Once the analysis indicates that a proposed policy or programme is likely to affect children and young people, the next step is to identify how negative effects can be prevented and positive effects enhanced. It is essential that modifications or mitigation measures are implemented quickly to protect the development and emotional well-being of the exposed child. Given that children have very little voice in policy processes or opportunities to seek redress if policies have negative consequences, there is an even greater onus on development specialists to ensure that potential costs to children have been adequately examined to prevent harmful impacts.

The next table outlines different scenarios and indicates the circumstances under which a proposal should be modified and when compensatory measures should be envisaged.

COMPARING POLICY OPTIONS IN A CHILD IA	
SCENARIO	**ACTION**
Many children are negatively affected and costs of mitigation are high	Modify proposal
Many children are negatively affected, costs of mitigation are low or reasonable and implementation capacity exists	Put in place mitigation policies and programmes
Moderate numbers of children are negatively affected and costs of mitigation are high	Assess whether modifying proposal or implementing mitigation measures is more cost-effective

The case for modifying a policy: proposed tax reform in Serbia

In 2010, to mitigate the effects of falling revenues due to the global economic crisis, the Serbian Government proposed a 4 per cent increase in value added tax (VAT) and a series of other fiscal reforms. Concerned about the potential impact on children, who were already over-represented among the poor, UNICEF Serbia commissioned a Belgrade-based research institute to conduct an *ex-ante* impact study of the proposed taxation reform on the likely consequences of the reforms for disadvantaged groups. The study findings suggested that up to 50,000 people were at risk of poverty under the proposals, and that the numbers of children in poverty could increase by 10 per cent and overall poverty rates by 9 per cent, while there was no clear indication of long-term economic improvements as a result of the proposed changes. The findings enabled UNICEF to open a public debate that explored the possible costs and benefits of the proposed reform and called for submission of more evidence on the potential impact before proceeding with the reform process. This experience illustrates the power of taking the opportunity to raise children's issues within the areas such as taxation and finance, typically outside the domain of UNICEF's work, by engaging with the ministry of finance and international financial institutions (IFIs).[6]

Moderate numbers of children are negatively affected, costs of mitigation are low or reasonable and implementation capacity exists	Put in place mitigation measures
Relatively small numbers of children are negatively affected	Put in place targeted mitigation measures
Negative impacts on children are negligible	No additional provisions neededa

Stakeholders should have the opportunity to comment on the conclusions and recommendations emerging from the comparison of options. The right of children to participate should not only guide the dialogue but also be an integral part of the process as it will build ownership among the affected stakeholders.

Step 6: Communicating findings and recommendations

Communication is at the heart of any healthy process and central to the demonstration of results. Communication of findings and recommendations is, however, too often left as an afterthought. It is essential to publish assessment results, disseminate them and, when possible, explain them to key decision makers and stakeholders, especially those consulted during the exercise.

Results should be in an easy-to-understand format, such as a policy brief, with non-technical summaries. Tools such as implementation matrices and practical examples can be useful in stimulating stakeholders' grasp of the issues. It is also important to ensure that a broad range of stakeholders has access to information on the child IA process itself.

Step 7: Ensuring follow up and linking with monitoring and evaluation

The follow-up process can be divided into two steps:

- Ensuring that the amendments deriving from the child IA are indeed taken into account in the proposed policy or measure
- Setting up a specific mechanism to monitor and evaluate the analysed policy, once it is being implemented, in order to assess its actual child rights impact.

Ideally, such efforts should be integrated into the monitoring and evaluation system of the policy.

Module 5 Tools & Annexes

TOOLS

Tool 5.1 Areas of policy reform and their potential impacts on children

AREAS OF POLICY REFORM AND THEIR POTENTIAL IMPACTS ON CHILDREN			
AREA OF DEVELOPMENT COOPERATION	**EXAMPLES OF REFORM**	**POTENTIAL POSITIVE EFFECTS ON CHILDREN'S RIGHTS**	**POTENTIAL NEGATIVE EFFECTS ON CHILDREN'S RIGHTS**
Economic policy reforms (macro and micro)	Fiscal stimulus	Improve household livelihoods enabling investment in child well-being	Children's well-being is deprioritized compared to other household members Fiscal consolidation in the medium term can reduce social spending and adversely impact the quality and availability of public goods and services that affect rights to health, education, standard of living, etc.
	Privatization of state-owned enterprises (e.g. utilities, marketing boards)	Increased investment and/or efficiency gains may improve quality of services or expand fiscal space for investments in social sectors	Privatized enterprises may lay off employees (affecting household incomes); consumer prices may rise (e.g. for utilities); privatized entities may deliver poorer service
	Trade liberalization	May lead to economic growth and poverty reduction, typically for some groups, enabling greater investment in children	May undermine livelihoods of some groups, increasing child poverty and risk of exploitation and abuse; may also undermine equity in service provision
	Expansion of extractive industries	May increase adult employment opportunities and contribute to economic growth	Could affect children's health and security
	Road infrastructure programmes	May increase adult employment opportunities and contribute to economic growth, improving household livelihoods; may facilitate children's access to schools and health care	Children may be at greater risk of accidents; some health risks from increased pollution; may increase the demand for child labour

Social policy reforms	Improved targeting of social assistance system	Could increase incomes in poor households and enable greater investment in children	Certain groups of disadvantaged children may lose access to entitlements
	Abolishing school fees	Removes financial barriers to poor children's access to education	Quality may suffer unless sufficient funding is in place
Governance and institutional reforms	Civil society capacity building	Should strengthen capacity to deliver key services and advocate on behalf of disadvantaged groups	If child-focused services or organizations are not specifically targeted, these may fall behind other types of provision with stronger lobbies
	Political and fiscal decentralization	May improve quality of key services used by children	Inequalities in provision may increase unless well regulated and monitored
Security cooperation	Training of police or army, counter-terrorism measures, cooperation on drugs control	May improve security and law-enforcement, making children's communities safer	Children may be caught in cross-fire, particularly in counter-terrorism or drug control operations, with risk of injury or death
Environmental policy reforms	Investment in renewable energy	Could reduce environmental risks to children in poor areas	Immediate benefits may accrue mainly to businesses rather than disadvantaged individuals

Tool 5.2 Draft terms of reference for a child IA expert or team

Specific objectives

To assess the impact of a particular policy/plan/programme on children or on specific groups of children and advise on ways to improve its effectiveness.

Requested services, including suggested methodology

The child IA will be implemented according to the *Child Rights Toolkit: Integrating child rights in development cooperation*, guided by the principles underlined in this and the proposed methodology. It will consist of the following tasks:

- Engage all relevant stakeholders in consultations and public hearings
- Provide a detailed description and analysis of the pre-proposal baseline situation as a basis for development, mitigation and future monitoring through in-depth document review, data collection and research
- Identify the main changes proposed and the general potential impacts related to the proposal, including how the proposal may effect boys and girls differently
- Identify how the main changes proposed will have an impact on *accessibility*, specifically the ability of persons with disabilities, and children in particular, to live independently and participate fully in all aspects of life *(Convention on the Rights of Persons with Disabilities, see Article 9 of CRPD*)
- Identify linkages with relevant articles of the Convention on the Rights of the Child;
- Provide an assessment based on collected baseline data to identify both positive and negative child rights impacts at both local and national level
- Make suggestions and recommendations to optimize positive impacts and mitigate negative impacts from the proposed activities throughout the project lifetime
- Propose alternative options and make recommendations for better integration of child rights into the policy/plan/programme
- Describe potential conflicts among stakeholders and advise on resolution processes
- Advise on appropriate institutional and coordination arrangements for all parties
- Make recommendations for monitoring and evaluating the impact on boys and girls of the policy/plan/programme during its implementation and after its completion

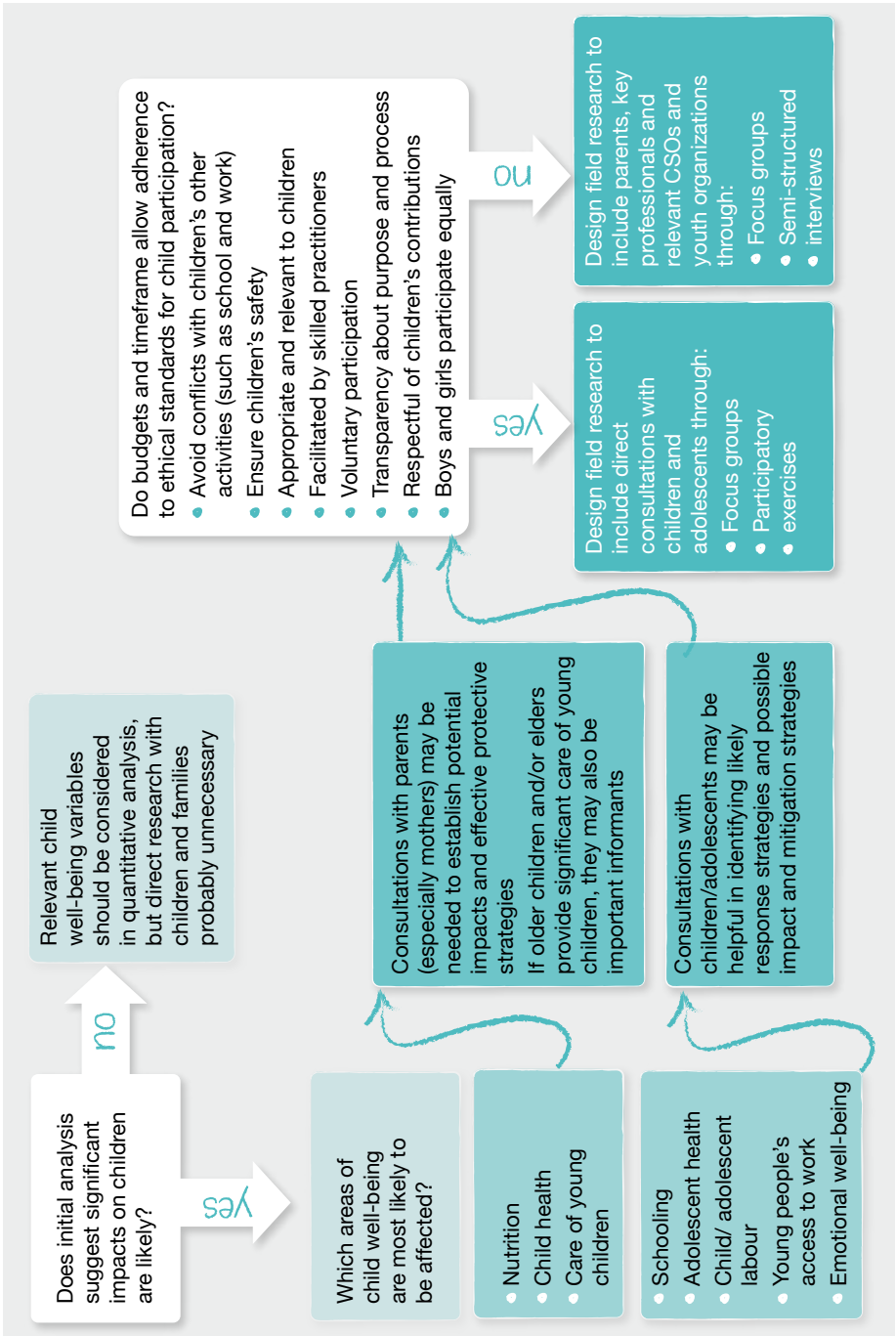
Required outputs

The final expected outcome of this task is a children's impact assessment report that includes, but is not limited to:

a. A description of the proposed policy/plan/programme
b. How the proposal affects (or might affect) children and young people
c. How the proposal is affected by, or affects, other current government activities or policies

d. An analysis of how the proposal promotes or impedes the implementation of the guiding principles of the CRC and other relevant human rights instruments (clause by clause analysis)
e. An identification of problems and gaps in information and expertise and potential conflicts of interest that the proposal entails
f. The viewpoints of children (boys and girls) and young people on the proposal
g. Proposed steps to ameliorate or compensate for any adverse effects
h. Guidelines on how the policy/plan/programme should be monitored

Tool 5.3 Working out when consultation with children is needed in a child IA



Tool 5.4 Options assessment: Identifying which children's rights might be affected

OPTIONS ASSESSMENT: IDENTIFYING WHICH CHILDREN'S RIGHTS MIGHT BE AFFECTED	
THE CRC CONCEPT/PRINCIPLE	**POTENTIAL QUESTIONS**
Guiding principles of the CRC: ▪ Non-discrimination ▪ Adherence to the best interests of the child ▪ Right to life, survival and development ▪ Right to participation	**Non-discrimination** ▪ Is some children's enjoyment of their rights compromised by inequalities based on gender, ethnicity, location etc? ▪ Could the proposed policy or programme reduce or exacerbate these inequalities? **Best interests of the child** ▪ Does the proposed policy or programme consider what is best for the child? ▪ Would it affect the state's institutional capacity to fulfil children's rights? ▪ Are proposed legislative changes compatible with the CRC? ▪ Do they increase the likelihood that children will enjoy their rights?
Provision rights are the survival and development rights including the right to life, to adequate food, shelter, clean water, formal education, primary health care, leisure and recreation and cultural activities	**Right to life** ▪ Could the proposed policy or programme affect children's right to life? For example, could any of the following be affected (positively or negatively): infant and child mortality rates, severe or moderate malnutrition, infanticide, child trafficking or child prostitution, high suicide rate among adolescents, the extent to which children are victims of violence, or clandestine abortions? **Right to survival and development** ▪ Could the policy or programme affect the availability of social and other services for children, the physical and economic accessibility of such services, their quality and their acceptability to all sectors of the community that are important to children's survival (such as health services) or their development (such as education or social services)? ▪ Does it undermine or enhance capacity for provision to the 'maximum of available resources'? ▪ Could the proposed policy or programme affect households' capacity to provide sufficient nutritious food for their children? Could breastfeeding rates be affected?
Protection rights include protection from all forms of child abuse, neglect, exploitation and cruelty,	▪ Could the proposed policy or programme reduce parental time availability to care for children; could it lead to increased pressures on children to undertake harmful or exploitative work or on poor including the

right to special protection in times of war and protection from abuse in the criminal justice system	families to 'sell' their children into bonded labour or to traffickers? ▪ Could the proposed policy or programme lead to a higher incidence of youth crime and, if so, are children and young people at risk of maltreatment in the criminal justice system? ▪ Could the proposed policy or programme lead to greater violence against children (if economic pressures lead to increasing intra-household or community level tensions or law enforcement capacity is affected)? ▪ Could rates of child marriage increase?
Participation rights include the right to express opinions and be heard, the right to information and freedom of association	▪ Could the proposed policy or programme affect children's opportunities to voice their opinions and be heard in the family, at school or in their communities? ▪ Could it affect children's access to information (e.g., through media or through their social contacts)? ▪ Could children's freedom to meet together with other young people or adults be affected (e.g., through impacts on their time use or their security)? ▪ Will the policy or programme provide opportunities for children to participate as concerned stakeholders?

Tool 5.5 Options assessment: Identifying age-related vulnerabilities

OPTIONS ASSESSMENT: IDENTIFYING AGE-RELATED VULNERABILITIES	
AGE PERIOD	**MAIN VULNERABILITIES**
In utero	▪ Malnutrition and poor maternal health – affecting brain and physical development
Infancy: age 0–2	▪ Malnutrition – affecting brain and physical development ▪ Health – greatest vulnerability to disease; access to adequate health care most critical at this age ▪ Inadequate stimulation, loving care and attachment to main carers – essential for physical, emotional, social and cognitive development; vulnerability to abuse
Early childhood: approximately age 3–5	▪ Malnutrition – affecting brain and physical development ▪ Health – significant vulnerability to disease; access to adequate health care ▪ Inadequate stimulation, loving care and attachment to main carer – essential for physical, emotional, social and cognitive development; vulnerability to violence and abuse ▪ Inadequate access to early learning opportunities
Middle childhood: approximately age 6–11	▪ Malnutrition – affecting growth, health and ability to learn ▪ Health – vulnerability to disease and access to adequate health care ▪ Inadequate loving care – essential for emotional, social and cognitive development; vulnerability to violence and abuse ▪ Inadequate access to quality education ▪ Growing vulnerability to child labour and to substance abuse
Early adolescence: age 10–14 yrs	▪ Inadequate access to quality education and information on risky behaviour ▪ Social – ability to socialize with peers; risk of developing social bonds with older youth who draw them into dangerous or criminal activity; absence of supportive adult guidance; vulnerability to violence and abuse ▪ Health – risky sexual activity and substance abuse ▪ Risk of child labour endangering health and education ▪ Exposure to exploitation through Internet activities
Late adolescence and youth: age 15–18	▪ Inadequate access to quality education (secondary, tertiary and vocational) ▪ Early pregnancy ▪ Transition to work – high youth unemployment rates and poor working conditions ▪ Social – ability to socialize with peers and build social capital; risk of socializing with criminal/socially undesirable groups; vulnerability to violence and abuse ▪ Health – risky sexual activity; substance abuse; access to maternal and reproductive health-care services affecting both young women and next generation

	▪ Access to housing; financial ability to make transition to adulthood (e.g., through marriage or forming independent household) ▪ Opportunities for voice and to exercise citizenship rights and responsibilities; access to justice ▪ Exposure to exploitation through Internet activities

Tool 5.6 Options assessment: Identifying gender and other social determinants of vulnerability

INCOME-POOR AND VULNERABLE HOUSEHOLDS		
Are all households in certain quintiles, including those close to but above the poverty line, likely to be affected or are effects most likely to be felt in specific sectors/livelihoods?	Yes	No
Are children disproportionately concentrated in affected quintiles or groups?	Yes	No
Does number of children or household size affect vulnerability to income poverty and, if so, which kinds of households are most at risk?	Yes	No
GENDER		
Given existing patterns of gender discrimination, is this policy/ programme likely to have differential impacts on girls and boys?	Yes	No
Could it sharpen or help reduce existing gender inequalities between boys and girls?	Yes	No
MARGINALIZED NATIONAL OR ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES, INDIGENOUS PEOPLES OR CASTE GROUPS, MIGRANTS OR INTERNALLY DISPLACED PERSONS (IDPS)		
How will the livelihoods and access to services of these groups be affected?	Yes	No
Are special provisions needed to ensure that the children of these groups benefit from or are protected from the negative impacts of the policy/programme ?	Yes	No
CHILDREN IN DISADVANTAGED GEOGRAPHICAL AREAS		
Will the effects of this policy/programme reach remote rural or disadvantaged urban areas?	Yes	No
Are there barriers that need to be addressed so that children in these areas can benefit equally?	Yes	No
DISABILITY		
Is this policy/programme likely to have significant effects on children with disabilities?	Yes	No
Could it enhance their educational opportunities?	Yes	No
Could it increase or lessen the accessibility of support or community-based rehabilitation services?	Yes	No
Could it exacerbate discrimination against them?	Yes	No
SIGNIFICANTLY DISADVANTAGED CHILDREN		
Could this policy/programme affect the livelihoods and access to services of children with significant disadvantages, especially children with limited family and community support structures, such as orphans or child-headed households and demobilized child soldiers?	Yes	No
Could it have specific impacts on children living and working on the streets or child workers? For example, if the main sectors in which they work are likely to be affected, would opportunities for exploitative criminal activity increase?	Yes	No
Could the policy/programme increase the marginalization of these groups, for example, if there is greater competition for limited resources?	Yes	No

Tool 5.7 Useful examples of practices in *ex-ante* assessments

1. EXAMPLE OF RESEARCH METHODS AND THEIR USE WITH CHILDREN IN A POVERTY AND SOCIAL IMPACT ANALYSIS (PSIA)		
METHOD	POSSIBLE USES IN A PSIA	CAVEATS/COMMENTS
Mapping and diagramming	▪ Identifying how use of space, services or key social contacts could change	
Time lines	▪ Identifying likely changes in children's time use	
Children's photos with disposable cameras	▪ Identifying changes that researchers have not anticipated, for example, revealing issues around safety and security, patterns of movement, uncovering aspects of children's lives that might be otherwise hidden from view	▪ Cost, environmental impact
Drawings	▪ Identifying possible before and after scenarios visually	▪ Need interpretation with child; less useful if children unused to drawing
Role-plays	▪ Can enable significant insights into potential changes	▪ Need skilled facilitation ▪ Risk of children simply reproducing skits or songs they have seen before ▪ Can exclude shy children
Scenarios	▪ Provide a basis for discussion that avoids asking personal questions on sensitive topics, for example, impacts on household incomes in a group setting	▪ May need to be carefully chosen to reflect priority scenarios
Semi-structured interviews	▪ Most useful for children uncomfortable with group-based participatory or performance-based methods	▪ Time consuming on a large scale
Internet-based discussions	▪ May be useful with youth	▪ High levels of self-selection ▪ Likely to primarily reflect concerns of highest socio-economic groups ▪ Greater risk of falsification of data compared to face-to-face methods

2. ENSURING THE RIGHT TO HEALTH – DETAILED QUESTIONS FOR AN *EX-ANTE* ASSESSMENT	
RIGHT TO HEALTH	**UNDERLYING DETERMINANTS OF HEALTH**
Available	The factors contributing to good health outcomes (as defined below) must be available in sufficient quantity everywhere in the country.
	Does the policy enhance or jeopardize the availability throughout the country of: ▪ Safe and potable drinking water? ▪ Food and nutrition? ▪ Safe housing with adequate sanitation facilities? ▪ Healthy workplaces and natural environment conditions? ▪ Access to health-related information and education? ▪ Any other underlying determinant of health?
Accessible	These factors must be accessible to everyone on an equal basis and without discrimination.
	Does the policy enhance or jeopardize the accessibility of the underlying determinants of health: ▪ Without discrimination on any of the prohibited grounds (*see part on non-discrimination below*)? ▪ In terms of distance to access, particularly in rural and poor areas? ▪ For people with physical, sensory or mental disabilities? ▪ In economic terms, including potential impacts on resource allocations or user fees? ▪ Through provision of information on the underlying determinants of health?
Acceptable	The underlying determinants of health must be acceptable to everyone, culturally appropriate and sensitive to gender.
	Does the policy enhance or jeopardize the acceptability to everyone of the underlying determinants of health, specifically by respecting: ▪ The cultures of individuals, minorities, indigenous peoples and communities? ▪ The perspectives and needs of women, men, older persons and adolescents? ▪ The need for privacy at home, school and work for various aspects of daily living? ▪ The need for community in various aspects of daily living?
Quality	The underlying determinants of health must be of good quality for everyone.
	Does the policy enhance or jeopardize the quality throughout the country of: ▪ Drinking water, food and nutrition? ▪ Housing and sanitation facilities? ▪ Workplace and natural environment conditions? ▪ Health-related information and education? ▪ Any other underlying determinant of health?

Progressive realization	Health goods, facilities and services
	Does the policy make deliberate steps to ensure progressive realization of accessible, acceptable and quality health goods, facilities and services for all: ▪ Recognizing right-to-health obligations in international and national law? ▪ Recognizing the right to health as a crucial concern in policy-making? ▪ Consistent with a national health strategy and plan of action based on the right to health legal framework? ▪ As indicated by the benchmarks established to monitor progressive realization? ▪ Consistent with allocating maximum available resources for the right to health? ▪ Avoiding any retrogressive measures and/or adopting mitigating measures?
Core obligation	States have an immediate *core obligation* for ensuring minimum essential levels of health goods, facilities and services.
	Does the policy enhance or jeopardize the State's core obligation to everyone for: ▪ Equitable distribution of all health goods, facilities and services? ▪ Provision of health facilities, goods and services on a non-discriminatory basis? ▪ Essential primary health care? ▪ Essential medicines as defined by the World Health Organization? ▪ Reproductive and child health care? ▪ Immunization against major infectious diseases? ▪ Provision of adequate training for health personnel, including on human rights?
Equality and non-discrimination	Health goods, facilities and services must be available to everyone on an e*qual basis and without discrimination* on any of the grounds prohibited by law.
	Does the policy enhance access to and provision of goods, facilities and services, including access to health insurance and health entitlements: ▪ Without discrimination on any grounds prohibited by law? ▪ By promoting equality for people whose health is at greatest risk, including people living in poverty and other marginalized people? The prohibited grounds of discrimination are: ▪ Race, colour and ethnicity ▪ Sex and gender ▪ Sexual orientation ▪ Health status ▪ Physical or mental disability ▪ Language

	▪ Religion ▪ Political or other opinion ▪ National or social origin ▪ Property ▪ Birth ▪ Civil, political, social or other status Does the policy enhance or jeopardize resource allocations for health goods, facilities and services primarily used by people whose health is at greatest risk, such as people living in poverty and other marginalized people?
Participation	The underlying determinants of health must be of good quality for everyone.
	If the proposed policy has any potential impact on the availability, accessibility, acceptability or quality of health goods, facilities and services, did the State consult with a wide range of organizations and groups of people, including those people most likely to be effected, in designing (and/or implementing) the policy by: ▪ Informing all stakeholders that a policy proposal was being developed? ▪ Providing all stakeholders with information explaining the need for a policy, the issues to be addressed, and the forums for receiving their views? ▪ Respecting the rights of everyone to seek, impart and receive health-related information? ▪ Promoting the free exchange of ideas concerning the proposal being developed? ▪ Providing opportunities to be heard and to influence decision-making? ▪ Encouraging participation by women and men and by marginalized people, especially those living in poverty, and ensuring that their voices were heard? ▪ Engaging in transparent policy-making processes that were accessible to all? Does the policy enhance or jeopardize the participation of people in decision-making related to health goods, facilities and services by: ▪ Improving access to information on proposals and decisions that may affect health goods, facilities and services? ▪ Providing mechanisms to receive feedback on the impacts of the policy? ▪ Providing for transparent self-monitoring? ▪ Providing information on the effects of the policy to others, including NGOs, to ensure third-party monitoring? ▪ Providing opportunities for all stakeholders to participate in regular reviews of the policy to ensure that adjustments, modifications or complete changes in policy are carried out where the evidence of the impacts justifies such action?

Information	States must ensure that health *information* is available and accessible to all.
	Does the policy enhance or jeopardize the availability and accessibility of health information, including information on health goods, facilities, services and health issues and problems relevant to the community, by: ▪ Respecting the right to seek, receive and impart health-related information? ▪ Providing health information accessible to all, including in local languages and alternative formats such as large print, Braille or audio recording? ▪ Collecting and distributing data on the health of the population? ▪ Ensuring that personal health information is confidential?
Accountability	States must provide effective mechanisms of *accountability* for ensuring the progressive realization of the right to health goods, facilities and services.
	Does the policy enhance or jeopardize the availability and accessibility of mechanisms of accountability for the progressive realization of the availability, accessibility, acceptability and quality of health goods, facilities and services by providing: ▪ Transparent monitoring of policy-making and implementation? ▪ Judicial, quasi-judicial or administrative review of policies and/or their impacts? ▪ Reparations if the policy, implementation or impacts violate the right to health?

Tool 5.8 Distinguishing short-, medium- and longer-term effects on children of declining household incomes

DISTINGUISHING SHORT-, MEDIUM- AND LONGER-TERM EFFECTS ON CHILDREN OF DECLINING HOUSEHOLD INCOMES			
AREA	**SHORT-TERM EFFECTS**	**MEDIUM-TERM EFFECTS**	**LONGER-TERM EFFECTS**
Education	▪ Falling attendance ▪ Worse performance	▪ Declining enrolment ▪ Increase in dropouts ▪ Declining quality ▪ Loss of literacy after early drop-out	▪ Lower lifetime earnings for individuals with compromised education ▪ Subsequent generations do not attend school ▪ Fertility rates do not fall
Nutrition	▪ Micronutrient deficiencies ▪ Wasting	▪ Stunting	▪ Malnutrition-related illness and effects on ability to learn and on next generation (low birth weight babies, unsafe deliveries)
Health	▪ Increased morbidity	▪ Increased full-time work if labour market opportunities exist ▪ Risks to health and education ▪ In late adolescence, work may help transition to longer-term employment	▪ Risk of long-term poverty from lost education, lack of opportunities to acquire more lucrative skills and poor health ▪ Depending on type of work (such as the worst forms of child labour), long-term emotional impacts and social isolation
Child labour	▪ Increased casual or part-time work ▪ Increased substitution for adults in domestic activity	▪ Increased full-time work if labour market opportunities exist ▪ Risks to health and education ▪ In late adolescence, work may help transition to longer-term employment	▪ Risk of long-term poverty from lost education, lack of opportunities to acquire more lucrative skills and poor health ▪ Depending on type of work (such as the worst forms of child labour), long-term emotional impacts and social isolation
Emotional well-being	▪ Children often protected from adult stress initially	▪ Children affected by adult stress, family conflict and increased likelihood of separation	▪ Mental health problems ▪ Greater use of drugs and alcohol ▪ Greater risk of suicide

Care and protection	▪ Less supervision of children if adults are working more to combat squeezed incomes ▪ Greater risk of accidents	▪ Increased family conflict and violence ▪ Increased incidence of children living apart from families, for example, on the street or in residential care	▪ Organized crime involving children, for example, sexual exploitation or trafficking
Security	▪ If crime level rises as a result of rising inequality and poverty, greater risk of violence against children	▪ Increased gang membership ▪ Increased child mortality	▪ Lost economic and social development

IMPACT MATRIX	IMPROVED	DECREASED	NO CHANGES	LENGTH IN TIME	LIKELIHOOD TO OCCUR	IMPORTANCE	AFFECTED DISADVANTAGED GROUPS	ELEMENTS OF QUANTIFICATION	MITIGATION MEASURES	OTHER COMMENTS
Life, survival and development										
Protection against conflicts										
Protection against risk of accidents										
Protection against risk of diseases										
Access to social services										
Quality of social services										
Quality of nutrition										
Protection against air or water pollution										
Sleep										
(…)										
Best interests of the child										
General mobility										
Situation of children with disabilities										
Living space										
Family time										
Employment opportunities										
Opportunities for personal interests										
(…)										
Non-discrimination										
Interaction with parents										
Interaction with other adults										
Interaction with other children of the same age										
Interaction with other children										
Social equality										
Gender equality										
Regional equality										
Ethnic and cultural equality										
(…)										
Participation										
Access to information										
Participation in public decision-making processes										
Capacity to be heard										
(…)										

ANNEXES

Annex 5.1 References/resources

1. 3D (Trade - Human Rights - Equitable Economy), 'International Trade, Health and Children's Rights – Thailand', 3D, Geneva, December 2005.

2. Birdi, A. et al., *Child Rights Impact Assessment of Potential Electricity Price Rises in Bosnia and Herzegovina*, United National Children's Fund, Save the Children UK, Department for International Development, and Department of Environmental Protection, Bosnia and Herzegovina, 2007.

3. Commission of the European Communities, The European Union's Action Plan on Children's Rights in External Action, Brussels, 2008.

4. Committee on the Rights of the Child, General Comment No. 5: General measures of implementation for the Convention on the Rights of the Child, Thirty-fourth session, 27 November 2003.

5. Committee on the Rights of the Child, General Comment No. 12: The right of the child to be heard, Fifty-first session, 20 July 2009.

6. European Commission, 'Impact Assessment Guidelines', 15 January 2009.

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11. World Bank Group and United Nations Children's Fund, *Integrating a Child Focus into Poverty and Social Impact Analysis (PSIA): A UNICEF – World Bank guidance note*, World Bank, Washington, DC, September 2011.

12. World Bank, Poverty and Social Impact Analysis (PSIA, available at http://go.worldbank.org/OSPTUYMV60, accessed 9 June 2014.

Annex 5.2 Regional child observatories as sources of data

OBSERVATORY	WEBSITE
Europe	
ChildOnEurope (European Network of National Observatories on Childhood)	www.childoneurope.org
Africa	
African Child Policy Forum	www.africanchildforum.org
African Child Information Hub	www.africanchild.info
Children's Institute at Cape Town University, South Africa	www.ci.org.za
Americas	
Observatory for Child and Adolescents Rights (ODNA - Ecuador)	www.unicef.org/ecuador/english/monitoring_mobilisation.html
Red por los Derechos de la Infancia en Mexico	www.derechosinfancia.org.mx
CINDE, International Center for Education and Human Development – Colombia	www.cinde.org.co/sitio/index.php?lang=en_US
Observatorio de la Niñez de Medellin – Colombia	http://revista-redes.rediris.es/webredes/textos/sistema.pdf
North Africa and Middle East	
National Child Rights Observatory – Egypt	www.unicef.org/egypt/media_5134.html
National Observatory for Child Rights (ONDE - Morocco)	www.ondemaroc.org
Observatory for Information, Training, Documentation and Studies on the Rights of the Child (ODE - Tunisia)	www.observatoire-enfance.nat.tn/

ENDNOTES

1. See European Commission, *Impact Assessment Guidelines*, 15 January 2009.
2. Committee on the Rights of the Child, General Comment No.5: General measures of implementation for the Convention on the Rights of the Child', Thirty-fourth session, 27 November 2003, paragraph 45.
3. Valerio, et al., 'Mozambique: School fees and primary school enrollment and retention,' in Coudouel, Aline, Stefano Paternostro and Anis A. Dani, (eds.), *Policy and Social Impact Analysis of Reforms*, World Bank, Washington, DC, 2006.
4. *Birdi, A. et al., Child Rights Impact Assessment of Potential Electricity Price Rises in Bosnia and Herzegovina, United National Children's Fund, Save the Children UK, Department for International Development, and Department of Environmental Protection, Bosnia and Herzegovina*, 2007.
5. See Sinha, Nistha, 'Does Gender Matter? What does research tell us?', Presentation by the Economist, Gender and Development Group, World Bank, at the Mainstreaming Gender Equality in Infrastructure Projects: Asia and Pacific Regional Meeting, 2010.
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CHILD RIGHTS TOOLKIT

Integrating Child Rights in Development Cooperation

Module 6

Child-Responsive Budgeting

European Commission

unicef

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ACRONYMS AND ABBREVIATIONS

CBO	community-based organization
COFOG	Classification of Functions of Government
ECD	early childhood development
GRB	gender-responsive budgeting
ICESCR	International Covenant on Economic, Social and Cultural Rights
IFI	international financial institution
IMF	International Monetary Fund
MBB	Marginal Budgeting for Bottlenecks
MIC	middle-income country
MDG	Millennium Development Goal
MTEF	medium-term expenditure framework
NGO	non-governmental organization
OECD	Organisation for Economic Co-operation and Development
PEFA	Public Expenditure and Financial Accountability
PER	Public Expenditure Review
PETS	Public Expenditure Tracking Survey
PFM	public finance management
SAI	supreme audit institution
TORs	terms of reference

1. Introduction

Guaranteeing the rights of children is not only a legal and moral responsibility; it also has implications for economic and social policies and, consequently, for the allocation of a country's financial resources.

No matter how much importance countries assign to the rights of children through rhetoric or through legislation, not allocating resources to fulfil these rights means they cannot be considered a real priority. Prioritizing the rights of all children, for today and for future generations, calls for adequate resources devoted to implementing relevant legislation and for ensuring the functionality and capacity of institutions that work to fulfil these rights.

Fulfilling obligations under the Convention on the Rights of the Child (CRC)[1] has clear financial implications. While the need to extend care, assistance and protection to children is enshrined in national laws and international agreements, the process of translating these commitments into strong programmes with corresponding budgets so that children may enjoy their rights can be difficult in settings with severe resource constraints. Moreover, social investment often involves trade-offs where devoting resources to one area may necessarily imply sacrificing them in others.

To create a budget that serves to realize the rights of all children within a country, it is necessary to profile the amount of revenue available, or what needs to be raised, as well as the allocated expenditure, but first governments must create fiscal space to allow for children's issues to be debated and for policies to be designed to address them.

The budget is the ultimate embodiment of a nation's priorities as it is a product of political decisions regarding the amount of resources the nation is willing to dedicate to a given policy or programme.

Take, for example, an EU sectoral programme aimed at reducing maternal and child mortality. A human rights causality analysis will reveal that many of the underlying or root causes of preventable deaths in this area are budget-related: the needs of the poor are not prioritized in the health policy; there is insufficient allocation of resources to staffing, training or drugs; or there is lack of social protection for the poor to enable access, especially in marginalized and poor communities. When viewed in this context, the budget can be one of the most significant bottlenecks to achieving child rights and is also a cause of poor development cooperation outcomes.

Making the case for children is also important because children usually do not have a voice in policy and budgeting processes. As children typically are not given space to make their priorities

DEFINITION: Fiscal space

Fiscal space is defined as "room in a government's budget that allows it to provide resources for a desired purpose without jeopardizing the sustainability of its financial position or the stability of the economy".[2]

known, it falls on specialized government institutions, CSOs and donors to advocate for investment in children. Donors such as the EU can provide expertise and support, but they need to ensure that the national context is analysed to support domestic processes and help local stakeholders resolve their challenges.

1.1 Purpose and objectives

The purpose of this module is to:

1. Define child-responsive budgeting as a concept and list key considerations pertinent to children's rights
2. Identify entry points for engagement with partner governments for advocacy on child-responsive budgeting as part of the policy dialogue process
3. Identify the critical areas related to child-responsive budgeting and the extent to which they are taken into account when performing a review of a national budget
4. Review existing financial analysis tools – Public Expenditure and Financial Accountability (PEFA) and Public Expenditure Review (PER) – and their use in ensuring that budgets reflect government agreements regarding child rights

2. Key considerations for child-responsive budgeting

2.1 Why invest in children?

The Convention on the Rights of the Child (CRC) obligates States to undertake measures to ensure the fulfilment of children's rights. While this requirement is a legal obligation, it also is sound economics.

First, investing in children is *fundamental to ensuring the realization of their rights*. The CRC sets out the legal obligations of national governments to realize children's economic, social, civil, political and cultural rights to the maximum extent of their available resources (Article 4).

*In practice, **'maximum available resources'** means that a government must do everything in its power to mobilize resources within its borders, which includes revenue as well as official development assistance where national resources are inadequate.*

In addition, governments are bound to abide by other principles to realize child rights:

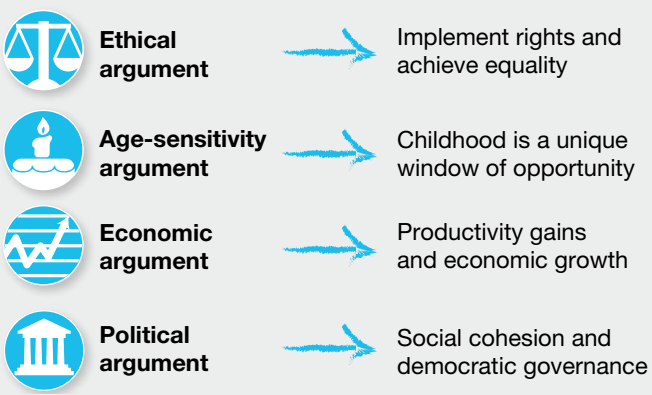
1. **Progressive realization:** The International Covenant on Economic, Social and Cultural Rights (ICESCR) specifies that States have the obligation to progressively achieve over time the full realization of the rights recognized in the Covenant to the maximum of their available resources.
2. **Non-discrimination and equality:** The ICESCR states that everyone is entitled to all rights and freedoms without distinction of any kind, including age.

3. **Non-retrogression:** States should not allow the existing protection of economic and social rights to deteriorate; a retrogressive measure would be cuts to expenditures on public services that are critical for realizing child rights or cuts to taxes that are critical for funding such services.
4. **Minimum essential levels/minimum core obligations:** The State is obligated to make sure that people living under its jurisdiction, including children, enjoy at least minimum levels of protection of each of their economic, social and cultural rights.

Second, *childhood is a unique window of opportunity*. The science of child development tells us that even temporary deprivations experienced by young children can have irreversible effects on their future capabilities and, in turn, a nation's future prospects. Interventions and policy choices made today will determine whether millions of children and youth are able to reach their full potential or are left to face a future of worsening inequity and marginalization. Many would agree that there could be no more compelling argument than that.

Third, investment in children represents an *investment in the future development of a country*. Repeated studies have found that investments at relatively low financial costs during childhood can yield a lifetime of gains not only for individuals but also for societies and economies. For example, in 2012 the Copenhagen Consensus – a panel of some of the world's leading economists – was asked to identify, based on assumptions of cost-effectiveness, the priorities for policy makers and philanthropists over the coming four-year period to address some of the most pressing global issues. The top five were bundled interventions to reduce undernutrition in pre-schoolers, a subsidy for malaria combination treatment, expanded childhood immunization coverage, de-worming of schoolchildren and expanded tuberculosis treatment. All of these are highly relevant for children.

SUMMARY OF THE ARGUMENTS IN SUPPORT OF SOCIAL INVESTMENT[3]



Relatedly, investing in children can help *promote equitable, inclusive societies*, allowing more people to effectively participate in economic development. Investments in poor children help create a level playing field. All children should have access to the

essential health, educational and nutritional services. Providing these will allow more equal access to better paying jobs later in life, as well as improve productivity, and ultimately bolster a country's economic prospects.

Beyond these arguments, the case for investing in children is intuitive. It is a moral imperative – a duty and responsibility recognized by society. Children are among the heaviest users of public services, from education, health, water and sanitation and child protection services to food and road safety. This is not coincidental. Intuitively, societies believe that caring for and investing in children, as embodied in the CRC, is fundamental and should be a basic function of governments.

2.2 Defining child-responsive budgeting

The budget is the principal instrument by which a government translates policy into practice and should reflect the preferences of society. Given that children are least able to represent themselves in policy and budget formulation processes, they represent a special concern. Budget stakeholders must therefore ensure that society and the state understand the challenges and risks affecting children, their rights and their future, while developing appropriate responses and ensuring that the state has the means to implement them.

Child-responsive budgeting does not create a new classification of budget expenditures nor does it introduce new budget procedures. Instead, it presents new analytical criteria. For example, a budget may be considered child responsive if it fulfils the following conditions, at a minimum:

Child-responsive budgeting goes beyond addressing the part of the budget allocated for social sectors such as education and health. It recognizes that all forms and levels of government spending and investment have a potential impact on children and that budget allocations, processes and institutions all contribute to realizing child rights.

1. It provides an appropriate resource base for the progressive realization of child rights.
2. It prioritizes excluded sectors and assigns special allocations with costed plans to reach the most marginalized children.
3. Decision-making processes are transparent and allow for the effective participation of key stakeholders, including CSOs representing children and children themselves.
4. Accountability mechanisms are in place, thereby fulfilling the right of all citizens to be informed about the way in which the budget affects children.

See Tool 6.1 on testing the level of inclusion of children's concerns in budgets.

What does child-responsive budgeting entail?

Child-responsive budgeting work can involve:

- Publishing quality information on policies, costs and the budget to promote transparency
- Ensuring the participation of stakeholders throughout the budget cycle (from defining the agenda to assessing results), including opening entry points for CSOs to analyse the budget and conduct public expenditure tracking
- Analysing revenue and expenditure policies and costing programmes to influence budget discussions
- Advocating for improved social protection schemes to mitigate the impact of economic and social shocks on household well-being
- Supporting programme and budget-support planning with an emphasis on children among donors, especially in times of crisis.

2.3 Overview of the budgeting process

The process of arriving at a budget involves difficult political decisions regarding how resources should be raised and allocated across various competing uses. Revenues derived from taxation should not lead to more inequality and poverty, while spending should ensure the provision of accessible services, help the most vulnerable and secure a favourable environment for shared economic growth.

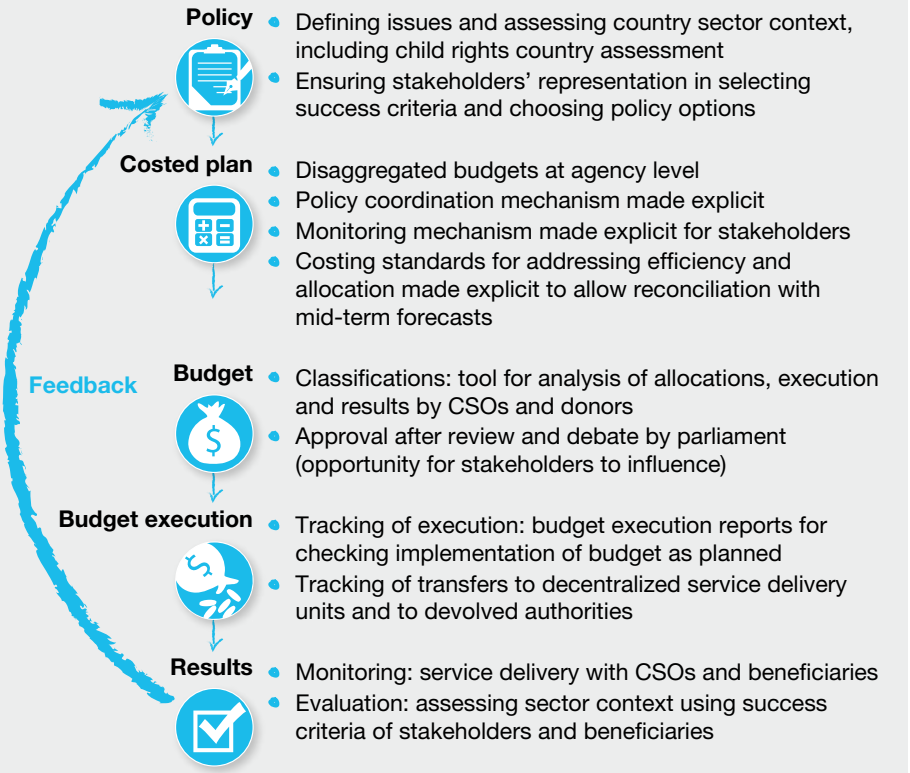
From this point of view, the national budget represents much more than an accounting exercise. It is the government's most important management tool and reflects how policy priorities are established and public resources allocated.

The budget is a reflection of established priorities by the state and its commitment to effectively implementing the rights of children.

The budget is one of the main instruments for the public sector to achieve a society's goals: it should be the representation of society's preferences and priorities. It sits at the nexus of the 'accountability triangle' between the government and its administration, the parliament and the citizens.

As budgets are the product of a repeated cycle – from analysis to policy formulation to budgeting and execution and on to scrutiny and performance evaluation – there are opportunities for improving the focus on child rights over time. This puts the onus on development cooperation actors to provide information, make it public, support stakeholders' capacity and provide a forum for addressing key issues. The figure on the next page represents an overview of the policy results chain with some key considerations across all stages.

THE POLICY BUDGET RESULTS CHAIN: LINKAGES BETWEEN BUDGETS AND THE REALIZATION OF RIGHTS



2.4 Challenges related to child-responsive budgeting

CSOs, development practitioners and government actors may face a range of practical and political challenges when making the budget more responsive to child rights. Understanding these challenges can help donors and development agencies better plan their support for budget initiatives. Among these are:

- **Availability of information:** Information is the first level of capacity for any organization to perform a task. Simply making analyses available in the public domain can raise issues and trigger necessary changes to address transparency, willingness and capacity issues.

See Tool 6.2 for a description of different budget analysis tools.

- **Openness regarding priorities of the government as reflected in the budget:** The openness of government refers to the transparency of its budgeting and policy-

making process and the public availability of budget data. In Brazil, for example, the Government has a long-standing practice of transparency with public accounts and civil society has a history of actively critiquing public policies. In such an environment, gaining access to data is relatively easy. Child rights advocates can use them to examine social sector allocations and expenditures, analyse social indicators and budgets at local government level and raise public awareness. In other cases, child-responsive budgeting activities may be complicated as access to budget information is difficult.

- **Availability of expertise on budgets and public finance within and outside government:** Weak capacity or little expertise can be alleviated over time by supporting the capacity development of local institutions. There are no short cuts, and this is the only way to sustain a focus on child rights. A number of initiatives exist and target CSOs (Democratic Governance Thematic Trust Fund), parliaments (Global Organization of Parliamentarians against Corruption, African Capacity Building Foundation, national parliament exchanges) and audit institutions (International Organization of Supreme Audit Institutions and regional chapters, INTOSAI Development Initiative).
- **Dominance of the finance ministry, development banks and IFIs in making policy and budget decisions:** Child-responsive budgeting seeks to introduce a national policy dialogue and give voice and credibility to those representing children, especially marginalized children. Where the scope for advocates of children's rights to substantially engage in budgeting is narrow, the first task becomes investing in building relationships with the finance ministry and IFIs, establishing their credibility to analyse and discuss public finance management (PFM) and budget issues in the development community and specifying the added value of doing so from a child rights perspective.
- **Level of civil society activism and media interest:** This is often tied to the political regime in place. It may often be the absence of information and awareness that leads agencies and CSOs not to tackle child rights. Developing coalitions of partners, supporting their capacity and bringing in the initial impetus should result in the prioritization of child rights among stakeholders. Such an environment will help form the basis for a dialogue with government and opens opportunities to enhance access to data.

2.5 EU commitments and global standards related to child-responsive budgeting

For the EU, Article 21 of the Treaty of European Union reaffirms (in addition to its poverty reduction objective) that external action should protect and promote "democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law".

Indeed its budget support communication and guidelines define a tool for the protection and promotion of fundamental values through policy dialogue supported by eligibility criteria:

- **Relevant and credible national policies** with regards to needs and fiscal sustainability

- **Macroeconomic management towards** stability that includes a focus on national revenue mobilization for sustainability
- **An improving public finance management system** that includes a credible reform programme
- **A transparent budget process** with public oversight.

Furthermore, there are a number of organizations that promote international standards and benchmarks concerning child-responsive budgeting. These include:

- The International Budget Partnership, which publishes an Open Budget Survey and works with CSOs across the globe to provide technical support in budget analysis. Its focus is on alleviating poverty and improving governance, transparency and accountability by providing the means for the poor to represent themselves in the budget process. National CSOs that work with the initiative will have valuable information.
- The Revenue Watch Institute publishes annual surveys and also works with CSOs at the country level.
- Other organizations that provide more targeted information or support – for example: Publish What You Pay, African Parliamentary Network Against Corruption provide targeted information and support to parliaments.

3. Mainstreaming child-responsive budgeting considerations in programming

Development cooperation actors have a special role to play in ensuring investments in children are prioritized within national budgets. From the perspective of the programming process, possible entry points include integration of child-sensitive considerations within country context analysis and budget support eligibility criteria, identification of key stakeholders, as well as advocacy through the policy and budget support dialogue process.

3.1 Child-responsive budgeting considerations in country context analysis

Some important considerations to assess the context for policy-making, government capacity and implementation from a child-responsive budgeting perspective include:

Political/institutional context

- Degree of articulation or fragmentation of public institutions
- Centralized or federal nature of the government and the levels of organization of state institutions (central, regional, local, etc.)
- Distribution of political power, particularly the division of competencies and attributions between the executive and legislative branches in preparation and approval of the budget

- Electoral cycle
- Availability of technical, logistical and information resources along with overall capacity required for efficient public administration
- Levels of corruption or transparency in state institutions
- Existence of coordination mechanisms between institutions responsible for implementing child rights.

Social context

- Levels of organization and participation in civil society
- Main interest groups and their lobbying capacity
- Existence of mechanisms for social control of public sector management.

Economic context

- Degree of economic stability
- Growth levels
- Poverty incidence (e.g., the percentage of the population living below the national or international poverty line) and poverty profiles (e.g., poverty rates for different groups, such as households with children, minorities, households living in different geographic areas)
- Levels of inequality in terms of income and access to services, disaggregated by sex, age, geographic area and ethnic origin.

3.2 Identifying key stakeholders

It is critical to ensure the right stakeholders are identified and properly engaged in order to support child-responsive budgeting efforts. Among those key stakeholder are: political players (political parties, parliament, ministries), particularly those in key ministries and the budget commission of the legislature; social leaders who shape public opinion; social organizations such as unions, grass-roots organizations and non-governmental organizations (NGOs); the private sector; and the media.

Being able to effectively engage with these key stakeholders requires taking time to know their interests, their capacity (power) and their relationship to one another. One tool for doing that is a mapping exercise, which can help illustrate the ways in which stakeholders can be involved in the policy and budget processes. For example, in the education sector, are primary schools the responsibility of the provincial office of the Ministry of Education or the parish or municipality? Which level of government delivers basic health services? Is the Ministry of Health the lead for the country or are there regional trusts? How are the sectors of water and sanitation coordinated with education and health and at which level?

See Tool 6.3, Tool 6.4 and Tool 6.5 on key stakeholders and opportunities for engagement at stages of the cycle of operations.

Brazil: Children's Budget Participation Council

In Barra Mansa, Brazil, 18 girls and 18 boys are elected by their peers to ensure that the municipal council addresses their needs and priorities. This children's council determines how a devoted share of the municipal budget is spent on addressing children's priorities, and its councillors are also involved in other aspects of government. Each year since 1998, more than 6,000 children have taken part in discussions and assemblies to elect their child councillors and discuss their own priorities. The elected children learn how to represent their peers within democratic structures, to prioritize based on available resources and to develop projects within the complex and often slow political and bureaucratic process of city governance.

Working with children

Children have the right to be consulted on issues pertaining to resources allocations. It cannot solely be left to CSOs to make sure this happens. Ensuring that children's views are consulted through surveys and interviews, including semi-structured ones, and offering forums for expression is fundamental. This may take the form of village tours introducing child rights issues through games, theatre, chanting, radio or videos. New technologies can also offer innovative solutions to allow access to information and feedback.[4]

3.3 Integrating child-responsive budgeting concerns in policy and budget dialogue

Development actors have a critical role to play in supporting a country's public finance management (PFM) systems to ensure resources are allocated and used efficiently and transparently to support priorities for children. Channelling their funding through country systems and in support of PFM reforms can generate the necessary dialogue and support positive change for children.

Two critical aspects in that regard are:

- **Duration and predictability:** Reforms are long-term change processes that require sustained engagement, dialogue and support. 'Stop and go' situations can be damaging.
- **National leadership:** Change processes are most sustainable and meaningful when they are endogenous and designed and led by national institutions. Externally imported 'best practices' may not be the best fit.

The following table looks at specific ways to ensure development partners can contribute to making space for children in policy and budget dialogue.

MAKING THE SPACE FOR CHILDREN IN POLICY AND BUDGET DIALOGUE	
National development policies, sector policies and their associated costed plans	Be aware that these plans often span several implementing agencies whose corporate plans should allow implementing sector plans. Working on national policies and corporate plans through capacity development is an effective way to bring child rights onto agendas.
Fiscal forecasts – medium-term financial framework (MTFF) – and medium-term budget perspectives	Where these documents exist, analysing the sustainability of new programmes in light of the fiscal framework is necessary. Doing this work with stakeholders inside and outside of government builds the credibility of the policy options to integrate child rights.

Jordan: Introducing child budget analysis as a part of National Budget Reform

In 2009, UNICEF and partners initiated a child budget analysis in Jordan. The first of such initiatives to analyse the Government's commitment to provide services for children, it looked at the transmission of policies through plans into the budgets. The results of this effort formed the basis for advocating for the fulfilment of children's rights. In addition to providing a baseline for ongoing and future child budget monitoring in the country, it provided an opportunity to develop a disaggregated framework allowing monitoring of budget allocations and actual expenditure – with a particular emphasis on regional comparison and service delivery – by child-related sub-programme and activity levels. This framework was then linked with clear indicators and targets.

Based on the recommendations of the child budget analysis, a five-year child budget engagement plan was finalized by the Government in 2010 for further implementation. As a part of continued government capacity building, a training manual on 'Budgeting for Better Results for Children' was developed. A team on child-friendly budgets was created in the General Budget Department, and pilot ministries were trained to serve as national trainers on child-friendly budgeting. To ensure parliamentary engagement, the child budget analysis also recommended capacity development for members of Parliament in the following areas: understanding child rights; how to ensure that budgets cater for child rights during budget approval debates; and budget analysis techniques for assessing child budgets.

Specific independent studies	To ensure that sound analytical work backs policy design and donor support programmes, studies can be commissioned and shared with stakeholders. Evidence-based studies and information may form the basis for identifying issues, policy options, costing, budget amendments, etc. as well as for making the case for more child-responsive budgeting/policies.
Sector working groups	Sector working groups can serve as effective forums to discuss technical issues and break down complex themes into smaller pieces. Tied to national sectors and their budget, and already perceived as the 'bread and butter' of donors, they represent a powerful opportunity for getting child rights on the agenda of key ministries.
Capacity development	Capacity development ranks high on the agenda of most donors and targets both the public sector and CSOs. Through such activities, actors in support of child rights may become better equipped to influence the agenda.
Budget monitoring	Citizen monitoring of the budget may be institutionalized by setting up budget observatories, conducting a Public Expenditure Tracking Survey (PETS) (*see Tools section*), adapting new technologies for effective information sharing and using networks for reporting on the use of funds, with a view to systematically tracking and analysing budget data and social indicators.
Donor coordination	Forums on donor coordination and the lead donor's role in sectors can shape the donor-government dialogue. This requires a significant investment in making the case at the country level for tackling child rights and how it contributes to overall poverty alleviation objectives – in other words, demonstrating how a focus on child rights leverages all donors' funds to attain the Millennium Development Goals (MDGs) (or the post-2015 agenda, once it is developed).

4. Recommended interventions in support of child-responsive budgeting

4.1 Analyse the budget to ensure children, women and poor families are not marginalized in public sector allocations

The first step in influencing budget allocations in favour of children is to undertake a budget analysis (most relevant when providing direct budget support). According to the Open Budget Initiative, this can provide evidence to support advocacy, strengthening the ability of CSOs and the wider public to influence decisions on tax policies and on the allocation of resources to specific policies and programmes. In addition, by testing the assumptions underlying proposals and identifying potential pitfalls, budget analysis can help turn policy ideas into funded mandates.

When undertaking this analysis, it is essential to be very clear about what type of expenditures in the country context will most likely contribute to the execution of laws and policies in support of child rights. After defining the focus, it is necessary

Ecuador: Child-responsive budgeting framework shapes national and local public policies in favour of vulnerable children

In the wake of the 1999 economic crisis, leading to low social investments, UNICEF – in coalition with ministries, CSOs and political parties – undertook an assessment of the national budget in Ecuador to protect children's rights. As part of this effort, structural budget problems such as low budgetary allocations for the social sector and lack of social spending on children's issues were identified. In its advocacy, UNICEF emphasized protecting and enhancing social spending and also pushed for an emergency social plan focusing on nutrition, health, education and livelihoods.

In 2002, the Observatory for the Rights of Children and Adolescents and the Fiscal Policy Observatory were formed to develop capacity on children's rights. The latter has kept a vigilant eye on fiscal accounts, supported public debates on fiscal matters and lobbied for budget transparency.

to become familiar with the budget, specifically its structure (classification) and how allocations are made. Two good starting points are:

1. Public Expenditure and Financial Accountability (PEFA) reports: These provide information on large sets of indicators that may be used for preparing a budget analysis. (*See Tools section.*)
2. Classification of Functions of Government (COFOG): This uniform international (UN) system classifies the purpose of transactions (classifications range from disability and social protection to housing and education). While it may be used to compare accounts of different countries, it may also be used to provide insight into the allocation of resources within a country's budget and to support analysis on spending patterns related to sectors and sub-sectors.

Although the budget receives the most attention from policy makers, the public and the media when the executive's budget proposal is released, it is important to engage in budget analysis and advocacy throughout the budget cycle.

One way of analysing budgets for their impact on children is to focus on public services critical to their well-being, including education, health, food assistance and other safety net programmes, policing and justice. As domestic budget classifications are typically harmonized with the COFOG classifications, looking at the allocations within areas relevant for advancing children's rights is a good starting point for drawing conclusions about the quality and impact of public spending on children. If there is a province or region in a country known to have weak indicators related to child survival, development or protection, it may be important to focus on tracking the resources targeted to that area.

Development cooperation actors can provide both expertise and capacity development to conduct budget analysis; as a result, stakeholders will be able to track a government's commitment to children through the budget cycle, from planning and enactment through implementation. Within the EU's aid modality of budget support, these types of analyses can be pivotal to informing negotiations with national counterparts in terms of where and how funds will be spent.

4.2 Capacity-building and broad-based decision-making processes to influence public sector allocations

Citizen participation is essential for transparency and government accountability and can be relevant to all types of aid modalities, including direct budget support, sector-specific project support and CSO programming. Partnerships between governmental and non-governmental actors can enhance the technical capacity of public officials and give voice to alternative spending priorities and proposals. Institutional reforms to strengthen both citizen oversight of the budget process and monitoring of spending programmes can help ensure responsiveness to priorities in policy design, better service delivery and more efficient budget execution. The progressive realization of rights and the inclusion of children's voices in these processes are the measures of success.

Philippines: Citizens' participation in monitoring public service delivery

G-Watch, a programme by the Ateneo de Manila School of Government in the Philippines, is an initiative that facilitates citizens' participation in monitoring public service delivery, including textbook deliveries, school building, public works, drugs procurement and disaster relief distribution. In partnership with the Department of Education, G-Watch brought together various civil society groups to form a consortium for the Government's Textbook Count programme, which would monitor the entire textbook procurement cycle from bidding to production and final delivery.

Programme success was further enhanced through the direct participation of the Boy Scouts and Girl Scouts of the Philippines, which enabled nationwide tracking of over 50 million textbooks – worth about $40 million – to various schools through the country.

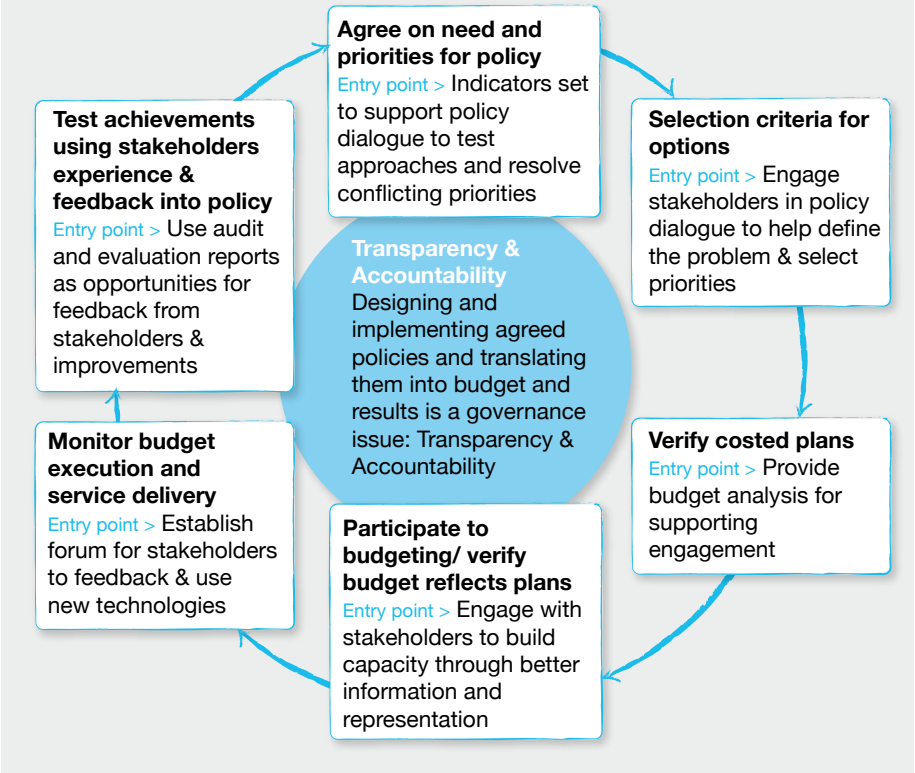
Prior to the programme, the Department of Education was seen as one of the most corrupt government agencies in the country; in 2001, one third of Filipinos polled expected over 50 per cent of resources for free textbooks in public schools to be lost to corruption. Enhanced transparency and the competitive process facilitated through G-Watch were reported to have cut the textbook costs in half, resulting in savings of about $1.4 million.[5]

Development actors can play an important convening and advocacy role in helping to introduce children's rights and keep them on the agenda. By gathering stakeholders together to discuss the budget and policy recommendations, donors can foster the development of a child-responsive budget process.

Development actors also have a critical role to play in creating the space for making the budget child responsive. One way to open a dialogue is to make the proposed budget known to relevant actors, specifically those typically excluded from consultative processes. The figure below describes entry points into a standardized policy-budget process. Of course, this only serves as a general guide and needs to be adapted to country contexts. It is also important to note that there is often a wider range of stakeholders than are usually engaged that should be included.

See Tool 6.4: Identifying key stakeholders.

ENTRY POINTS INTO THE POLICY-BUDGET CYCLE FOR ENGAGEMENT WITH KEY STAKEHOLDERS



Mozambique: Challenges of implementing meaningful participation

Achieving 'meaningful' participation can be challenging. In the context of PFM, this is made more difficult because budget and planning instruments are either hard to understand or not easily accessible. If people cannot understand these documents, or do not have access to them in a timely fashion, they cannot engage in any technical dialogue needed for monitoring and advocacy in relation to different issues. In response, UNICEF has been producing the Budget Brief in Mozambique in collaboration with the Foundation for Community Development (FDC), a national NGO.

UNICEF has supported the creation of a Civil Society Budget Monitoring Forum, established in early 2010, that brings together over 20 NGOs and media representatives. The objectives of the Forum are threefold: (1) strengthen the capacity of civil society around PFM issues for evidence-based advocacy; (2) serve as a hub for information sharing; and (3) act as an identifiable civil society coalition capable of engaging in dialogue with donors, the Government and Parliament on budget-related issues.

4.3 Improve efficiency by helping to achieve the best possible results for children for the amount of resources committed

Development partners also have a critical role to play in supporting a country's public finance management systems to ensure resources are efficiently used in support of realizing child rights priorities. This requires assessing the capacity to implement in terms of the legal, regulatory and institutional frameworks, the systems in place to make sure that implementation conforms to plans as well as efficiency, professional proficiency and other enabling factors.

The EU, for example, together with a group of donors, has developed a framework to study the performance of a country's PFM including the credibility of the budget, its comprehensiveness and transparency, policy-based budgeting, predictability in and control over budget execution, accounting and recording, financial reporting, budgetary monitoring and external scrutiny[6]. The framework also includes examining sectoral budget allocations and spending and scrutiny of budget institutions.

Some specific ways in which development partners can help strengthen budget institutions are:

- Invest in data and information systems where these are weak
- Assess corruption and governance issues
- Support the work of the media, audit institutions, anti-corruption agencies and other oversight institutions
- Track national progress towards creating transparency and accountability by helping to develop cross-national comparative databases and indices of budget openness.

See Tool 6.6, which presents a set of questions to determine the quality and credibility of policies and their transmission through the budget.

4.4 Ensure sustainability by helping to secure adequate resources to sustain child-responsive policies

At first it seems a straightforward proposition: new policy options are adopted, so the government needs to provide resources in the budget to implement them. However, the processes of policy-making and budgeting are often separate, with line ministries making policies, the ministry of finance assigning resources and the cabinet arbitrating. These processes involve tensions and reconciliations between needs and resources coupled with negotiations across departments and agencies as well as at national and sub-national levels.

South Africa: Tracking scope and efficiency of resources allocated to early childhood development

The Public Expenditure Tracking Survey (PETS) of early childhood development (ECD) is the first study of its kind in South Africa and the first PETS on ECD globally. It covered the quantum, scope and efficiency of resources allocated to ECD in the country and revealed whether public resources reached the intended beneficiaries.

The study's design is of particular interest as it modified the internationally accepted methodologies for tracking public expenditure to suit the South African ECD institutional arrangements. These are quite complex, with the responsibility divided between the Department of Education (DOE) and Department of Social Development (DSD) and resources spent at provincial level, with a few provinces having further delegated responsibility to their own district structures.

Formal structures, including a National Steering Committee and a Reference Group that included both national and provincial officials, were essential to resolving design and implementation problems. Informal links with senior government officials helped to strengthen trust among all parties. Validation workshops were organized at critical stages of the project to increase ownership of data and findings. A joint communication strategy was also prepared with the Government well before the study was finalized. This mapped out various channels of communication to effectively share the study process and findings and reach out to stakeholders beyond the IFIs and the Ministry of Finance.

The study has generated rich results that are supporting development partners to reframe the ECD policy dialogue in South Africa. An analytical report on the study with an extensive executive summary was developed and disseminated widely, which led to the generation of an ECD PETS Action Plan endorsed by senior government officials in the DOE and DSD and other key stakeholders.

The experience of the ECD PETS underscores the need to develop faster, child-responsive PETS-type tools, especially given that PETS are longer-term and backward looking (they typically take two years to conduct and are carried out after the fact). The South African experience also provides an excellent framework for possible EU-UNICEF collaboration moving forward, in particular by teaming up to carry out spending and beneficiary analyses of child-related sectors.

Usually when a new policy or spending programme is adopted, the current year's budget is already fully committed to existing programmes and there is no money to support it. This situation requires a fiscal space analysis, taking into consideration current spending programmes, revenue and financing policies.

This forms the basis for a medium-term expenditure analysis (not to be confused with the high-reaching objective of an MTEF). Providing support to institutions to make their case for new programmes is essential because they will have to defend their budget submissions. Taking such a dynamic into consideration is critical for making new policies credible, but it is important to be aware that this takes time.

Development partners have a critical role to play in ensuring the sustainability and adequacy of resources benefiting children. Fiscal space is critical in ensuring that policies are assigned budget allocations, no matter how small, and implemented. Fiscal space is a function of other spending programmes, time-affected variables such as demography and the demand for public services, and the macroeconomic context.

Marginal Budgeting for Bottlenecks (MBB)

This costing tool, developed by UNICEF and the World Bank – and further enhanced by the World Health Organization, United Nations Population Fund (UNFPA) and Joint United Nations Programme on HIV/AIDS (UNAIDS) – allows government bodies to know and understand the incremental costs of improving services in key sectors (health, education, etc.), which often run into bottlenecks that hamper the achievement of policy objectives such as the MDGs. To overcome this, MBB shows the costs of improving services by an incremental amount (e.g., extending basic health services to an additional 1 per cent of the population). Incremental changes are, in many cases, more easily obtained during the budget process than comprehensive packages involving numerous types of programmes with high costs.[7]

4.5 Create accountability on child rights commitments through evaluations

The impact of budget initiatives on changing institutional rules and processes should be measured and evaluated separately from their impact on influencing budget allocations. Even where budget allocations do not change substantially in a given year, a change in decision-making procedures could affect future allocations. Similarly, strengthening legislative oversight capacity can improve transparency, though it may not immediately increase child-responsive spending. Evaluations, whether focusing on reviewing ongoing policies or drawing lessons, provide a mechanism for improving performance. Timing has to be agreed and subsequently enforced. Evaluation, as distinct from monitoring, should:

- Determine outcomes for verification with the beneficiaries
- Assess potential long-term impacts

Benin: MBB analysis leads to improved health budgets and plans for children

In recent years, Benin has made significant progress in improving children's health and nutrition status. UNICEF and partners advocated with the Ministry of Health to adopt Marginal Budgeting for Bottlenecks (MBB) analysis in order to effectively plan, cost and budget health interventions. To support its adoption, UNICEF worked with the Government to develop its capacity to use the tool and its comparative benefits. In 2010, the Ministry of Health adopted MBB analysis to develop a Health Triennial Development Plan (HTDP) 2010–2012, which simulated three investment scenarios to reduce child mortality. Currently, six health districts covering fifteen deprived municipalities are using the MBB analysis to detail their development plans. This is expected to benefit more than 300,000 under-five marginalized children in these municipalities.

Discrepancies between the budget allocation of the Ministry of Health and the expected resources were due to the use of different tools for developing medium-term perspectives by the Ministries of Health and Finance. UNICEF focused on MBB analysis as a planning approach to bridge this gap. This mechanism helps ensure adequate resources are allocated while being sustainable.

Elsewhere in Africa, MBB analysis has also been used to prepare the MTEF in Mali and Mauritania and is currently being used in the education sector in Ghana. Some initial efforts are also underway in Nigeria.

- Review policy effectiveness
- Determine stakeholders' satisfaction
- Be a sounding board for determining 'what works'

In the short term, the outcomes of budget advocacy may be apparent only as marginal changes. Any substantive impact is likely to be more clearly discernible in the long term. This pattern was shown in the research conducted by UNIFEM (now known as UN Women) and the EC that investigated how gender-responsive budgeting (GRB) tools and strategies have been used in the context of contemporary aid modalities and the aid effectiveness agenda, specifically general budget support and sector budget support.[8]

Specific ways of supporting the engagement of stakeholders in evaluation and accountability processes include:

- Supporting child rights organizations in developing and validating new evidence, documenting and sharing what they have accomplished and generating public awareness and media interest
- Providing support to the supreme audit institution (SAI) in auditing the effectiveness of spending programmes through a child rights lens

Examples: India and Zambia

In India, the Ministry of Finance issued guidelines that effectively entrenched gender budgeting in the budget process. This was achieved through the efforts of UN Women, UNICEF and other partners, who discussed and agreed with the Ministry to hold joint workshops to examine gender and child budgeting and devise a common approach.

In Zambia, reform of the parliamentary committee structure placed greater emphasis on the legislature's oversight mandate. Parliament constituted a Committee on Estimates, which was the first time that the legislature had a specialized committee to investigate budgetary matters. However, the reforms were hampered by "the absence of supplementary analysis (apart from the Budget Speech), and a lack of access to research capacity".[9]

Module 6 Tools & Annexes

TOOLS

Tool 6.1 Key areas to test the level of inclusion of children's concerns in budgets

KEY AREAS TO TEST THE LEVEL OF INCLUSION OF CHILDREN'S CONCERNS IN BUDGETS[10]	
METHOD	DESCRIPTION
Child rights-aware policy appraisal	Analyse policies and programmes from a child rights perspective and identify the ways in which these policies and the resources allocated to them are likely to improve and protect child rights
Child rights-disaggregated beneficiary assessment	Evaluate the extent to which programmes or services are meeting the needs of actual or potential beneficiaries, as identified and expressed by themselves
Child rights-disaggregated public expenditure benefit incidence analysis	Evaluate the distribution of budget resources among women and men, girls and boys by estimating the unit costs of a certain service and calculating the extent to which it is used by each of the groups
Child rights-disaggregated analysis of the impact of the budget on time use	Establish a link between budget allocations, the services provided through them and the way in which different members within a household spend their time
Child rights-aware medium-term budget forecasts	Incorporate a child rights perspective into the medium-term budget forecasts and assess the impact of policies on budgetary allocations, challenging child rights-blind fiscal and budget analysis
Child rights-aware budget statement	Evaluate reports generated by government agencies on the implications of their expenditure on child rights objectives
Disaggregated tax incidence analysis	Assess the impacts of taxation on child rights (labour, caretakers) and evaluate the level of revenue raised in relation to the needs and demands for public expenditure

Tool 6.2 Using existing budget analysis tools

Budget analysis is a broad term. The evaluation of budgetary allocations and of the actual expenditure of allocated resources is a key element of efforts to assess States' compliance with their policy intent and their obligations under national and international law. This is particularly true in relation to the legal obligations of States to use maximum available resources and progressively realize economic and social rights, which are directly applicable to child rights requirements under the CRC.

The power of budget analysis is that it can provide evidence to support advocacy, strengthening the ability of CSOs and the public to influence decisions on tax policies and on the allocation of resources to specific policies and programmes. In addition, by testing the assumptions underlying proposals and identifying potential pitfalls, budget analysis can help turn policy ideas into desired outcomes.

Budget analysis is a tool for understanding the intent and possible impact of governments' plans for raising and spending public resources. Public budgets can be analysed from various perspectives:

- Looking at budget trends over time, both in terms of the real value (e.g., the nominal value adjusted by inflation) as well as the size as a percentage of gross domestic product (GDP)
- Comparing spending for one sector, such as health, to its share of the overall budget and to proposed spending for another sector, such as defence
- Assessing how a budget addresses the needs of a particular group – such as women, children, those with disabilities and the poor
- Comparing spending levels for specific sectors and/or particular groups to levels in neighbouring or similar countries.

Many budget analysis tools already exist, often funded by donor agencies, and are published or shared at country level. They provide a lot of information that forms a useful basis for engaging stakeholders in making the budget more socially responsive while maintaining sustainable fiscal targets. By providing neutral, technical information, they help focus on manageable agendas rather than opinions and ideologies.

The following is not an exhaustive list of every available tool but rather covers the main types together with a table summarizing the key questions that can be addressed using these tools.

OECD international budgeting database

The Organisation for Economic Co-operation and Development (OECD) International Budget Practices and Procedures Database, which allows cross-national comparisons of budget practices, is an example of how tracking budgets across countries and over time can provide evidence of progress in budget efficiency and transparency. The database contains information on budget institutions from 97 countries, including the 30 OECD member countries and 67 non-members from the Middle East, Africa,

Eastern Europe, Asia, Latin America and the Caribbean. It includes over 99 questions that cover the entire budget cycle: preparation, approval, execution, accounting and audit, performance information, and aid management within developing countries.

Public Expenditure Reviews (PERs)

Public Expenditure Reviews (PERs), initially carried out by the World Bank, are the most well-known tools for budget analysis. While the specific objectives of a PER are dependent on the projected use of the information, broadly they seek information to be used as a basis for dialogue on policy intent and implementation and for inclusive dialogue with all stakeholders, thereby building capacity for a nationally owned PER process.

PERs may also serve the following objectives:

- Making recommendations for efficiency and equity in allocation and use of resources through the budget and its execution
- Verifying the allocations alignment with policy intent of the government (poverty reduction strategies, growth and social development strategies)
- Verifying the adequacy of the allocation to a sector with the policy (this requires testing the costing)
- Forecasting the future costs of current policies and necessary budget allocations (a key input for fiscal sustainability)
- Providing information as a basis for dialogue on policy intent and implementation and for inclusive dialogue with all stakeholders
- Including specific cross-cutting themes and thus potentially being very useful in testing the child rights sensitivity of the budget

PERs can be done regularly and, if integrated into the national budget process, can serve as a useful tool for initiating dialogue among stakeholders on how the budget reflects the policy intent of the government and whether its execution allows attainment of the objectives as stated in policy documents.

Public Expenditure and Financial Accountability (PEFA)

Public Expenditure and Financial Accountability (PEFA) finds its origin in the work of the OECD Development Assistance Committee (DAC) to streamline public finance management systems assessment, reducing the number of assessments, providing a common basis for information for all donors and governments and supporting PFM reform. It was designed by the International Monetary Fund (IMF), World Bank, European Commission, United Kingdom, France, Norway and Switzerland and is now used by more than 20 agencies.

To date, PEFA has been applied in more than 290 assessments covering more than 140 countries. It is a readily available tool for accessing information as it is published

online or shared by governments and donors. There is high country coverage in many regions, including:

- Africa and Caribbean (90 per cent of countries)
- Latin America, Eastern Europe, Asia, Pacific (50–80 per cent)
- Many middle-income countries (MICs)
- Upper MICs: Belarus, Brazil, Russian Federation, South Africa, Turkey
- Lower MICs: Colombia, Egypt, India, Indonesia, Kazakhstan, Morocco, Peru, Philippines, Thailand, Ukraine

The PEFA framework is composed of 28 indicators (76 sub indicators) covering the national PFM around 7 core dimensions and 3 indicators assessing the impact of donor practices:

- Credibility of the budget
- Comprehensiveness and transparency of the budget
- Policy-based budgeting
- Predictability and control in budget execution
- Accounting, recording and reporting
- External scrutiny and audit
- A measure of the impact of donor practices on PFM performance

Public Expenditure Tracking Survey (PETS)

The Public Expenditure Tracking Survey (PETS) is a quantitative survey of the flow of resources from central government to the service delivery unit. It has become an effective accountability tool for engaging CSOs – including community-based organizations (CBOs) – in dialogue with government (at all levels) on the efficiency of the budget execution and the effective flow of resources to the levels where service delivery occurs.

As the service facility and/or local government (i.e., frontline providers such as schools and clinics) is the basic unit of measure, the survey responds very well to accountability purposes for users and complements a PER or PEFA. A sector PER can be complemented by a PETS, while PEFA recognizes PETS' indicators as a way to complement the capacity of national accounting and reporting systems to provide disaggregated data. This can be fundamental in testing the efficiency of budget execution, why results are not attained and equity across geographic distribution. A PETS can serve as a simple yet powerful diagnostic tool in the absence of reliable administrative or financial data.

While there is no standard formula, typically some of the steps involved in such a survey are:[11]

- Identification of scope, purpose and actors
- Design of questionnaires
- Sampling

- Execution of survey
- Data analysis
- Dissemination
- Institutionalization

Marginal Budgeting for Bottlenecks (MBB)

MBB is primarily a costing tool to assess the costs of attaining specific health objectives. It was initially developed by teams from the World Bank's Africa and South Asia regions and Health, Nutrition and Population Anchor, jointly with UNICEF and the World Health Organization. It aims to estimate the potential impact, resource needs, costs and budgeting implications of country strategies to remove implementation constraints faced by the health system. It estimates the marginal/incremental resources required for overcoming those constraints and achieving results in the context of a country's macroeconomic framework.

MBB is intended to help formulate medium-term national or provincial expenditure plans and poverty reduction strategies that explicitly link expenditure to the health and nutrition MDGs. It is meant to facilitate a process of budgeting for government health expenditures that provides a basis for policy dialogue and planning.

One of the strengths of the tool is that it helps simulate the potential impact as well as cost and budget implications of alternative health service delivery strategies using different integrated production functions (community/family based, population/outreach based or clinic based).

Audit report by supreme audit institutions

Supreme audit institutions (SAIs) provide fundamental oversight over public finance and its management. They are usually independent institutions that have the right and obligation to report on the government discharge of the budget (revenue and expenditure). Their work forms the basis for the legislature scrutiny of the budget execution and, in some cases, for its scrutiny of whether the budget is legal (when a fiscal responsibility framework is in place). SAIs extend their work to all sectors and now include a significant share of performance audit in their work, providing useful analysis on the implementation of sector policies. In countries with a clear aid management policy and where donors align with country systems, SAIs are supported to audit all donor programmes as their jurisdiction should cover all public funds.

Fiscal space analysis

Carrying out a fiscal space analysis can provide the evidence base for different options that may be available to governments to increase investments in child rights. Overall, there are six general areas that can be explored:

1. Re-allocating current public expenditures: This includes assessing ongoing budget allocations through public expenditure reviews and thematic budgets, replacing high-cost, low-impact investments with those with larger socio-economic impacts, eliminating spending inefficiencies and/or tackling corruption.
2. Increasing tax revenue: This is achieved by altering different types of tax rates – on consumption, corporate profits, luxury goods, financial activities, personal income, property, imports/exports, etc. – or by strengthening the efficiency of tax collection methods and overall compliance.
3. Lobbying for increased aid and transfers: This advocacy requires either engaging with different donor governments in order to ramp up North-South or South-South transfers, or reducing South-North transfers such as illicit financial flows.
4. Using fiscal and central bank foreign exchange reserves: This includes drawing down fiscal savings and other state revenues stored in special funds, such as sovereign wealth funds, and/or using excess foreign exchange reserves in the central bank for domestic and regional development.
5. Borrowing or restructuring existing debt: This involves active exploration of domestic and foreign borrowing options that are at low costs, if not concessional, following a careful assessment of debt sustainability. For those countries in high debt distress, restructuring existing debt may be possible and justifiable if the legitimacy of the debt is questionable and/or the opportunity cost in terms of worsening deprivations of children and other vulnerable groups is high.
6. Adopting a more accommodating macroeconomic framework: This entails allowing for higher budget deficit paths and higher levels of inflation without jeopardizing macroeconomic stability.

The uniqueness of each country requires that fiscal space options be carefully examined at the national level and fully explored in an inclusive dialogue, which ideally takes place in the early phase of the budget and policy development process. A good starting point for country level analysis may be a summary of the latest fiscal space indicators. A template for this is presented in 'Identifying Fiscal Space: Options for social and economic development for children and poor households in 184 countries',[12] which also provides a detailed description of each of the options that could be examined in a comprehensive fiscal space analysis.

SUMMARY OF EXISTING BUDGET ANALYSIS TOOLS AND THEIR RELEVANCE TO CHILD RIGHTS

TOOL	SCOPE	DEPTH	QUESTIONS ANSWERED	CHILD RIGHTS-SPECIFIC USE
PER	Sectoral, institutional, cross-cutting, overall budget	Outturns versus estimates and results to detailed budget execution reviews and tracking of financial flows	▪ Are budget allocations aligned to overall policies? ▪ Are sectoral budget allocations aligned to sector policies? ▪ Are sectoral allocations sustainable? ▪ Are sectoral	Understanding through the classification how the budget provides resources for child-responsive spending programmes and whether these resources are

			allocations efficient in achieving policy objectives?	allocated during execution
PETS	Flows of funds, usually sectoral	From central to service delivery unit	▪ Is the PFM system capable of releasing resources to the service delivery units? ▪ Are there differences across sectors? ▪ Are there differences across geographic areas impacting access and equity? ▪ Is the PFM system efficient in releasing resources to the service delivery units? ▪ What proportion of the budgeted resources attains its targeted/intended expenditure centre (delivery unit)?	Verifying with stakeholders that child-responsive spending programme resources are allocated and flowing down to service delivery units; powerful basis for dialogue to address child-responsive spending bottlenecks
PEFA	All aspects of PFM: budget credibility, transparency and exhaustive-ness of budget document, policy-based budget, predictability and control in budget execution, accounting and reporting, oversight and scrutiny	High-level indicators with detailed narrative and summary assessment identifies key weakness along the six dimensions, score provides an image at a given time, evidence based	▪ To what extent is the budget a credible representation of the government's intent? ▪ To what extent is the budget a credible translation of policies? ▪ How accessible is the budget information to the public? Does it support stakeholder involvement (e.g., for realizing budget analysis)? ▪ Is the budget document exhaustive? ▪ Is budget implementation in keeping with the intent? ▪ Is scrutiny and audit by the SAI happening? With	While non-child rights specific and non-sector specific, PEFA provides a detailed, comparable over time and internationally agreed assessment of the weaknesses and strengths of a country PFM system; this is critical for testing how transparency, efficiency and effectiveness can be improved

			sufficient depth? Are there actions taken to improve on that basis?	
Budget analysis	Classification; allocations: sectoral, overall, cross-cutting themes; execution, results	Variable according to information needs defined: verifying adequacy of budget allocations and cash release to policy intent and rights (obligations of government)	▪ Is the budget classification aligned to international standards (IMF and COFOG)? ▪ Is the information allowing analysis and dialogue over policy implementation and results? ▪ Are budget allocations aligned to overall policies? ▪ Are budget allocations and releases aligned to obligations of government? ▪ Are sectoral budget allocations and releases aligned to sector policies? ▪ Are sectoral allocations sustainable? ▪ Are sectoral allocations efficient in achieving policy objectives?	
MBB	Planning and forecasting the potential cost and impact of scaling up investments to increase the intake, coverage and quality of high-impact health interventions; and preparing results-oriented expenditures, programmes	Fully dedicated to health sector, detailed assessment of cost implications for attaining specific results and impact on budget; thorough basis for policy-making, policy dialogue and sustainability of policies	▪ Which high impact interventions can be integrated into existing providers/ service delivery arrangements to accelerate progress towards the health MDGs? ▪ What are the major hurdles or 'bottlenecks' hampering the delivery of health services? ▪ What is the potential for their improvement?	MBB has proved to be an effective tool to show how efficiency of spending can be improved to attain specific results; it allows for focusing exclusively on child-specific indicators of results for budgeting

	and health budgets		▪ How much money is needed for the expected results? ▪ How much can be achieved in health outcomes such as mortality reduction by removing the bottlenecks? ▪ Which amounts of financing is it possible to mobilize and how should these be allocated and channelled?	
Audit report by SAI	Usually covers at least the central government, may extend to public sector, donor programmes, specific sector reviews and budget execution tools	SAIs include financial and compliance audits but usually focus on systemic issues; many SAIs carry out performance audits, testing efficiency and effectiveness of policy implementation	Is the budget executed in accordance with the budget intent? Is the budget execution efficient and compliant? Are there systemic issues affecting efficiency? Is there oversight leading to scrutiny by the legislature? Does it allow for dialogue? Are corrective measures taken?	SAIs are the institutions that provide oversight information to the public and to parliaments; as such, working with SAIs allows for tackling child-specific issues in their reports and raising child rights in parliamentary and public agendas.

Tool 6.3 Conducting a stakeholder and institutional analysis: Sample questions

CONDUCTING A STAKEHOLDER AND INSTITUTIONAL ANALYSIS: SAMPLE QUESTIONS[13]						
IDENTIFY SUBJECTS FOR CHANGE	UNDERSTAND THEIR ROLES	IDENTIFY ROLES IN THE POLICY PROCESS	IDENTIFY CAPACITY DEVELOPMENT REQUIREMENTS[14]	IDENTIFY PRESSURES	IDENTIFY INCENTIVES	IDENTIFY OPPORTUNITIES AND CONSTRAINTS
Who needs to be informed and influenced?	**At what stage in the policy process do they operate?**	**What is the role of each subject?**	**How do they need to change?**	**What forces are likely to influence them?**	**What motivates them?**	**What opportunities and constraints affect this change?**
▪ Primary stakeholders ▪ Politicians ▪ Bureaucrats (national and local) ▪ Private sector groups ▪ Local elites or interest groups ▪ Policy networks ▪ Academics ▪ Grass-roots groups or NGOs ▪ The electorate ▪ Bilateral partners	▪ Knowledge generation/ research ▪ Agenda setting ▪ Option identification ▪ Prioritization of options ▪ Policy formulation ▪ Policy legitimization ▪ Planning for policy implementation ▪ Review and evaluation ▪ Review of policy and policy implementation	▪ What are their rights (to livelihoods, to security, to basic social services)? ▪ What are their responsibilities (to community, to state, in decision-making, implementing policy)? ▪ What are their relationships with other actors (adviser, influencer, dependent, antagonist)	▪ Attitude ▪ Skills ▪ Knowledge ▪ Behaviour	▪ Political pressure ▪ International pressure/ persuasion ▪ Bilateral pressure/ persuasion ▪ Bureaucratic pressure ▪ Evidence from action in the field ▪ Private sector pressure ▪ Interest groups (e.g., NGOs) ▪ Policy networks ▪ Academic evidence ▪ Grass-roots pressure/ persuasion	▪ Greater voice/ influence in the process ▪ Capacity building opportunities ▪ More financial or human resources	▪ Past policies ▪ Policy complexity ▪ Institutional constraints ▪ Feasibility ▪ Patronage ▪ Rent seeking ▪ Cost ▪ Consensus

Tool 6.4 Identifying key stakeholders

IDENTIFYING KEY STAKEHOLDERS	
CATEGORY	**DESCRIPTION**
Key stakeholders	▪ The state: Understanding the structure of the state and the institutional arrangements is essential. ▪ The legislature: This is the body that votes the laws that enact policies directly (child protection, health care, education, justice, food safety); its members are critical to influencing the agenda. ▪ Political parties: Their manifesto, their organization and how they conduct internal dialogue on the party line will influence the national debate and the legislature. ▪ Civil society and the media: The level of freedom and of activity will bear heavily on how well policies respond to needs (of citizens, groups, taxpayers, private sector organizations) and how these stakeholders can voice their concerns and views. ▪ Agencies, line ministries and the lead ministry: Is there policy coordination at design and implementation stages? Do they have the capacity to design, implement and monitor? ▪ Ministries of finance and of planning: These two central ministries usually wield high power in the budget process and impact on policies both through costing and allocating the fiscal space and through execution (cash control, procurement, payroll). ▪ Donors: How they view and play their role, and the place of aid in the country, the level of donor coordination and the quality of their governance (donor working groups) will influence how successfully donors and technical agencies can engage with the government and support civil society and the media.
Domestic actors	▪ Government political officials (ministers, assistant ministers) ▪ Government employees (secretary of state, directors, chief executive officers/chief financial officers, programme officers, administrative and secretarial staff, teachers, health workers) ▪ Elected or appointed representatives (councillors, members of parliament, senators) ▪ State oversight institutions (parliament, national audit institutions) ▪ Non-state actors (national NGOs, community-based organizations, the private sector – companies, private sector associations, etc. – unions, media, citizens, religious organizations, national and membership-based non-governmental associations/professional bodies, etc.)
External actors	▪ Development partners (e.g., EU, UN agencies) ▪ International NGOs (e.g., Save the Children) ▪ International foundations (e.g., Bill & Melinda Gates Foundation) ▪ Global funds (e.g., Global Fund to Fight AIDS, Tuberculosis and Malaria) ▪ International religious organizations (e.g., World Council of Churches) ▪ International research institutes and researchers (e.g., International Rice Research Institute) International consulting firms and consultants (e.g., DAI) ▪ International consulting firms and consultants ▪ International think-tanks ▪ Multinational corporations ▪ Ambassadors and embassy staff

Tool 6.5 Identifying opportunities to work with stakeholders at each stage of the cycle of operations

PROGRAMMING				
CHILD PARTICIPATION	**STAKEHOLDERS REPRESENTING CHILD RIGHTS PARTICIPATION**	**INFORMATION**	**COALITION**	**ADVOCACY/ DIALOGUE**
▪ Assess as part of the child impact assessment (country and sector context analysis) for policy-making	▪ Assess as part of the child impact assessment (country and sector context analysis) for policy-making ▪ Support budget analysis by CSOs	▪ Ask if quality information is available on sectors and how they respond to the government's obligation in terms of child rights? ▪ Fund PEFA/ PER ▪ Can information be shared/ obtained from other donors/ NGOs?	▪ Ask how a donor/ international NGO/CSO coalition can be initiated to support the case for investing in children and using child rights as guiding principles for policy-making	▪ May guide what the dialogue's critical issues with government will be ▪ May guide what the dialogue's critical issues with CSOs will be

IDENTIFICATION AND FORMULATION				
CHILD PARTICIPATION	**STAKEHOLDERS REPRESENTING CHILD RIGHTS PARTICIPATION**	**INFORMATION**	**COALITION**	**ADVOCACY/ DIALOGUE**
▪ Ensure child participation for all child-focused interventions: issues definition, prioritization and solution favoured	▪ Engage in dialogue with stakeholders on impact on child rights for any interventions: child-focused –issues definition, prioritization and solution favoured; non-child-focused ▪ Decide on support to CSOs for improving policy/budget	▪ Perform budget analysis/ use existing analysis for verifying policy credibility and transmission through the budget	▪ Coordinate action with other donors ▪ Agree on conditions/ benchmark policy and budget performance with other donors to impact credibility of the policy transmission and budget implementation	▪ Engage in dialogue with government and structure it to involve key stakeholders ▪ Include issues from policy credibility (e.g., participation, issues identification, priority setting, budget allocations) to budget executions,

	transmission and monitoring in budget support to the budget or sector project			results and capacity

IMPLEMENTATION MONITORING				
CHILD PARTICIPATION	**STAKEHOLDERS REPRESENTING CHILD RIGHTS PARTICIPATION**	**INFORMATION**	**COALITION**	**ADVOCACY/ DIALOGUE**
▪ Monitor sector policy implementation ▪ Monitor whether service delivery occurs	▪ Monitor equity across groups and regions in service delivery/fund PETS by CSOs ▪ Monitor whether government implements other spending programmes that impact funded intervention/ fund budget analysis by CSOs	▪ Analyse and share information on budget implementation (use existing tools such as PEFA and PER) ▪ Verify that funded interventions are budgeted and reported on and share information (budget documents and SAI reports)	▪ Organize public forums with a focus on child rights fed by budget analysis	▪ Define key issues with a child rights focus for ongoing management and policy dialogue with government ▪ Use monitoring framework and evidence (child participation, CSOs and indicators) for informing dialogue

EVALUATION				
CHILD PARTICIPATION	**STAKEHOLDERS REPRESENTING CHILD RIGHTS PARTICIPATION**	**INFORMATION**	**COALITION**	**ADVOCACY/ DIALOGUE**
▪ Include child participation in evaluation terms of reference (TORs) ▪ Test evaluation findings with children	▪ Include CSO surveys in evaluation TORs ▪ Organize workshops with CSOs on evaluation findings	▪ Make publicly funded interventions and evaluations available to the public	▪ Build consensus around evaluation results and lessons learnt with other donors and CSOs	▪ Dialogue with government on results achieved and gaps to be covered

Tool 6.6 List of key areas and questions to assess the quality and credibility of policies and their transmission through the budget

To gauge how policies are actually transmitted through the budget, it is important to look at a number of different areas including implementation, governance, risk management, planning, procurement, stakeholder management, resources, communication and evaluation. Assessing the quality and credibility of these areas then requires asking the right questions. The following list summarizes these general areas and provides guiding questions.[15]

1. IMPLEMENTATION DURING POLICY DEVELOPMENT		
Was implementation planned when the policy was designed? Comments:	Yes	No
Do the priorities of the policy coincide with others? Comments:	Yes	No
Have proposed commitments been checked for delivery implications? Comments:	Yes	No
Is the timeframe consistent with resources available? Comments:	Yes	No
Are contingency measures planned? Comments:	Yes	No
Are there uncertainties or risks that will affect implementation? Comments:	Yes	No
Are record-keeping and accountability measures in place? Comments:	Yes	No
2. GOVERNANCE		
Is a single officer accountable for delivery, and does s/he have authority? Comments:	Yes	No
What coordination mechanisms exist between institutions? Comments:	Yes	No
Are governance arrangements built in? Comments:	Yes	No

Does the policy have high-level support? Comments:	Yes	No
Are whole-of-government implications worked out? Comments:	Yes	No
Do governance arrangements include reporting and review (including publication for stakeholders engagement)? Comments:	Yes	No
Has sufficient attention been given to conflicts of interest? Comments:	Yes	No
3. RISK MANAGEMENT		
Have implementation risks been identified and minimized? Comments:	Yes	No
Does the responsible officer have access to risk management resources? Comments:	Yes	No
Is the government aware of the risks? Comments:	Yes	No
Are risks appropriately shared or mitigated? Comments:	Yes	No
Are risk treatments followed through systematically? Comments:	Yes	No
Are there contingency plans? Comments:	Yes	No
Will implementation problems be identified and reported? Comments:	Yes	No
When mistakes occur, will they be admitted and corrected? Comments:	Yes	No
4. PLANNING FOR IMPLEMENTATION		
Is there a costed implementation plan? Comments:	Yes	No

Is implementation owned by senior staff? Comments:	Yes	No
Has implementation been tested? Comments:	Yes	No
Does planning cover organizational change? Comments:	Yes	No
Is third party action in the plan? Comments:	Yes	No
Are timelines realistic? Comments:	Yes	No
Is implementation broken into small steps? Comments:	Yes	No
Are there adequate review points in the plan? Comments:	Yes	No
Is there a single plan? Comments:	Yes	No
5. PROCUREMENT		
Are procurement and contracts built into the plan? Comments:	Yes	No
Is the procurement strategy right for long-term service delivery? Comments:	Yes	No
Does the supply industry understand the requirements? Comments:	Yes	No
Will the responsible officer have access to contract management skills? Comments:	Yes	No
Does evaluation measure long-term value for money or just short-term price? Comments:	Yes	No
Have ethical and probity issues been taken into account? Comments:	Yes	No

Are risks shared correctly in the contract? Comments:	Yes	No
Is there long-term contract management? Comments:	Yes	No
6. STAKEHOLDER MANAGEMENT		
Is the purpose of stakeholder engagement clear? Comments:	Yes	No
Have the right stakeholders been engaged? Comments:	Yes	No
How will stakeholder engagement be managed during implementation? Comments:	Yes	No
How will the contribution of stakeholders be used? Comments:	Yes	No
Will engagement with stakeholders inform the communication/publication policy? Comments:	Yes	No
Are there plans to manage conflicts of interest that arise from stakeholder involvement? Comments:	Yes	No
Do stakeholders have consultation forums before decisions are made? Comments:	Yes	No
7. RESOURCES		
Are implementation skills available and valued? Comments:	Yes	No
Are there adequate resources for implementation? Comments:	Yes	No
Has adequate attention been given to cultural and change management issues? Comments:	Yes	No
Are adequate costing standards applied? Comments:	Yes	No

Are adequate measures for monitoring and controlling spending in place? Comments:	Yes	No
Are information systems adequate for budget execution reporting? Comments:	Yes	No
8. COMMUNICATION		
Has communication been considered, including on obstacles? Comments:	Yes	No
Is the communication strategy structured around the success criteria of the policy (and the stakeholders)? Comments:	Yes	No
Does the communication strategy address proactive and reactive elements? Comments:	Yes	No
Is the implementation institution clear about the communication strategy? Comments:	Yes	No
Are communications tailored to each stakeholder group? Comments:	Yes	No
Is communication aligned with the roll-out plan? Comments:	Yes	No
9. MONITORING AND REVIEW (EVALUATION)		
Is there monitoring and review of key deliverables? Comments:	Yes	No
Are data sufficient? Comments:	Yes	No
Are implementation reports submitted? Comments:	Yes	No
Are risks reported to senior management? Comments:	Yes	No
Are lessons learned before moving on to the next stage? Comments:	Yes	No

Is there willingness to intervene or stop the policy if it is not delivering? Comments:	Yes	No
Have reporting requirements of all parties been agreed? Comments:	Yes	No
Is the lead agency's role supported by other partners? Comments:	Yes	No
Is there feedback to learn from implementation? Comments:	Yes	No

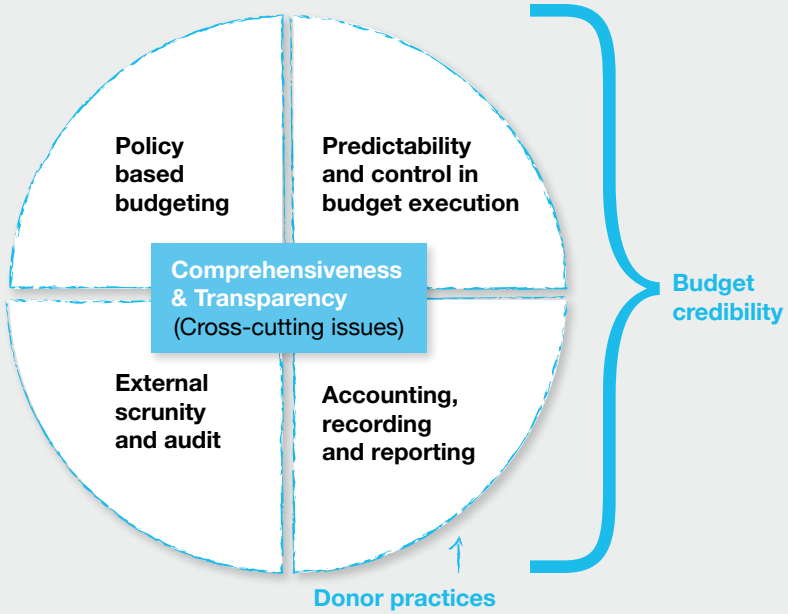
ANNEXES

Annex 6.1 Understanding public finance management assessment

The Public Expenditure and Financial Accountability (PEFA) framework, a short guide to assessing public finance management (PFM), can be used as an entry point for refreshing or developing an understanding of PFM. Using the PEFA framework to understand what each indicator attempts to measure and reading a country's PEFA assessment report, audit reports or Public Expenditure Review (PER) report will help develop a sound and practical understanding of PFM and how to use its processes to improve the social responsiveness of policies and budgets.

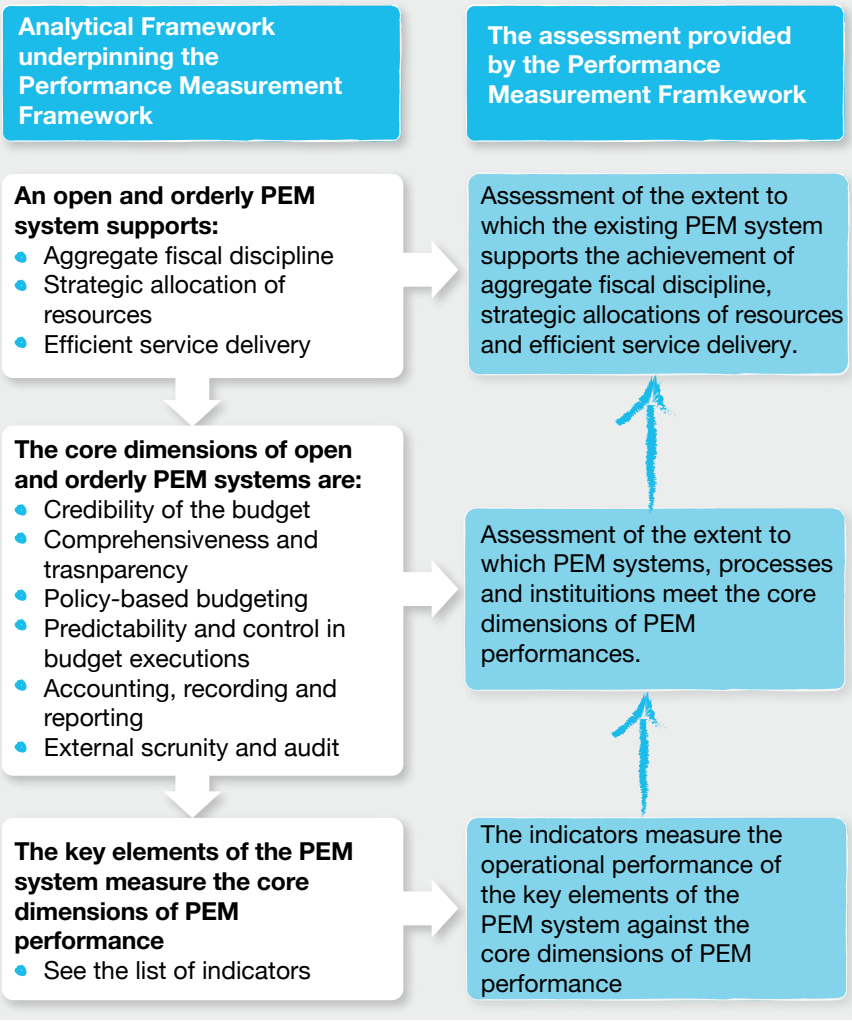
The PEFA model for assessment follows closely the budget process as defined in this module.

PEFA MODEL FOR ASSESSMENT



The PEFA assessment framework is widely applicable, relevant to countries at all levels of development and must be evidence-based, making it a preferred tool for PFM assessment. It can be compared over time, providing a key evaluation tool of progress on all aspects of the PFM cycle. It provides an integrated, comprehensive, consistent, reliable, timely and evidence-based assessment on PFM performance.

THE PEFA ASSESSMENT FRAMEWORK



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ENDNOTES

1. The CRC came into force in 1990 and has been signed by 193 countries, making it the most rapidly and widely ratified human rights treaty in history.
2. See Heller, Peter, 'Back to Basics – Fiscal Space: What it is and how to get it', *Finance and Development*, vol. 42, no. 2, June 2005.
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CHILD RIGHTS TOOLKIT

Integrating Child Rights in Development Cooperation

Module 7

Child Rights in Crisis and Risk-prone Situations

European Commission

unicef

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ACRONYMS AND ABBREVIATIONS

AGIR-Sahel	l'Alliance Globale pour l'Initiative Résilience
CCA	climate change adaptation
CRC	Convention on the Rights of the Child
CSO	civil society organization
DRR	disaster risk reduction
FAO	Food and Agriculture Organization
IASC	Inter-Agency Standing Committee
IDP	internally displaced person
IOM	International Organization for Migration
JHDF	Joint Humanitarian Development Framework
LRRD	linking relief, rehabilitation and development
NGO	non-governmental organization
OCHA	Office for the Coordination of Humanitarian Affairs
PCNAs	post-conflict needs assessments
PC-ERRNA	post-conflict early recovery rapid needs
PDNAs	post-disaster needs assessments
SHARE	Supporting Horn of African Resilience
UNDG-ECHA	United Nations Development Group Executive Committee on Humanitarian Affairs
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
WASH	water, sanitation and hygiene
WFP	World Food Programme
WHO	World Health Organization

1. Introduction

Children, households, communities and the systems that support them face multiple shocks and stresses. In many cases, disaster risk, climate change, environmental degradation, persistent conflict/violence, epidemics and the effects of economic shocks (including global fuel and food price hikes) are impeding and reversing development gains and creating greater vulnerability, particularly among the already marginalised and excluded. Rapid unplanned urbanisation, increasingly intense climatic hazards[1] and degraded natural environments exacerbate vulnerability and expose more people to stresses and shocks.

The breakdown of traditional community and state protection mechanisms that often ensues after crisis leaves children without services and protections they have previously enjoyed. Indirect consequences of crises can include the loss of basic services – such as water, sanitation, health and education – as well as the rise of malnutrition and disease. Some children may face discriminatory practices (i.e., based on gender, disability, ethnicity, etc.) that severely reduce their access to basic social services. Furthermore, increased poverty resulting from crisis may drive families to push their daughters into early marriage or their sons into early work as a coping mechanism. The impact of crises on already vulnerable populations perpetuates poverty, illiteracy and early mortality and robs boys and girls of their childhood, family, security, education, health, psychosocial well-being and opportunities for development.[2]

Yet, there is global recognition that the impacts of these shocks and stresses can be prevented, mitigated and prepared for. The Hyogo Framework for Action (2005–2015), signed by 168 governments, calls for the 'building of resilient nations and communities'; the 2012 Rio outcome, 'The Future We Want', draws attention to resilience including through climate change adaptation (CCA), disaster risk reduction (DRR), peace and security and protection of the environment; and, 'Conflict, Violence and Disaster' is one of eleven themes around which the UN is nurturing 'broad coalitions for change' to inform the post-2015 development agenda.[3]

> *"Focusing on resilience saves more lives, is more cost effective and contributes to poverty reduction – thus boosting the impact of aid and promoting sustainable development."*[4]

Building resilience is also at the heart of EU efforts in humanitarian and development contexts. It is viewed as a long-term objective that needs to be firmly embedded in national policies and planning. Development programmes need to tackle the root causes of recurrent crisis rather than just their consequences in order to ensure development gains are genuinely sustainable. Working with vulnerable populations to build their resilience is also a fundamental part of poverty reduction, which is the ultimate goal of EU development policy.

Programming for resilience that places children at its centre requires focusing on enhancing the capacities of children, communities and local and national authorities to better manage the range of shocks and stress they may face. This includes ensuring basic social services reduce vulnerability by being accessible and adapted to risk,

that social protection measures are available to the poorest and that underlying issues including social norms and inequities are addressed. It also requires fostering community ownership, risk-informed planning and programming, working with non-traditional partners and improving synergies between different sectors and agencies, as well as between humanitarian action and development programming.

1.1 Purpose and objectives

This module is designed for development and humanitarian actors in the context of prevention and preparedness for disaster as well as in designing programme interventions and linking long-term development efforts to on-going humanitarian relief and recovery activities.

In this module, we will:

1. Define the obligations of government and development partners to prepare for, prevent, mitigate and respond to the impact of adverse events on children, giving particular attention to addressing and reducing the vulnerability of children in situations of natural and man-made disasters
2. Explain how to coordinate with humanitarian actors in natural and man-made disasters on needs identification, disaster preparedness and response with the objective of building resilience to promote child rights
3. Identify specific actions to ensure preparedness, emergency response and long-term development efforts contribute to building resilience and promoting child rights

2. Key considerations

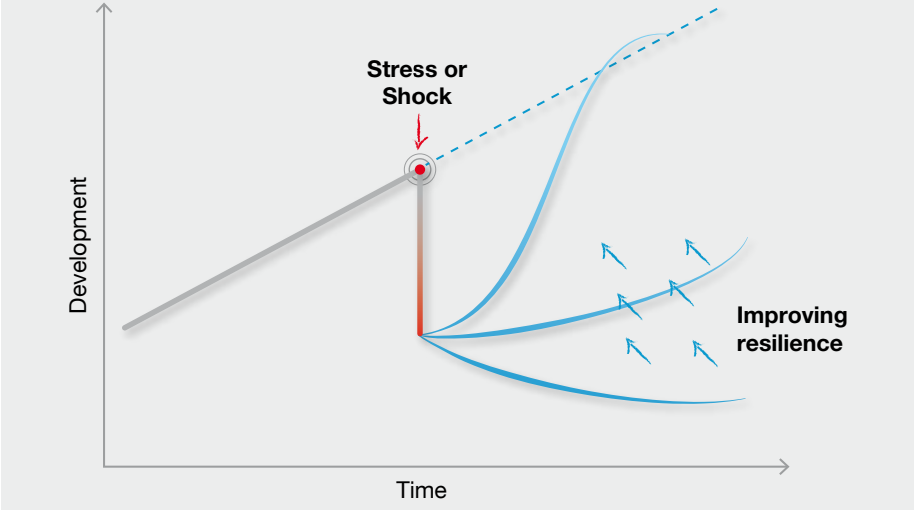
2.1 What is resilience?

The concept of resilience draws on the recognition that shocks and stresses impede and reverse development gains and create greater vulnerability, particularly among already marginalized and excluded groups such as girls, children with disabilities and children in indigenous communities. Enhancing resilience calls for a long-term approach based on **alleviating the underlying causes** conducive to crisis and **enhancing capacities** to better manage future uncertainty and change. Humanitarian and development programmes that contribute to building resilience are more effective in delivering services and protecting the rights of children and other vulnerable populations.

DEFINITION: RESILIENCE

"Resilience is the ability of an individual, a household, a community, a country or a region to withstand, adapt and quickly recover from stresses and shocks such as drought, violence, conflict or natural disaster."[5]

GROWTH WITH RESILIENCE: OPPORTUNITIES IN AFRICAN AGRICULTURE[6]



Programming for resilience therefore requires a focus on strengthening systems, such as social services or sub-national governance, as well as empowering the most vulnerable and exposed communities, including children, with the capacity to deal with shocks and stress. *To this end, resilience is understood as a long-term objective for the achievement of which the humanitarian-development interface is crucial.*

The following are some of the key characteristics of a resilient community:

- Diversified income base and livelihood strategies, including access to markets and information, as well as the presence of economic opportunities
- Access to assets (financial, social, human, physical, natural) and to flexible, quality basic social services able to adapt to shocks and stresses
- Access to social protection programmes including safety nets before, and especially during, difficult periods
- Responsive and inclusive institutions/structures that address changing realities of communities and families
- Access to information and skills that enable positive adaptive behaviours in anticipation of and, when necessary, in response to shocks
- Agency and connectedness – between urban and rural contexts, between different generations and genders, between systems of state and their customary, local equivalents and between agencies providing services and those on the receiving end

Examples of support in different contexts

Countries **with high vulnerability and low national systems capacity to prevent and manage shocks:** In such settings development and humanitarian actors tend to be involved in localized support to service delivery, accompanied by explicit capacity development strategies targeting the roots of fragility through a mix of humanitarian and development interventions. These strategies should be informed by conflict and disaster risk analysis.

Countries with **high vulnerability and limited but growing national systems capacity to prevent and manage shocks:** In such settings, support is focused on strengthening of systems over time while helping to fill critical gaps to help reach excluded populations as part of an explicit approach to gradually transfer leadership to national institutions.

Countries **with high vulnerability and high national systems capacity to prevent and manage shocks:** Support to humanitarian action in such countries is usually focused on advocacy for child rights standards, DRR and child-centered policy advice.

Countries with **challenged governance/civil unrest contexts where national systems previously assessed as relatively strong suffer either a challenge of legitimacy and/or become less operational:** These settings could be quite challenging in regards to promoting child rights as authorities could become one of the belligerent parties involved in committing violations against their own citizens.

2.2 Integrating resilience in different contexts

There are different types of crisis and shocks that can occur and adversely impact on the ability of affected populations to withstand and recover from their effects. Each poses a unique set of challenges and therefore requires a response strategy that is context-specific, flexible, adaptable and informed by an analysis of underlying causes and immediate needs. A solid response strategy will ensure efficient interventions with long-term sustainable impact can be put in place in order to effectively address the needs of the populations at risk, particularly children.

2.3 Coordination of efforts to promote resilience

Support provided to national and local governments and affected populations in situations of crisis requires a high degree of coordination in order to ensure efforts to build resilience and promote local capacities are effective in addressing priority issues and to avoid duplication or gaps in delivery. The protection of children cannot be achieved via the efforts of one individual, organization or sector. It requires the pooling of knowledge, skills and resources and joint problem solving between the local community, government organizations and humanitarian and development actors.

Good coordination is critical at both international and country level. It allows development and humanitarian actors to tap into their respective expertise and knowledge and ensure a comprehensive response that links relief to recovery and development and relates to the priorities of affected communities.

As a way of enhancing coordination among humanitarian actors in particular, the Inter-Agency Standing Committee (IASC) adopted the '**cluster approach**' in December 2005 as a mechanism to address identified gaps in response and enhance the quality of humanitarian action. It is part of a wider reform process aimed at improving the effectiveness of humanitarian response by ensuring greater predictability and accountability while at the same time strengthening partnerships among civil society organizations (CSOs), international organizations, the International Red Cross and Red Crescent Movement and UN agencies.

At the global level, the aim of the cluster approach is to strengthen system-wide preparedness and technical capacity to respond to humanitarian emergencies by ensuring that there is predictable leadership and accountability in all the main sectors or areas of humanitarian response.[7]

LIST OF GLOBAL CLUSTERS		
SECTOR OR AREA OF RESPONSIBILITY	**INTERNALLY DISPLACED PERSONS (IDPS) OR DISASTER SITUATIONS**	**GLOBAL CLUSTER LEAD**
Agriculture		▪ Food and Agriculture Organization (FAO)
Camp coordination/ management	▪ IDPs from conflict ▪ Disaster situations	▪ UN Refugee Agency (UNHCR) ▪ International Organization for Migration (IOM)
Early recovery		▪ United Nations Development Programme (UNDP)
Education		▪ United Nations Children's Fund (UNICEF), Save the Children
Emergency shelter	▪ IDPs from conflict ▪ Disaster situations	▪ UNHCR ▪ International Federation of Red Cross and Red Crescent Societies (IFRC) (Convener)
Emergency telecommunication		▪ Office for the Coordination of Humanitarian Affairs (OCHA) ▪ UNICEF ▪ World Food Programme (WFP)
Health		▪ World Health Organization (WHO)
Logistics		▪ WFP
Nutrition		▪ UNICEF
Protection	▪ IDPs from conflict ▪ Disasters/civilians affected by conflict (other than IDPs)	▪ UNHCR
Water, sanitation and hygiene (WASH)		▪ UNICEF

The cluster approach offers an enhanced opportunity for coordinating resilience efforts by providing a platform for:

- Capacity-building efforts of international, national and local actors for prevention, preparedness and crisis response
- Developing an exit strategy within on-going response efforts with long-term resilience goals and objectives
- Bringing together humanitarian and development actors to define immediate needs, priority actions and allocation of responsibilities.

2.4 International legal framework and core principles of humanitarian action

In addition to the Convention on the Rights of the Child (CRC), which applies to all children in all contexts, provisions for protecting children during humanitarian crises draw on the broader framework of international law – including international human rights law, international humanitarian law, refugee law and international criminal law. In addition to international conventions, relevant UN Security Council and General Assembly resolutions, the Guiding Principles on Internal Displacement and other soft law instruments provide normative frameworks for protection. (*For more information, see Annex 7.1.*)

States have the primary responsibility to ensure the human rights of their citizens are respected, protected and fulfilled. During times of humanitarian crisis, if States are unable or unwilling to fulfil this role, humanitarian organizations attempt to provide assistance and protection to populations in need. The way in which this assistance is provided can greatly affect the recovery of children, their families and communities.

As well as an additional legal framework that applies to humanitarian contexts, there is a different set of principles that guide humanitarian action. Known as '**humanitarian principles and standards of conduct**', these are based largely on international humanitarian law and the work of the International Committee of the Red Cross (ICRC). (*For more details, see Annex 7.2.*)

2.5 EU commitments to children in crises and risk-prone situations

In 2012, the European Commission adopted a Communication on '*The EU Approach to Resilience: Learning from the food security crisis*'. The communication is based on the Commission's significant experience responding to humanitarian crises and tackling the root causes of vulnerability and fragility – such as the massive recent drought crises in Africa where the Commission is focusing not only on immediate crisis response but also on fostering long-term food and nutrition security and on increasing the population's ability to cope with future droughts.

The communication outlines 10 steps for increased resilience and reduced vulnerability of the world's most vulnerable people. These steps include support for the design of national resilience strategies, disaster management plans and efficient early-warning systems in disaster-prone countries as well as putting forward innovative approaches to risk management through collaboration with the insurance industry. The communication also announced an Action Plan for Resilience for 2013 that will lay the basis for the implementation of the principles it outlines.

The Commission's flagship resilience initiatives to date are the Supporting Horn of African Resilience (SHARE) and l'Alliance Globale pour l'Initiative Résilience Sahel (AGIR-Sahel). The goal of the new communication on resilience is to use the experience

gained through these and other initiatives to make sure that EU support helps vulnerable communities not just survive disasters but become better able to cope with them and recover successfully. The lessons learned from these responses to food security crises will be used for other contexts and in other sectors as well.

The concept of resilience was also firmly on the international agenda as part of the 4th High-level Forum on Aid Effectiveness held in Busan in 2011. At the Forum, development actors committed to *"…ensure that development strategies and programmes prioritise the building of resilience among people and societies at risk from shocks, especially in highly vulnerable settings such as small island developing states. Investing in resilience and risk reduction increases the value and sustainability of our development efforts"*.

The European Consensus on Humanitarian Aid (2007)

In responding to humanitarian needs, particular vulnerabilities must be taken into account. In this context, the EU will pay special attention to women, children, the elderly, the sick and people with disabilities. Moreover, protection strategies against sexual and gender-based violence must be incorporated in all aspects of humanitarian assistance.

EU Guidelines on Children and Armed Conflicts (2010)

Long-lasting crises can have a devastating effect on children growing up in such a situation, creating 'lost generations' that risk extending the conflict and perpetuating violence and instability, since children will have known only violence and crises.

Beyond States' general commitments to promoting the rights of the child in all internal and external actions (*see Module 1: Overview of child rights in development cooperation*), the EU Agenda for the Rights of the Child (2011) sets out a specific commitment to **protect children in vulnerable situations**, which is especially relevant in emergency situations as well as in all phases of linking relief, rehabilitation and development (LRRD).

The EU's 2008 Staff Working Paper on Children in Emergency and Crisis Situations underlines that "**children are at the very heart of the Commission's humanitarian mandate**" and that they "are the part of the population most affected by humanitarian crises […as they] are easy prey for recruitment by armed groups for sexual exploitation, forced labour and international trafficking [and] they are frequently victims of violence and sexual abuse".

The document also recognizes that "children have needs which must be differentiated according to their specific circumstances (disability, HIV-positive status, displacement, etc.) and age" and addresses three specific issues that need attention:

- Separated or unaccompanied children
- Demobilization and reintegration of child soldiers
- Education in emergencies

The EU Guidelines on Children and Armed Conflicts (updated in 2010) particularly address the fact that "children have special short- and long-term post-conflict needs, such as for tracing of family members, redress and social reintegration, psycho-

social rehabilitation programmes, participation in disarmament, demobilisation and reintegration programmes as well as within transitional justice frameworks".

In line with the LRRD principles, the guidelines also acknowledge the "importance of ensuring coordination and continuity between the various policies and actions targeting the situation of children affected by armed conflict in the various policy areas, including external assistance and humanitarian aid".

2.6 Challenges

Securing the rights of children – which may be challenging enough in normal development contexts – becomes even more difficult in the context of humanitarian crises, particularly in relation to ensuring resilience concerns are built into emergency response and longer-term development efforts. This is due to a range of variables including:

- **Institutional silos** and differing timelines for response, priorities, resource allocation, staffing expertise and institutional mandates.
- **Increase in the number of operational actors**, where non-state actors do not see themselves as bound by human rights framework.
- **Multiple overlapping contexts:** In some situations, part of the country may be relatively stable, following a normal development strategy, while in others a localized crisis may be brewing over which the government may have little or no administrative control. A country may also experience a mix of natural disasters, social tension and armed conflict. One agency may therefore be required to take several different approaches to working there and in its relations with the government.
- **Sense of urgency and pressure to respond quickly:** Rapid onset crises may be characterized by a drastic administrative and social breakdown, and rapid humanitarian action must be taken to save lives and protect children. Yet not all crises are rapid as some may simmer, ebb and flow – this is particularly true of complex emergencies that are political in nature and linked to armed conflict. Low intensity conflict can last for decades.
- **Duty bearers as violators:** Elements within the government and non-state actors, two of the main duty-bearers in situations of armed conflict, often intentionally perpetrate gross violations of child rights as a part of deliberate plan, rather than due to lack of capacity. Sexual violence has been used as a weapon of war, meant to terrorize the enemy population or create pregnancies that would diminish an ethnic group. Armed forces and groups have included children in their ranks. Ethnic cleansing has been used to purge a particular group from an area. In some circumstances, governments or non-state actors have attempted genocide. In others, governments or insurgent groups have barred humanitarian aid from reaching vulnerable populations with the intent to deny those people necessary supplies. Sometimes they have looted those same supplies to use themselves or resell for a profit.
- **Diminished national capacity:** Humanitarian crises can result in the destruction of assets, create demands that cannot be met with existing capacity or lead to the redirection of national resources. CSOs can be important allies in assisting and protecting affected populations and act as powerful voices in demanding greater

accountability of government, UN agencies and others. These groups, however, also experience the same impacts on their administrative and programmatic capacity during a crisis and struggle to secure valuable resources.

3. Mainstreaming resilience in country programming

Building resilience is a long-term effort that needs to be firmly embedded in national policies and planning. Ensuring resilience strategies take child rights concerns into account will not only enhance the effectiveness and impact of assistance but will also inherently contribute to some of their strategic goals. In particular:

- In examining the immediate, underlying and root causes of a crisis, and calling on actors to prioritize and address these, a rights-based approach encourages investment in disaster risk reduction (DRR) and early warning preparedness, conflict prevention and post-crisis peace-building strategies, among others.
- In calling for a situational analysis, a rights-based approach demands that the broader economic, social and political context of a programme be considered in all phases and areas of interventions (this analysis can help to frame the often complex and cyclical nature of crises).
- In calling for capacity building, local ownership and sustainability, a rights-based approach encourages programme planners to ensure that humanitarian assistance is designed in such a way that the transitional phase is consistent with long-term development objectives and sustainability.

Some key strategies to ensure children feature within resilience-building efforts of country programmes are discussed in the next section.

3.1 Prevention and preparedness planning

Broadly defined, preparedness comprises activities and measures taken in advance to ensure effective response to the impact of hazards. Emergency preparedness efforts can ensure that governments have accurate and up-to-date information, prior to a crisis, about the population at risk and about their distinct vulnerabilities and capacities. They can also help governments identify gaps in their own preparedness and response capacity and inform efforts to eliminate those gaps before a crisis hits.

Preparedness efforts can also focus on reducing the exposure of population groups to risk and help direct resources to building the resilience of children and families. Involving different institutional and civil society actors – as well as different population groups, including children and adolescents – in preparedness planning is critical both to informing a rights- and evidence-based response and to building resilience.

To support prevention and preparedness planning efforts, development and humanitarian actors can undertake the following activities.

A. Anticipate crisis by assessing risks

It is important that multi-hazard and multi-sectorial risk assessments are carried out and their results are properly fed back through policy dialogue with national partners. Such an exercise should aim to identify and analyse the immediate and root causes of vulnerabilities to a crisis, the key actors responsible for reducing risks and the capacity needs to respond. Risk assessments, based on analysis of loss and estimation of potential future losses, are essential for informed decision-making. Governments, policy makers and other relevant key stakeholders should encourage the development and financing of plans for resilience in a coordinated and coherent manner across sectors.

Sample framework

- **Which** *significant hazards and threats pose the biggest risk to children and women? Where will these hazards happen? Who are the most vulnerable and therefore the most affected?*
  The risk identification and prioritization exercise should aim to identify the most significant natural and human-made hazards in the country and should be conducted involving the widest possible representation of governmental, UN, donor and non-governmental partners. The extent to which hazards, especially those related to conflict and social unrest, can be discussed will depend on the understanding and cooperation of the government. In some cases, planning around natural disasters can provide a suitable proxy for planning for more politically sensitive conflict hazards.
- **Why** *are these hazards affecting the most vulnerable with such force? What are the underlying and root causes of the vulnerabilities that are leading certain groups to suffer from the occurrence of natural or human-made disasters?*
  The roots of socio-economic vulnerabilities are often culturally, historically or politically entrenched and thus may not be corrected in the span of a humanitarian programme cycle. While programme interventions might be designed to increase the immediate and medium-term coping capacity of the groups at risk, they do not substitute for measures to address the root causes of vulnerabilities. Humanitarian and development actors should determine whether and to what extent politically sensitive basic causes – such as flagrant human rights violations, racial, ethnic, gender-based or religious discrimination, or corruption – can and should be addressed.
- **Who** *or which individuals and/or institutions have the duty to reduce these risks?*
  An emergency risk-informed situational analysis process should identify and analyse the roles of governmental and non-governmental regional, national and sub-national actors that have a primary accountability to reduce risks to children and women. Civil society and the private sector's capacities should also be included in this analysis.
- **What** *capacities are needed to address the most likely and highest impact emergency risks, both for those who are being denied their rights through vulnerability and those who have the duty to address these problems?*
  Capacities exist at household, community and sub-national and central government level, in neighbouring countries and the international community and within civil society, non-governmental organizations (NGOs) and the private sector. It is important to review all these capacities, exploring disparities at sub-national level as well as across different population groups.

Example: Early warning in practice

In Nepal, early warning systems supported by the EU proved their worth in August 2010. When flood levels on the Rapt River breached the warning level along the river, communities downstream were notified through a radio and telephone network. They had time to shift their essential and movable assets to higher and safer places. When the flood reached the villages, people had already got to safety. The early warning systems thus minimised losses of life and property.[8]

B. Build national capacities for preparedness and response

Capacity development is thought to bring the greatest results in building resilience and linking relief and development efforts. Investing in national capacities helps to ensure that the assistance provided is both life-saving and sustainable while also preparing people to be significant agents of future preparedness efforts.

What capacities should be built?

1. **Coordination and leadership**
   Coordination capacity as defined under the cluster approach clearly points to supporting the following capacities: policy development, strategy development, planning and priority setting, standard setting, performance monitoring and knowledge and information management. National capacity development is critical both in the preparedness, as well as recovery phases.

2. **Sector-specific programmatic approaches**
   Most elements of sector humanitarian response involve prioritizing, targeting and scaling up life-saving and protection interventions that are already part of programmes and services in a development context. The need in and of itself to scale up selected programme interventions may point to specific areas for national capacity development. In addition, experience in humanitarian action and recent developments within the clusters have prioritized innovative programmatic interventions – such as International Network for Education in Emergencies (INEE) 'Minimum Standards for Education: Preparedness, response, recovery', community-based management of severe acute malnutrition, and psychosocial programming, to name a few – that require development of new capacities among national actors.

3. **Mobilization of resources and operations management**
   Governments should be able to mobilize resources, including supplies, human resources, expertise, logistics, funds and information. They should be able to manage the internal and external process for doing this.

4. **Early warning and preparedness planning**
   Contingency planning for potential emergencies and comprehensive early warning systems, which include data collection and analysis and structures in ministries, are seen as other important functions as illustrated by the nutrition crisis in Niger, for example.

5. **Risk reduction**
   Risk reduction occurs at multiple levels and it is critical to incorporate an integrated approach – focusing on information and knowledge sharing, multi-stakeholder platforms, resilience and adaptation – as well as traditional early warning strategies. National capacity development for risk reduction should focus on developing coping strategies at the community level while also linking with national leadership and existing standards, policies and platforms. Local knowledge and culture should be centre stage in all risk reduction efforts; while there are commonalities in terms of frameworks, approaches and tools, the end results need to reflect local needs, capacities and traditions.[9]

Two-track approach to service provision: Haiti

In the context of extremely weak central governance structures in Haiti, pursuing a two-track approach at national and sub-national levels showed the comparative advantage of UNICEF and its partners to support service delivery at both levels. At the sub-national level, UNICEF sought to build capacity of local governance structures and strengthen community efforts to support and maintain sustainable interventions. At the national level, UNICEF supported the national government to exercise its normative, regulatory role, rather than focusing strictly on service delivery in the aftermath of the earthquake. UNICEF also played a major part in promoting services and building capacity outside of the capital and this aided the decongestion of Port-au-Prince and the decentralization of service provision.

To that end, it is important to also identify who the key stakeholders are, to analyse the relative capacities and gaps of each group and to identify concrete actions needed to build the capacity of actors to ensure emergency response capacities and long-term preparedness are in place.

See Tool 7.1 on identifying capacity assets and needs for crisis response.

C. Invest in early warning systems

Early warning refers to the process of providing timely information through systematic information gathering and risks analysis about potential emergencies that permit judicious and better-informed preparedness and response to the emergency. Early warning systems can, for example, provide affected populations with the opportunity to flee from the effects of a natural disaster, enable local authorities to shelter or relocate large numbers of people in advance of a flood or hurricane, provide information on the occurrence of a public health hazard and enable a faster response to problems of food insecurity. Warnings issued well in advance also enable people to protect some property and infrastructure. It is therefore critical for development actors to support the development of early warning systems that can lead to significant reductions in loss of life and property damage.

Having efficient early warning systems in place can also allow development programmes to act quickly and adapt as necessary. Such long-term programmes may be positioned to respond to forecasts of a crisis as development actors are already on the ground, have established links with communities and government bodies and have staff and partner organizations in place.

Information provided through such early warning systems in turn needs to be systematically linked to policy and decision-making at the local and national levels. For example, emerging data on child malnutrition should be informing food security and sustainable agriculture policies.

4. Entry points for engagement: Prioritizing children within resilience-building efforts

4.1 Support national capacities for disaster risk reduction (DRR)

Supporting national capacities for DRR[10] is critical for reducing further vulnerability and risk in the aftermath of an emergency. DRR is a systematic approach to identifying, assessing and reducing that risk. Specifically, its purpose is to minimize vulnerabilities and disaster risks throughout a society in order to avoid (prevent) or limit (mitigate and prepare for) the adverse impacts of natural hazards and facilitate sustainable development.

Examples: Resilience in practice

Kenya: UNICEF-led community consultations in the arid zone sought to promote the role and voice of women in identifying vulnerability and capacities.

Vietnam: Changes to behaviour in water saving, efficiency and conservation were made in drought/flood prone areas.

Niger: Conditional cash transfers promoted essential family practices in food-insecure areas.

Central Asia: Risk analysis led to an adapted education programme that trained 10,000 teachers/disaster management actors and 380,000 children on school safety.

DRR approaches are often consonant with 'building back better', which can largely address 'hardware' or infrastructural issues. It is crucial to remember that they must also support the 'software' or human recovery issues.

'Building back better' does not mean merely building back 'nicer' or even technologically better; it should mean building better in terms of resilience and sustainability, linking physical rehabilitation with social recovery and transformation. Capacity development and participatory approaches help ensure that both 'hardware' and 'software' approaches are well-designed interventions – including participation and ownership – that can be a foundation for assisting social transformation.

See Tool 7.2 on integrating child rights concerns in DRR programming.

4.2 Support participation of children in local planning, risk assessments and monitoring

Setting in place effective resilience-building measures will mean nothing without the organized participation of local communities themselves. Their full engagement and contributions are key to progressing the resilience and sustainable development agendas.

As children, adolescents and youth often make up more than 60 per cent of crisis-affected populations, supporting their positive engagement in prevention, preparedness and recovery efforts is an important aspect in fostering more inclusive societies. Their sustained participation in community and national efforts can contribute to their own positive development and sense of well-being. (*See Module 3: Child participation.*)

Children can play a number of roles in the prevention, preparation for, response to and recovery from crises. They are able to contribute to policies and planning processes, play a part in the design of assessments and evaluations, gather data and provide information, act as child rights advocates and raise awareness of problems. Older children may even be involved in the delivery of services.

Work with children in emergencies has demonstrated the importance of not only ensuring respect for the right of children to be active participants in such circumstances, but also ensuring the most positive outcomes for their recovery[11]. Consideration should be given to the following actions in order to promote opportunities for children's engagement in ways which will make optimum use of their potential contribution both for themselves as individuals, for other children and their communities[12]:

- **Prepare children in advance in emergency preparedness, response and first aid.** Community-based disaster-risk reduction and response mechanisms that involve children before an emergency help children survive and may enable them to help others. Those who work on these mechanisms should be trained to work with children and young people to leverage their potential and participation in emergency relief and recovery.

Example from the field: Teaching younger children

In Bihar, India, floods come every July. Schools are used to store relief material and close for the duration of a water disaster. In many districts now, children have roles in the post-flood period. These include caring for and teaching other children. Teenage children look after younger children and children without parents or those whose parents are working away from home. Makeshift schools are created in flood shelters and teaching times are adjusted to accommodate children who have to work, such as those who are responsible for grazing cattle. Children of 12 years teach others about social issues such as child marriage and child labour.[13]

- **Involve children as social agents in their own right**, with the capacity to influence their situation positively. They should be acknowledged and accepted as strategic partners, with recognition of their role as essential resources for community development rather than as problems. Their views should be elicited in the assessment, design, implementation, monitoring and evaluation of programmes. There is a growing body of evidence of the significant contribution that children are able to make in conflict situations, post-conflict resolution and reconstruction processes following emergencies.
- **Recognise children's competencies and strengths**, and focus on regenerating resiliency as understood by those children and their elders. Children need opportunities to talk about those issues of concern to them and to be involved in wider issues of immediate local concern. This will help them to learn problem-solving skills and to gain a sense of control over their lives. And sharing grief with others may help children to overcome their sense of loss.
- **Provide safe space for interaction with peers** and promote positive opportunities for children and young people to come together and to organize themselves and their own programmes. Programmes should encourage children's active participation in decision-making, problem-solving, team building and peer mentoring to reinforce individual attributes in children that contribute to self-esteem, self-efficacy and coping. For example, children in refugee camps can be encouraged to contribute to their own safety and well-being through the establishment of children's forums.
- **Support children's existing actions, projects and groups** and find out what children and young people are already involved in and who is working with them. Through these networks, it is possible to consult with children and learn from them about local issues and their concerns.
- **Develop child protection approaches which build upon local resources and local understandings of children and adults.** Children need security and safety to enable them to achieve healthy development even in emergencies. This can be achieved through the creation of a "protective environment" which should include the provision of services, the establishment of supportive systems and networks, the guarantee of security and laws and the existence of policies to enable their implementation. There can be risks as well as benefits associated with adolescent participation. In post conflict situations, the right of adolescents to participation may be at odds with their right to protection. Conflicts can arise over control of resources and people. In highly politicized situations it can be dangerous for children and adolescents to take on public roles. Throughout all emergency work, it is essential to ensure that effective child protection policies, procedures and mechanisms are in place and that all staff are trained in these systems.
- **Develop capacities of children by** supporting older children to teach younger children, and to enable them to provide psychosocial support and care to younger children.
- **Partner with local agencies who work with children:** This can be more efficient than trying to build up the capacities of other agencies' staff during an emergency. It is important to ensure though that the capacities or agendas of local agencies are not undermined in the process.

4.3 Ensure integrated programme approaches and strategies

Building resilience requires humanitarian and development actors to work differently and more effectively together. Given the multi-faceted aspects of resilience building, efforts must be multi-sectoral, multi-partner, multi-level and jointly planned by humanitarian and development actors over the short, medium and long term. It also requires more flexible policies and funding mechanisms as well as more effective coordination and sequencing between humanitarian and development work.

See Tool 7.3 for a checklist for assessing integration of resilience and child rights concerns in funding proposals.

Development and humanitarian actors should therefore put in place integrated programme approaches that can be used to link up different sectoral commitments as well as to strengthen the interconnections between the different phases of prevention, preparedness and humanitarian action. Such integration can be achieved by:

- Using DRR to minimize vulnerabilities and reduce disaster risks for children and women in all programming through investing in early warning and emergency preparedness and strengthening resilience to disasters.
- Ensuring a critical role for preparedness that will lead to a rapid, effective and timely humanitarian response.
- Managing results and standards to ensure that the sum of all interventions is sufficient to achieve the expected results. This is driven by strategic management decisions based on and informed by up-to-date data, assessments, benchmarks, targets and performance monitoring.
- Commencing development interventions in parallel with the humanitarian response in order to sustain the results of life-saving interventions and strengthen capacities at the community and national levels to reduce vulnerability to future crisis risk.

Better linkages, coordination and streamlining between development and humanitarian programming can ensure more effectiveness (including cost-effectiveness) and efficiency in all assistance efforts. Successful resilience-building efforts require increased understanding and interaction between humanitarian and development actors through capacity building, training and awareness raising. Reinforcing the existing coordination arrangements between the different humanitarian and development actors should also be considered.

Getting the right sequencing and timing of response actions and planning processes is critical. Emphasis on planning early recovery should not detract from assessing and addressing immediate needs, nor should it divert resources from the response. At the same time, the emergency response is an opportunity to build on and develop systems, providing the impetus to develop or reactivate policies and approaches.

4.4 Engage in joint needs assessments

A core hurdle to coordination – and to determining 'who does what, where and when' – between humanitarian and development actors in protecting child rights and building resilience has to do with the lack of joint situation and needs analyses. It is important that development and humanitarian actors engage in joint situation analysis, undertake a needs assessment and develop a consolidated response building on their respective strengths and weaknesses in order to ensure truly coordinated action.

On-going assessments and situation analyses provide critical tools through which to ensure that child rights are being met. They help build an understanding and evidence base of the context from a political, humanitarian, security, economic, social and cultural perspective. They also help identify those actors who have a responsibility to secure rights for children and those who can most speedily and appropriately take the necessary action.

Joint humanitarian-development assessments are necessary to identify the scale and nature of the impact of the crisis on the situation of children and women and to identify priority humanitarian actions. Needs assessments are usually undertaken in series. In an unstable context, new assessments may be required as an area or group of people becomes newly accessible or as a situation changes dramatically. Similarly, as a situation progresses, information is required in greater depth. Each assessment should be designed to take into account pre-crisis data, existing information systems and local data, thus updating and expanding analysis of the situation. In addition to assessing the needs of the population, it should also assess the extent to which boys, girls, men or women may be impeded from participating or benefiting equally from any project or service.

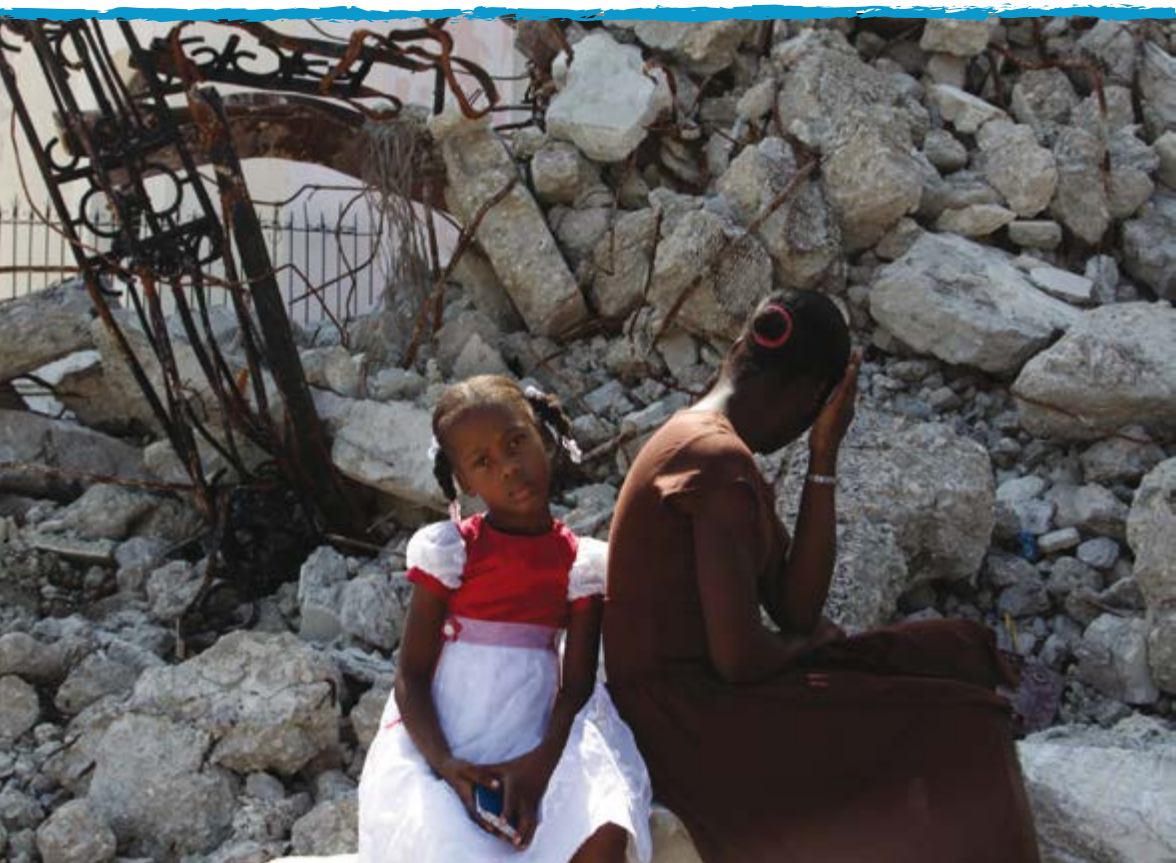
When a team begins to work in a crisis situation, it should seek to understand the operational environment and how that affects work with and for children. Information on the context in which development and humanitarian actors will be expected to deliver services can be captured through a contextual analysis exercise.

See Tool 7.4 on factors to consider for contextual analysis.

Child rights-based assessment and analysis should be used in all phases of prevention, preparedness, response and recovery efforts. Furthermore, it should be noted that gender-blind assessments can lead to services that don't address distinct needs of boys and girls, can waste resources, or in some instances can cause harm. For example, the preparedness phase offers an important opportunity to guarantee that policies, procedures and planned practice will reach all children in an impartial way and to ensure that children and their caregivers know their rights and how to claim them during a crisis. In assessing the impact of an emergency and preparing for recovery, for example, information is required to understand the context, to determine programming priorities and to design appropriate strategies.

See Tool 7.5 for a summary of the key interagency assessments and frameworks.

In order to respond to this coordination challenge, the European Commission developed a methodology in 2011 to design a 'Joint Humanitarian Development Framework' (JHDF) for transition situations.[14] This integrates different views, the analysis of ongoing and/or planned EU interventions and the identification of strategic priorities, which are essential to develop a common understanding of the situation at hand and to harmonize policies and approaches.



Module 7 Tools & Annexes

TOOLS

Tool 7.1 Identifying capacity assets and needs for crisis response

The purpose of this tool is to show the types of questions that could be included in a capacity assessment. While these may be indicative, organizations undertaking a capacity assessment would need to develop a comprehensive question set that is relative to the local context and the sectors being assessed.

INDICATIVE QUESTION SET: IDENTIFYING CAPACITY ASSETS AND NEEDS FOR CRISIS RESPONSE	
AUTHORITY	
Government	▪ Does the government body have unhindered and consistent access to the affected area? If not, who does? ▪ Does the agency have sufficient status with the government to allow it to carry out its mandate? Does the national child rights commission have the authority to coordinate other ministries in preparing to protect and promote child rights during crisis?
Civil society	▪ Does it have the organizational and legal mandate? Is the organization licensed with the government to care for separated children or orphans?
LEGISLATIVE, REGULATORY AND POLICY FRAMEWORKS	
Government	▪ What regulations are in place to secure child rights during crisis? Where are the gaps? Does the military have standard operating procedures for treating captured or surrendered child soldiers that respect the juvenile justice standards?
Civil society	▪ What standards do local civil society organizations apply when working with children?
HUMAN RESOURCES	
Government	▪ What are the staffing needs for the agency to meet its child rights obligations? Does the social welfare department have sufficient staff for outreach and monitoring activities? Does it have officers trained to address the psychosocial needs of children? ▪ What should be included in the job description of responsible officers? Is an understanding of child rights included? ▪ Is the assessment team comprised of both male and female data collectors to consult with affected population about sensitive issues?
Civil society	▪ Does the organization have sufficient staff to deliver services? Does the NGO have staff trained in ethical protection monitoring? Does it have enough administrative staff to ensure the functioning of the organization? Can it meet the demands being placed on it by its partners?
KNOWLEDGE AND INFORMATION MANAGEMENT	
Government	▪ What are the agency's knowledge and information needs in terms of child rights and rights-based approaches? What training do staff of different levels receive on protection and promotion of child rights in times of crisis? What are the training needs of the organization's staff? ▪ What are the agencies sources of information on child rights? How is this information organized and applied? How does knowledge influence policy and practice?

Civil society	▪ What are the organization's knowledge and information needs in terms of child rights and rights-based approaches? What are the training needs of the organization's staff? ▪ How does the organization access and share knowledge on child rights internally? ▪ How is information shared with the organization by its partners?
LEADERSHIP	
Government	▪ What are the leadership needs of the agency to ensure that child rights are protected and promoted? ▪ Where do leaders need to be located in the agency/system?
Civil society	▪ What information and skills do community leaders need in order to better protect children in their area? Do community leaders understand child rights principles and apply them? ▪ What skills do community leaders have on which to build? How have they prevented child recruitment in their areas?
MATERIAL RESOURCES	
Government	▪ What material resources does the agency need in order to meet its responsibilities? Does the social welfare department have the necessary equipment to undertake case management? Does the education department have tents or alternative structures for schools damaged in a disaster?
Civil society	▪ Does the local NGO have the equipment it needs to monitor malnutrition, for example?
ASSESSMENT AND PERFORMANCE MONITORING	
Government	▪ What aspects of agency performance should be monitored? ▪ How are they being monitored?

Tool 7.2 Operational guidance: Integration of child rights concerns into DRR programming[15]

OPERATIONAL GUIDANCE: INTEGRATION OF CHILD RIGHTS CONCERNS INTO DRR PROGRAMMING	
OUTCOME	**SUPPORTING STRATEGIES**
1. DRR for children and women is a national and local priority	▪ Promote the inclusion of child-focused DRR in poverty reduction strategies (PRS) and national development plans and related policy and budget instruments ▪ Collaborate with governments, UN, NGOs and other partners to advance the implementation of the Hyogo Framework for Action ▪ Promote the voice and participation of girls, boys, adolescents/ young people and women in DRR
2. Different risks faced by girls, boys and women are identified and addressed	▪ Include a robust assessment of disaster risk, including related vulnerabilities and capacities in situation analysis, data collection and monitoring and other child-focused research ▪ Promote sub-national vulnerability and capacity assessment in high-risk contexts as appropriate; ensure assessment is informed by a gender and rights analysis ▪ Include monitoring of risk in programme management, review and evaluation cycle ▪ Promote and strengthen national systems to assess and monitor risk, including people-centred early warning systems ▪ Collaborate with NGO partners and others to establish an evidence and research base on disaster risks with a focus on differential vulnerabilities and capacities of girls, boys and women
3. Safer and more resilient conditions for girls, boys and women	▪ Promote DRR knowledge and awareness at household and community level through communication for development ▪ Strengthen school safety and the formal and non-formal education of children in DRR and climate change adaptation ▪ Ensure water, sanitation and hygiene facilities are protected from hazards and contribute to resilience ▪ Strengthen child protection systems and social policy strategies to reduce risks posed by disasters ▪ Promote health and nutrition strategies to increase safety and resilience ▪ Promote in specific high-risk contexts an integrated programming approach linking national development and policy processes to community resilience frameworks; ensure approach is informed by a gender and rights analysis
4. Strengthened humanitarian preparedness, response and early recovery	▪ Support the capacity development of national and sub-national partners in preparedness and response including early recovery approaches ▪ Support UNICEF led/co-led humanitarian clusters to advance DRR including capacity development of national and sub-national partners mentioned above ▪ Strengthen UNICEF internal capacities in preparedness, early warning and response with an early recovery approach.

Tool 7.3 Checklist for assessing the integration of resilience and child rights concerns in funding proposals

The following is an example of a checklist designed to help project managers assess the extent to which funding proposals take into account child rights and resilience concerns. The questions should be considered indicative and not all the questions need to be answered. These questions can be adapted to assess the content of different funding proposals.

A needs assessment is an essential first step in designing a humanitarian response that is effective and safe and restores dignity. Key questions to consider include:

NEEDS ASSESSMENT CHECKLIST		
GENERAL		
Does the needs assessment disaggregate population data by sex and age? Are distinctions made between different age groups of children, including adolescents? Comments:	Yes	No
Does the needs assessment identify the most vulnerable groups and specify their distinct needs and priorities? Comments:	Yes	No
Does the needs assessment make specific reference to child rights? Does it identify specific protection risks faced by different groups? Comments:	Yes	No
Have systematic patterns of discrimination and inequality been identified and, if so, which groups are more affected? Comments:	Yes	No
Does the needs assessment identify both the immediate consequences of the crisis on children and their families as well as the underlying causes? Comments:	Yes	No
Does the needs assessment identify a range of stakeholders? Does it identify their capacities and gaps (i.e., in capacity or will) that could aid or hinder the response? Comments:	Yes	No
Is the assessment based on direct consultations with distinct population groups (men, women, boys, girls, ethnic minorities, disabled)? Have these groups been consulted separately and together? Comments:	Yes	No

Does the assessment include a combination of qualitative and quantitative data? Comments:	Yes	No
ACTIVITIES: Activities in the project sheets should reflect the findings of the rights-based needs assessment and should be rights-based to the extent that they adopt a multi-sectoral holistic approach that addresses immediate and underlying causes.		
Do the activities include provisions to address and respond to the most vulnerable and/or discriminated against? Comments:	Yes	No
Do the activities include provisions for prevention and protection from rights violations? Comments:	Yes	No
Do the activities reflect a holistic, multi-sectoral response? Comments:	Yes	No
Are the activities designed in a way to address immediate as well as underlying causes of rights gaps? Comments:	Yes	No
Do the activities establish mechanisms for the participation of children and their families in the design, implementation and monitoring of programmes? Do they establish mechanisms for feedback from the crisis-affected community? Comments:	Yes	No
Are activities designed in a way to build the capacity of rights holders and duty bearers and thus promote sustainability? Comments:	Yes	No
Are the activities carried out at micro, meso and macro levels in order to affect long-term change? Comments:	Yes	No
OUTCOMES		
Do the intended outcomes aim to affect institutional and/or behavioural changes (i.e., a change in the performance of rights-holders to exercise and claim their rights and of duty-bearers to respect, protect and fulfil these rights)? Comments:	Yes	No
Do outputs describe new skills and abilities, products or services that address the capacity gaps of rights holders and duty bearers? Comments:	Yes	No

Tool 7.4 Operation guidance: Factors to consider for contextual analysis

This type of analysis makes use of several different sources of information and research methods. During the first round, the relief team usually seeks to pool all existing sources to produce a composite picture of the situation. Sources will vary depending on the type and duration of the crisis but will typically include government documents from the concerned ministries, NGO reports and newspaper articles/wire stories.

When primary data collection methods are used, particularly in complex emergencies that are very political in nature, it is critical that information provided cannot be traced back to specific respondents. The protection of those participating in assessments and surveys is paramount.

In the initial stages, information is required to determine broad programme priorities. The process of prioritization rests on a judgment of what is most devastating to the people affected by the emergency and what is most appropriate and achievable.[16]

Having determined broad priority areas, humanitarian actors will need to plan how best to deliver the resources, services and technical support. Contextual factors need to be analysed to determine appropriate operational and/or advocacy strategies.

The following questions need to be asked repeatedly over the weeks and months of emergency response. None are static and thus the situation requires on-going attention to enable the organization to respond in a relevant and responsible way.

LOCATION	
What areas have been affected by the conflict or natural disaster?	Comments:
POPULATION	
How many children are estimated to be living in those areas?	Comments:
What are the typical characteristics of sub-groups of the population (in terms of religion, ethnicity, language, livelihood, household structure, physical location, etc.)? Do they affect people's access to services, resources and information?	Comments:
Which children are at greatest risk? Why?	Comments:

DISPLACEMENT	
Have people been displaced? To which areas?	Comments:
What are the conditions?	Comments:
HUMANITARIAN ACCESS	
Where has humanitarian access been permitted?	Comments:
What has the process for securing access involved?	Comments:
CONFLICT DYNAMICS: In situations of armed conflict, humanitarian teams should have a strong grasp of the dynamics that influence tensions and seek to minimize the degree to which programmes worsen the situation. This is at the core of the 'do no harm' principle. Conflict analysis will aid organizations in minimizing their contribution to the conflict.	
Which groups are fighting?	Comments:
Which areas do they control?	Comments:
What are the main drivers of conflict (economic, political, social)?	Comments:
What are the main sources of revenue?	Comments:
HUMAN RIGHTS SITUATION	
Which rights are not being respected? Why?	Comments:
Are there existing (or potential) concerns regarding human rights violations through violence, exploitation or abuse?	Comments:
What are (or might be) the motivations for such violations (e.g., economic, political, familial, entrenched discrimination, psychological)?	Comments:

Tool 7.5 Key interagency assessment tools and frameworks

Assessment for the purpose of contingency and response planning allows for an understanding of the situation of affected children, thereby facilitating the effective targeting of assistance. A number of inter-agency assessment tools and frameworks currently exist for humanitarian action and post-crisis recovery, though this system is still evolving and governments also have their own tools that they apply in a crisis. Child rights processes and outcomes must be mainstreamed into each of the tools listed below. Most of these tools examine immediate needs of the affected community and therefore the data they collect may not be limited to children and may not include the depth of information that relief workers with a child rights focus may require.

ASSESSMENT TOOL WITH PURPOSE AND LEVEL OF STANDARDIZATION AND TIMEFRAME		
TOOL	**PURPOSE AND LEVEL OF STANDARDIZATION**	**TIMEFRAME**
Contingency plans	▪ Assists an organization to prepare a contingency plan to reduce vulnerability and respond to natural disasters and armed conflict. No standard inter-agency format for these plans, though the Inter-Agency Standing Committee (IASC) has guidance on what should be included in a plan (*see below*).	▪ Pre-emergency
Emergency rapid assessment	▪ Collects data on those issues that are critical to the immediate security and survival of the population.	▪ As soon as possible following a rapid onset crisis
Post-conflict early recovery rapid needs assessment (PC-ERRNA)	▪ The development of this tool was initiated by UNDP. It seeks to identify needs in the early recovery phase and, while it can focus on survival, its main focus is development and the building of national capacity.	▪ Following a cease-fire or an end to armed conflict
Post-conflict needs assessments (PCNAs)	▪ A standardized version of this tool is currently under development within a tripartite group consisting of the UN, World Bank and EC.	▪ Following a cease-fire or peace agreement; requires degree of stability
Post-disaster needs assessments (PDNAs)	▪ A number of different agencies have PDNAs that address a particular aspect of post-disaster response. Governments also have their own.	▪ After the immediate emergency response phase has stabilized

The key standards and indicators informing these needs assessments and monitoring frameworks draw from a number of sources, including:

- Child Protection Working Group, Minimum Standards for Child Protection in Humanitarian Action, 2012.
- Inter-Agency Standing Committee (IASC) Operational Guidance for Coordinated Assessments in Humanitarian Crisis, 2012.

- Inter-Agency Standing Committee (IASC) Gender Handbook in Humanitarian Action: Women, girls, boys and men – different needs, equal opportunities, 2006
- International Network for Education in Emergencies (INEE), Minimum Standards for Education: Preparedness, response, recovery, 2010.
- The Sphere Project, Humanitarian Charter and Minimum Standards in Disaster Response.

Within the IASC, other standards and indicators are under development within the clusters and in the Needs Assessment Task Force.

ANNEXES

Annex 7.1 Key international instruments to protect child rights in emergency settings

International human rights law

Child rights are protected under international human rights law: the set of international rules, established by treaty or custom, on the basis of which individuals and groups can expect and/or claim certain behaviour or benefits from governments without discrimination.

In addition to the Universal Declaration of Human Rights, which forms a key pillar of the work of the United Nations, the main international treaty sources include the:

1. International Covenant on Civil and Political Rights (1966)
2. International Covenant on Economic, Social and Cultural Rights (1966)
3. Convention on the Prevention and Punishment of the Crime of Genocide (1948)
4. Convention on the Elimination of All Forms of Racial Discrimination (1965)
5. Convention on the Elimination of All Forms of Discrimination against Women (1979)
6. Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (1984)
7. Convention on the Rights of the Child (1989).

The main regional instruments are the European Convention for the Protection of Human Rights and Fundamental Freedoms (1950), the American Declaration of the Rights and Duties of Man (1948) and Convention on Human Rights (1969) and the African Charter on Human and Peoples' Rights (1981).[17]

The Convention on the Rights of the Child

The Convention on the Rights of the Child (CRC) occupies a special position when considering the integration of child rights in humanitarian action and post-crisis recovery. Unlike several of the other international human rights instruments, the CRC does not include clauses that suspend any of its provisions during hostilities, the implication being that these rights must be secured for children equally in times of war and in times of peace.

International law in armed conflict/international humanitarian law

In situations of armed conflict, whether international or non-international, international humanitarian law comes into effect to complement international human rights law. The core documents are the four Geneva Conventions of 12 August 1949 and the two Protocols of 1977.

Fundamental to international humanitarian law is the distinction between the civilian population and combatants. It protects persons who do not, or no longer, take part in hostilities and regulates the methods and means of warfare between parties to a conflict. Armed forces and armed groups must at all times distinguish between civilians and combatants in order to spare the civilian population, civilian property and materials essential to civilian survival.

International humanitarian law offers special protection for children in the areas of education, prevention of recruitment, reunification and safe areas. Article 3, common to all four Geneva Conventions, and Protocol 2 place constraints on the conduct of non-international armed conflict and contain provisions that serve to protect women and children.

Refugee law

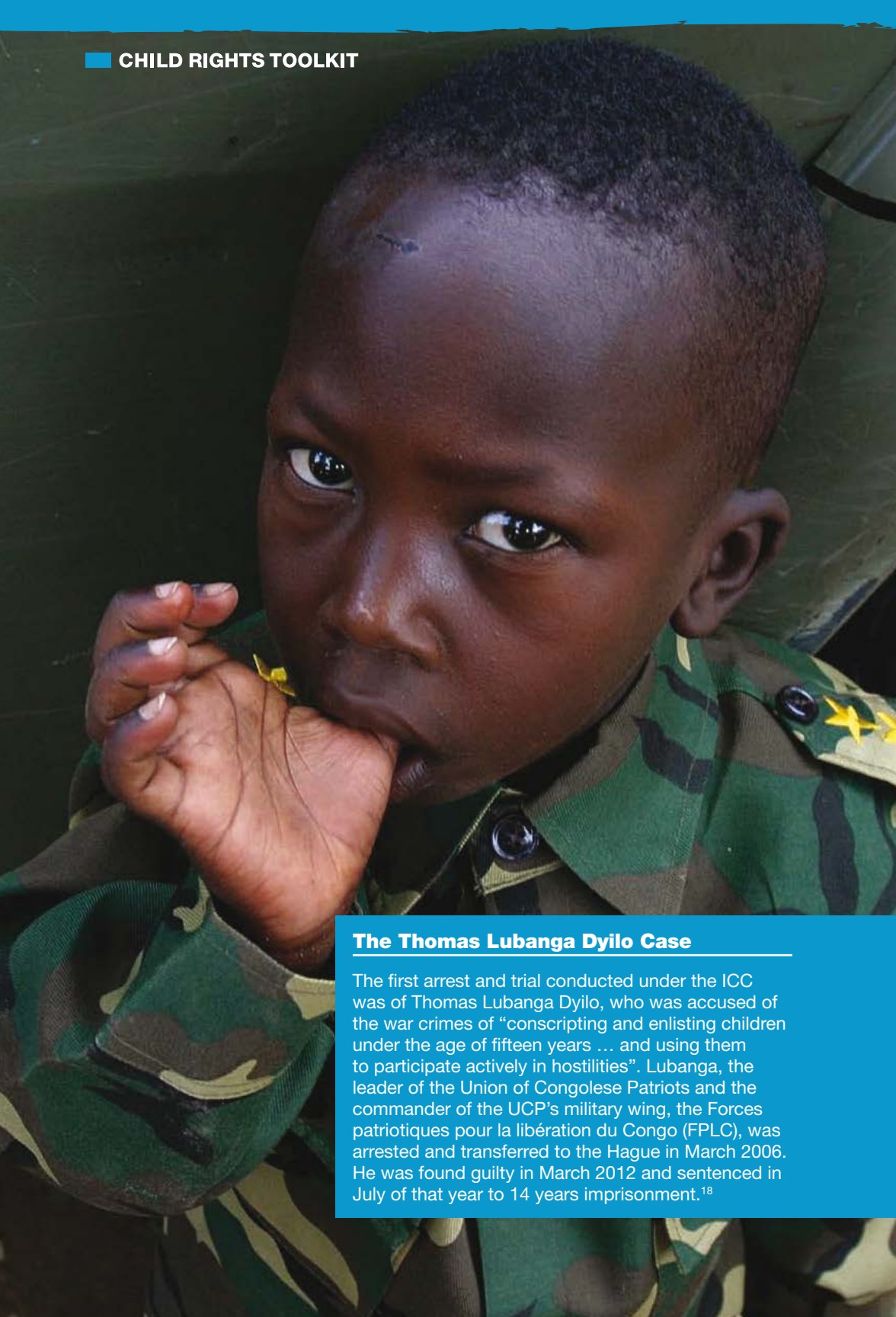
The 1957 Convention relating to the Status of Refugees and its additional protocol offer another layer of protection to conflict-affected children who have been displaced across international boundaries. It seeks to secure treatment for them equal to children in the host community and protect them from being forced back to an area that is unsafe.

International criminal law

The Rome Statute of the International Criminal Court is used to hold individual leaders accountable for genocide, crimes against humanity and war crimes. While the Rome Statute is not part of international humanitarian law, it aims to ensure that those who commit grave crimes, including breaches of such law, do not go unpunished. As of the end of 2009, it had been applied to investigate and hold accountable government and insurgent leaders in Central African Republic, Democratic Republic of Congo, Sudan and Uganda.

The adoption of the Rome Statute in July 1998 was an important step forward in terms of providing legal protection to civilians in non-international armed conflicts.

- The Statute defines actively involving children under 15 in hostilities or their recruitment into national or international armed forces as a war crime.
- It recognizes rape, sexual slavery and other forms of sexual violence as a war crime and a crime against humanity.
- Special provisions are set out for the protection of children as victims and witnesses of armed conflict.
- Children below the age of 18 years are exempted from prosecution by the court, since its role is punitive rather than rehabilitative.



The Thomas Lubanga Dyilo Case

The first arrest and trial conducted under the ICC was of Thomas Lubanga Dyilo, who was accused of the war crimes of "conscripting and enlisting children under the age of fifteen years … and using them to participate actively in hostilities". Lubanga, the leader of the Union of Congolese Patriots and the commander of the UCP's military wing, the Forces patriotiques pour la libération du Congo (FPLC), was arrested and transferred to the Hague in March 2006. He was found guilty in March 2012 and sentenced in July of that year to 14 years imprisonment.[18]

Customary and soft law

Populations affected by conflict are also protected by the 1996 Guiding Principles on Internal Displacement. The Principles were developed in response to the massive levels of displacement generated during war and natural disaster in the 1990s. They are intended to prevent displacement; ensure that those persons forced to migrate have rights equal to those who have not and that their special vulnerabilities are addressed; and ensure a safe and dignified return or relocation to another site within the country.

Basic rule: children must be given special protection

Child civilians (selected rules):

- Children must be provided with special treatment.
- Zones should be established to protect civilians (including children) from hostilities.
- Children should be removed from besieged areas and evacuated from areas of conflict only for reasons of health and safety (and with the consent of an appropriate adult and identification).
- Children should be granted priority in the provision of necessities.
- Children should be kept with their families when possible and reunited with them if separated.
- Neither the death penalty nor a life sentence without possibility of release should be imposed on children who were under 18 at the time of the offence.

Children recruited or used by armed forces or groups (selected rules)

- Children under 15 must not be used to participate directly in combat.
- No children under 15 should be recruited.
- When recruiting between the ages of 15 to 18, priority must be given to those who are oldest.
- When children do participate in armed conflict under the age of 15 and are captured, they must be given special treatment as children.

Annex 7.2 Humanitarian principles

GA Resolution 46/182, which established the present system of UN coordination in humanitarian crisis, lists the three core principles guiding humanitarian action. These are:

1. **Humanity:** Human suffering must be addressed wherever it is found, with particular attention to the most vulnerable in the population such as children, women, the displaced and the elderly. The dignity and rights of all those in need of humanitarian assistance must be respected and protected. The humanitarian imperative implies a right to receive humanitarian assistance and a right to offer it. At times, humanitarian access to civilian populations is denied by authorities for political or security reasons. Humanitarian agencies must maintain their ability to obtain and sustain access to all vulnerable populations and to negotiate such access with all parties to the conflict.
2. **Neutrality:** Humanitarian agencies must not take sides in the hostilities or in controversies based on political, racial, religious or ideological identity (non-partisanship/independence). Transparency and openness are key issues to keep neutrality. Neutrality for an organization that has taken on a rights-based approach must not, however, be an obstacle to tackling human rights violations. Neutrality is not a justification for condoning impunity or turning a blind eye to egregious human rights abuses. It does not negate the need for some form of action, whether through strategic advocacy, simple presence, political demarches, local negotiations, etc.

   Neutrality also requires that humanitarian actors be clear about the specific and limited circumstances in which military assets can be used: only as a last resort (where there is no comparable civilian alternative); the operation as a whole must remain under the overall authority and control of the responsible humanitarian organization; and any use of military assets should be clearly limited in time and scale. The military and civil defence assets of belligerent forces should never be used to support humanitarian activities.
3. **Impartiality:** Aid is delivered to all those who are suffering; the guiding principle is only their need and the corresponding right. Human rights are the basis and the framework for an assessment of needs. This principle includes both proportionality to need (where resources are not sufficient, priority is always given to those most affected) as well as the principle of non-discrimination (no one should be discriminated against based on their sex, age, ethnicity, identity, etc.). It is crucial to emphasize state responsibility in ensuring that aid is delivered in an impartial way.

In addition, humanitarian actors also adhere to the following four humanitarian principles:

1. **Do no/less harm:** Although aid can become part of the dynamics of the conflict and may even prolong it, humanitarian organizations must strive to 'do no harm' or to minimize the harm they may be inadvertently doing simply by being present and providing assistance. Humanitarian actors need to be aware of this and take steps to minimize the harm when, for example, aid is used as an instrument of war through denying access or attacking convoys; aid is an indirect part of the dynamics of the conflict because it creates jobs, gives incomes in form of taxes, leaves no or little

responsibility on the state for social welfare, etc.; or aid exacerbates the root causes of the conflict by securing rebel activities. To minimize possible longer-term harm, humanitarian organizations should provide assistance in ways that are supportive of recovery and long-term development.

2. **Accountability:** There are four stakeholders in the provision of aid assistance: the beneficiary community, the national/local authority, the donor and the aid agency. Within this relationship, international aid agencies shall hold themselves accountable to both the beneficiary communities (that their needs for assistance and protection are met, with dignity) and the donors (that assistance is provided for the proposed purpose). Coordination among organizations is thus a key part of this principle. National/local authorities, for their part, shall hold themselves accountable for the protection, safety and well-being of populations living in areas over which they claim control.
3. **Participation of affected populations, in particular women and children:** Humanitarian action tends to look at short-term needs and forget the responsibilities of the aid community to give sustainable aid in a way that realizes the right of affected populations to participate in decisions that affect their lives. It is, however, important to build on capacities in the affected population and promote the participation of beneficiaries in all humanitarian activities. Participation raises questions, namely 'participation of whom?' (women, men, girls and boys of diverse backgrounds, traditional and modern institutions, etc.); 'participation for what?' (the objectives of participation, e.g., to facilitate targeting of programmes, to ensure buy-in of local populations, etc.); and 'how to do participation?' (e.g., how to address discrimination in participatory processes, how to ensure that people engaged and participating in the aid process will not themselves be targets of human rights violations and stigmatized as the result of their participation).
4. **Respect for culture and custom:** Understanding local customs and traditions is, of course, important not only in carrying out humanitarian work but also in understanding local values when connecting them to internationally recognized human rights. While local culture and customs vary, human rights are universal and applicable to all human beings, no matter what the cultural setting, and must be paramount. Some interventions require particular sensitivity to local customs. For example, in dealing with survivors of rape, it is important to be aware of how rape and survivors of rape are perceived in the local community in order to best respond to their needs.

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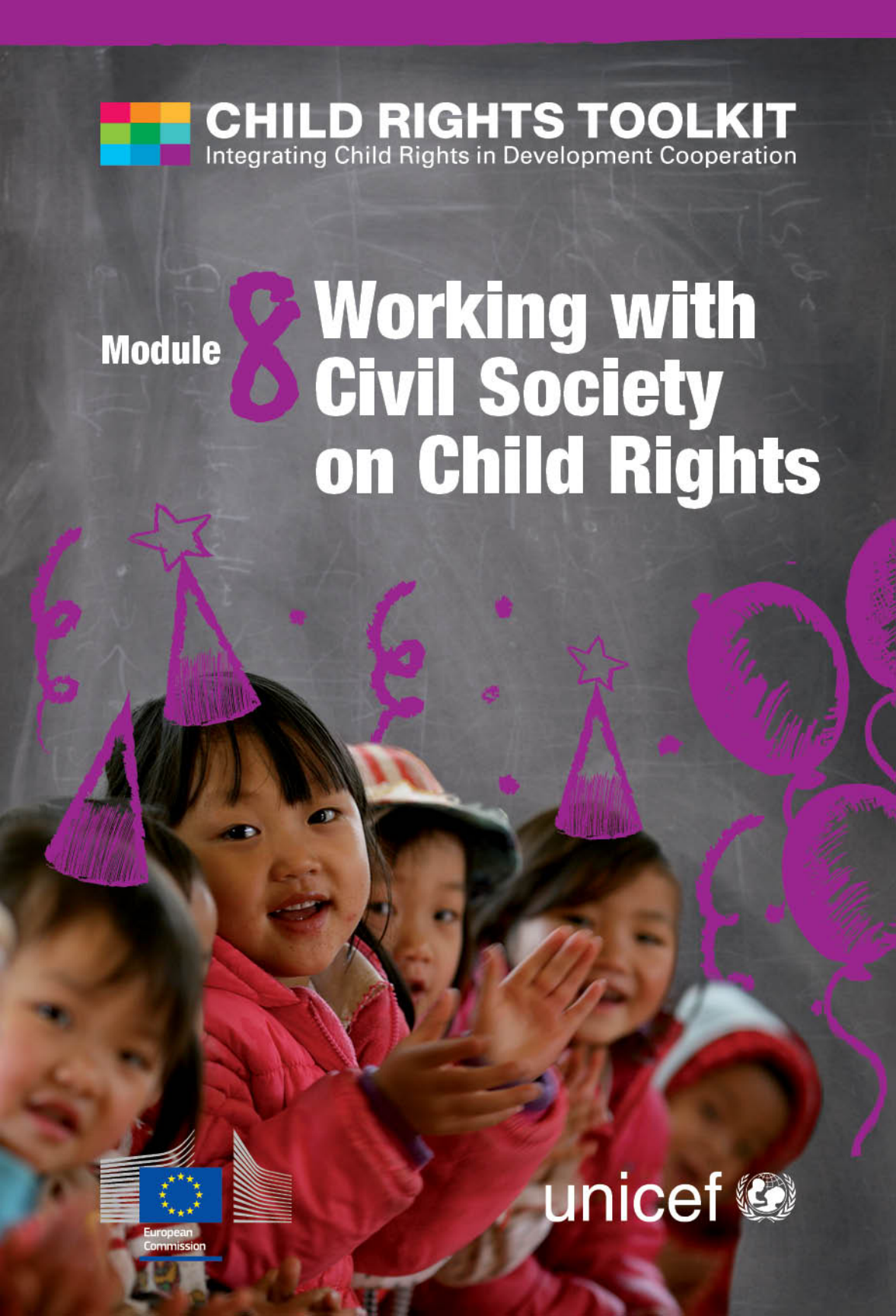
CHILD RIGHTS TOOLKIT

Integrating Child Rights in Development Cooperation

Module 8

Working with Civil Society on Child Rights



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ACRONYMS AND ABBREVIATIONS

CBO	community-based organization
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CIVICUS	World Alliance for Citizen Participation
CODENI	Nicaraguan Coalition for Children
CRC	Convention on the Rights of the Child
CRDP	Convention on the Rights of Persons with Disabilities
CRIN	Child Rights International Network
CSO	civil society organization
GIM	Global Impact Monitoring
IATI	International Aid Transparency Initiative
NGO	non-governmental organization
PRSP	poverty reduction strategy paper
UNDP	United Nations Development Programme

1. Introduction

In many countries, advances in child rights have been strongly influenced by the efforts and dedication of civil society. At the global level, civil society organizations (CSOs) were critical in drafting and achieving the ratification of the Convention on the Rights of the Child (CRC), and they remain key players in the promotion and monitoring of its implementation.

CSOs also play a vital role as providers of essential services, often filling an important gap and serving those otherwise unreached. They can exert a powerful influence on society by challenging dominant political views, economic ideas, social attitudes and behaviours and by devising innovative solutions to public problems.

The international community has progressively acknowledged and supported CSOs as development actors in their own right. This was reaffirmed in a series of high-level forums on aid effectiveness starting in Rome in 2003, since when CSOs have been recognized as essential contributors to domestic accountability. The vital role of civil society in development and the importance of creating an enabling environment for its activities were also reiterated in the 2008 Accra Agenda for Action and 2011 Busan Partnership for Development Cooperation. In many countries, however, an active and meaningful engagement with CSOs has yet to be put into practice.

The political and policy environment in which CSOs operate impacts their capacity for effective participation in development efforts. This module highlights recommendations for fostering an enabling environment for cooperation with CSOs by addressing some of the major barriers to civil society's involvement. Practical guidance on preparing for joint child rights initiatives with civil society outlines methods for ensuring that the most appropriate CSOs are identified for the particular type of collaboration envisioned.

The effectiveness, credibility and sustainability of the child rights agenda require the active participation of all segments of society, including governments, donors, CSOs, the private sector, communities, parents and children.

Within the context of most donor-supported programmes of development cooperation, 'work with civil society' is generally conceived of as a cross-cutting strategy. In other words, engagement with civil society is not viewed as an end in itself but rather as a means of strengthening the impact of development objectives that focus on particular aspects of the development agenda, such as governance, education, health or gender equality. The same can be said of the role of civil society within the context of child rights programmes. Engaging civil society represents an opportunity to not only mobilize broad-based social and political support for the CRC, but also to direct civil society's attention and efforts towards the social processes that have the greatest potential to significantly impact the rights and well-being of children.

CSOs and aid effectiveness

Support for CSO engagement in the child rights agenda is consistent with several principles and statements issued in recent years. Both the 2005 *Paris Declaration on Aid Effectiveness* and the 2008 *Accra Agenda for Action* emphasize national ownership of the aid agenda and call for public participation in the implementation of development programmes.

From a child rights perspective, the principle of ownership needs to extend beyond government and encompass ownership of the development process by a nation as a whole. Specifically this means that civil society engagement and efforts to systematically engage children, their parents and their communities in the development process are necessary qualities of ownership.

1.1 Purpose and objectives

This module presents tools and resources designed to support donors to strategically engage with civil society in child rights programming. It also provides practical guidance for how donors can support the creation of an enabling environment for child-focused CSOs to operate in.

Question: How many CSOs working in your country have an impact on children?

Answer: All of them. Whether or not they work in a traditionally child-focused area, all CSOs affect children and can incorporate a focus on child rights into their work.

Selected country and regional examples are designed to show how CSOs are supporting child rights by examining the situation of children in their countries, lobbying decision makers to ensure that public policies reflect the interests of children, strengthening the delivery of essential services, mobilizing public support for improved childcare practices and education and monitoring and reporting on the actions of government to uphold children's rights.

In this module we will:

1. Explain the rationale of donor engagement with CSOs on child rights and identify entry points for engagement
2. Provide recommendations for implementing successful, meaningful and strategic engagement with CSOs to further child rights
3. Define the key steps in assessing the enabling environment and supporting space in which CSOs can operate to promote child rights
4. Explain how working with CSOs can be mainstreamed in all phases and sectors of cooperation

2. Key concepts and considerations

2.1 What is civil society?

The term *civil society organizations* embraces a wide range of actors with different roles and mandates. While definitions have varied over time and across institutions and countries, the EU considers CSOs to include all non-state,[1] not-for-profit, non-partisan and non-violent structures through which people organize to pursue shared objectives and ideals – whether political, cultural, social or economic. These include non-governmental organizations (NGOs) such as those representing national and/or ethnic minorities, local citizens' group and traders' associations, cooperatives, trade unions, organizations representing economic and social interests, consumer organizations, women's and youth organizations, academic, cultural, research and scientific organizations, universities, cross-border associations, independent political foundations and community-based organizations (CBOs). Operating at the local, national, regional or international levels, CSOs include urban, rural, formal and informal organizations.

The table below provides a simple, and by no means exhaustive, typology of CSO actors and functions. It is important to note that the categories listed are not mutually exclusive and that many organizations have numerous different functions. In many instances, the CSOs themselves are best placed to determine where they fit within the typology of civil society associations.[2]

Each category of civil society represents an important social perspective. Working with a range of CSOs is essential for engaging a broad cross-section of society in child rights programmes.

TYPOLOGY OF CSO ACTORS AND FUNCTIONS			
CATEGORY	**COMPOSITION**	**ACTIVITIES**	**EXAMPLES**
Non-governmental organizations (NGOs)	Defined membership; autonomous; non-profit; voluntary or professional; defined organizational structure	Focus on public interests; deliver services to vulnerable groups; implement development projects with agencies or government; conduct research; monitor progress on public issues; lobby government on social, economic or political issues; facilitate capacity development in public and non-profit sectors; coordinate actions of NGOs	International humanitarian NGO; international development NGO; national development NGO; national advocacy NGO; NGO federations and networks; think-tanks and research institutes
Membership organizations	Defined membership; non-profit; autonomous; voluntary; may have defined organizational structure	Focus on collective group interests; represent and advocate for members' interests; social activities	Labour unions; professional and business associations; women's associations
Religious communities	Defined or open membership; non-profit; voluntary; may have defined organizational structure	Focus on collective group and public interests; represent and advocate for institutional interests; service provision for members and communities	Churches; mosques; prayer groups; bible study groups; youth associations; faith-based educational systems; faith-based development programmes
Community-based organizations (CBOs)	Defined or open membership; non-profit; autonomous; voluntary; may have defined organizational structure	Focus on collective group interests within the community; intermediary between individuals and community or government officials; mutual help; service	Credit and mutual aid societies; women's groups; youth groups; development groups; market-based groups; farmers'

		provision; social events and activities	associations; neighbourhood associations; community associations; sports clubs; drama groups
Social movements and popular organizations	Unrestricted unit; non-profit; voluntary; loosely organized with defined leadership (in some instances)	Focus on collective group or public interests; protest; mobilize popular and political support	Political protest groups; advocacy campaigns; social movements; civic forums

CSOs do not represent a unified social force or a coherent set of values but are as diverse as the people and causes they represent. Furthermore, the nature and structure of civil society varies tremendously across different geographical, cultural and political contexts. Any analysis of the role and influence of civil society must therefore proceed from an understanding of the socio-political framework in which CSOs operate.

2.2 Why work with civil society to advance child rights?

CSOs have a critical role to play in advancing child rights

Civil society contributes to child rights in countless ways on a daily basis. At the grass-roots level, examples include local associations of parents that meet to improve the quality of education in neighbourhood schools, and cooperatives of market women that pool resources in order to loan a member the money needed to buy medical supplies for her sick child.

At the national and international levels, civil society plays an important role in advocating for policies and programmes that promote child rights. CSOs typically function as intermediaries between families and communities on the one hand and governments and donors on the other. By monitoring the situation of children and identifying bottlenecks to the implementation of the CRC, CSOs support governments in delivering commitments made under the Convention. In addition, they ensure that the voices of children, women and other marginalized social groups are represented in decisions that concern them.

Civil society actors also promote and protect the best interests of the child in other ways, such as supporting the delivery of essential services to communities that would otherwise be excluded by public sector services, monitoring the health and well-being of children, raising public awareness on issues related to child rights, advocating for child rights legislation and raising public awareness on issues related to child rights. For example, UNICEF and the Asian Cricket Council partnered to develop advocacy initiatives to enhance regional awareness of the UNICEF Girls' Education '25 by 2005' Initiative, using the opportunities provided through cricket matches and associated functions and events.

Child Rights Advocacy: Nicaragua

After Nicaragua ratified the CRC in 1990, 30 national CSOs formed the Nicaraguan Coalition for Children (CODENI) to lobby the government for a national child rights law. After four years of intense lobbying by CODENI and like-minded allies, Nicaragua passed national legislation in 1994 that mirrored the mandates of the CRC. CODENI then redirected its energies to the implementation of the new National Child Rights Law, monitoring application and enforcement at the national level. A coalition of CSOs, the Mayors' Friends of Children, also worked with small community organizations to promote adherence to the law at the municipal level. These child-focused campaigns culminated in the creation of the National Commission for the Promotion and Defence of the Rights of Children. By 1998, the Commission had successfully lobbied for a formal Code of Childhood and Adolescence, which recognized child rights as a moral and legal obligation under Nicaraguan statutes. The Code's approval lent considerable momentum to child-focused CSOs in Nicaragua; child rights are no longer merely socially desirable, but are the legal responsibility of the government.[3]

CSOs possess unique assets that can be leveraged to extend the reach and impact of child rights initiatives. Organizations that operate within communities, for example:

- *Have unparalleled access to and knowledge of* the local culture and of the children and families who live there
- *Can mobilize communities and enable vulnerable/marginalized groups* – including women, persons with disabilities and the young – to access the mechanisms for social dialogue and building pro-poor policies
- *May have influence over public actors*, such as local parliaments, local authorities, technical working groups and ministries that are important to the work of external organizations.

The role of CSOs in advancing child rights is recognized in all types of economies, including higher-income countries. In addition to advocacy and awareness-raising activities that have led to the adoption of the CRC and of other international instruments that have a global impact on the situation of children, national CSOs everywhere in the world have been key in increasing governments' social and human rights accountability.

HOW DO CHILD-FOCUSED CSOs WORK FOR THE IMPLEMENTATION OF THE CRC?	
Advocating for legal improvements as they mobilize public and political support and working on law reform	Translating the CRC into domestic law is a complex and lengthy undertaking that targets a range of legal entities and processes. Harmonization of the Convention and national legislation remains incomplete among many of the 193 CRC signatories. CSOs and individual citizens can positively influence legislative reform by acting as watchdogs for state procedures and by encouraging policy makers to translate their legal obligations into practice. (*See Module 2: Child rights in programming and sector policies.*)
Engaging with governments in policy-making through evidence-based dialogue on child-friendly policies, budgets and public services	CSOs must be present, have a voice and have access to the resources necessary to contribute to key national development processes and poverty reduction strategy papers. Umbrella organizations may bring together like-minded civil society actors to discuss shared objectives and coordinate actions to maximize the impact of child rights strategies.
Influencing national budgets and public sector support for child-friendly services by participating in the social budgeting process	Evidence shows that social budgeting not only helps extend public services to vulnerable groups, including children, but can also help curb clientelist practices and other corrupt behaviours within government. (*See Module 6: Child-responsive budgeting.*)
Monitoring and assessing public performance on child rights as independent observers	Since their involvement in the formulation of the CRC in 1990, CSOs have assumed a major role in monitoring States' progress in its implementation.

Delivering essential services and provisions to children in vulnerable, hard-to-reach or conflict-affected communities	CSOs are uniquely positioned to deliver relief to children and other vulnerable groups in humanitarian emergencies and post-crisis transitions. They also have an important role to play in disaster preparedness and response. National CSOs often have a distinct advantage in these areas due to their proximity to target groups, knowledge of local contexts and relatively flexible administrative structures. In Myanmar, for example, UNICEF partnered with eight local NGOs in order to facilitate the delivery of health, water and sanitation programmes in the wake of Cyclone Nargis. Similarly, international NGOs with local staff and a longstanding presence in communities have helped safeguard the rights of children in the midst of many of the worst armed conflicts and natural disasters in modern history. (*See Module 7: Child rights in crisis and risk-prone situations.*)

The CRC and its Optional Protocols require all government signatories to submit State Party reports, an overview of progress made in implementing the CRC, every five years. In many countries, national and international NGOs supplement the government report with their own alternative report, an assessment of the status of children and the government's commitment to the CRC *(see box)*. These reports provide a wealth of information on the status of child rights in countries around the globe.

Alternative reports

The purpose of alternative or shadow reports is to supplement, or 'shadow', the report of the government of a particular nation to the CRC Committee. CSOs should look into such questions as: are there gaps in the official report; are there misrepresentations; are the assumptions, analysis and emphasis correct?

The NGO Group for the CRC has developed a 'Guide for Non-Governmental Organizations Reporting to the Committee on the Rights of the Child'.

Donors have strong commitments to working with CSOs

Donor commitments to engaging with CSOs are consistent with the principles and statements issued by development cooperation in recent years. The 2005 Paris Declaration on Aid Effectiveness emphasized national ownership of the aid agenda and called for public participation in the implementation of development programmes. The 2008 Accra Agenda for Action took this a step further, particularly regarding 'national ownership', promoting coordination among CSOs and between civil society and governments, while recognizing that CSOs have distinct voices and perspectives that must be considered in development dialogue.

The EU's policy framework for civil society engagement has shifted considerably over the past few decades. Participation of civil society as a principle of cooperation activity is enshrined in the European Consensus. The EuropeAid strategy papers for 'Non-State Actors and Local Authorities in Development' also identified as a strategic objective the promotion of an "inclusive and empowered civil society in developing countries".[4]

Emphasis is placed on a strong actor-oriented programme, "aiming at capacity building through support to initiatives by non-state actors and local authorities from the EU and partner countries in the developing world".[5] The 2011 'Increasing the Impact of EU Development Policy: An agenda for change' also explicitly refers to the specific role civil society plays in development policies and development cooperation.

Non-state actors and local authorities are close to the grassroots and, hence, have extensive knowledge of local communities and broad networks to reach them. This know-how and infrastructure is very valuable when it comes to determining the development needs of local communities, allocating resources and overseeing projects.

EC's enhanced and more strategic approach to working with civil society was further defined in its recent 2012 Communication on 'Europe's Engagement with Civil Society in External Relations'. The communication calls for engagement with CSOs to be mainstreamed in all instruments and programmes and all sectors of cooperation and puts forward three priorities for EU support:

- To enhance efforts to promote a conducive environment for CSOs in partner countries
- To promote meaningful and structured participation of CSOs in domestic policies of partner countries, in the EU programming cycle and in international processes
- To increase local CSOs' capacity to perform their roles as independent development actors more effectively.

2.3 Challenges of engaging with CSOs on child rights

CSOs may face challenges of representativeness, transparency, internal governance and capacity, dependency on international donors as well as competition over resources exacerbated by the economic crisis.

Engaging with and partnering with CSOs on child rights involves a number of challenges, including:

- **Capacity constraints and challenging environments in which CSOs operate:** Many CSOs face monumental challenges that erode their effectiveness. These include weak capacity, loose organizational structures, tenuous or divided political contexts and a lack of familiarity with the donors and governments that influence the financial and political environments in which they operate.
- **Varying commitment to the principles of child rights:** Given the diversity among CSOs, it would be a mistake to assume that they all subscribe to the principles and standards enshrined in the CRC. The dynamics of civil society typically reflect the social norms and behaviours that animate society at large; in certain contexts, civil society actors may explicitly or implicitly reinforce social values or attitudes that actually contradict child rights. A key challenge, therefore, is to raise awareness of the roles and responsibilities of civil society actors as duty-bearers in order to align civil society processes with the promotion of child rights.

Aid effectiveness

Against the backdrop of the aid-effectiveness agenda, donors centred their discussions on the State-donor relationship and their own division of labour, creating a gap in certain cases in the dialogue with CSOs. Therefore, more reflection is needed on the impact of the aid effectiveness process on CSOs and their potential role, added value and required support. To this end, the 2012 EC Communication specifically aims to strengthen engagement with CSOS, including at the operational level, through the introduction of EU roadmaps at country level.

The remodelling of aid architecture also favoured the implementation of new aid modalities such as budget support, sector-wide approaches and sector policy support programmes. These open up new opportunities for CSOs, challenging States and donors to:

1. Include CSOs that have not focused on the technicalities of aid delivery, notably the more recent debates on the implementation of the new aid modalities and budget support
2. Use the opportunities opened up by the new aid modalities to help civil society actors disengage with their 'culture of dependency' towards external funds.[6]

3. Mainstreaming work with CSOs into country programming

3.1 Context analysis for working with CSOs

Understanding the operational environment

Understanding the environment in which CSOs operate is of critical importance to donors' ability to strategically engage with them. The operational environment affects CSO's overall performance, ability to play their role and capacity to provide social benefits.

See Tool 8.1 on conducting a quick assessment of the enabling environment as it relates to the promotion and protection of child rights.

The analysis of the CSOs' enabling environment will also help in devising a clear and well-thought-out division of labour: donors, state agencies, CSOs and other development actors should each do what they do best. When done right, combining the strengths of individual partners has the potential to transform societies through stronger advocacy for children's rights, greater aid effectiveness, innovative approaches and the cross-fertilization of ideas.

Some basic questions for consideration in understanding the political and economic environment within which CSOs operate include:

1. What is the institutional context for civil society? Is there domestic legislation governing the registration and operational conduct of CSOs?
2. What is the political climate for civil society? Is the government supportive of an active and autonomous civil society sector? Are there limits to this support? Are sub-national government authorities receptive to civil society's involvement in public affairs?
3. What are the structural characteristics of civil society? What types of associational life constitutes civil society at the community, sub-national and national levels? What are the main sources of funding for civil society?
4. How cohesive is civil society? Is the relationship among the different organizations marked by collaboration, indifference or competition? Is civil society stratified along political, cultural, ethnic or geographic lines? If so, do these demarcations affect prospects for CSO collaboration? Are there umbrella or network bodies for civil society?
5. Where do the social influence and political power lie within civil society? Which interest groups are represented in civil society? What types of organizations do poor and vulnerable groups join? Are these groups represented at the national level? Which groups have access to donors and policy makers? Which organizations or individuals within CSOs are perceived as influential by civil society, donors and government?
6. Is civil society broadly regarded as credible and accountable? How is the civil society sector perceived by the general public? How do the mainstream media perceive civil society? How do CSOs disseminate information or engage the public in policy debates or operational activities? How is civil society perceived by government?

3.2 Identifying potential partnerships

Development actors often choose CSO collaborators on the basis of either previous experiences with particular CSOs or their reputation, with preference given to CSOs that are well known to governments and media outlets. While this tendency is understandable, it can undermine the potential for new relationships with other child rights advocates. This section presents tools for mapping CSOs and analysing their capacity and core values to identify appropriate prospective CSO partners.

Mapping CSOs to evaluate their strengths and weaknesses

One way to identify potential CSO partners is through mapping those organizations involved in child rights to evaluate their relative strengths or weaknesses. Analysing the comparative strengths of a cross-section of CSOs and understanding the environment in which they are working can help you determine, for instance, how large a role civil

society can play in plans and activities that advance children's rights. It can also inform the development of longer-term strategies for civil society engagement.

The mapping exercise can take a variety of forms.[7] It should, however, go beyond simply identifying and enumerating CSOs working in the area of child rights. The aim is to understand the relationship between the state and citizens and the process by which citizens request government's action and try to resolve social, economic and political issues of public interest.

The design of a mapping exercise largely depends on the programme focus of the group doing or commissioning the research. For instance, when looking for CSOs that will advocate for child rights within a poverty reduction strategy consultation, it is important to map organizations that not only have the relevant technical and thematic expertise but also represent a broad cross-section of social interests, including rural and urban perspectives as well as different ethnic, religious and cultural or linguistic groups. A mapping of the main non-state actors within a particular geographic or sectoral area provides an opportunity to identify potential CSO partners to help meet specific shorter-term child rights objectives.

Tips for mapping CSOs

- Identify any prior mappings that may be of use before undertaking a new exercise.
- Do not limit your analysis of the results obtained through the mapping to a search for the best or strongest CSOs. Also look for trends across different organizations to identify factors, such as constraints, that are common to all organizations. This can inform initiatives undertaken later to develop the capacity of civil society.
- Identify/include CSOs that can have an impact on children's lives and children's rights without having a specific child rights focus.
- Consider the following key issues:
  - » mandate, mission and core values
  - » degree of interest and child-focus/sensitivity
  - » areas of expertise and results of past interventions
  - » level of capabilities (economic, human, political, socio-cultural, and so forth)

See Tool 8.2 for general steps to be followed when undertaking a mapping exercise.

Tool 8.2 can be used in a variety of contexts, including when a full CSOs mapping has already been done or when it is preferable to conduct a quicker mapping exercise that is more specific to child rights. It can also be used to support the development of country roadmaps for engagement with CSOs, as called for by the 2012 EC Communication on CSOs.

Analysing the capacity of potential partners

Following the mapping exercise, assess the capacity of CSOs in order to identify prospective partners and avenues for engagement.

These assessments can also help a CSO understand how it can best contribute to a particular initiative and pinpoint measures that might need to be taken to build its capacity.

Capacity development is an opportunity to nurture the growth of CSOs that have technical and organizational competencies for child-focused programmes and policies. Equipping national CSOs with the knowledge and skills to advocate for and implement programmes and policies that promote the best interests of children is a key aspect of sustainable and nationally owned development.

Tips for assessing the capacity of civil society actors

- Tailor the assessment to meet the specific requirements of the prospective collaboration. For example, a formal partnership for service delivery would require more stringent financial and managerial capacity assessment than an informal relationship focusing on advocacy.
- Verify responses with relevant documentation, such as a statement of organizational principles or programme evaluations.
- Read responses received from CSOs against an in-depth analysis of their operational environment in the country.

See Tool 8.3 for a general overview of the types of issues that could be considered when doing a capacity assessment.

Analysing the core values of potential partners

As part of the process of identifying potential CSO partners to advance child-rights programming objectives, an assessment of their core values and integrity must be conducted. The partner should be committed to the core values of the CRC, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of Persons with Disabilities (CRPD). The partner's published literature, website or other publically available documentation may be used to make this determination or, if such information is not available, interviews with the leadership, with organizations that have previously worked with the partner and/or past beneficiaries may provide the needed information for an informed assessment. If the potential partner is not committed to these values, to the extent possible and feasible, introduce efforts to advocate for changes to the organization's charter and mission consistent with these values.

See Tool 8.4 for checklist for assessing CSOs integrity and core values from a child rights perspective.

4. Recommended interventions: Structured process for engaging with CSOs

While many development agencies have established policies and procedures for civil society engagement, relatively few agencies operate programmes that are specifically dedicated to civil society and child rights. Relationships between donors, governments and civil society actors need to be carefully selected, monitored and strengthened to achieve their full potential. This section provides operational guidance for planning collaborative initiatives with civil society, beginning with the creation of an enabling environment.

4.1 Creating an enabling environment for governments and donors to cooperate with CSOs

Development actors have a major role to play in facilitating an enabling environment for work with civil society on child rights and on delivering results for children. The commitment to creating an enabling environment for civil society was reiterated in 2011 at the Fourth High Level Forum on Aid Effectiveness in Busan. Since Accra, assessments of the climate for civil society action in recipient countries have identified recommendations for supporting an enabling environment for civil society.[8]

After the Jasmine Revolution in Tunisia, a support programme for economic recovery was made available [by the EC] to the Government on condition that it adopted a new law on freedom of association. This law amended conditions used by the previous regime to control this freedom.[9]

Donors and governments can help to ensure that CSOs are present, have a voice and have access to the resources necessary to contribute to key national development processes, such as poverty reduction strategy papers (PRSP) and social budgeting. They can encourage partner governments to host national consultations and ensure national development plans are representative of the development priorities of all sectors of society, including children, women and vulnerable groups. This will ensure that the content of the PRSP is grounded in the social realities of all citizens, including children. Indeed, experience from around the world shows that the scope and quality for civil society engagement in national development plans varies from context to context. The strength and value of this participatory process largely depends on political will for meaningful consultation, government capacity for organizing national dialogue and civil society's ability to contribute evidence-based inputs to the process.

Tips for creating an enabling environment for CSOs

- Apply peer pressure through diplomacy and political dialogue
- Strengthen efforts to monitor CSOs' enabling environment
- Promote CSO-led monitoring initiatives
- Strengthen capacity of public authorities to work constructively with CSOs.

Governments and donors must redouble their efforts to ensure that space exists for CSOs to contribute to development and setting priorities for children through a process of genuine national dialogue. An inclusive and participatory process not only ensures that the content of development priorities reflects the interests of children and vulnerable groups but also helps to broaden ownership of the agenda, increasing the likelihood that citizens will actively support and monitor the strategy's implementation.

An enabling environment for CSO effectiveness[10]

Recognize CSOs as development actors in their own right

- Affirm and ensure the full participation of CSOs as independent development actors
- Differentiate CSOs from other development actors such as the private sector

Structure democratic political and policy dialogue to improve development effectiveness

- Include diverse views, particularly those from grass-roots social organizations, women's organizations and indigenous peoples' representatives
- Ensure transparency and clarity of purpose and process, freedom to access information (including country strategies and programme plans) and access to documentation in the languages of those being consulted
- Conduct consultations in a timely manner in order to inform decisions
- Recognize the responsibilities and contributions of other actors, especially parliamentarians and local government
- Make available appropriate resources to enable full participation of stakeholders

Be accountable for transparent and consistent policies for development

- Establish policies that define the place and role of CSOs in donors' strategic frameworks and plans, including country-level programme implementation plans

Enable financing for CSO development effectiveness

- Take a long-term, results-oriented perspective
- Include core institutional support
- Provide access to financing for a range of CSOs, including support for different-sized CSOs
- Promote the mobilization of local resources
- Support the full range of CSO programming and innovation, including policy development and advocacy

4.2 Promoting meaningful and structured participation of CSOs to achieve child rights objectives

Promoting CSO participation in domestic policies is crucial to furthering the child rights agenda and the realization of the CRC. Some concrete areas in which this could be done include the following:

- *Legislative reform*, the process of translating the CRC into domestic law, is a complex and lengthy process that targets a range of legal entities and processes and represents an important opportunity for donors and governments to engage child-focused CSOs. Encouraging civil society's participation in the legislative process can help to ensure that laws and policies reflect States' commitment to the CRC so that child rights are fully reflected and supported. Furthermore, the active involvement of CSOs in legislative debates and processes promotes public ownership and accountability.
- CSOs can directly influence public sector support for child-friendly services by participating in *social budgeting processes*. Evidence suggests that participatory social budgeting not only helps extend public services to vulnerable groups, including children, but can also help to curb clientelist practices and other corrupt behaviours within the government. Observers attribute the success of the social budgeting process to its openness and transparency – the process is open to anyone who wishes to be actively involved. This inclusivity encourages citizens to take ownership of the budget from the very beginning of the process and to feel a sense of responsibility for the budget's impact on services within city neighbourhoods. In addition, when residents help allocate public resources to community development priorities, they are more likely to support the budget's effective implementation over the longer term.
- CSOs can complement and strengthen *public service delivery* in contexts where governments lack adequate human and financial capacity to ensure the systematic delivery of public education, health, water, sanitation and hygiene (WASH), nutrition and child protection services to children. For example, UNICEF and Helen Keller International (HKI) work closely to combat malnutrition and blindness in children. Joint projects include child nutrition programmes as well as support for children affected by blindness, trachoma, onchocerciasis (river blindness), cataracts and vitamin A deficiency.

Tips for promoting CSO participation in national policy development and implementation on child rights

- Support structured and effective mechanisms for dialogue between CSOs and national authorities at all levels
- Support dialogue schemes that are country-, sector- and actor-specific and offer opportunities for multi-stakeholder participation
- Support the creation of networks and coordination mechanisms to bring together various sectors to promote child rights
- Understand civil society's relationships with other CSOs and public development actors
- Give clear indications on how CSOs should engage in the process by, for instance:
  - » Preparing easy-to-understand and succinctly presented research
  - » Using only trusted sources
  - » Remaining close to realities on the ground
  - » clarifying complex concepts, existing issues and diverging points of views
  - » making a thorough risk analysis so final decisions are made on a balance of several criteria and not only on the basis of a proposed technical solution
- Take a long-term (as opposed to project-based) view that includes a willingness to nurture potential, even in CSOs that appear weak.

With their close proximity to and knowledge of target groups, CSOs can help implement child-focused programmes and deliver services in remote or hard-to-reach communities. At the same time, civil society actors can support government ministries in monitoring the situation of children and vulnerable groups, alerting authorities to situations that require immediate interventions.

4.3 Building capacity and addressing CSO capacity constraints

Capacity development initiatives can support civil society involvement in development processes and increase CSOs' capabilities for effective participation. Equipping national CSOs with the knowledge and skills to advocate for and help implement programmes and policies that promote the best interests of children is an important aspect of efforts to foster sustainable and nationally owned development.

Civil society actors face multiple challenges in assessing their own work. Sustained, verifiable evaluations require time, money and technical skills, which CSOs sometimes lack. Moreover, many donor-dependent CSOs must balance the need to honestly monitor and report on progress with the imperative to secure new or continued donor funding, with possible implications for the rigour of evaluation methodology or the reliability of the results recorded. The challenge of internal capacity is often compounded by difficult political and operational environments. Donors and governments can, however, support CSOs in strengthening the monitoring and evaluation of their own work as well as their overall technical and management capacities.

4.4 Assessing the quality of collaboration with CSOs

From the broad range of CSOs identified through the mapping exercise discussed above, it is possible to select potential partners and collaborators. These organizations may be invited at all stages of the programme and project cycle to explore, for example, opportunities for working together or getting actively involved in policy dialogue. This discussion can be guided by simple questions:

- What can we do together?
- What can each group bring to the initiative to move it forward?
- What type of structure must be put in place to enable our working together?

When engaging with CSOs, it is desirable to design a structure for engagement using the following principles:

- **Have clear objectives:** Seek elements that will demonstrate a clear alignment with or reinforce national strategies, plans and programmes. Make a clear connection with the Country Strategy Programme and define the potential outputs of the process.
- **Have realistic expectations**, from a child rights perspective, on the capacity of the CSOs and the networks you intend to involve in the process. The process can be

reinforced by parallel capacity-building activities.

- **Focus on effectiveness:** By having information on past or existing consultation systems, their success stories and failures, it is often possible to adapt your intended consultation process and improve its potential outcomes and ownership.
- **Give feedback and plan for future steps:** Participants need to be well informed on the process and potential outcome in order to be pro-active and re-direct the process if needed.

Recommendation 1:

In assessing your collaboration with CSOs, focus not only on the results of the partnership but also on the quality of the working relationship

In the initial stages of engagement, all stakeholders should be involved in establishing the goals for the collaboration as well as identifying guiding principles for the working relationship. Specific criteria can be used to assess the results and performance of the partnership.

Regardless of the type of initiative, the process of assessment should be participatory and inclusive. All stakeholders should be informed about what the upcoming phases of the assessment process are expected to look at.

Principles and criteria for CSO partnership assessment[11]

Sound planning and goal clarity: The partnership must be realistic, recognizing the local specificity of the identified child rights issues to be solved and the limits to what can be achieved in a given time frame.

Ownership and inclusivity: The partnership must inspire the confidence of all its stakeholders, including partners, and encourage their participation in its design, implementation and governance.

Ethical principles and standards: The practices of the partnership have to be aligned with accepted codes of conduct and benchmarks of behaviour.

Transparency and accountability: Contractual and management relations have to ensure that the partnership is accountable to the individual partners and the wider community.

Recommendation 2:

Rely on feedback mechanisms to evaluate your working relationships with CSOs

Development actors are increasingly employing feedback mechanisms to improve the effectiveness of partnerships. These mechanisms offer all stakeholders – including donors, governments, CSOs, communities and citizens – the opportunity to evaluate the performance and quality of the working relationship and highlight any challenges.

Feedback mechanisms can be used to assess a range of working relationships, from collaborations at the project level to methods for involving civil society in organizational processes such as programme planning and setting priorities. They can take many forms, including semi-structured interviews, surveys and regular meetings. Technological advances are encouraging innovation in the way they are structured.

4.5 Examples of different types of operational engagements with CSOs on child rights

The quality of the enabling environment will determine the capacity of civil society to be active in the policy-making processes and may in turn restrict the ability of CSOs to be fully involved in the implementation of child rights. As such, they may be seen as service providers with limited influence over the design and implementation of social policies and programmes.

The table below presents recommended activities according to the nature of CSO interaction with public authorities. Although the presentation suggests an increasing gradient of CSO involvement within the policy-making processes, there is no specific hierarchy in the proposed list of activities. The first points may, however, be regarded as priority activities when engaging with CSOs and are strongly recommended independently of the level of interaction between CSOs and public authorities.

SUPPORTING KEY CHILD RIGHTS ACTIVITIES OF CSOS	
NATURE OF CSO INTERACTION WITH PUBLIC AUTHORITIES	**SUPPORTING KEY CHILD RIGHTS ACTIVITIES OF CSOS**
Contributing to service delivery	▪ Map social groups and identify those that are excluded from the political process ▪ Ensure that CSOs involved in aid programming and delivery processes genuinely represent a broad cross-section of society and include children and adolescents ▪ Encourage CSOs to work with communities to identify child-focused development priorities ▪ Support the development of broad-based CSO coalitions at the national and local levels ▪ Engage CSOs and civil society coalitions in partnerships and in collaborative relationships – for instance, in the preparation of alternative reports ▪ Support the development of national and regional child rights observatories ▪ Help CSOs to build child rights awareness and mainstreaming into their networks ▪ Promote innovative uses of low-cost technology for the rapid transmission of data among CSOs operating in remote areas

Consulted in the definition of poverty reduction policies and plans	▪ Create opportunities for CSOs to present their research and findings to government ▪ Develop clear and consistent criteria for selecting CSO participants in the consultative process for poverty reduction policies and plans ▪ Engage in long-term support relationships with CSOs, helping to develop their internal capacity while also aiming at improved and sustained participation in complex national processes such as budgeting ▪ Take advantage of the vast amount of information published by observatory systems to inform the preparation of child rights programming ▪ Together with national authorities, educate CSOs on the purpose, processes involved and potential outputs of these strategies and plans ▪ Help CSOs reinforce their self-monitoring mechanisms to contribute evidence-based inputs to policy-making processes
Participating in policy dialogue and sector coordination	▪ Facilitate an exchange of data and analysis among government and CSO partners to encourage informed policy recommendations and dialogue; work with governments to secure their cooperation in sharing child rights information with CSOs – for example, UNICEF partnered with World Vision, Plan International and US President's Emergency Plan for AIDS Relief (PEPFAR) for a study on linkages between birth registration and children affected by HIV and AIDS to better inform policy ▪ Promote the representation of women, children and marginalized groups in policy debates and legislative initiatives
Monitoring and reporting on the performance of national systems	▪ Ensure that broad-based participation is sustained during the implementation, monitoring and evaluation of the plans; allow for a multiplicity of voices and opinions within sessions, especially from typically marginalized groups ▪ Educate CSOs on the structure and content of the legislative process and on state budgetary concepts, processes and terminology ▪ Inform CSOs of fiscal constraints facing public budgets ▪ Build and sustain public ownership of legislative activity by encouraging CSOs to participate in the implementation and monitoring of new policies and/or legislative initiatives.

Module 8 Tools & Annexes

TOOLS

Tool 8.1 Quick assessment of the enabling environment as it relates to the promotion and protection of child rights

LEGAL CONTEXT	
What is the legal context in which CSOs are operating?	Comments:
Is domestic legislation in place to govern the registration and operational conduct of CSOs? ☑ Restrictions on activities, incentives and/or rights ☑ Monitoring/governing/control mechanisms ☑ Registration requirements and location ☑ Flexibility/multiplicity of registration options	Comments:
RESOURCE MOBILIZATION	
How do CSOs organize themselves at the community, sub-national and national levels?	Comments:
What are their main sources of funding? ☑ Opportunities to mobilize resources ☑ Principal source of finances and support ☑ Continuous versus ad hoc flow of funds ☑ Core versus project support ☑ Reliance on external versus self-generated resources ☑ Privileges/tax relief for donations and not-for-profit work ☑ Opportunities to build institutional capacity	Comments:
ACCESS TO INFORMATION	
Costs of communication	Comments:
Restrictions	Comments:

Access to and timely availability of relevant information	Comments:
Language barriers	Comments:
Importance of education for information access	Comments:
SPACE FOR NEGOTIATIONS	
What is the political climate in which CSOs are operating?	Comments:
Is the government supportive of an active and autonomous civil society sector?	Comments:
Are there limits to this support?	Comments:
Are sub-national government authorities receptive to civil society's involvement in public affairs? ☑ Presence of existing mechanisms on which to build ☑ Functioning ways to express civic interests ☑ Round-tables, task forces, committees ☑ Special office for NGO/civil society relations ☑ Mandated representation of CSOs on local councils and other such structures ☑ Formal and informal systems for government working with NGOs/civil society	Comments:
INTERNAL COHERENCE OF CIVIL SOCIETY	
How cohesive is civil society?	Comments:
Is the relationship among different organizations marked by collaboration, indifference or competition?	Comments:
Is civil society stratified along political, cultural, ethnic or geographic lines?	Comments:

If so, do these demarcations affect prospects for CSO collaboration?	Comments:
Are there umbrella or networking bodies for CSOs?	Comments:
Who are possible agents of change within civil society?	Comments:
RELEVANCE AND RELATIONSHIP WITH THEIR CONSTITUENCY	
Where do the social influence and political power lie within civil society?	Comments:
Which interest groups are represented in civil society?	Comments:
Which issues do CSOs address in their advocacy efforts?	Comments:
What types of organizations do marginalized and vulnerable groups join?	Comments:
Are these groups represented at the national level?	Comments:
Which groups have access to donors and policy makers?	Comments:
Which CSOs are perceived as influential? What are their key sources of influence?	Comments:
COMMUNICATION	
Is civil society broadly regarded as credible and accountable?	Comments:
How is the civil society sector perceived by the general public?	Comments:
How do the mainstream media perceive civil society?	Comments:

How do CSOs disseminate information or engage the public in policy debates or operational activities?	Comments:
How is civil society perceived by government? ☑ Means of communication and dissemination of information ☑ Language barriers	Comments:
ADDITIONAL CONSIDERATIONS	
What impact do civil society groups have on policy-making (in general)? To what extent can civil society be associated with decision-making?	Comments:
What impact has instability or conflict had on civil society?	Comments:
How will contextual changes affect the ability of partners or stakeholders to undertake their activities?	Comments:
Is there primarily a need for financial or institutional support to civil society, or both?	Comments:
What is the likely impact of donor involvement/assistance on local conflict dynamics? How can negative impacts be avoided or at least minimized?	Comments:

Tool 8.2 Mapping of child rights-focused CSOs

DEFINE THE SCOPE AND OBJECTIVE OF THE MAPPING EXERCISE	
Define the geographic scope of the exercise (community, district, state or nationwide).	Comments:
Define the thematic scope of the exercise. Is it limited to CSOs working on a particular theme or does it include all CSOs working in the area of child rights? When defining the thematic scope of the exercise, examine the issues affecting child rights within the designated geographic area: ☑ Are there particular child rights issues that are not being addressed, such as family separation or sexual exploitation of children? ☑ Are there certain populations of children (such as children with disabilities, children without parental care, children living and working on the street) who are not adequately represented in the work of any major CSO in the country?	Comments:
Consider the sustainability of the results over the long term. How long will the mapping be relevant? Can a system for regular updates be put in place? Are there opportunities to work with other partners who are engaged in regular monitoring of CSOs?	Comments:
DEVELOP A PLAN TO MEET THE OBJECTIVES OF THE EXERCISE	
Determine the research methodology to be used for the assessment – self-assessments by CSOs, semi-structured interviews with individual CSOs led by a surveyor or group discussions with CSO members facilitated by a surveyor.	Comments:
Identify surveyors who will undertake the mapping exercise (independent consultants, CSOs or staff).	Comments:
Establish a time frame for the exercise.	Comments:
Identify interviewees (CSO leaders and members, civic and community leaders).	Comments:

Design a questionnaire or interview guide that focuses on the desired information. This may include: ☑ Composition and size of staff ☑ Legal status ☑ History ☑ Experience in implementing projects with donors or government ☑ Type of organization (community-based, indigenous peoples' organization, NGO, member-based, etc.) ☑ Capacity of the CSOs under review to promote child rights ☑ Extent to which the CSOs' actions and values reflect the principles of the Convention on the Rights of the Child (CRC) ☑ Extent to which the CSOs involve children, their families and their communities in programme development and evaluation processes.	Comments:
Train the survey team on the use of the methodology and questionnaire.	Comments:
Translate the questionnaire into local languages.	Comments:
Explain the purpose of the exercise and obtain permission, as necessary, from participating CSOs and community or government authorities.	Comments:
Ensure that the survey team visits CSO project sites and speaks with community leaders and members in the target area to triangulate information received from the CSO.	Comments:
Conduct group discussions with CSOs to share surveyors' preliminary findings.	Comments:
ANALYSE THE DATA	
Compile a database of all CSOs mapped during the exercise, with details of geographic and thematic target areas. Consider including a reference to the CSOs' suitability as a potential collaborator for particular initiatives.	Comments:

Assess the extent to which each CSO achieves its goals, noting programme bottlenecks and capacity constraints, and assess the quality of the CSO's relationship with target communities and its alignment with the CRC.	Comments:
SHARE THE RESULTS	
Translate the report into national languages and disseminate findings among all actors who participated in the exercise.	Comments:
Distribute reports, methodology and tools to CSOs, government and donor agencies.	Comments:
MAINTAIN THE DATABASE	
Ensure that staff who work with CSOs are familiar with and make use of the database developed as a result of the mapping exercise.	Comments:
Use the results of the mapping exercise as a baseline for monitoring the progress of CSOs against the original questions posed by surveyors.	Comments:
Augment the database with additional mappings of other geographic or thematic areas.	Comments:
Look for opportunities to collaborate with CSOs, government and other development actors on future CSO mapping exercises.	Comments:

Tool 8.3 Assessing the capacity of CSOs in child rights promotion[12]

CAPACITY FOR CHILD RIGHTS PROMOTION	
Identify past and current child rights programmes within the CSO: Has the CSO specialized in child rights or related areas before? What initiatives have they been part of?	Comments:
Assess organizational sensitivity to child rights: Does the organization uphold the best interests of children in its mandate, structure, governance and activities? Does the organization have any mechanisms for involving children and young people in the design and evaluation of its programming?	Comments:
PROGRAMME DELIVERY CAPACITY	
Ensure the CSO can deliver programmes and services: Does the organization have a proven track record of demonstrated results for children?	Comments:
LEGAL STATUS AND HISTORY	
Ensure that the CSO is legally established and meets all national and local government requirements for organizations operating in the area.	Comments:
Review the CSO's history: When was the organization created and for what purpose?	Comments:
MANDATE, POLICIES AND GOVERNANCE	
Evaluate the CSO's organizational structure and principles: How does the governing body exercise oversight? Is the organization member-based? If so, do members pay fees? Are there clear lines of communication between the executive and the membership base?	Comments:
EXTERNAL SUPPORT AND OUTREACH	
Identify the CSO's constituency: Does the organization have a clearly identified constituency? If so, are constituents consulted on and informed of the organization's activities?	Comments:
Evaluate the CSO's relationships with other CSOs and development partners: Does the CSO belong to any child rights networks/umbrella organizations? What other community groups are linked to the CSO?	Comments:

Identify funding sources: Who has funded the CSO in the past? Who funds operations now?	Comments:
HUMAN RESOURCES AND TECHNICAL CAPACITY	
Assess the human resource base and potential: Does the CSO conduct its work through paid staff or through volunteers? Are staff and consultants recruited locally? How many international staff does it have?	Comments:
Identify any specialized skills within the CSO: What is the education and employment background of CSO members? Is the skill set relevant to child rights or child well-being	Comments:
Identify and assess relevant methodological approaches: What technical or participatory approaches are employed by the CSO in the field? What approach is used when working directly with children, adolescents and with girls?	Comments:
MANAGERIAL AND MONITORING CAPACITY	
Assess planning, monitoring and evaluation: Does the CSO produce coherent and feasible proposals for programme funding? Are there annual performance review meetings? Are there measurable objectives in the operational plan?	Comments:
Assess reporting and performance track record: What type of methodologies does the CSO use to monitor and evaluate progress? Does the CSO issue reports on its work? Are these reports shared with particular groups? If so, which groups?	Comments:
Evaluate previous monitoring reports and mechanisms: Do the previous reports show an improvement in functions? Are there monitoring recommendations that have or have not been heeded from previous reports?	Comments:
Identify any outside monitoring schemes the CSO has been involved in: Does the organization report on activities to the government, another donor agency or other CSOs?	Comments:

FINANCIAL CAPACITY	
Evaluate past, current and future budgets: Is there a regular budget cycle? What funds have been allocated to child rights programming in the past and what is the intended budget expenditure for children in the future?	Comments:
Assess budget monitoring and accounting systems: Does the CSO have sufficient procedures to ensure responsibility and accountability in the handling of funds?	Comments:

Tool 8.4 Assessing a CSO's integrity and core values from a child rights perspective

ARE THE MISSION, MANDATE AND VALUES OF THE ORGANIZATION CONSISTENT WITH KEY CHILD RIGHTS PRINCIPLES AND STANDARDS?		
Specifically, are the organization's values consistent with the Convention on the Rights of the Child (CRC), Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and Convention on the Rights of Persons with Disabilities (CRPD)? Comments:	Yes	No
Is the organization open to participation by children, women and other beneficiaries in project planning and management? Comments:	Yes	No
Does the organization have a clear position on not exposing rights-holders (beneficiaries), including children, to any form of discrimination, abuse or exploitation? Comments:	Yes	No
Is there any evidence (from trustworthy local or international media or former participants/beneficiaries) that the above policies are not respected in practice? Comments:	Yes	No
Does the organization reach out to disadvantaged groups or those that are hard to reach? Comments:	Yes	No
Does it have credibility with families, the community and government (as determined through interviews via telephone, e-mail, focus-groups, surveys, etc.)? Comments:	Yes	No
Does the organization actively engage in networks and alliances, including with the local community? Comments:	Yes	No
DOES TRANSPARENCY EXIST ABOUT THE ORGANIZATION'S POLICIES, ACTIVITIES, STRUCTURE, AFFILIATION AND FUNDING?		
Is information available on the organization's scope of work and geographical area of coverage, human resources, financial management and control arrangements, and management systems? Comments:	Yes	No

What is the composition of the board? Are executive officers known for personal integrity? (Make a reasonable effort using available means to assess this. For CSOs without boards, where appropriate – e.g., based on size, funding level and sources, scope and complexity of the work of the organization – the establishment of management structures that support effectiveness, efficiency, transparency and accountability should be encouraged.) Comments:	Yes	No
What are the sources of core funds or income? Comments:	Yes	No
Are last year's audited accounts on file? Is the organization open to external audits? Comments:	Yes	No
Are any evaluations of projects executed by this organization available? Comments:	Yes	No
Does the organization have any outstanding liabilities? Comments:	Yes	No
Has information on the organization's conduct been obtained through informal consultations with other development actors, UN agencies, CSOs or beneficiaries? Does such information confirm that the organization has strong integrity and core values, according to the precepts outlined elsewhere in this checklist? Comments:	Yes	No

ANNEXES

Annex 8.1 Main CSO networks on child rights

The Child Rights International Network (CRIN) was formed after CSOs involved in drafting the CRC proposed the idea of systematizing the public disclosure of official and alternative reports. Based in London, CRIN represents the combined knowledge of thousands of CSOs in every region of the world that are mandated to ensure that information on child rights abuses is neither guarded nor concealed. The information that CRIN receives spans a range of child-related issues and indicators and feeds into a central, publicly accessible database. In addition, CRIN generates and disseminates its own analysis through a newsletter, a working paper series and other web-based resources.

As the example of CRIN demonstrates, civil society's monitoring function is not limited to the CRC. CSOs routinely observe and respond to child rights infringements by analysing evidence collected from monitors and submitting recommendations for governments and donors. The evidence they gather is also used to inform policy-making.

Child Rights Connect (formerly the NGO Group for the Convention on the Rights of the Child) is a global network of 79 international and national NGOs committed to ensuring that all children fully enjoy their rights as defined by the CRC. Since its establishment in 1983 to influence the drafting of the CRC, the NGO Group has developed leading expertise in child rights and the work of the CRC Committee at the international level, providing a coordinated platform for NGO action and playing a central role in key child rights developments.

Such networks provide donors, governments, and CSOs with information on how to access critical child rights status reports and information, join their networks and form a civil society network or observatory system.

Additional networks include:

- African Child Policy Forum – an independent, not-for-profit, pan-African institution of policy research and dialogue on the African child.
- Asia-Pacific Regional Network for Early Childhood – a network established to build strong partnerships across sectors and different disciplines, organizations, agencies and institutions in the Asia-Pacific region to advance the agenda on and investment in early childhood.
- ChildONEurope – the European Network of National Observatories on Childhood, a technical-scientific body whose partners are the representatives of National Observatories and National Ministries in charge of policies for children.
- Latin American and Caribbean Network for the Defence of Children's Rights – a network of national networks of NGOs on children and adolescents in the Latin American and Caribbean region that actively participate in the defence of the rights of children and adolescents within the framework of the CRC.

- South Asia Initiative to End Violence against Children – an inter-governmental body with a vision that all children, girls and boys, throughout South Asia enjoy their right to an environment free from all forms of violence, abuse, exploitation, neglect and discrimination.

Annex 8.2 Examples of child rights monitoring databases held by CSOs

The Civil Society Self-Regulatory Initiatives Database at One World Trust is an important example of CSOs taking concerted efforts at self-monitoring and internal evaluation. This searchable database contains examples of over 300 self-regulatory initiatives worldwide and provides overwhelming evidence of civil society's current internal monitoring practices. The wealth of information held within the database makes it a critical resource for CSOs, donors and governments looking to more effectively monitor civil society activity in development programmes.

The Global Impact Monitoring (GIM) system was launched by Save the Children UK in 2003. It asks CSOs to assess their own programme results as well as the quality of their interaction with Save the Children. Because the organization works in nearly 70 countries worldwide, and represents a vast range of development and relief operations and groups, effective and comprehensive monitoring of all operations is a considerable undertaking. Working at country, regional and global levels, the GIM primarily identifies and analyses any and all impact-related evidence within the programme or CSO to be assessed. This data-gathering system was built through an inclusive process that demands input from all partners and stakeholders. The GIM has thus created an environment of self-criticism and learning for all partners and participants in Save the Children UK's development initiatives (Starling, 2003).

The International Aid Transparency Initiative (IATI) is a global initiative that promotes increased accessibility of information on international aid by encouraging all development actors to adopt a common framework for reporting on aid. Membership in IATI is voluntary and includes donor countries, recipient governments and CSOs. IATI was established in Accra at the Third High Level Forum on Aid Effectiveness in 2008. The standard framework for reporting aid information was set in 2011. IATI has also formed a Working Group to examine the application of IATI standards to CSOs and develop methods for encouraging and facilitating civil society's involvement in the initiative. Raw IATI compliant data is publicly accessible via the IATI Registry.

The International Evaluation Partnership Initiative was launched by UNICEF and the International Organisation for Cooperation in Evaluation in 2012 to improve CSO evaluation capacity. Core partners include the United Nations Development Programme (UNDP), UN Women and a number of national and regional evaluation societies. Drawing on the aid effectiveness recommendations of Accra and Busan, the initiative supports advocacy by CSOs to use evaluation to inform policy decisions.

The World Alliance for Citizen Participation (CIVICUS) is an international alliance of members and partners that constitutes an influential network of organizations at the local, national, regional and international levels and spans the spectrum of civil society. CIVICUS includes the following in its definition of civil society: civil society networks and organizations, trade unions, faith-based networks, professional associations, NGO capacity development organizations and philanthropic foundations and other funding bodies. The CIVICUS Civil Society Index has painted a comprehensive picture of civil society in over 80 countries around the world in the past decade. The latest

methodology, implemented between 2008 and 2011 in over 30 countries, assessed civil society empirically along five dimensions: civic engagement, level of organization, practice of values, perception of impact and the external environment.

Annex 8.3 References/resources

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2. Curran, Zaza, 'Civil Society Participation in the PRSP: The role of evidence and the impact on policy choices?', PPA Synthesis Study, Southern African Regional Poverty Network (SARPN), October 2005.

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9. Maclure, Richard and Melvin Sotelo, 'Children's Rights and the Tenuousness of Local Coalitions: A case study in Nicaragua', *Journal of Latin American Studies*, vol. 36, no. 1, 2004, pp. 85–108

10. Marriott, Niall, and Hugh Goyder, 'Manual for Monitoring and Evaluating Education Partnerships', International Institute for Educational Planning and the United Nations Educational, Scientific and Cultural Organization, Paris, 2009.

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12. Open Forum for CSO Development Effectiveness, 'The Siem Reap CSO Consensus on the International Framework for CSO Development Effectiveness', Siem Reap, June 2011.

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15. United Nations Children's Fund, 'Civil Society Partnerships: Realizing children's rights through collaboration with civil society' at www.unicef.org/about/partnerships/index.php, accessed 9 January 2014.

16. United Nations Development Programme, *UNDP and Civil Society Organizations: A toolkit for strengthening partnerships*, UNDP, New York, 2006.

ENDNOTES

1. In its technical guidelines and legislation, and in the Cotonou Agreement, the EU uses the concept of 'non state actors', which comprises the non-for-profit organizations of the private sector, social partners and civil society.
2. For more information on civil society partnerships see: United Nations Children's Fund, 'Civil Society Partnerships: Realizing children's rights through collaboration with civil society' at www.unicef.org/about/partnerships/index.php, accessed 9 January 2014.
3. Maclure, Richard and Melvin Sotelo, 'Children's Rights and the Tenuousness of Local Coalitions: A case study in Nicaragua', *Journal of Latin American Studies*, vol. 36, no. 1, 2004, pp. 85–108.
4. See European Commission, 'Thematic Programme: Non-state actors and local authorities in development – Strategy paper 2007–2010', European Commission, Brussels, 2007; and European Commission, 'Thematic Programme: Non-state actors and local authorities in development – 2011–2013 strategy paper', European Commission, Brussels, 2011. See also information about the European Commission's Development and Relations with African, Caribbean and Pacific States, available at http://ec.europa.eu/europeaid/where/acp/index_en.htm, accessed 9 January 2014.
5. Drawn from the European Commission website 'Development and Cooperation Programming', at http://ec.europa.eu/europeaid/what/civil-society/index_en.htm, accessed 9 January 2014.
6. More information is available in European Commission, 'Engaging Non-State Actors in New Aid Modalities for Better Development Outcomes and Governance', Tools and Methods Series – reference document no. 12, European Commission, 2011.
7. For further information, see: Coralie, Mugarin, 'Mapping Civil Society: A tool for engaging with non state actors', PowerPoint presentation at Civil Society Facility Seminar, Brussels, 9–10 February 2012.
8. A forthcoming resource on this topic is the Advocacy Toolkit on enabling environments for civil society, in production by the Open Forum for CSO Development Effectiveness.
9. See EC Communication on Engagement with Civil Society in External Relations, 2012.
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