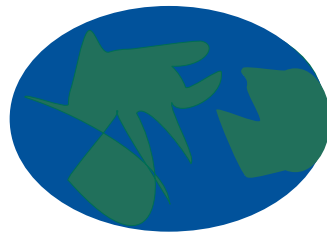


**monitoring children's rights**  
A Toolkit for Community-Based Organizations



# monitoring children's rights

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Community-Based Organizations



Canadian Coalition  
for the Rights of Children  
Coalition canadienne  
pour les droits des enfants

# Monitoring Children's Rights

A Toolkit for Community-Based Organizations



Canadian Coalition  
for the Rights of Children

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Coalition canadienne  
pour les droits des enfants

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## Letter from the CCRC

Dear Friend:

During the winter of 2003, the Canadian Coalition for the Rights of Children (CCRC), with funding from Human Resources Development Canada, began a project to build children's rights monitoring capacity in Canada. This toolkit is an outcome of that project.

For many years now, non-governmental organizations together with community-based groups from across Canada have advocated in various ways for the human rights of children. As a result of this work, a great deal has been accomplished to improve the livelihood of children and their chances for a better future.

In 1991, when Canada ratified the United Nations Convention on the Rights of the Child (CRC), this work was not only validated worldwide but also given a sense of urgency and a platform on which to measure results. The CRC is a legally binding instrument that sets out a series of universally accepted human rights for children. Canada is a State Party to the CRC and obligated to comply with it. The CRC includes the full range of rights for children including social, economic and cultural as well as civil and political rights.

Unlike any other international human rights treaty, the Convention on the Rights of the Child also provides an opportunity for non-governmental organizations to formally participate in monitoring. The Government of Canada is obliged to submit periodic reports and NGOs are invited to submit supplementary reports to the Committee on the Rights of the Child, which is the United Nations body that oversees the CRC monitoring process. In this sense, one might argue that the Canadian government and the non-governmental sector effectively *share* a moral obligation to ensure that provisions in the CRC are carried out.

In November 1999, our coalition submitted a supplementary report to the UN Committee, entitled *The UN Convention on the Rights of the Child: How Does Canada Measure Up?* This report both expanded upon and contested information that had been provided to the UN Committee by the Canadian government in its first report.

In 2003, the Government of Canada submitted its second report to the UN Committee. Our coalition published an updated version of *How Does Canada Measure Up? (2003)*.

For more information about the Canadian Coalition for the Rights of Children, please see *Appendix A*.

The 2003 version of *UN Convention on the Rights of the Child: How Does Canada Measure Up?* can be downloaded from the CCRC website at [www.rightsofchildren.ca](http://www.rightsofchildren.ca)



However, we continue to face major challenges in the dissemination, sharing and reporting of children’s rights information. Canada is a large and diverse country both geographically and culturally and with a federal/provincial/territorial system of government. In its Concluding Observations on Canada’s report submitted to the UN Committee on the Rights of the Child (2003), the Committee expressed concern with the coordination and monitoring of the implementation of the CRC in Canada. While we will continue to advocate for addressing this concern at the federal, provincial and territorial government levels, we also want to support communities in being more actively engaged in the process. This toolkit aims to help bridge Canada’s reporting gaps by providing a monitoring tool that is designed from the perspective of Canadian “communities” rather than from a national, provincial or territorial perspective. The toolkit outlines how to implement community-based monitoring, and invites organizations or community members to consider publishing a community monitoring report nationally through the CCRC.

We have adapted this toolkit from monitoring tools that have already been developed both in Canada and abroad, with a focus on practical steps that small to medium-sized community-based groups can take using their existing knowledge and strengths to begin to monitor the CRC.

Representatives from nearly one hundred community-based organizations from across Canada have pilot tested this toolkit. As a result of their hard work and insight, we believe we’ve created a set of tools that is practical and will generate meaningful children’s rights dialogue for the long term.

Our premise is that monitoring is not just about national and international legal and advocacy work, but that it is an effective tool for community-based organizations to improve the lives of children in very specific circumstances.

By working together toward common goals for children, we believe that community-based organizations from across Canada stand to leverage their work and will make a greater impact locally.

In May 2002 at the UN Special Session on Children, a global agreement was signed by all nations, entitled “A World Fit for Children” – an agreement that once again affirmed a commitment to the UN Convention on the Rights of the Child. The international delegation of children noted in their declaration: “A world fit for us is a world fit for everyone.” Breathing life into the CRC in Canada takes us that much closer to a world fit for everyone.

Sincerely,

**Board of Directors 2003**

**Canadian Coalition for the Rights of Children**

# How to Use This Toolkit

*Monitoring Children's Rights: A Toolkit for Community-Based Organizations* is a toolkit that has been designed for community leaders, local children's rights advocates and staff of local child-serving and child-led institutions and agencies to help mobilize and coordinate resources in communities to develop effective monitoring practices for the UN Convention on the Rights of the Child. This toolkit may also be useful to children's rights advocates who are working regionally, nationally and internationally.

## What's Inside

This toolkit includes:

### SECTION ONE — INTRODUCTION TO CHILDREN'S RIGHTS

An introduction to the concepts and history behind the human and children's rights movements, plus an overview of the UN Convention on the Rights of the Child. This section is designed for toolkit users with little or no background knowledge of the CRC.

### SECTION TWO — INTRODUCTION TO CHILDREN'S RIGHTS MONITORING

An introduction to CRC monitoring and the reporting process.

### SECTION THREE — A COMMUNITY APPROACH TO MONITORING

A definition of "community monitoring" plus a framework for organizing a community monitoring initiative or project.

### SECTION FOUR — HOW TO IMPLEMENT COMMUNITY MONITORING

Step-by-step instructions for a community leader or organization to lead a monitoring initiative, focusing on existing strengths and assets in the community and drawing from the background information and learning exercises provided in Sections One, Two and Three of this toolkit.

### SECTION FIVE — COMMUNITY MONITORING REPORT TEMPLATE

A community monitoring report template that is designed to help communities document and share their monitoring report with other communities in Canada and participate in the national CRC monitoring process.

### APPENDICES

- A About the Canadian Coalition for the Rights of Children
- B Supplementary Resources
- C Facilitation Guidelines and Learning Exercise Tools (including information and overhead slides)
- D UN Convention on the Rights of the Child (simplified text)
- E UN Convention on the Rights of the Child (full text)

## How to Navigate the Toolkit

Each section in this kit sets out a combination of learning objectives, background information, learning activities, suggested monitoring activities and references to supplementary resources.

The following symbols are used in the margins to highlight these components:

**Learning objectives** — listed for each section of this toolkit, these are objectives that you should have accomplished once you have read the section and completed the exercises that are provided.

**Background information** — important background information and insight to support the section’s learning objectives.

**Learning activity** — a suggested learning activity that can be used by an individual or group, or in a workshop setting. In some cases, resources have been included for the activity (see Appendices).

**Community monitoring activity** — a recommended activity that community-based groups can take to monitor children’s rights.

The margins of this toolkit also include references to supplementary reports, publications and other resource notes, which are listed in full in *Appendix B*.

## Different Ways to Use the Toolkit

There are a number of ways to use this toolkit, depending on your resources, monitoring objectives, knowledge of the CRC and whether you have published a community monitoring report in the past.

As examples, some facilitation is required to help bring the learning activities to life and to make them relevant to your community organization or group. Likewise, considerable effort is required to complete the steps outlined in *Section Four — How to Implement Community Monitoring*, which outlines how to become a community monitoring “champion” and publish a community monitoring report nationally through the CCRC. Chart 1 below outlines possible entry points and exit points to the toolkit that your group or organization may choose depending on the particular circumstances.

Our aim with this longer-term monitoring process is to provide an opportunity for community-based groups to continue to build on their monitoring expertise. As new experiences and knowledge are documented and posted over time, the report template provided in Section Five of this toolkit will be revised to include examples and additional tips. Periodic updates to the template will then be published electronically on the CCRC website.

We should note that this toolkit does not provide real-life examples of community monitoring that has already been undertaken in Canada. The inaugural publication and sharing of community monitoring reports instead will take place in stages over the coming months and will be published on the CCRC website.



learning objective



background info



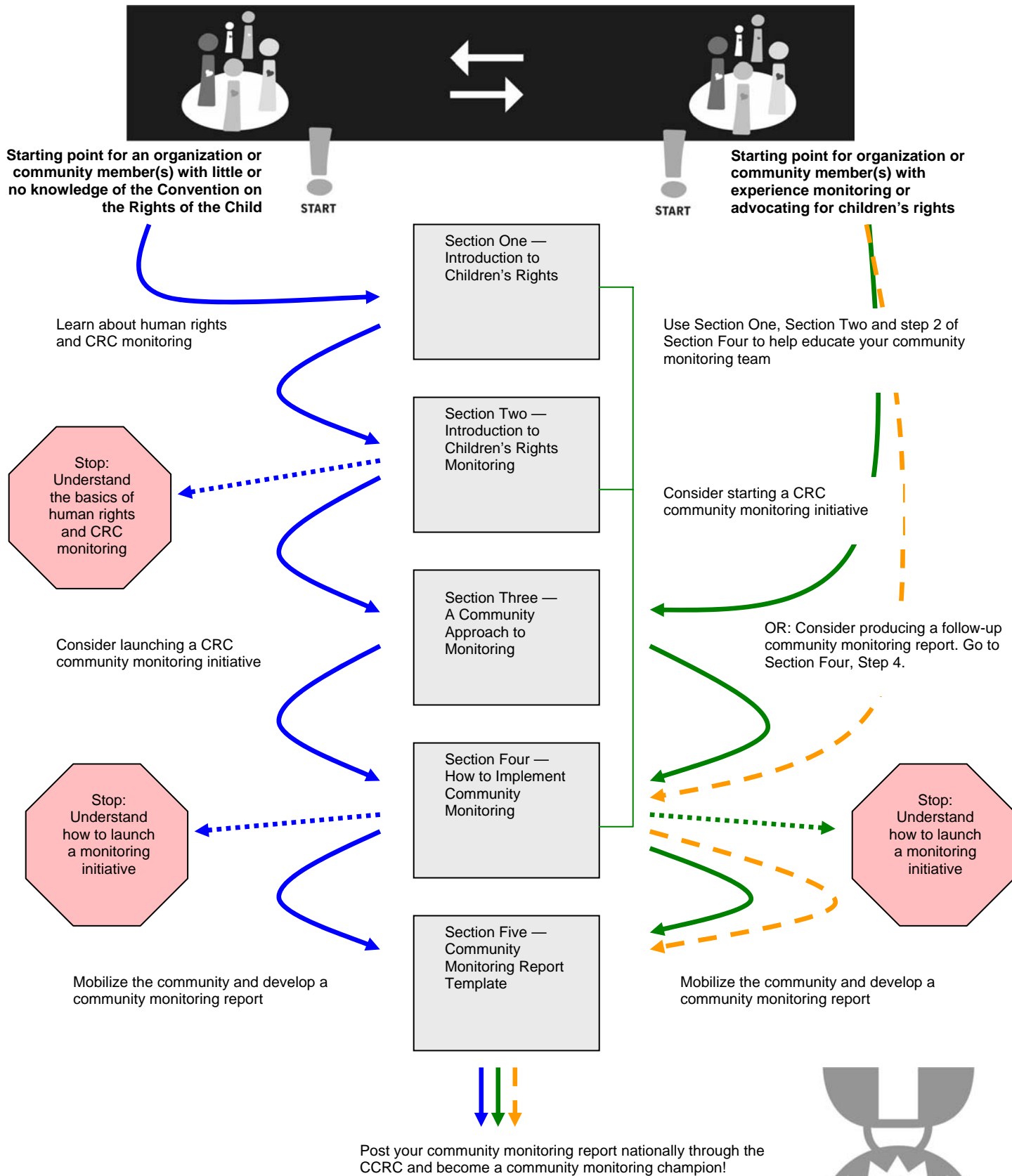
learning activity



monitoring activity

FYI – Facilitation Guidelines and Learning Exercise Tools are provided in *Appendix C*.

For more information about submitting or posting a community monitoring report nationally, please go to: [www.rightsofchildren.ca](http://www.rightsofchildren.ca)



**Chart 1. How to Navigate the Toolkit: Entry Points and Exit Points**



## Key Terms

**Child** - Every human being under 18 years of age – as defined in the UN Convention on the Rights of the Child.

**Civil society** - Are those actors and institutions that lie outside of the sphere of government. Civil society can include academics and researchers, corporations and industry, representatives of Indigenous Peoples, non-governmental organizations (NGOs), children and young people and the media.

*(Adapted from: Navigating International Meetings – A Pocketbook Guide to Effective Youth Participation, Ottawa, The United Nations Association in Canada)*

**Community** - A specific geographical area or other logical grouping of children/youth, families and organizations.

**Community monitoring** - A concept developed in this toolkit that recognizes that people from across Canada provide for, protect and involve children and youth in a variety of ways. Community monitoring points to the capacity of community-based groups to properly capture the unique and up-close insight of children, youth, their families, elders and other community members.

**Convention, treaty or protocol** - “Convention” and “treaty” are used interchangeable and refer to legally binding agreements between States Parties. Conventions and treaties define the duties of those states that have ratified them. Protocols are developed subsequent to a particular convention or treaty, establishing additional rights and obligations. They must be signed and ratified like conventions and treaties and are also legally binding agreements.

*(Adapted from: Navigating International Meetings – A Pocketbook Guide to Effective Youth Participation, Ottawa, The United Nations Association in Canada)*

**Human rights** - Needs that, in respect for human dignity, an internationally recognized system of governance deems people and groups are universally entitled to and for which countries through their governments, make commitments to provide for.

**Indicator** - A common or agreed-upon way in which to characterize, measure and act upon change. In children’s rights monitoring, for example, infant mortality rate is an indicator used to measure the extent to which children are realizing their right to survival and development under article 6.

**Monitoring** - The active collection, verification and immediate use of information to address child/human rights issues over specified periods of time. Monitoring work includes evaluative activities undertaken nationally and with input from the United Nations. It also includes first hand information-gathering in the field.

**Needs (i.e. human needs)** - Things that people depend on to survive and develop physically, intellectually, emotionally and/or spiritually as human beings.

FYI: For a glossary of CRC terms, see UNICEF (Author), *Children’s Rights Glossary*, (publication information provided in *Appendix B* under ‘Section One’)

**Ratification** - The official approval or acceptance of a convention or protocol by a national government, which makes them legally bound to the agreement. It is important to note that while Heads of State may sign a convention or protocol, approval from their respective governments is necessary to ratify it. *(Adapted from: Navigating International Meetings – A Pocketbook Guide to Effective Youth Participation, Ottawa, The United Nations Association in Canada)*

**Report card** - A rights monitoring report that refers to previously published information, indicators or other standards that have been developed to evaluate a rights situation.

**Situation** - A clearly defined set of circumstances, whether characterized by people, events, actions, policies, practices and/or political environments, that shape how children's rights are provided for. A situation may or may not refer to a specific rights violation.

**State parties** to an international agreement are the countries that have ratified it and are thereby legally bound to comply with its provisions. Governments are representatives of states. Once they have ratified an international treaty, all subsequent governments of that state have to abide by them. If they don't abide by the treaties ratified by earlier governments, the international community can impose sanctions. *(Adapted from UNDP HDR 2000)*

# Section One: Introduction to Children's Rights

## Learning Objectives

This section introduces the concept of human rights and outlines key human rights principles. It also provides an overview of the UN Convention on the Rights of the Child and, through learning exercises, asks you to examine factors that shape attitudes towards children and childhood.

When you have completed this Section One, you should have a basic understanding of:

- The UN Convention on the Rights of the Child and its contents
- History, concepts and principles associated with the CRC

## What are Human Rights?

*(Adapted from: Child Rights Programming – How to Apply Rights-Based Approaches in Programming. (2002) London: International Save the Children Alliance)*

Human Rights are based on the respect for the dignity and worth of each person both as individuals and as members of society as a whole, a community or a group. These values cover those qualities of life to which everyone is entitled, regardless of their age, gender, race, religion, nationality or any other factors.

The responsibility for making sure that rights are respected, protected and fulfilled lies initially with national governments, but also concerns all elements of society from the level of international institutions, through to individuals in the family and community.

The core documents making up the International Bill of Human Rights are:

- The Universal Declaration of Human Rights (1948)
- International Covenant on Economic, Social and Cultural Rights (1966)
- International Covenant on Civil and Political Rights (1966)



learning objective

Supplementary documents and tools on the UN Convention on the Rights of the Child are listed in *Appendix B*.



background info

Online links to international human rights treaties

Universal Declaration of Human Rights at [www.unhchr.ch/udhr/index.htm](http://www.unhchr.ch/udhr/index.htm)

International Covenant on Civil and Political Rights (ICCPR) at [www.unhchr.ch/html/menu3/b/a\\_ccpr.htm](http://www.unhchr.ch/html/menu3/b/a_ccpr.htm)

International Covenant on Economic, Social and Cultural Rights (ICESC) at [www.unhchr.ch/html/menu3/b/a\\_cescr.htm](http://www.unhchr.ch/html/menu3/b/a_cescr.htm)

International Convention on the Elimination of All Forms of Racial Discrimination (CERD) at [www.unhchr.ch/html/menu3/b/d\\_icerd.htm](http://www.unhchr.ch/html/menu3/b/d_icerd.htm)

Convention Against Torture and Other Forms of Cruel, Inhuman and Degrading Punishment (CAT) at [www.unhchr.ch/html/menu3/b/h\\_cat39.htm](http://www.unhchr.ch/html/menu3/b/h_cat39.htm)

These core documents are supplemented by a range of other conventions and declarations on specific issues such as torture, racial discrimination and discrimination against women.

The UN Convention on the Rights of the Child covers the specific rights of people under the age of 18 years.

The human rights that children enjoy under the CRC are often compared to and sometimes confused with their needs.

Essentially rights are needs that, in respect for human dignity, an internationally recognized system of governance deems people are universally entitled to, and for which countries through their governments, make commitments to provide for.

## Learning Activity — Rights Versus Needs

- 1 Write the following words or 'headings' on two pieces of 8 ½" x 11" paper and tape each piece of paper on the wall so that they are a few feet apart from each other.  
  
Rights  
Needs
- 2 Write the following words and 'concepts' on separate pieces of small paper:

Clean water	Family reunification	Medicine
A tattoo	Designer clothes	Books
Fresh air	Education	Food
Shelter	Sports Equipment	Television
Join a cult	Family	Contact lenses
Music CDs	Love	Library card
- 3 Divide the group into three groups and then provide each group with an equal number of 'concepts'.
- 4 Ask each group to work together and place their 'concept' under the 'headings' (i.e. right or need), which they feel is the most appropriate. Explain to the group that, at this point, there may not be a right or wrong answer and that there may be more than one correct answer.
- 5 Provide the participants an opportunity to explain why they have made some of the choices they have and ask participants from other groups if they agree or disagree.
- 6 Inform participants that the exercise will be revisited in Section Two. Leave the information on the wall for the activity in Section Two.

Online links cont...

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) at [www.unhchr.ch/html/menu3/b/e1cedaw.htm](http://www.unhchr.ch/html/menu3/b/e1cedaw.htm)

Convention on the Rights of the Child (CRC) at [www.unhchr.ch/html/menu2/6/crc/treaties/crc.htm](http://www.unhchr.ch/html/menu2/6/crc/treaties/crc.htm)



learning activity

(Adapted from Save the Children Canada (Author), *Youth to Youth a Program Guide*.)

FYI – Facilitation guidelines and tools for this exercise are provided in *Appendix C*.



## Human Rights Principles

Human rights principles guide all programming in all phases of the programming process, including assessment and analysis, programme planning and design (including setting of goals, objectives and strategies); implementation, monitoring and evaluation.

Among these human rights principles are: universality and inalienability; indivisibility; inter-dependence and inter-relatedness; non-discrimination and equality; participation and inclusion; accountability and the rule of law. These principles are explained below.

1. **Universality and inalienability:** Human rights are universal and inalienable. All people everywhere in the world are entitled to them. A person cannot voluntarily relinquish them. Nor can others take them away from him or her. As stated in Article 1 of the UDHR, "All human beings are born free and equal in dignity and rights".
2. **Indivisibility:** Human rights are indivisible. Whether of a civil, cultural, economic, political or social nature, they are all inherent to the dignity of every human person. Consequently, they all have equal status as rights, and cannot be ranked or prioritized.
3. **Inter-dependence and Inter-relatedness:** The realization of one right often depends, wholly or in part, upon the realization of others. For instance, realization of the right to health may depend, in certain circumstances, on the realization of the right to education or of the right to information.
4. **Equality and Non-discrimination:** All individuals are equal as human beings and by virtue of the inherent dignity of each human person. All human beings are entitled to their human rights without discrimination of any kind, such as race, colour, sex, ethnicity, age, language, religion, political or other opinion, national or social origin, disability, property, birth or other status as explained by the human rights treaty bodies.
5. **Participation and Inclusion:** Every person and all peoples are entitled to active, free and meaningful participation in, contribution to, and enjoyment of civil, economic, social, cultural and political development in which human rights and fundamental freedoms can be realized.
6. **Accountability and Rule of Law:** States and other duty-bearers are responsible for ensuring that rights are realized. In this regard, they have to comply with the legal norms and standards enshrined in human rights instruments. Where they fail to do so, aggrieved rights-holders are entitled to institute proceedings for appropriate redress before a competent court or other adjudicator in accordance with the rules and procedures provided by law.



background info

Source: The Human Rights Based Approach to Development Cooperation Towards a Common Understanding Among the UN Agencies

## UN Convention on the Rights of the Child

The UN Convention on the Rights of the Child is the first legally binding international instrument to incorporate the full range of human rights – civil, political, economic, social and cultural – and provides for the full development of the potential of the individual child in an atmosphere of freedom, dignity and justice.

The CRC is the most universally accepted human rights instrument in history, it has been ratified by every country in the world except two. By ratifying this instrument, national governments have committed themselves to protecting and ensuring children's rights and they have agreed to hold themselves accountable for this commitment before the international community.

It protects children's rights by setting standards in health care, education and legal, civil and social services. These standards are benchmarks against which progress can be assessed and monitored. States that are party to the CRC are obliged to develop and undertake all actions and policies in the light of the best interests of the child. The CRC contains 54 articles.



### background info

(Adapted from International Save the Children Alliance (Author), *Training Kit on the UN Convention on the Rights of the Child*)

FYI: As of 2003, Somalia and the United States of America are the only two countries that have not ratified the CRC.

### CHILD RIGHTS MILESTONES

1924	.....Geneva Declaration on the Rights of the Child adopted by the League of Nations
1948	.....Universal Declaration of Human Rights adopted by the United Nations
1959	.....Declaration on the Rights of the Child adopted by the United Nations
1979	.....International Year of the Child.
1989	.....Convention on the Rights of the Child adopted by the United Nations
1990	.....World Summit for Children held at the United Nations
1991	.....Canada ratified the UN Convention on the Rights of the Child
2000	.....Optional Protocols to the CRC are adopted by the United Nations, specifically On the Involvement of Children in Armed Conflicts; and On the Sale of Children, Child Prostitution and Child Pornography
2002	..... <i>A World Fit for Children</i> is agreed to as a consensus document at the United Nations General Assembly Special Session on Children

The text of the UN Convention on the Rights is divided into four parts:

- Preamble — provides the context for the CRC
- Part I — Articles 1 – 41 set out substantive provisions for child rights
- Part II — Articles 42 – 45 provide for monitoring and implementation
- Part III — Articles 46 – 54 cover the arrangements for entry into force

## BASIC STRUCTURE OF THE CRC

When reporting to the Committee on the Rights of the Child, State Parties are required to provide information relating to the difficulties encountered and progress achieved in implementing the CRC. The UN Committee's eight categories of reporting include:

- I. General measures of implementation (Articles 4; 42; 44, para. 6)
- II. Definition of a child (Article 1)
- III. General principles (Articles 2; 3; 6; and 12)
- IV. Civil rights and freedoms (Articles 7; 8; 13-17; 37(a))
- V. Family environment and alternative care (Articles 5; 9-11; 18, paras. 1-2; 9-11; 19-21; 25; 27, para. 4; 39)
- VI. Basic health and welfare (Articles 6; 18, para. 3; 23; 24; 26; 27, paras. 1-3)
- VII. Education, leisure and cultural activities (Articles 28; 29; 31)
- VIII. Special protection measures (Articles 22; 38; 39; 40; 37 (b) – (d); 32-36)

## GENERAL PRINCIPLES

*(Adapted from: Training Kit on the UN Convention on the Rights of the Child. (1997). London: International Save the Children Alliance)*

Of particular importance are the four articles of the CRC that define some general principles. Taken together, they form an approach to the rights of the child that can guide national implementation.

- **Non-discrimination (Article 2).** All rights apply to all children without exception.
- **Best interests of the child (Article 3).** “Best interests” covers all decisions affecting boys and girls. In any action involving children, their best interests should be the primary consideration.
- **The right to life, survival and development (Article 6).** This article goes further than simply granting children the right to live. It includes the right to survival and development.
- **Participation and respect for the views of the child (Article 12).** In order to determine what is in a child's best interests it is both logical and necessary that the child should be listened to and have his or her views taken seriously.

## Learning Activity — The Rights Line Up

*(Adapted from Youth to Youth a Program Guide and Through Children's Eyes (2002), Save the Children Canada, Toronto)*

Write on three pieces of paper, "Agree", "Neutral" and "Disagree".

Place each paper on the wall in different areas of the room.

Read each of the following statements one at a time and ask participants to position themselves under the paper that best reflects how they feel.

Participants should feel comfortable not participating in the activity or sitting out for certain statements.

After each statement, ask for volunteers to explain why they are standing under a particular sign.

1. You can't reason with children.

Agree - Neutral - Disagree

2. Children should always be told the truth.

Agree - Neutral - Disagree

3. Circumcising boys is wrong.

Agree - Neutral - Disagree

4. A mother with HIV/AIDS has the right to breast feed her baby.

Agree - Neutral - Disagree

5. Children should decide what they are taught in school.

Agree - Neutral - Disagree

7. Parents always know what is best for their children.

Agree - Neutral - Disagree

8. It's wrong for a child to work.

Agree -Neutral - Disagree

During or after the activity, you may want to discuss the following questions with the group:

Why did you take the stand you took?

How did it feel to take the stands you took? Were you surprised by how you and the other participants "lined up" on different issues?

What shapes attitudes towards children and childhood?

How do attitudes about children and childhood impact upon your work?

Summarize by explaining that, while some opinions are very clear, there are often aspects to a 'statement' that not everyone will have considered. Where a participant stands this week may change next month based on a new personal experience. Also, this exercise helps individuals understand the different perspectives that exist, the importance of consultation and the need to revisit issues (i.e. follow up) to see if circumstances have changed.

FYI – Facilitation guidelines and tools for this exercise are provided in *Appendix C*.

## Learning Activity — What Do Rights Stand For?

This exercise is designed to help participants who are working with or for children link their work with specific articles of the CRC. This activity can be done in small groups of 3-5 people or as individuals sharing information with the larger group.

Ask participants to take ten minutes to write down brief answers to the following questions:

- How does your work impact on the lives of children?
- What are your working or professional goals for children? (This may involve stating your organization's mandate or mission statement)
- What are your personal goals for children?

If in a group environment, ask participants, where willing, to share their answers with the larger group. Then ask participants to refer to the simplified version of the UN Convention on the Rights of the Child (in *Appendix D*) and ask them to highlight the articles that relate to their goals. (The full text of the CRC can be found in *Appendix E*)

Provide the group with 5-10 minutes to complete this exercise and match their goals to the articles of the CRC.

Again, where willing, ask a few members of the group to share their findings.  
Was anyone surprised by what they found in the UN Convention on the Rights of the Child?

Then explore some of these issues in more detail by asking the group the following questions;

- How successful have the participants been in meeting their goals?
- How do they measure their success?
- What supports and strategies do they feel are needed to overcome or enhance the identified goals / articles?

This exercise helps to demonstrate two main points;

1. That although many people may not think or work in terms of the UN Convention on the Rights of the Child, many of the issues and priorities are in fact child rights issues.
2. That rights are cross cutting and indivisible. For example, an issue relating to education may also be an issue related to health.



learning activity

# Section Two: Introduction to Monitoring the CRC

## Learning Objectives

This section introduces the concept of human rights monitoring and looks specifically at how the UN Convention on the Rights of the Child is monitored and reported on nationally and internationally.

When you have completed this section, you should have an understanding of:

- The monitoring process, what and who is involved
- The reporting process for the CRC
- The CCRC's preparations for Canada's next monitoring report
- The importance of involving children in monitoring processes

## What is Involved in Monitoring?

*(Sources: Save the Children Development Manual 5 – Toolkits – A Practical Guide to Assessment, Monitoring, Review and Evaluation, London: Save the Children UK.*

*Implementation Handbook for the Convention on the Rights of the Child. (2002). New York: United Nations Children's Fund.)*

Article 4 of the UN Convention on the Rights of the Child sets out the obligation of countries that have ratified the CRC (or States Parties) to implement and monitor all the rights in the CRC. They must take “all appropriate legislative, administrative, and other measures.”

So what does monitoring involve?

“Monitoring is the systematic and continuous collecting and analyzing of information about the progress of a piece of work (in this case the CRC) over time. It is a tool for identifying strengths and weaknesses in a piece of work and for providing the people who are responsible for the work with sufficient information to make the right decisions at the right time to improve its quality”.

It consists of the following elements:

- Developing and implementing a system for collecting relevant data on children, which is comprehensive and includes the most disadvantaged children
- Investigating, examining and documenting developments periodically, such as budgetary analysis at national, regional and local levels of government
- Using standards or norms as a reference to determine what is wrong with the situation, such as incidents of child rights violations
- Producing an assessment of the situation which provides a basis for further action



learning objective



background info

For more reading on CRC monitoring, please see International Save the Children Alliance (Author), *Training Kit on the UN Convention on the Rights of the Child*.

Monitoring plays an instrumental role in implementation because it enables governments and the non-governmental sector in Canada to measure, understand and communicate their successes over periods of time.

## **Who is Involved in Monitoring?**

In Canada, the implementation and monitoring of the CRC requires the participation of the governments that have jurisdiction over the subject matters covered in the convention. The Government of Canada, the provincial governments and the territorial governments share this responsibility. Governments report to the UN Committee on the Rights of the Child.

Monitoring by NGOs in a country as diverse as Canada involves collaboration among a wide variety of community-based organizations and NGOs. The Canadian Coalition for the Rights of the Child supports this work at the national level. Internationally, NGO monitoring is supported by the NGO Group for the Convention on the Rights of the Child, which is a global network of NGOs explicitly committed to promoting children's rights as defined by the CRC.

At the international level, monitoring the effective implementation of the CRC involves the specialized agencies of the UN, such as the International Labour Organisation (ILO), World Health Organization (WHO) and United Nations Educational, Scientific and Cultural Organization (UNESCO) and the United Nations Children's Fund (UNICEF).

### **UN COMMITTEE ON THE RIGHTS OF THE CHILD**

*(Adapted from: Training Kit on the UN Convention on the Rights of the Child. (1997). London: International Save the Children Alliance)*

There is no international court that can sanction violations against the CRC, but since February 1991 a committee of experts has been monitoring the implementation of the CRC in countries that have ratified it. The Committee is comprised of independent experts who are elected in their personal capacity to four year terms by States parties. The UN Committee examines the progress made by governments in realizing the rights of children. It issues concluding observations and suggestions to governments. In addition to receiving reports from governments, the UN Committee can receive reports from 'other competent bodies' (including NGOs) as well as governments when monitoring progress on implementation.

The aim of the UN Committee has been to facilitate compliance: jointly to define the problems and discuss what measures ought to be taken. To do this, it promotes a spirit of co-operation between all those having an interest in the well-being of children.

The UN Committee may also propose that special studies be undertaken on special issues relating to the rights of the child.

FYI: More information about the Committee on the Rights of the Child can be found online at [www.unhcr.ch/html/menu2/6/crc/](http://www.unhcr.ch/html/menu2/6/crc/)

## NGO GROUP FOR THE CONVENTION ON THE RIGHTS OF THE CHILD

(Adapted from: *A Guide for Non-Governmental Organizations Reporting to the Committee on the Rights of the Child (1994) Geneva: NGO Group*)

The NGO Group for the Convention on the Rights of the Child brings together international NGOs directly involved in the implementation of the CRC. The NGO Group aims to raise awareness about the CRC and make its implementation known, to promote full implementation of the CRC and be an active source of information between the Committee on the Rights of the Child and the NGO community, on the international and national levels. The NGO Group also encourages the creation and development of broad based and representative national NGO coalitions and committees for the rights of the child.

## CANADIAN COALITION FOR THE RIGHTS OF CHILDREN

The mandate of the Coalition is to ensure a collective voice for Canadian organizations and youth concerned with the rights of children as described in the UN Convention on the Rights of the Child and the declaration and plan of action of the World Summit for Children.

Shortly after the unanimous adoption of the UN Convention on the Rights of the Child at the General Assembly in November 1989, nine Canadian organizations concerned with the well-being of children at home and abroad came together to promote the signature and the ratification of this unprecedented international document. The Coalition now has over 50 member organizations.

In 1999 the Coalition submitted Canada's first NGO report to the Committee on the Rights of the Child entitled; *How Does Canada measure Up?* In the summer of 2003, the Coalition submitted a revised version of the report. Through the implementation of this toolkit the Coalition will submit Canada's second full report.

## What is the Reporting Process for the CRC?

Article 44 sets out the obligation of States Parties to report to the Committee on the Rights of the Child within two years of ratification, and then every five years. Based on the *Guidelines for Periodic Reporting* from the UN Committee, which outlines guidelines for governments in regard to the form and content of reports to the UN Committee, reporting on a national basis requires analysing and breaking down the assessment of compliance.

The guidelines outline that quantitative information should indicate variations between various areas of the country and within areas and between children. The information collected should speak to:

- Changes in the status of children

FYI: More information about the NGO Group for the Convention on the Rights of the Child can be found online via the Child Rights Information Network, CRIN website:  
[www.crin.org/NGOGroupforCRC](http://www.crin.org/NGOGroupforCRC)

FYI: More information about the Canadian Coalition for the Rights of Children including and membership application and a list of coalition members refer to *Appendix A*.

FYI: The CCRC's first report and the update of, *How Does Canada Measure Up?*, can be found at:  
[www.rightsofchildren.ca](http://www.rightsofchildren.ca)

Please see The UN Committee on the Rights of the Child, *Guidelines for Periodic Reporting*, available online at [www.unhcr.ch/html/menu2/6/crc/treaties/guidelines.htm](http://www.unhcr.ch/html/menu2/6/crc/treaties/guidelines.htm)



- Variations by age, gender, region, rural/urban area, social and ethnic group
- Changes in the communities that serve children
- Changes in the budget allocations and expenditure for the sectors that serve

## **Role of NGOs in Monitoring and Follow-up**

*(Adapted from: Training Kit on the UN Convention on the Rights of the Child. (1997). London: International Save the Children Alliance)*

The CRC is the only human rights treaty that specifically gives NGOs a role in its reporting procedures. As ‘other competent bodies’ they can be invited by the Committee on the Rights of the Child to give ‘expert advise’.

NGOs are not only important in relation to the UN Committee reporting process, they can play a major role in creating awareness at a national level about the CRC, its content and mechanisms. They can press for ratification and the legal and administrative steps towards implementation. They can request and contribute to a national system of monitoring. They can integrate respect for the standards set out in the CRC into their own policies and program activities. Finally, they can advocate for the necessary measures to be taken by relevant authorities to ensure that the standards of the CRC are respected in practice.

### **CANADA’S REPORTING PROCESS**

Since ratification of the CRC on December 13, 1991, the Government of Canada has submitted two reports to the UN Committee. The initial report was submitted in 1994 and covered measures adopted before December 31, 1992. The second report was submitted in April 2000, and covered the period of January 1993 to December 1997.

On September 17, 2003, the UN Committee reviewed Canada’s most recent report. The UN Committee published its concluding observations in October 2003 and reviewed in detail Canada’s strengths and weaknesses in its compliance to the CRC. The concluding observations provide a national standard by which future children’s rights work may be undertaken.

FYI: For a listing of country reports, please visit: [http://www.unhcr.ch/html/men\\_u2f6/crc/doc/past.htm](http://www.unhcr.ch/html/men_u2f6/crc/doc/past.htm)

FYI: The Committee’s Concluding Observations can be found at: [http://www.unhcr.ch/html/men\\_u2f6/crc/doc/co/Canada%20C02.pdf](http://www.unhcr.ch/html/men_u2f6/crc/doc/co/Canada%20C02.pdf)

## REPORTING TIMELINE

December 13, 1991	.....	The Canadian government ratified the UN Convention on the Rights of the Child.
May 1994	.....	The Canadian Government submitted the initial report to the Committee on the Rights of the Child.
1994	.....	CCRC submitted its first alternative report to the UN Committee.
June 1995	.....	The UN Committee released its first concluding observations to Canada.
2000	.....	The CCRC submitted the NGO report, "How Does Canada Measure Up?".
July 7, 2000	.....	The Government of Canada ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.
March 2001	.....	The Government of Canada submitted its second report to the UN Committee.
November 10, 2001	.....	The Government of Canada signed the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.
May 2003	.....	The CCRC submitted an updated version of "How Does Canada Measure Up?".
June 2003	.....	The CCRC attended the pre-sessional working group meeting of the UN Committee, which provided NGOs the opportunity to present their concerns about children in Canada and to alert the UN Committee to the issues that should be raised with the government at its formal meeting.
September 2003	.....	The UN Committee reviewed the Government of Canada report.
October 2003	.....	The UN Committee released its second concluding observations to Canada.
January 2009	.....	Canada's next report is due to the UN Committee.

## CANADA'S NEXT REPORT

Canada's next report to the UN Committee is due January 2009.

This toolkit will help facilitate the compilation of the NGO report that will be submitted to Geneva. The toolkit will also assist in improving the capacities of NGOs and citizen's groups in assessing Canada's progress in improving conditions for children. Second, it helps these organizations as stakeholders to ensure that they are observing the standards in the CRC, as well as the recommendations in the concluding observations. Third, it improves the government's accountability to children in Canada.

Upon completion of your monitoring exercises, all final reports and monitoring updates need to be submitted to the Canadian Coalition for the Rights of Children, where the CCRC will then compile all reports received and produce one full report that will be submitted to the NGO Group in Geneva. Periodic compilations and circulation of reports will enable participants in the monitoring exercises to see the bigger picture, as well as trends and patterns nation-wide.

A coordinated central NGO report based on input from a nation-wide variety of organizations that are child-involved and supportive of the CRC is the optimum method of reporting to the UN Committee. There are three reasons for this:

First, it is very difficult for the UN Committee to understand the state of Canada's children if they receive a large number of reports from different NGOs. The UN Committee needs a coherent and inclusive report that does not impose excessive demands on them for reading and that provides within it a clear sense of how issues should be prioritized.

Second, when the UN Committee reads reports from single-issue NGOs, there is the potential for them to be misled on the importance of the target issue to the country's children.

Third, a clearly written comprehensive report by NGOs to the UN Committee enables the Committee to identify key questions for the government delegation and makes it difficult for delegations to avoid issues they may be less comfortable discussing.

A coherent and comprehensive monitoring report is most likely when there is ongoing monitoring and reporting to the central organization throughout the period between UN Committee reporting and reviewing sessions. However, the final NGO Alternative Report that is submitted to the UN Committee should be timed so that it includes comments on the report that is compiled by the Government of Canada.

## Child Participation and Monitoring

While the importance of involving a wide range of people and groups (for example, families, elders and professionals) in monitoring children's rights is recognized and incorporated in this toolkit, we have provided the following information relating to children's participation to highlight a few key considerations when working directly with children.

### WHY INVOLVE CHILDREN?

*(Adapted from: 'Children and Participation: Research, monitoring and evaluation with children and young people, London, Development Dialog Team: Save the Children UK.)*

**Participation is a right:** The UN Convention on the Rights of the Child places in law the right of children and young people to have their opinions on matters that affect them taken into account in accordance with their maturity.

**Better knowledge of their views and priorities:** Research is a way of finding out about the lives of children and young people, their priorities and perspectives, as well as finding out how policies and programmes affect them. Involving children and young people more centrally helps illuminate key issues and concerns. Thus it can lead to better information.

FYI: The CCRC is unable to accept monitoring reports from organizations that do not support the UN Convention on the Rights of the Child.



background info

**More effective action:** Where children and young people have been centrally involved in a research or monitoring and evaluation process, they can be more effectively involved in decisions and follow up action.

**To measure properly how effective we are:** Bringing about meaningful change in children and young people's lives involves asking them about the impact we are having. Without the involvement of children and young people in every stage of the process we cannot know how effective and successful we have been. This means getting children and young people involved in the process of deciding how to monitor, what information to collect and how to interpret it.

## THE TOOLKIT AND CHILDREN'S PARTICIPATION

Child participation, being one of the key principles of the CRC and a right as stated in Article 12, is a needed component of any effort to monitor the CRC and its implementation. Child participation has been integrated throughout this toolkit - it can be implemented by children or child led organizations but adult users are also directed to include the perspectives of children in monitoring the CRC, as can be seen in the Monitoring Template, Section Five.

When involving children in any process, it is important that an organization has a child protection policy in place that will protect the rights of the children participating and also that this policy provides legal and organizational information relating to situations of disclosure. Before asking any child or young person questions of a personal nature, an organization must be aware of all issues relating to best practice, cultural sensitivity, rights, privacy, legal considerations and disclosure.

## Learning Activity — Rights Versus Needs Revisited

This activity is recommended to bring some resolution to the concepts and questions raised in the Rights versus Needs learning exercise provided in *Section One* of this toolkit.

Ask each group to revisit the activity and their original placements of the 'concepts'.

Do they want to make any changes?

What new information have they gained that makes them want to reconsider?

Ask groups to explain their new perspective.

To conclude the exercise, follow these recommendations:

Ask participants to review the text of the UN Convention on the Rights of the Child.

What 'concepts' are clearly defined as rights in the CRC?

It is important to note that the CRC is a negotiated document and although individual opinions may vary on the definition of a 'right' versus a 'need', for the purpose of this exercise, we work with the language found in the CRC. For example: Quality education is a right, books are not.

If there is a high level of debate within your group, you may want to explore the following ideas:

Although the exact language (i.e. books) is not found in the CRC, it is possible to advocate for children's rights by asking that government's provide children with books, to ensure their right to an education is fully realized.

Different 'needs' will be emphasized depending on the cultural context or country specific situations.



learning activity

# Section Three: A Community Approach to Monitoring

## Learning Objectives

This section introduces the idea of “community” monitoring and provides a framework from which to launch a community-based monitoring initiative or project. This framework is the basis for the CRC monitoring approach taken in Sections Four and Five of this toolkit.

When you have completed this section, you should have an understanding of:

- What CRC monitoring involves at the community level
- How it may be applied in your own community
- The local benefits of monitoring

## What is Community Monitoring?

Whereas “national” CRC monitoring tends to look at the big picture in Canada over the long term, community monitoring aims to produce a snapshot of CRC compliance locally.

For the purposes of this toolkit, the “community” in community monitoring refers to a geographical area or other logical grouping of children and youth, families and organizations, whose activities and decisions collectively impact the rights of specific children. “Community” does not necessarily reflect a level of government or political jurisdiction. Rather, it is an idea that recognizes that governments and people from across Canada provide for, protect and involve children and youth in a variety of ways.

The “monitoring” in community monitoring points to the capacity of community-based organizations or groups to properly capture the unique and up-close insight of children, youth, their families, elders and other community members.

Community monitoring is not intended to produce exhaustive research or analysis of national children’s rights indicators. Instead, it asks that community-based organizations or groups go into their community, ask how children are faring given their circumstances and report their findings with respect to CRC article(s). Community monitoring reports are then updated periodically to show changes that have occurred in the community and to measure how those changes have had an impact on children’s rights.

Community monitoring has valuable applications at the local level. It can serve as an important tool to empower and mobilize communities. If information is collected, shared and distributed within a community the impacts can be realized immediately.



## Community Monitoring Principles

There are five principles of community monitoring that together make up the framework from which to undertake a community monitoring initiative or project.

1. Like all CRC monitoring initiatives, community monitoring reports on situations by CRC article and, where possible, by UN Committee's eight reporting categories. Monitoring exercises should also include the recommendations made by the UN Committee in the concluding observations on the eight reporting categories.

2. Although extensive legal, policy and statistical analyses are not required in community monitoring, references are made to existing legislation, policies and practices that provide for, protect and involve children with respect to specified CRC article(s). For example, some analysis is provided to answer the question "what activities, whether set out by government or community members, have an impact on children and the enjoyment of their rights?" And, "what has recently changed in the community that has had a significant impact on their rights?" This analysis provides the benchmark for community monitoring work in the future. It also makes the information collected through community monitoring more relevant to other communities in Canada facing similar issues.

3. Community monitoring seeks out the involvement of a wide cross section of community members, including children and youth, caregivers, other family members, community leaders and elders, teachers, child-serving practitioners and professionals. Marginalized children are well represented in community monitoring, including children with disabilities, children from minority groups and children living in poverty.

4. Community members participating in the development of a community monitoring report ought to be well informed about the CRC. Participants, both young and old, are able to express, to the best of their ability, their assessment of the situation at hand, their account of the existing support for themselves or their children, their account of the barriers faced in realizing children's rights and their recommendation for making the situation better.

5. Focusing on a specific situation and corresponding CRC articles, community monitoring makes conclusions about compliance and provides a summary of the community's strengths and challenges looking forward. Community monitoring also highlights the needs that may require government intervention in order that children can enjoy their rights to the maximum level possible.

The eight reporting categories of the UN Committee on the Rights of the Child:

- I. General Measures of Implementation
- II. Definition of a child
- III. General principles
- IV. Civil rights and freedoms
- V. Family environment and alternative care
- VI. Basic Health and welfare
- VII. Education, leisure and cultural activities
- VIII. Special Protection Measures



background info

## Rating Compliance

For community monitoring, compliance is evaluated and reported on using a four-star evaluation criteria as follows:

- ★★★★ **Extremely well.** Children are not facing barriers; generally their provisions, protection and participation they require are being respected.
- ★★★ **Well.** Children are not facing any major barriers; except for in isolated cases, the provisions, protection and participation they need are being respected.
- ★★ **Fair.** Children are facing some barriers; the provisions and protection they are receiving is inadequate or they are not able to participate effectively.
- ★ **Poor.** Children are facing major barriers; they are receiving little or no provisions or protection and are not able to participate to improve the situation.

## Some Good Reasons to Initiate Monitoring in Your Community

So why spend time and resources launching a CRC monitoring initiative in your community?

Aside from the obvious answer — that is, we all share a moral obligation to ensure children’s rights are upheld in our communities — child-led and child-serving NGO’s and community-based organizations have a unique opportunity in the CRC. So long as rights monitoring information is reported on credibly and in compliance to the CRC, it will be heard and responded to by the UN Committee. This represents a powerful tool in terms of advocating for children and creating positive change in the community. Equally important, monitoring helps to improve the NGO community’s collective ability to assess the national situation of children, in a way that is far better than the ability of one organization or group on their own.

NGO monitoring of the state of Canada's children is of vital importance to the continued implementation of children's rights as described in the UN Convention on the Rights of the Child. It is through monitoring and reporting observations to the Committee on the Rights of the Child that Canada is held accountable and is provided guidance in improving its laws, policies and practices, to ever increasing consistency with children's rights. In addition to keeping the government accountable, it also widens the political commitment to the CRC as the government (as the duty bearers), the community (as the stakeholders) and children (as the rights holders) are more actively involved.



background info



background info

For those who have not been involved in CRC monitoring before, you should also be aware that the monitoring work itself can lead to wide-ranging benefits for children, their families and the community groups and organizations that support them.

To begin, participants stand to make new links to like-minded individuals and organizations supporting young people and can learn from their knowledge and experiences. By creating new coalitions or expanding on existing ones, community members, groups and organizations can help each other support young people.

Secondly, by reporting on CRC implementation as a unit, communities stand to project their voices more effectively within their community, to other communities, NGO's, governments and media across Canada. This in turn can lead to positive larger-scale changes to legislation, policy and practices.

In a nutshell, benefits may be realized from monitoring work as the capacity of the community involved is strengthened in three main areas:

1. **Local advocacy (rights alert)** – to advocate for children in response to a special situation or event locally in which their rights are clearly being violated.
2. **Advocacy (law and government policy making)** - to advocate for children in response to consistent struggles to have their rights met – i.e. to enact new laws, improve government policy and child-serving practices.
3. **Program development and best practices** – to develop programs and practices locally that have a long-term positive impact on children and their rights.

## The Impacts of Monitoring

While the impacts that monitoring can have at the community, national and international levels have been explained, community based organizations, throughout the development of this toolkit, indicated that the real benefits need to be realized primarily at the community level. Monitoring the CRC provides a unique and valuable opportunity for communities to mobilize and effect change in the lives of children. Communities across Canada are encouraged to use this toolkit to collect and develop the needed information on children in your community and develop a plan with your group to collect, distribute and share your results. Your efforts can be realized at the national and international levels through the CCRC, but your local impacts can be ongoing and empowering if they are well coordinated and supported.

Already, the project's community partners have achieved real impacts and results:

During the development of this toolkit, various community partners across the country assisted in the development and piloting of a draft toolkit. As a result of one of the pilot workshops, a local community partner in the Ontario,

FYI: For more examples of community monitoring success stories or to post your success story, please visit the CCRC's web site at:

[www.rightsofchildren.ca](http://www.rightsofchildren.ca)



Niagara region, achieved incredible results. The monitoring workshop energized people in the community and helped to promote the CRC and a local children's charter that had been developed. It raised awareness within City Council, amongst young people and generated a great deal of interest amongst local community groups.

The community partner used National Child's Day (November 20<sup>th</sup>) as a key opportunity to raise awareness and gain excellent media attention and coverage. The CRC was promoted throughout the region with a ribbon campaign and the distribution of CRC posters to all of the local schools.

## Community Monitoring Framework Grid

This grid, which is mainly a conceptual tool, provides a graphic description of the community monitoring principles and the corresponding evaluation criteria that are outlined above. It represents information that is asked for in the monitoring report template provided in Section Five of this toolkit.



Situation				
Overview of the situation that children face in the community with respect to UN Convention on the Rights of the Child articles and their interpretation by community members				
Overview of the current legislation, government policy and local programs that have an impact on children in this situation				
Community monitoring				
	How are the children faring?	What support, protection and/or opportunities for involvement do the children have?	What stands in the way of the children realizing their rights?	What would make the situation better?
What are children and youth saying about this situation?				
What are parents and caregivers saying about this situation?				
What are teachers, elders, child-serving practitioners, professionals and/or other community members saying about this situation?				
Conclusions				
		Four-star compliance rating		
		Community strengths and assets		
		Community challenges		

# Section Four: How to Implement Community Monitoring

## Learning Objectives

This section provides step-by-step instructions for a community-based group or organization to lead a CRC monitoring initiative. The instructions are designed to support the monitoring framework outlined in *Section Three* and work hand-in-hand with the community monitoring report template provided in *Section Five* of this toolkit.

When you have completed this section, you should have an understanding of:

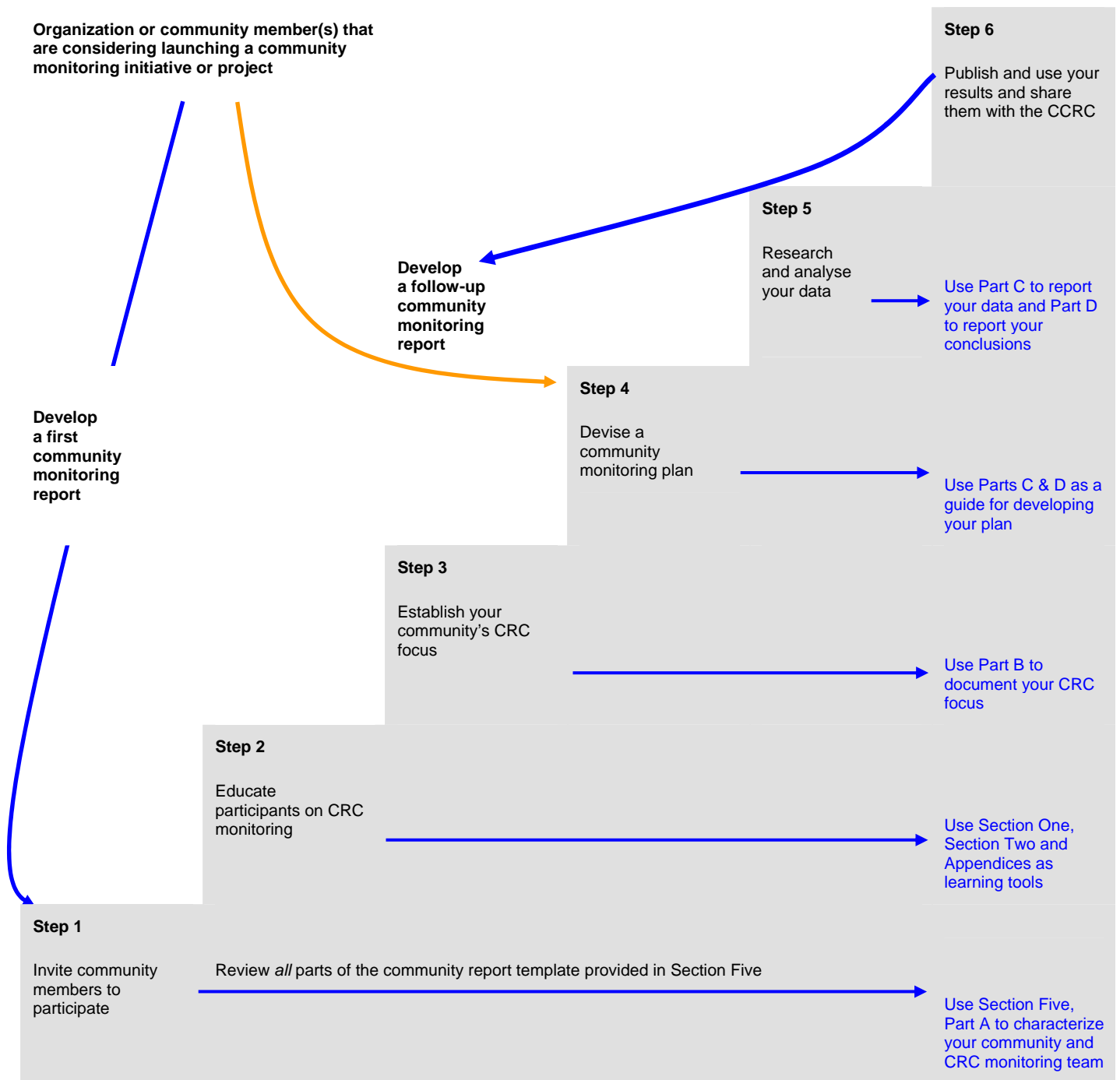
- Steps to take to publish your own community monitoring report(s)
- Related resources you will need to publish your own community monitoring report(s)

Note: this section is designed to assist community-based groups or organizations launching a community monitoring initiative for the first time. Once an initial monitoring report has been developed, follow-up reports or report cards will require fewer steps.

Please see Chart 2 on the following page for an overview of the recommended steps to implement community monitoring, with reference to the report template provided in *Section Five*.



Note: a community monitoring report checklist is also provided at the end of this section on page 38.



**Chart 2. Community monitoring framework**

## Before You Start ...

No matter what community you are representing, monitoring the CRC will demand time, resources and knowledge from various community members. To get started, we recommend that you review the community monitoring report template provided in *Section Five* so that you have a good overall understanding of the information involved and the support you will need to capture it.

As the monitoring process progresses nationally, the CCRC will be able to provide information, resources and support in your monitoring efforts. Please be sure to register yourself as a toolkit user on the CCRC website. This registration will be key to ensuring that the CCRC is able to track monitoring initiatives across the country and provide assistance and linkages where appropriate.

## Step 1 — Invite Community Members to Participate

We recommend that you reach out to your community to establish a monitoring team that draws from existing strengths that can help you complete the various parts of the template.

In some cases, “who” should be on the team may seem obvious. For example, you may be a staff member within an existing coalition or association that shares common goals for children and works with them on an ongoing basis. In this case your community monitoring initiative may be organized as a natural extension to work already in progress.

In other cases, some outreach may be required to gather up the support you will need and ensure the monitoring team represents your community appropriately.

For example, you may be a member of a youth-led organization that wishes to address bullying in your school but does not have the capacity to complete the legal or policy overview called for in the template (under *Community Situation*). Similarly, you may be a member of a health policy research organization that wishes to highlight gaps in regional child health policy but does not have the capacity to reach out to children, parents, or those supporting them as required to complete the *Community Monitoring Data* section. In either case, you will want to identify other community members or organizations that will work with you to gather the information you need.

To help bring prospective team members on board, you may want to develop a very brief, one-page mission statement that outlines your initial CRC monitoring objectives. This may be circulated by e-mails, phone calls, word of mouth, etc. You may also want to provide them with a copy of this toolkit as background information.



### Reminder

Register your group as a toolkit user at [www.rightsofchildren.ca](http://www.rightsofchildren.ca)



monitoring activity

Note: it is not necessary at this point to specify the CRC articles you wish to analyse and monitor. The process to establish your community's monitoring focus - as outlined in Step Three below - should be initiated only after all participants have learned about the Convention on the Rights of the Child and its principles and articles.

## Step 2 — Educate Participants on CRC Monitoring

Once your monitoring team has been established and lines of communication have been opened, you are ready to educate your team members on the UN Convention on the Rights of the Child and how it is monitored.

This toolkit will provide participants with the background information they will need to contribute effectively. Facilitation tools have been provided in Appendix C that will help your group work through the learning exercises provided.

To augment this toolkit, you may also want to find a local CRC trainer or facilitator that can help your team learn about CRC monitoring. In particular, a good facilitator will help your group work through *Sections One* and *Two* of this kit. A facilitator would also help your group focus its energy on the rights issues that matter most in your community – see *Step 3* below for details.

We also recommend at this point that your group take the time to review what is being said at the national level about children’s rights in Canada. For example: what have Canadian governments recently reported to the Committee on the Rights of the Child? What has recently been reported by the Canadian NGO sector, at the UN Special Session for Children (2002) and through Canada’s National Plan of Action (NPA)?

Most importantly, what has the Committee on the Rights of the Child reported in its last round of Concluding Observations? This background information will provide the backdrop for your group as it determines the focus of its monitoring initiative locally.

## Step 3 — Establish Your Community’s CRC Focus

By now your group has a better sense of commitment involved and resources required to undertake CRC monitoring. To make the most of your resources, we recommend that you focus your monitoring efforts on the rights issues - referred to in the template as your “community situation” - that are most pressing in your community.

For the purposes of this toolkit, a “situation” is a clearly defined set of circumstances, whether characterized by events, actions, policies, practices and/or political environments that shape how children’s rights are provided for. While a situation may or may not involve a specific rights violation, it does involve specific people in specific circumstances.

There are a number of ways to gain this focus depending on the nature of your group and how close you are geographically to one another. To begin, you may want to revisit your original list of monitoring objectives developed in *Step 1*. Have your objectives changed based on your new understanding of the CRC? What feedback have you received from other group members?



For help finding additional CRC training or facilitation resources, please visit: [www.rightsofchildren.ca](http://www.rightsofchildren.ca)

Canada’s reports to the UN Committee may be accessed online at [sen.parl.gc.ca/lpearson/](http://sen.parl.gc.ca/lpearson/)

The CCRC’s updated report (2003) *The UN Convention on the Rights of the Child: How Does Canada Measure Up?* may be accessed online at [www.rightsofchildren.ca](http://www.rightsofchildren.ca)

NPA information can be obtained online at: [sen.parl.gc.ca/lpearson/](http://sen.parl.gc.ca/lpearson/)

The UN Committee’s Concluding Observations, is accessible online at [www.unhchr.ch/tbs/doc.nsf](http://www.unhchr.ch/tbs/doc.nsf).



If a debate ensues over the direction of your monitoring initiative, you may want to hold a consultation in person – preferably led by a facilitator – to help develop your focus. Ask your monitoring team: what article(s) of the CRC speak most to the community’s immediate goals for children and families? Also: “what changes are occurring, or are due to occur, that will have an impact on these rights?” Answering these questions is required for your group to complete Part B of the template and will provide needed direction for your information collection activities required to complete Part C.

Please remember that the CRC clearly states that no one group of rights is more important than any other (principle of “indivisibility”). Great care must therefore be taken to describe your focus given the interrelationships and interdependencies of each right at stake.

Essentially, this means documenting how children in your community receive certain provisions, protection and opportunities for involvement to realize their rights at different levels.

For example, a community may face a specific situation such as a perceived lack of access to quality education (protected under Articles 28 and 29), which may be affected by a larger-scale situation such as economic or social marginalization of a specific group of children (non-discrimination is a principle of the CRC protected under Article 2).

Ultimately, to use the template properly, this community would focus on the specific situation under Articles 28 and 29 *and* make reference to the supporting CRC principle of non-discrimination under Article 2.

Likewise, the line of questioning used in the collection of your community monitoring data in Part C of the template should address the interrelationship of the two rights at stake (see *Steps 4* and *Step 5* below for details).

Depending on your resources, the nature of your group and the nature of your situation, you may choose to use the template to develop a number of interrelated reports or focus on one report that accurately captures the key elements of your situation.

Note: a group exercise has been provided on the following page to help you focus your issues and define your situation(s).

For a description of the CRC principle of “indivisibility”, please see *Section One*.

## Learning Activity — What Rights Do You Stand For (Revisited)

This exercise is similar to the exercise presented in *Section One* of this toolkit. The aim of the exercise is to help your monitoring group interpret the CRC and narrow in on specific articles and/or principles to monitor. Because the results of this exercise will inform the report template (Part B), you should assign a diligent note-taker.

Provide your group with a copy of the Simplified Text of the UN Convention on the Rights of the Child (*Appendix D*). Then ask group members to take ten minutes or so to write down answers to the following questions:

- What articles of the CRC represent the areas where children in your community need immediate support?
- What articles represent the areas where children in your community need the most support?

Then, provide group members with five blank cards each. Ask them to write down separately the five articles that they feel should be prioritized in your group's monitoring initiative?

Ask your team members to share their answers with the larger group by posting their cards on a wall or board (randomly). This will produce a collage of rights. Remove all duplicate cards.

In an open discussion, ask the group members to organize the cards / articles based their relationship to each other. What rights reinforce each other given the experiences of the community? Are there clumps of articles that emerge? Do they have names - what are they? What combinations of clumps are possible using the cards on the board?

The purpose of this activity is for your group to work through the various relationships of each of the children's rights - as they are exercised in your community - and come up with a set that everyone understands and supports. Your discussion will represent your interpretation of the articles in question. The set/clump of rights (or clumps) will represent the community situation(s) that your group can plan to monitor. You may establish one, two or a number of children's rights situations that your group wants to monitor.

If multiple situations are identified, ask each group members to place a sticker on their top three priorities. This activity, also know as "Dotmocracy", will help your group establish its priority situations from which you can begin to plan your monitoring activities.

Note: you may at the same time want to explore some of the issues in more detail by asking the group the following questions for each identified situation:

- What recent events, changes to legislation, policy or practices (if any) have affected the rights in question.
- What future changes will have an impact on the rights in question?
- What supports and strategies do you feel are needed to overcome barriers to these rights?
- What actions have group members taken (or could take) to address these rights?
- How successful have they been?
- How do they measure their success?



learning activity



## Step 4 — Devise a Community Monitoring Plan

With your focus now sharpened, you should be able to develop a plan to complete the community monitoring report template. Foremost, you will want to decide *who* in your group will be responsible for collecting *what* information asked for in the template.

There are four main areas where information will have to be collected and analysed, each requiring different expertise and knowledge:

1. Overview of your situation including the current legislation, policies and practices that have an impact on the children involved (*Part B - Community Situation*)
2. Input from the children and/or youth involved (*Part C - Community Monitoring Data*)
3. Input from the parents or caregivers involved (*Part C - Community Monitoring Data*)
4. Input from elders, teachers, child-serving practitioners and/or other knowledgeable community members on the situation on hand in the community (*Part C - Community Monitoring Data*)

At the same time you are assigning information collection duties, you will want to determine as a group how and what specific information needs to be collected for *Part C – Community Monitoring Data*.

First, how many children and/or youth should be involved? How should they be chosen? How many parents and caregivers should be involved? How should they be chosen? Who in the community should be involved to represent knowledgeable or expert opinions, whether they are from the health care sector, education system, etc.?

Second, how will your group ensure that participants are well informed about children's rights prior to their submitting answers? And what questions need to be developed that are appropriate for their age and culture and will satisfy the community monitoring framework?

Third, how will your information will be collected and documented? Will your team use an introductory fact sheet / survey to reach out to participants? Or, is there an alternative method available to capture the information required?

Finally, you will want to plan to spend some time after the data is collected to review your results as a group. Follow-up work will be required to ensure that information has been collected and documented in a consistent manner. Follow-up work will also be required to ensure your key results and messages are clearly articulated throughout your report (the less revisions the better and you will want to avoid having to go back to your original sources to collect additional information).



Note: if your group is in the process of developing a follow-up community monitoring report or an ongoing "report card" on a situation, you may want to reaffirm your focus articles. Any changes to your focus articles from the last report should be well documented in Parts A and B of your current report.

Note: as suggested in Step One, you will want to use your team's existing strengths to capture your community monitoring information. Specific tips on how to document your CRC focus (Part B) and collect your monitoring data (Part D) are provided below in Step Five.

If you are developing a community monitoring report for the first time, it is also a good idea at this stage to make plans for your monitoring work in the longer term. For example, given the resources available, what amount of time should pass before you develop a follow-up monitoring report – i.e. marking any changes that have come about? What *are* the major events or changes that your team would like to monitor in the long term? Who from the group can lead the longer-term initiative?

## Step 5 — Research and Analyse Your Data

Once you have assigned responsibilities and have established your monitoring process and timeframes, you are ready to begin your first round of community monitoring.

### HOW TO REPORT YOUR “COMMUNITY SITUATION” (PART B OF THE TEMPLATE)

Those on your team responsible for reporting on your situation have the task of documenting your group’s focus based on your consultations held in Step 3. Where applicable, you will want to review the notes taken from the exercise “What Rights Do You Stand For? (Revisited)” in Step 3 as your foundation.

This part of the report should describe both the process your group used to establish its focus and the results in terms of its interpretation of CRC articles.

Alternatively, if you are developing a follow-up report or report card, you have the task of describing how the situation has changed since you published your last report and, where applicable, comment on any reporting standards or indicators your group has identified.

In either case, you also have the task of doing some background research on the situation identified in order to produce an overview of the people, organizations, governments, legislation and programs currently involved.

For this part of the report, you will want to draw from information collected back in Step 2, when you became informed about the UN Convention on the Rights of the Child. You will also want to draw on previously published CRC monitoring reports and UN Committee Concluding Observations to frame your group’s monitoring initiative. These reports may provide you with specific information about relevant legislation, policy or practices given your situation.

You will also need to briefly summarize the current legislation, policy and practices that support and/or create barriers to the realization of rights given your situation.



Note: Part D of the template provides an opportunity for you to document any reporting standards or indicators that emerge from your information gathering activities.

## HOW TO RESEARCH AND ANALYSE “WHAT COMMUNITY MEMBERS ARE SAYING ABOUT THE SITUATION” (PART C OF THE TEMPLATE)

For those on your team responsible for collecting your monitoring data for Part C of the report, we advise that you use the template as a foundation to develop a more specific line of questioning.

Work with your team to develop these questions, keeping in mind that the information you collect will lay the groundwork for your conclusions as outlined in Part D of the report. Foremost you will need to be able to report on the reality of the situation (and not the rhetoric) based on the facts (not opinions) you’ve established.

The power of your report as an advocacy tool will depend on this distinction and on the way you structure your qualitative information. Both the methods and results of your research should be documented here. Information collected should be summarized and quantitative tallies should be used where possible (e.g. how many people were surveyed etc.). Quotations should only be used if they are representative of the larger group of participants.

The focus of your line of questioning should be to establish the common ideas, values and feelings expressed by community members so that you can make conclusions about the assets, strengths and challenges that your community faces going forward.

One way to collect information from community members is to develop a one-page flyer / survey that asks community members to answer questions about themselves, their children and/or their community (using the questions provided in the template as the foundation).

Your flyer should clearly outline the rights of the children being monitored. It should also ask community members to participate in a follow up interview or focus group. The results from this kind of flyer will tell you *what* is happening in the community given the situation at hand.

Then, during the follow up interview or focus group, participants should be given an opportunity to have their rights (or the rights of their children clarified), have any questions they might have answered and probe them for more in-depth information. This information will give you a better understanding of *why* the situation is the way it is.

## HOW TO DEVELOP YOUR CONCLUSIONS (PART D OF THE TEMPLATE)

When you have finished collecting and documenting your monitoring information, you are ready to write up your conclusions.

For some communities, your conclusions will seem obvious based on the results of your monitoring work. For others, your conclusions will require further discussion and analysis.

In either case, your group will want to spend some time reviewing and revising your conclusions. For example, you may want to have the group member responsible for developing the *Community Situation* section of the report draft the *Conclusions* section, then circulate the draft to the larger group for their feedback. This member can then make revisions based on the feedback and repeat the process until your group has reached consensus on a final version.

### Step 6 — Publish Your Results and Share Them

Your report is now ready for one last round of reviews and revisions by your team.

At this stage, you will want to use this review to compare the information documented in each section of the template to ensure it is written up in a consistent manner throughout. Foremost, the report should contain consistent words and concepts to describe your results, whether from the perspective of children and youth, caregivers or other community members.

Once your team is comfortable with the wording of the report, you are ready to use your report to advocate for children in your community, whether locally, regionally or nationally.

You are also ready to forward your report to us at the Canadian Coalition for the Rights of Children. From a national perspective, your report will:

- Provide important qualitative monitoring data to be reported on nationally – for your information will feed into future CCRC monitoring reports
- Add key discussion points to the dialogue surrounding children’s rights and child-serving policies, programs and practices
- Add key insight into the development of children’s rights indicators given specified policy and program areas

The CCRC may also be able to help your group find partners from across the country to help advocate for young people in your community given your monitoring results.

For more information about making a submission, please visit us online at: [www.rightsofchildren.ca](http://www.rightsofchildren.ca)



## Community Monitoring Checklist

The following is a summary checklist of activities necessary to produce a community monitoring report:

- [ ] Register your group as a toolkit user at: [www.rightsofchildren.ca](http://www.rightsofchildren.ca)
- [ ] Establish a community monitoring team that has the capacity to undertake community monitoring as outlined in the community monitoring template provided in *Section Five*.
- [ ] Inform all team members about the UN Convention on the Rights of the Child and related monitoring guidelines and processes.
- [ ] Decide what CRC articles will be monitored by the team and document your community's situation in light of those articles
- [ ] Using your team's existing strengths, allocate resources and plan for the development of your monitoring report(s).
- [ ] Report the characteristics of your team, the characteristics of your community and the CRC focus / situation being monitored
- [ ] Report key background information on the legislation, policy and practices that have an impact on your situation.
- [ ] Report objectively about what community members are saying about the situation and how it can be improved.
- [ ] Make conclusions about CRC compliance in your community.
- [ ] Document your community's assets, strengths and challenges in providing for the rights of children given the situation you have described.
- [ ] Develop a local communications strategy. Discuss ways of sharing the information your group has collected and ways to ensure that your work has an impact not only at the national level but also at the community/local level.



# Section Five: Community Monitoring Report Template

## How to Use This Template

The template that follows is designed to assist you with the documentation and publication of your CRC community monitoring report. The contents are based on the Community Monitoring Framework included in Section Three. We recommend you use the template as a worksheet to research and write up your monitoring report and go through Step 1 to Step 6 as outlined in *Section Four* of this toolkit.

The template is divided into four main parts:

### PART A - SUBMITTING ORGANIZATION OR COMMUNITY GROUP

Provides information about the organization or community group responsible for developing the monitoring report.

### PART B - COMMUNITY SITUATION

Provides an overview of the community's focus with an emphasis on CRC articles and reporting categories. Also provides basic information about existing legislation, policies and practices that have an impact on children.

### PART C - COMMUNITY MONITORING DATA

Captures what children, their parents, caregivers, families, elders, professionals and/or other community members are saying about the situation and what can be done to improve the situation.

### PART D - CONCLUSIONS

Offers conclusions about CRC compliance, plus a summary of the community's assets, strengths and challenges looking forward.

## Symbols

For each section of this template, questions, tips and resource notes are provided to help guide you in the development of the report. These are highlighted by the following symbols:

- Q.** Suggested questions to be answered
- Tip** Recommended method(s) to complete the information
- Refer** Reference to a resource available to help you complete the information (full reference details are provided in *Appendix B*)

If you are using an electronic copy of this template, please delete these symbols and text prior to typing in your report information.



monitoring activity

This template is designed to report on a specific children's rights situation. Communities wishing to report on a number of rights situations or issues are advised to use the template to develop a series of separate reports. For more information on how to use this template, please contact us at: [www.rightsofchildren.ca](http://www.rightsofchildren.ca)

FYI – updated versions of this template are available electronically from the CCRC:

- In CD-ROM format (MS Word) and,
- Via download from the CCRC Internet site (MS Word) at [www.rightsofchildren.ca](http://www.rightsofchildren.ca).

## Part A — Submitting General Information about Your Organization or Community Group

<b>Name of organization</b>	<b>Q.</b> What is the name of your organization or community group?
<b>Contact information</b>	<p><b>Q.</b> Who are the primary contacts on your monitoring team and how may they be reached:</p> <ul style="list-style-type: none"> <li>▪ Names?</li> <li>▪ Mailing Addresses?</li> <li>▪ Phone #'s?</li> <li>▪ E-mail addresses?</li> </ul>
<b>Mandate</b>	<b>Q.</b> What is the mandate of your organization or group? If your group was brought together specifically to monitor the UN Convention on the Rights of the Child, please indicate so.
<b>Organizational details</b>	<p><b>Q.</b> Briefly describe how your community organization or group is structured including:</p> <ul style="list-style-type: none"> <li>▪ How does your organization or group operate? For example: by committee or membership, board of directors, staff?</li> <li>▪ What does your organization do? What other services do you provide? What is your focus?</li> <li>▪ How long has your organization / group existed?</li> <li>▪ What is the outlook of your organization / group?</li> </ul>
<b>Child participation</b>	<p><b>Q.</b> Is your organization / group led by children or youth?</p> <p><b>Q.</b> If not, does your organization / group follow a child or youth participation policy? If so, briefly describe. How were children involved in the development and implementation of this monitoring initiative.</p>
<b>Non-discrimination policy</b>	<b>Q.</b> Does your organization / group have or follow a non-discrimination policy? If so, briefly describe.
<b>Other information</b>	<b>Q.</b> Please provide any other information that you feel is relevant for this report.



## Part B — Description of Situation

### Overview of the situation that children face in your community with respect to UN Convention on the Rights of the Child articles and their interpretation by community members

**Q.** What is the name / makeup of your community?

- Its geographical location?
- Other boundaries where relevant – e.g. band name, religious or cultural affiliation?
- Its demographic make up – e.g. its population broken down by social group, language, religion and/or aboriginal/non-aboriginal status?
- Is the community rural or urban by nature?

**Q.** What articles of the CRC are being monitored and reported on?

**Q.** What is the rights situation being addressed in your monitoring work? Provide an overview or “executive summary” of the issues involved with specific reference to the articles you have chosen to focus on. Include your interpretation of each article.

**Tip.** Use your results from Step 3 (outlined in the previous section of this toolkit) as the basis for your overview.

**Q.** Does your monitoring work address or relate to a specific UN Committee reporting category? If so, which one. What other reporting categories does your monitoring information inform?

**Refer** to *Section Two* of this toolkit for more information on reporting categories.

**Q.** Does your monitoring work address or relate to any Concluding Observations published by the Committee on the Rights of the Child in response to previous national reports? Briefly explain the connection between your monitoring work and any issues raised by the UN Committee.

**Refer** to *Section Two* of this toolkit for more information about the Committee on the Rights of the Child and its Concluding Observations. The UN Committee’s Concluding Observations can be accessed over the internet at [www.unhchr.ch/tbs/doc.nsf](http://www.unhchr.ch/tbs/doc.nsf)



**Overview of current legislation, government policy and local programs that have an impact on children in this situation**

**Q.** What legislation is currently in place that has an impact on children in this situation?

- Federal?
- Provincial/Territorial?
- Municipal?

Describe the role legislation plays in the realization of the rights being monitored by your community. Does it work to protect children? How? Are there gaps in the legislation? What are they?

**Refer** to Society for Children and Youth (Author), *A model for Assessing Legislative Compliance to the UN Convention on the Rights of the Child*.

**Q.** What government policies have an impact on children in this situation?

- Federal?
- Provincial/Territorial?
- Municipal?

Describe the role government policy plays in the realization of the rights being monitored. Does it work to provide for, protect and involve children? How? What are the gaps in government policy?

**Q.** If applicable, what levels of indigenous governance have an impact on children in this situation? What is their policy?

- Band council?
- First Nations Peoples?
- Federal or provincial treaty processes?

Describe the role this policy plays in the realization of the rights being monitored. Do they work to provide for, protect and involve children? How? What are the gaps in the policy?

**Refer** to Society for Children and Youth (Author), *The UN Convention on the Rights of the Child—1. Guidelines for Policy Development; 2. A Model for Assessing Policy Compliance; 3. Supplement*.

**Q.** What programs, activities, events and other practices are underway locally in the community to provide for, protect and involve children in this situation. Briefly highlight what has worked and what hasn't.

**Tip.** As outlined in *Step 1*, you will want to involve community members that have some legal and/or policy expertise in your area of focus and that can help you complete this section of the template.

## Part C — Community Monitoring Data

What are children/youth saying?	
<p><b>How are the children faring?</b></p>	<p><b>Q.</b> How do they feel? What hurts? Are they sad or happy? Are they afraid? Depending on the nature of the rights in question, how do they feel at home, in school, with friends?</p> <p><b>Q.</b> How do they feel about the situation being monitored given their understanding of it? Do they think the situation is good or bad? Do they want it to get better?</p> <p><b>Tip.</b> Remember, the CRC asks that children be able to express their views based on their growing capacity to do so (Article 12). Obviously, children that are too young to talk will not be able to participate in community monitoring. For situations that involve very young children (for example, a situation where access to medical care is relatively low and infant mortality rates are relatively high), you may want to consult with local youth groups in the community that have a mandate to participate in children’s rights issues at large— e.g. a local school council, youth-in-care organization etc. If no such organization is available, please indicate so.</p> <p><b>Tip.</b> Information that is collected should be summarized for this report and qualitative “tallies” should be used where possible. Use quotations only if they are representative of the larger group of participants.</p> <p><b>Q.</b> What method(s) did you use to collect this information from children?</p> <ul style="list-style-type: none"> <li>▪ How many children/youth were involved? How were they chosen?</li> <li>▪ What information was provided and what questions were posed to them?</li> <li>▪ How was the information summarized for this report? Has any information been left out in this report?</li> </ul> <p><b>Tip.</b> As outlined in <i>Step 5</i>, the recommended approach for collecting this information is to have community partners already working closely with children and families initiate a one-page survey, then follow-up with an interview or small focus group.</p>

Also remember, representation is required from boys and girls and from children from marginalized groups in the community – e.g. children with physical disabilities, minority groups and children living in poverty.

The consultation should provide an opportunity for the children participating to learn about their rights and enable them to speak with informed voices.

**Tip.** Also note, strict guidelines must be followed when reaching out to children and youth in your monitoring effort. Key things to consider are:

- Provincial legislative requirements for obtaining family consent when consulting children
- How to involve children and at the same time their parents and families - care must be taken to ensure the focus stays on the strengths and contributions parents and family members are making.
- Information provided and questions posed must be age and language appropriate.
- Information provided and questions posed must not be harmful to the participants.

**Refer** – Manitoba, <http://web2.gov.mb.ca/laws/statutes/ccsm/c080e.php>  
Ontario, [www.e-laws.gov.on.ca/DBLaws/Statutes/English/90c11\\_e.htm](http://www.e-laws.gov.on.ca/DBLaws/Statutes/English/90c11_e.htm)  
Quebec, [www.canlii.org/qc/loi/lcqc/20030530/l.r.q.p-34.1/tout.html](http://www.canlii.org/qc/loi/lcqc/20030530/l.r.q.p-34.1/tout.html)  
Nova Scotia, [www.gov.ns.ca/legislature/legc/statutes/childfam.htm](http://www.gov.ns.ca/legislature/legc/statutes/childfam.htm)  
Alberta, [www.canlii.org/ab/sta/csa/20030217/r.s.a.2000c.c-12/whole.html](http://www.canlii.org/ab/sta/csa/20030217/r.s.a.2000c.c-12/whole.html)  
British Columbia, [www.qp.gov.bc.ca/statreg/stat/C/96046\\_01.htm](http://www.qp.gov.bc.ca/statreg/stat/C/96046_01.htm)

**Refer** – Save the Children UK (Author), *Shaping a country's future with children and young people – Summary Guide for Civil Society.*

**What support, protection and/or opportunities for involvement do the children have?**

**Q.** What helps them feel better given their situation? At home, in school, with friends?

**Refer** to the section immediately above for tips and resources that will help you complete this information.

**What stands in the way of the children realizing their rights?**

**Q.** What makes them feel angry or frustrated? At home, in school, with friends?

**Refer** to the sections above for tips and resources that will help you complete this information.

<p><b>What would make the situation better?</b></p>	<p><b>Q.</b> What do they want to happen? What do they hope for? What is the one thing they want most?</p> <p><b>Refer</b> to the sections above for tips and resources that will help you complete this information.</p>
<p><b>What are parents and caregivers saying about this situation?</b></p>	
<p><b>How are the children faring?</b></p>	<p><b>Q.</b> Are their children healthy? How do they feel?</p> <p><b>Q.</b> What do parents/caregivers worry most about when it comes to their children’s well being?</p> <p><b>Q.</b> How do they feel about the situation being monitored given their understanding of it? Do they feel the situation is good or bad? Do they want it to change?</p> <p><b>Tip.</b> Information that is collected should be summarized for this report and qualitative “tallies” should be used where possible. Use quotations only if they are representative of the larger group of participants.</p> <p><b>Q.</b> What method(s) did you use to collect information from these adult family members?</p> <ul style="list-style-type: none"> <li>▪ How many parents and other family members were involved? How were they chosen?</li> <li>▪ What information was provided to them and what questions were posed?</li> <li>▪ How was the information summarized for this report? What information, if any, has been left out in this report?</li> </ul> <p><b>Tip.</b> As outlined in <i>Step 5</i>, the recommended approach for collecting this information is to have community partners already working closely with parents or families initiate a one-page survey, then undertake a follow-up interview or small focus group.</p> <p>Remember, representation is required from marginalized families in the community – e.g. minority groups, those in poverty.</p> <p>Consultations should also provide an opportunity for participants to learn about children’s rights and enable them to speak with informed voices.</p>

<p><b>What support, protection and/or opportunities for involvement do the children have?</b></p>	<p><b>Q.</b> What helps their children given their situation? At home, in school, with friends, with respect to their health?</p> <p><b>Q.</b> What helps them as parents/caregivers do a better job in supporting, protecting or involving their children?</p> <p><b>Refer</b> to the section immediately above for tips and resources that will help you complete this information.</p>
<p><b>What stands in the way of the children realizing their rights?</b></p>	<p><b>Q.</b> What hurts or makes the situation particularly difficult for their children? At home, in school, with friends, in terms of their health?</p> <p><b>Q.</b> What makes the situation more difficult for them as parents/caregivers?</p> <p><b>Refer</b> to the section immediately above for tips and resources that will help you complete this information.</p>
<p><b>What would make the situation better?</b></p>	<p><b>Q.</b> What do they want to see happen? What do they hope for?</p> <p><b>Q.</b> What is the one thing they need the most to help them look after their children in this situation?</p> <p><b>Refer</b> to the sections above for tips and resources that will help you complete this information.</p>

**What are elders, teachers, child-serving practitioners, professionals and/or other knowledgeable community members saying about this situation?**

**How are the children faring?**

**Q.** How are the children involved in the situation doing? Are they healthy? Are they happy or sad? Are they afraid?

**Q.** What are the major areas of concern to these elders, teachers, child-serving practitioners, professionals etc. when it comes to the well being of these children?

**Q.** How do they feel about the situation being monitored given their understanding of it? Do they feel the situation is good or bad? Do they want it to change?

**Tip.** Information that is collected should be summarized for this report and qualitative “tallies” should be used where possible. Use quotations only if they are representative of the larger group of participants.

**Q.** What method(s) did you use to collect information from local community leaders and child-serving practitioners?

- How many community members were involved? How were they chosen?
- What information was provided to them and what questions were posed?
- How was the information summarized for this report? What information has been left out in this report?

**Tip.** As outlined in *Step 5*, the recommended approach for collecting this information is to initiate a one-page survey, then undertake a follow-up interview or small focus group.

Consultations should provide an opportunity for participants to learn about children’s rights and enable them to speak with informed voices.

**What support, protection and/or opportunities for involvement do the children have?**

**Q.** What, in their experience, helps children most given this situation? At home, in school, with friends, with respect to their health?

**Q.** What helps elders, teachers, professionals etc. do a better job in supporting, protecting or involving these children and their rights?

**Refer** to the section immediately above for tips and resources that will help you complete this information.

<p><b>What stands in the way of the children realizing their rights?</b></p>	<p><b>Q.</b> What hurts or makes the situation particularly difficult for the children involved? At home, in school, with friends, in terms of their health?</p> <p><b>Q.</b> What makes the situation more difficult for the elders, teachers, professionals etc.?</p> <p><b>Refer</b> to the section immediately above for tips and resources that will help you complete this information.</p>
<p><b>What would make the situation better?</b></p>	<p><b>Q.</b> What do they want to see happen? What do they hope for?</p> <p><b>Q.</b> What is the one thing they need the most to help <i>them</i> as elders, teachers, professionals etc. serve, educate or look after these children?</p> <p><b>Refer</b> to the sections above for tips and resources that will help you complete this information.</p>



## Part D — Conclusions

<p><b>Compliance Rating</b></p>	<p><b>Q.</b> Using a four-star evaluation criteria, how are children faring given the current situation in your community? <i>(Choose one to four stars):</i></p> <p>★★★★ <b>Extremely well.</b> Children are not facing barriers; generally their provisions, protection and participation they require are being respected.</p> <p>★★★ <b>Well.</b> Children are not facing any major barriers; except for in isolated cases, the provisions, protection and participation they need are being respected.</p> <p>★★ <b>Fair.</b> Children are facing some barriers; the provisions and protection they are receiving is inadequate or they are not able to participate effectively.</p> <p>★ <b>Poor.</b> Children are facing major barriers; they are receiving little or no provisions or protection and are not able to participate to improve the situation.</p> <p>Briefly explain your rating:</p>
<p><b>Community strengths and assets</b></p>	<p><b>Q.</b> What is working to support, protect and involve children in your community given the focus of this report and the CRC articles being monitored?</p> <p><b>Q.</b> Who are the major contributors of this support?</p> <p><b>Q.</b> What external resources and support (whether legislative, policy, programming etc.) are required for this work to continue?</p> <p><b>Q.</b> Based on the information collected in this report, how can this success be measured going forward? What factual measurements or indicators can be used to determine continued success in the future?</p> <p><b>Tip.</b> As outlined in <i>Step 6</i>, these conclusions should be circulated among community members for input and consensus. Conclusions should be prioritized and succinct.</p>



## Community Challenges

**Q.** What challenges does your community face going forward given the focus of this report and the CRC articles being monitored?

**Q.** What new external resources and support (whether legislative, policy, programming etc.) are required to meet these challenges?

**Q.** Based on the information collected in this report, how can meeting these challenges be measured going forward? What factual measurements or indicators may be used to determine improvements?

**Tip.** Again, these conclusions should be circulated among community members for input and consensus. Conclusions should be prioritized and succinct.

# Appendices

## Appendix A — About the CCRC

### History

Shortly after the unanimous adoption of the Convention on the Rights of the Child at the United Nations General Assembly in November 1989, nine Canadian organizations concerned with the well-being of children at home and abroad came together to promote the signature and the ratification of this unprecedented international document.

The World Summit for Children, held in September 1990, led to an expansion of the Canadian Coalition for the Rights of Children whose members worked hard to strengthen Canada's leadership role. In recognition of the Coalition's contribution, a young person chosen by her peers, as well as the Chairperson of the Coalition, participated in the Summit as part of Canada's official delegation.

### Mandate

The mandate of the Coalition is to ensure a collective voice for Canadian organizations and youth concerned with the rights of children as described in the United Nations Convention on the Rights of the Child and the World Summit for Children Declaration.

The Coalition carries out its mandate by:

- monitoring the implementation of the Convention in Canada in respect of Canadian domestic and international policies;
- establishing national, provincial, regional and local as well as international links with organizations concerned with the well-being of children;
- fostering the education and awareness in Canada of the rights of children, especially among young Canadians;
- acting as an informal information network in Canada for materials related to the Convention; and
- urging the Federal Government to ensure Canadian representation on the United Nations Committee on the Rights of the Child

## **Membership**

Membership in the CCRC is available to national or international organizations whose mandate includes concerns for the well-being of children and who support the UN Convention on the Rights of the Child and the World Summit Declaration, or provincial/territorial Coalitions for the Rights of Children.

Official membership in the Coalition can be obtained by submitting:

- a formal letter from an authorizing body of the organization stating official support of the Coalition's mandate;
- an annual report;
- a description of the organization's membership;
- the organization's mandate;
- the full annual membership fee of \$350 or partial membership fee plus in-kind contributions approved by the board of directors of the Coalition.

Corresponding memberships shall be available to national or international organizations or provincial/territorial Coalitions for the Rights of Children for an annual fee of \$50.

All membership requests are subject to approval by members of the Coalition.

## **More information**

For more information about the Coalition, or to make a donation to contribute to the promotion and protection of children's rights, please contact us: [info@rightsofchildren.ca](mailto:info@rightsofchildren.ca)  
or:

Canadian Coalition for the Rights of Children  
c/o Canadian Child Care Federation  
Attn: A Wilson, Executive Assistant  
201-383 Parkdale, Ottawa, ON K1Y 4R4

## Appendix B — Supplementary Resources

Note: Please find abstracts for the following supplementary resources published in the *Convention on the Rights of the Child Resource Guide* (CCRC 2003), downloadable online from [www.rightsofchildren.ca](http://www.rightsofchildren.ca).

### Section One — Introduction to Children's Rights

Castelle, K. (1990). *Children Have Rights Too! A Primer on the U.N. Convention on the Rights of the Child*. Etobicoke, ON: Defence for Children International-Canada.

Covell, K. and Howe, R.B. (2001). *The Challenge of Children's Rights for Canada*, Wilfred Laurier Press

Child Rights Information Network (CRIN) (website). At [www.crin.org](http://www.crin.org).

Defence for Children International. (website). *United Nations Convention on the Rights of the Child: From Declaration to Convention*. ([childhouse.uio.no/childrens\\_rights/dci\\_crc1.html](http://childhouse.uio.no/childrens_rights/dci_crc1.html))

International Save the Children Alliance (1997). *Training Kit on the UN Convention on the Rights of the Child*. London: Author. Order online at [www.savethechildren.org.uk/functions/indx\\_pubs.html](http://www.savethechildren.org.uk/functions/indx_pubs.html).

International Save the Children Alliance (2002). *Child Rights Programming – How to Apply Rights-Based Approaches in Programming*. London: Author. Order online at [www.savethechildren.org.uk/functions/indx\\_pubs.html](http://www.savethechildren.org.uk/functions/indx_pubs.html).

Society for Children and Youth of BC. (1995). *Rights Awareness Kit on the U.N. Convention on the Rights of the Child*. Vancouver, BC: Author. For copies, contact via website at [www.scyofbc.org](http://www.scyofbc.org).

UNICEF. (2002). *Implementation Handbook for the Convention on the Rights of the Child*. New York, NY. Available through the Distribution Unit, Division of Communication, UNICEF H-9F, Three United Nations Plaza, New York, New York 10017, USA. Fax: 1.212.326.7375. E-mail: [pubdoc@unicef.org](mailto:pubdoc@unicef.org).

UNICEF (2000). *Children's Rights Glossary*. Florence, Italy: Innocenti Research Centre. Order online at [www.unicef-icdc.org](http://www.unicef-icdc.org).

Office of the United Nations High Commissioner for Human Rights. (website). *International Human Rights Instruments*. At [www.unhchr.ch/html/intlinst.htm](http://www.unhchr.ch/html/intlinst.htm).

### Section Two — Introduction to Children's Rights Monitoring

Anderson-Brolin, L. and C. Radetzky (2002). *Young People - a review on how young people are addressed within the monitoring process of the UN Convention on the Rights of the Child*. Sweden: Save the Children Sweden. Order by post (Save the Children Sweden Publishing, SE-107 88 Stockholm, Sweden), by fax (+46 8 698 90 25) or by E-mail ([rbpublishing@rb.se](mailto:rbpublishing@rb.se)).

Bailey, M., Bala, N. and the Child Welfare League of Canada. (1999). *Does Ontario and Federal Legislation Comply with the U.N. Convention on the Rights of the Child?* Ottawa, ON: Child Welfare League of Canada. For copies, contact the Child Welfare League of Canada via the web at [www.cwlc.ca](http://www.cwlc.ca).

Canadian Coalition for the Rights of Children. (1999 & 2003). *The U.N. Convention on the Rights of the Child: How Does Canada Measure Up?* Ottawa, ON: Author. Downloadable from [www.rightsofchildren.ca/sir/index.htm](http://www.rightsofchildren.ca/sir/index.htm).

Canadian Coalition for the Rights of Children. (2002). *Say It Right! The Unconventional Canadian Youth Edition of the United Nations Convention on the Rights of the Child*. Ottawa: Author. Order online at [www.rightsofchildren.ca/sir/index.htm](http://www.rightsofchildren.ca/sir/index.htm).

Francisco, Carolina (1999). *Standing Up for Ourselves: A Study on the Concepts and Practices of Young People's Rights to Participation*. Bangkok: ECPAT International, International Young People's Action Against Sexual Exploitation of Children. Downloadable from [www.ecpat.net/eng/Ecpat\\_inter/Publication/Other/English/Pdf\\_page/ecpat\\_standing\\_up.pdf](http://www.ecpat.net/eng/Ecpat_inter/Publication/Other/English/Pdf_page/ecpat_standing_up.pdf)

Pellatt, A. and the Alberta Civil Liberties Research Centre. (1999). *United Nations Convention on the Rights of the Child. How Does Alberta's Legislation Measure Up?* Calgary, AB: Alberta Civil Liberties Research Centre. Contact the Alberta Civil Liberties Research Centre via e-mail at [aclrc@ucalgary.ca](mailto:aclrc@ucalgary.ca).

Save the Children UK (2003). *Shaping a country's future with children and young people – Summary Guide for Civil Society*. London, UK: Author. Order online at [www.savethechildren.net](http://www.savethechildren.net)

Senator Landon Pearson (Website). Publications include *Children and the Hill* (newsletter), *Canada's First and Second Reports to the UN Committee on the Rights of the Child*, *Summary of Concluding Comments of the UN Committee on the Rights of the Child on Canada's First Report*. Available online at [sen.parl.gc.ca/lpearson/](http://sen.parl.gc.ca/lpearson/).

Society for Children and Youth of BC. (1998). *The UN Convention on the Rights of the Child: Does Domestic Legislation Measure Up?* Vancouver, BC: Author (Full and summary reports are available) For copies, contact via website at [www.scyofbc.org](http://www.scyofbc.org).

UNICEF (2003). *Building a World Fit for Children*. New York: Author. Downloadable at [www.unicef.org/publications/index\\_7932.html](http://www.unicef.org/publications/index_7932.html).

United Nations High Commissioner for Human Rights. (website). *Concluding Observations of the Committee on the Rights of the Child: Canada*. At [www.unhchr.ch/tbs/doc.nsf](http://www.unhchr.ch/tbs/doc.nsf).

NGO Group for the Convention on the Rights of the Child (1994). *A Guide for Non-Governmental Organizations Reporting to the Committee on the Rights of the Child*. Geneva: Author. Downloadable online at [www.crin.org/projects/viewProjects.asp?projID=9](http://www.crin.org/projects/viewProjects.asp?projID=9).

United Nations Special Session on Children (Website). Online publications include *Building a World Fit for Children*, *The United Nations Special Session on Children: A first Anniversary Report on Follow-Up*, *UN Special Session Newsletter*. At [www.unicef.org/specialsession/](http://www.unicef.org/specialsession/).

### **Section Three — A Community Approach to Monitoring**

(see Section Five – Community Monitoring Report Template)

### **Section Four — How to Implement Community Monitoring**

(see Section Five – Community Monitoring Report Template)

### **Section Five — Community Monitoring Report Template**

Bigs, Dinny (1995). *In Our Own Backyard: A Teaching Guide for the Rights of the Child*. Toronto, ON: Is Five Printing and Graphics. Order online at [www.unicef.ca](http://www.unicef.ca).

Canadian Coalition for the Rights of Children. (website). *Canada and the U.N. Convention on the Rights of the Child: Developing a Monitoring Framework*. Ottawa, ON: Author.

Canadian Mental Health Association (1995). *Working with Young People: A Guide to Youth Participation in Decision-making*. Toronto, ON: Author. Order online at [www.cmha.ca/english/store/order.htm](http://www.cmha.ca/english/store/order.htm).

Child and Family Canada & The Canadian Child Care Federation (2001). *Respecting Children's Rights at Home*. Ottawa, ON: Canadian Child Care Federation. Downloadable from [www.cfc-](http://www.cfc-)

[efc.ca/docs/cccf/rs064\\_en.htm](http://efc.ca/docs/cccf/rs064_en.htm) (English version) or [www.cfc-efc.ca/docs/cccf/rs064\\_fr.htm](http://www.cfc-efc.ca/docs/cccf/rs064_fr.htm) (French version).

Gibbs, Sara, Gillian Mann and Nicola Mathers (2002). *Child-to-Child: A Practical Guide to Empowering Children as Active Citizens*. London, England: Child-to-Child Initiative. Downloadable from [www.child-to-child.org/guide/](http://www.child-to-child.org/guide/)

Growing Hearts, Growing Minds Project, Montreal YMCA. (1996 & 2003 eds.) *Hands Up! A Hands on Approach to Children's Rights*. Montreal: Author. Order at [www.ymcamontreal.qc.ca](http://www.ymcamontreal.qc.ca) or [caterina.milani@ymcamontreal.qc.ca](mailto:caterina.milani@ymcamontreal.qc.ca)

Hood, Robin and Dinsbury, Kim (1999). *Growing Strong: A Training Manual Promoting the Rights of Indigenous Children*. Victoria, BC: International Institute for Child Rights and Development. Order at [www.uvic.ca/iicrd](http://www.uvic.ca/iicrd).

Jafri, Beenash (2002). *Fire It Up! A Toolkit for Youth Action*. Toronto: Youth Action Network. Downloadable from [www.youthactionnetwork.org/rac/](http://www.youthactionnetwork.org/rac/).

Kapell, Alana (2001). *A Canada Fit for Children: A Report on the Realities for Young People Today*. Toronto, ON: Save the Children Canada. Order online at [www.savethechildren.ca](http://www.savethechildren.ca).

Richler, Diane (author of chapter 9); L'Institut Roehrer Institute in collaboration with Partnerships in Community Living (book eds. 1995). "The United Nations Convention on the Rights of the Child: A Tool for Advocacy," chapter 9 in *As if Children Matter: Perspectives on Children, Rights and Disability*. North York, ON: L'Institut Roehrer Institute. For copies contact the L'Institut Roehrer Institute via website at [www.roehrer.ca](http://www.roehrer.ca).

Save the Children UK (2000). *Working for Change in Education: A handbook for planning advocacy*. London, UK: Author. Order online at [www.savethechildren.org.uk/functions/indx\\_pubs.html](http://www.savethechildren.org.uk/functions/indx_pubs.html).

Society for Children and Youth of British Columbia (2001). *The UN Convention on the Rights of the Child—1. Guidelines for Policy Development; 2. A Model for Assessing Policy Compliance; 3. Supplement*. Vancouver, BC: Author. For copies, contact via website at [www.scyofbc.org](http://www.scyofbc.org).

Society for Children and Youth of British Columbia (2001). *The UN Convention on the Rights of the Child—A Model for Assessing Legislative Compliance*. Vancouver, BC: Author. For copies, contact via website at [www.scyofbc.org](http://www.scyofbc.org).

Society for Children and Youth of British Columbia (2001). *Compliance of Canada's Youth Criminal Justice Act with the UN Convention on the Rights of the Child*. Vancouver, BC: Author. For copies, contact via website at [www.scyofbc.org](http://www.scyofbc.org).

Society for Children and Youth of British Columbia (2003/in press). *The Convention on the Rights of the Child and Public Policy—Perspectives on the Rights of Children with Disabilities*. Burnaby, BC: Author. For copies, contact via website at [www.scyofbc.org](http://www.scyofbc.org).

Sommarin, Clara (1999). *Advocating Children's Rights in the Human Rights System of the United Nations*. Sweden: Save the Children Sweden. Order by post (Save the Children Sweden Publishing, SE-107 88 Stockholm, Sweden), by fax (+46 8 698 90 25) or by E-mail ([rbpublishing@rb.se](mailto:rbpublishing@rb.se)).

# **Facilitator Aids**

## **Key Considerations for Facilitators**

The role of a facilitator is very important during a group discussion or workshop. A facilitator should never forget their roles and responsibilities, which include:

- Always remain neutral!! Your role as a facilitator is to facilitate the discussion of others, your own personal opinions and priorities must be put aside.
- Be positive and try to go into a meeting with energy and genuine enthusiasm!
- Ensure that the participants feel welcome and are encouraged to participate.
- Always remember the objectives of the meeting.
- Try not to let one or two people dominate the discussion, provide an opportunity for everyone to participate.
- After a group discussion has finished, try to summarize the discussion before moving on the next topic or agenda item.
- It is your responsibility to prepare the agenda and follow it.
- Always listen carefully to what others have to say.
- Guide and encourage the groups' participation.
- Always observe your group, if energy or interest levels are low, change gears, do an energiser or take a small break.
- Always stay in communication with your group, ensure that the information presented is clear and that people are ready to move forward. Do not always wait for someone to ask a question, observe body language and facial expressions.
- Create a comfortable and safe environment for participants.
- Be prepared to handle people with different opinions or situations of conflict. Ensure that the tone is always respectful and that while people may disagree, everyone should feel safe and welcome to participate.
- Be aware of the different backgrounds of the participants and design a process that reflects different contributions and be aware of 'sensitive' issues that may require attention.



If there is a mix of children and adults in the group, additional considerations are needed, including:

- Ensure that the children and young people involved have a clear understanding of why they are attending the meeting or participating in a process.
- Whenever possible, provide background information in advance and ensure that all materials are appropriate to the age and literacy level of the children involved.
- Your facilitation style and agenda may need to be adapted to ensure that the meeting is fun and engaging (i.e. more ice breaker/energizers and group discussions and fewer presentations).
- If possible, involve a willing young person to assist with the facilitation.
- Ensure equal participation among ALL participants.
- Always maintain a high level of respect throughout the meeting.
- During breaks, touch base with a few young people one on one to ensure that they are feeling comfortable during the meeting and that their participation is valued and meaningful. Be prepared to adjust your agenda/style if needed. Ask for recommendations.
- Always be aware of child protection related policies and practices.

For more information relating to facilitating meetings with children, you may want to refer to the following resources:

Save the Children UK (2002) *'Participation – Spice It Up, Practical tools for engaging children and young people in planning and consultations'*. Save the Children UK, copyright Dynamix Ltd. Swansea. Can be order at [www.savethechildren.org.uk](http://www.savethechildren.org.uk)

Save the Children (Scotland) (2001) *'re:action consultation toolkit – a practical tool for consulting with children and young people on policy issues'* Save the Children in Scotland, available online at [www.savethechildren.org.uk](http://www.savethechildren.org.uk)

Intenational Save the Children Alliance (2003) *'So You Want To Consult With Children? A toolkit of good practice'*. Available at [www.savethechildren.net](http://www.savethechildren.net)

## **Facilitator Aids for Section One**

Includes:

- Materials for the “Rights versus Needs” activity  
(Prepared signs for “Rights” and “Needs” and cut outs for the ‘concepts’)
  
- Overhead sheets for group presentations  
(Sheets to be copied onto transparencies to aid with discussions relating to: Human rights principles, child rights milestones, basic structure of the Convention and child rights principles)
  
- Materials for the “Rights Line Up” activity  
(Prepared signs for “Agree”, “Neutral” and “Disagree”)

# RIGHTS

# NEEDS

clean water	a tattoo	fresh air
shelter	membership in a cult	music CDs

family reunification	designer clothes	School
sports equipment	family	Love

medicine	books	food
television	contact lenses	a library card

## **Human rights are governed by the following principles:**

- 1. Universality and inalienability**
- 2. Indivisibility**
- 3. Inter-dependence and Inter-relatedness**
- 4. Equality and Non-discrimination**
- 5. Participation and Inclusion**
- 6. Accountability and Rule of Law**

### CHILD RIGHTS MILESTONES

1924	.....	Geneva Declaration on the Rights of the Child adopted by the League of Nations
1948	.....	Universal Declaration of Human Rights adopted by the United Nations
1959	.....	Declaration on the Rights of the Child adopted by the United Nations
1979	.....	International Year of the Child.
1989	.....	Convention on the Rights of the Child adopted by the United Nations
1990	.....	World Summit for Children held at the United Nations
1991	.....	Canada ratified the UN Convention on the Rights of the Child
2000	.....	Optional Protocols to the CRC are adopted by the United Nations, specifically On the Involvement of Children in Armed Conflicts; and On the Sale of Children, Child Prostitution and Child Pornography
2002	.....	<i>A World Fit for Children</i> is agreed to as a consensus document at the United Nations General Assembly Special Session on Children



## BASIC STRUCTURE OF THE CRC

General measures of implementation (Articles 4; 42; 44, para. 6)

Definition of a child (Article 1)

General principles (Articles 2; 3; 6; and 12)

Civil rights and freedoms (Articles 7; 8; 13-17; 37(a))

Family environment and alternative care

(Articles 5; 9-11; 18, paras. 1-2; 9-11; 19-21; 25; 27, para. 4; 39)

Basic health and welfare

(Articles 6; 18, para. 3; 23; 24; 26; 27, paras. 1-3)

Education, leisure and cultural activities (Articles 28; 29; 31)

Special protection measures

(Articles 22; 38; 39; 40; 37 (b) – (d); 32-36)

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## GENERAL PRINCIPLES

1. Non-discrimination (Article 2)
  2. Best interests of the child (Article 3)
  3. The right to life, survival and development (Article 6)
  4. Participation and respect for  
the views of the child (Article 12).
- 
-

# AGREE

**NEUTRAL**

# DISAGREE

## **Facilitator Aids for Section Two**

Includes:

- Overhead sheets for group presentations  
(Sheets to be copied onto transparencies to aid with discussions relating to: the Convention reporting timeline and the reporting categories of the UN Committee on the Rights of the Child)

## REPORTING TIMELINE

December 13, 1991 .....	The Government of Canada ratified the UN Convention on the Rights of the Child.
May 1994 .....	The Canadian Government submitted the initial report to the Committee on the Rights of the Child.
1994 .....	CCRC submitted its first alternative report to the UN Committee.
June 1995 .....	The UN Committee released its first concluding observations to Canada.
2000 .....	The CCRC submitted the NGO report, "How Does Canada Measure Up?".
July 7, 2000.....	The Government of Canada ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.
March 2001 .....	The Government of Canada submitted its second report to the UN Committee.
November 10, 2001 .....	The Government of Canada signed the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.
May 2003 .....	The CCRC submitted an updated version of "How Does Canada Measure Up?".
June 2003 .....	The CCRC attended the pre-sessional working group meeting of the UN Committee, which provided NGOs the opportunity to present their concerns about children in Canada and to alert the UN Committee to the issues that should be raised with the government at its formal meeting.
September 2003 .....	The UN Committee reviewed the Government of Canada report.
October 2003 .....	The UN Committee released its second concluding observations to Canada.
January 2009 .....	Canada's next report is due to the UN Committee.

## REPORTING CATEGORIES

**The Committee's eight categories of reporting include:**

1. General measures of implementation
2. Definition of a child
3. General principles
4. Civil rights and political freedoms
5. The family environment and alternative care
6. Basic Health and welfare
7. Education, culture and leisure
8. Special protection measures

## **Facilitator Aids for Section Three**

Includes:

- Overhead sheet for group presentations  
(Sheets to be copied onto transparencies to aid with discussions relating to: the community monitoring framework grid)



<b>Situation</b>				
Overview of the situation that children face in the community with respect to UN Convention on the Rights of the Child articles and their interpretation by community members				
Overview of the current legislation, government policy and local programs that have an impact on children in this situation				
<b>Community monitoring</b>				
	How are the children faring?	What support, protection and/or opportunities for involvement do the children have?	What stands in the way of the children realizing their rights?	What would make the situation better?
What are children and youth saying about this situation?				
What are parents and caregivers saying about this situation?				
What are teachers, elders, child-serving practitioners, professionals and/or other community members saying about this situation?				
<b>Conclusions</b>				
		Four-star compliance rating		
		Community strengths and assets		
		Community challenges		

## **Facilitator Aids for Section Four**

Includes:

- Overhead sheet for group presentations  
(Sheets to be copied onto transparencies to aid with discussions relating to: recommended steps to implement community monitoring)



Overhead



Organization or community member(s) that are considering launching a community monitoring initiative or project

**Step 6**

Publish and use your results and share them with the CCRC

**Step 5**

Research and analyse your data

Use Part C to report your data and Part D to report your conclusions

Develop a follow-up community monitoring report

**Step 4**

Devise a community monitoring plan

Use Parts C & D as a guide for developing your plan

Develop a first community monitoring report

**Step 3**

Establish your community's CRC focus

Use Part B to document your CRC focus

**Step 2**

Educate participants on CRC monitoring

Use Section One, Section Two and Appendices as learning tools

**Step 1**

Invite community members to participate

Review *all* parts of the community report template provided in Section Five

Use Section Five, Part A to characterize your community and CRC monitoring team

## Appendix D — UN Convention on the Rights of the Child (Summary)

<b>Preamble</b>		The preamble recalls the basic principles of the United Nations and specific provisions of certain relevant human rights treaties and proclamations. It reaffirms the fact that children, because of their vulnerability, need special care and protection, and it places special emphasis on the primary caring and protective responsibility of the family. It also reaffirms the need for legal and other protection of the child before and after birth, the importance of respect for the cultural values of the child's community, and the vital role of international cooperation in securing children's rights.
<b>Article 1</b>	<b>Definition of a child</b>	A child is recognized as a person under 18, unless national laws recognize the age of majority earlier.
<b>Article 2</b>	<b>Non-discrimination</b>	All rights apply to all children without exception. It is the State's obligation to protect children from any form of discrimination and to take positive action to promote their rights.
<b>Article 3</b>	<b>Best interests of the child</b>	All actions concerning the child shall take full account of his or her best interests. The State shall provide the child with adequate care when parents, or others charged with that responsibility, fail to do so.
<b>Article 4</b>	<b>Implementation of rights</b>	The State must do all it can to implement the rights contained in the Convention.
<b>Article 5</b>	<b>Parental guidance and the child's evolving capacities</b>	The State must respect the rights and responsibilities of parents and the extended family to provide guidance for the child which is appropriate to her or his evolving capacities.
<b>Article 6</b>	<b>Survival and development</b>	Every child has the inherent right to life, and the State has an obligation to ensure the child's survival and development.
<b>Article 7</b>	<b>Name and nationality</b>	The child has the right to a name at birth. The child also has the right to acquire a nationality and, as far as possible, to know his or her parents and be cared for by them.
<b>Article 8</b>	<b>Preservation of identity</b>	The State has an obligation to protect, and if necessary, re-establish basic aspects of the child's identity. This includes name, nationality and family ties.
<b>Article 9</b>	<b>Separation from parents</b>	The child has a right to live with his or her parents unless this is deemed to be incompatible with the child's best interests. The child also has the right to maintain contact with both parents if separated from one or both.
<b>Article 10</b>	<b>Family reunification</b>	Children and their parents have the right to leave any country and to enter their own for purposes of reunion or the maintenance of the child-parent relationship.
<b>Article 11</b>	<b>Illicit transfer and non-return</b>	The State has an obligation to prevent and remedy the kidnapping or retention of children abroad by a parent or third party.
<b>Article 12</b>	<b>The child's opinion</b>	The child has the right to express his or her opinion freely and to have that opinion taken into account in any matter or procedure affecting the child.

<b>Article 13</b>	<b>Freedom of expression</b>	The child has the right to express his or her views, obtain information, make ideas or information known, regardless of frontiers.
<b>Article 14</b>	<b>Freedom of thought, conscience and religion</b>	The State shall respect the child's right to freedom of thought, conscience and religion, subject to appropriate parental guidance.
<b>Article 15</b>	<b>Freedom of association</b>	Children have a right to meet with others, and to join or form associations.
<b>Article 16</b>	<b>Protection of privacy</b>	Children have the right to protection from interference with privacy, family, home and correspondence, and from libel or slander.
<b>Article 17</b>	<b>Access to appropriate information</b>	The State shall ensure the accessibility to children of information and material from a diversity of sources, and it shall encourage the mass media to disseminate information which is of social and cultural benefit to the child, and take steps to protect him or her from harmful materials.
<b>Article 18</b>	<b>Parental responsibilities</b>	Parents have joint primary responsibility for raising the child, and the State shall support them in this. The State shall provide appropriate assistance to parents in child-raising.
<b>Article 19</b>	<b>Protection from abuse and neglect</b>	The State shall protect the child from all forms of maltreatment by parents or others responsible for the care of the child and establish appropriate social programmes for the prevention of abuse and the treatment of victims.
<b>Article 20</b>	<b>Protection of a child without family</b>	The State is obliged to provide special protection for a child deprived of the family environment and to ensure that appropriate alternative family care or institutional placement is available in such cases. Efforts to meet this obligation shall pay due regard to the child's cultural background.
<b>Article 21</b>	<b>Adoption</b>	In countries where adoption is recognized and/or allowed, it shall only be carried out in the best interests of the child, and then only with the authorization of competent authorities, and safeguards for the child.
<b>Article 22</b>	<b>Refugee children</b>	Special protection shall be granted to a refugee child or to a child seeking refugee status. It is the State's obligation to co-operate with competent organizations which provide such protection and assistance.
<b>Article 23</b>	<b>Disabled children</b>	A disabled child has the right to special care, education and training to help him or her enjoy a full and decent life in dignity and achieve the greatest degree of self-reliance and social integration possible.
<b>Article 24</b>	<b>Health and health services</b>	The child has a right to the highest standard of health and medical care attainable. States shall place special emphasis on the provision of primary and preventive health care, public health education and the reduction of infant mortality. They shall encourage international cooperation in this regard and strive to see that no child is deprived of access to effective health services.
<b>Article 25</b>	<b>Periodic review of placement</b>	A child who is placed by the State for reasons of care, protection or treatment is entitled to have that placement evaluated regularly.
<b>Article 26</b>	<b>Social security</b>	The child has the right to benefit from social security including social insurance.

<b>Article 27</b>	<b>Standard of living</b>	Every child has the right to a standard of living adequate for his or her physical, mental, spiritual, moral and social development. Parents have the primary responsibility to ensure that the child has an adequate standard of living. The State's duty is to ensure that this responsibility can be fulfilled, and is. State responsibility can include material assistance to parents and their children.
<b>Article 28</b>	<b>Education</b>	The child has a right to education, and the State's duty is to ensure that primary education is free and compulsory, to encourage different forms of secondary education accessible to every child and to make higher education available to all on the basis of capacity. School discipline shall be consistent with the child's rights and dignity. The State shall engage in international co- operation to implement this right.
<b>Article 29</b>	<b>Aims of education</b>	Education shall aim at developing the child's personality, talents and mental and physical abilities to the fullest extent. Education shall prepare the child for an active adult life in a free society and foster respect for the child's parents, his or her own cultural identity, language and values, and for the cultural background and values of others.
<b>Article 30</b>	<b>Children of minorities or indigenous populations</b>	Children of minority communities and indigenous populations have the right to enjoy their own culture and to practise their own religion and language.
<b>Article 31</b>	<b>Leisure, recreation and cultural activities</b>	The child has the right to leisure, play and participation in cultural and artistic activities.
<b>Article 32</b>	<b>Child labour</b>	The child has the right to be protected from work that threatens his or her health, education or development. The State shall set minimum ages for employment and regulate working conditions.
<b>Article 33</b>	<b>Drug abuse</b>	Children have the right to protection from the use of narcotic and psychotropic drugs, and from being involved in their production or distribution.
<b>Article 34</b>	<b>Sexual exploitation</b>	The State shall protect children from sexual exploitation and abuse, including prostitution and involvement in pornography.
<b>Article 35</b>	<b>Sale, trafficking and abduction</b>	It is the State's obligation to make every effort to prevent the sale, trafficking and abduction of children.
<b>Article 36</b>	<b>Other forms of exploitation</b>	The child has the right to protection from all forms of exploitation prejudicial to any aspects of the child's welfare not covered in articles 32, 33, 34 and 35.
<b>Article 37</b>	<b>Torture and deprivation of liberty</b>	No child shall be subjected to torture, cruel treatment or punishment, unlawful arrest or deprivation of liberty. Both capital punishment and life imprisonment without the possibility of release are prohibited for offences committed by persons below 18 years. Any child deprived of liberty shall be separated from adults unless it is considered in the child's best interests not to do so. A child who is detained shall have legal and other assistance as well as contact with the family.

<b>Article 38</b>	<b>Armed conflicts</b>	States Parties shall take all feasible measures to ensure that children under 15 years of age have no direct part in hostilities. No child below 15 shall be recruited into the armed forces. States shall also ensure the protection and care of children who are affected by armed conflict as described in relevant international law.
<b>Article 39</b>	<b>Rehabilitative care</b>	The State has an obligation to ensure that child victims of armed conflicts, torture, neglect, maltreatment or exploitation receive appropriate treatment for their recovery and social reintegration.
<b>Article 40</b>	<b>Administration of juvenile justice</b>	A child in conflict with the law has the right to treatment which promotes the child's sense of dignity and worth, takes the child's age into account and aims at his or her reintegration into society. The child is entitled to basic guarantees as well as legal or other assistance for his or her defence. Judicial proceedings and institutional placements shall be avoided wherever possible.
<b>Article 41</b>	<b>Respect for higher standards</b>	Wherever standards set in applicable national and international law relevant to the rights of the child that are higher than those in this Convention, the higher standard shall always apply.
<b>Articles 42-45; and Articles 46-54</b>	<b>Implementation and entry into force</b>	<p>The provisions of articles 42-54 notably foresee:</p> <p>(i) the State's obligation to make the rights contained in this Convention widely known to both adults and children.</p> <p>(ii) the setting up of a Committee on the Rights of the Child composed of 10 experts, which will consider reports that States Parties to the Convention are to submit two years after ratification and every five years thereafter. The Convention enters into force - and the Committee would therefore be set up - once 20 countries have ratified it.</p> <p>(iii) States Parties are to make their reports widely available to the general public.</p> <p>(iv) The Committee may propose that special studies be undertaken on specific issues relating to the rights of the child, and may make its evaluations known to each State Party concerned as well as to the UN General Assembly.</p> <p>(v) In order to "foster the effective implementation of the Convention and to encourage international co- operation," the specialized agencies of the UN - such as the International Labour Organisation (ILO), World Health Organization (WHO) and United Nations Educational, Scientific and Cultural Organization (UNESCO) - and UNICEF would be able to attend the meetings of the Committee. Together with any other body recognized as 'competent', including non-governmental organizations (NGOs) in consultative status with the UN and UN organs such as the United Nations High Commissioner for Refugees (UNHCR), they can submit pertinent information to the Committee and be asked to advise on the optimal implementation of the Convention.</p>

## Appendix E — UN Convention on the Rights of the Child (Full text)

*Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989. Entry into force 2 September 1990, in accordance with article 49.*

### Preamble

*The States Parties to the present Convention,*

*Considering* that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

*Bearing in mind* that the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person, and have determined to promote social progress and better standards of life in larger freedom,

*Recognizing* that the United Nations has, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

*Recalling* that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,

*Convinced* that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

*Recognizing* that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

*Considering* that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity,

*Bearing in mind* that the need to extend particular care to the child has been stated in the Geneva Declaration of the Rights of the Child of 1924 and in the Declaration of the Rights of the Child adopted by the General Assembly on 20 November 1959 and recognized in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights (in particular in articles 23 and 24), in the International Covenant on Economic, Social and Cultural Rights (in particular in article 10) and in the statutes and relevant instruments of specialized agencies and international organizations concerned with the welfare of children, '

*Bearing in mind* that, as indicated in the Declaration of the Rights of the Child, "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth",

Recalling the provisions of the Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally; the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules); and the Declaration on the Protection of Women and Children in Emergency and Armed Conflict,

*Recognizing* that, in all countries in the world, there are children living in exceptionally difficult conditions, and that such children need special consideration,

*Taking due account* of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child,



*Recognizing* the importance of international co-operation for improving the living conditions of children in every country, in particular in the developing countries,

*Have agreed* as follows:

## **PART I**

### **Article 1**

For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.

### **Article 2**

1. 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.
2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

### **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.

### **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 co-operation.

### **Article 5**

States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

### **Article 6**

1. States Parties recognize that every child has the inherent right to life.
2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

## Article 7

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.
2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

## Article 8

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.
2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

## Article 9

1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.
2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.
3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.
4. Where such separation results from any action initiated by a State Party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the State) of one or both parents or of the child, that State Party shall, upon request, provide the parents, the child or, if appropriate, another member of the family with the essential information concerning the whereabouts of the absent member(s) of the family unless the provision of the information would be detrimental to the well-being of the child. States Parties shall further ensure that the submission of such a request shall of itself entail no adverse consequences for the person(s) concerned.

## Article 10

1. In accordance with the obligation of States Parties under article 9, paragraph 1, applications by a child or his or her parents to enter or leave a State Party for the purpose of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner. States Parties shall further ensure that the submission of such a request shall entail no adverse consequences for the applicants and for the members of their family.
2. A child whose parents reside in different States shall have the right to maintain on a regular basis, save in exceptional circumstances personal relations and direct contacts with both parents. Towards that end and in accordance with the obligation of States Parties under article 9, paragraph 1, States Parties shall respect the right of the child and his or her parents to leave any country, including their own, and to enter their own country. The right to leave any country shall be subject only to such restrictions as are prescribed by law and which are necessary to protect the national security, public order (*ordre public*), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention.

### **Article 11**

1. States Parties shall take measures to combat the illicit transfer and non-return of children abroad.
2. To this end, States Parties shall promote the conclusion of bilateral or multilateral agreements or accession to existing agreements.

### **Article 12**

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.
2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

### **Article 13**

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

### **Article 14**

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.
2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.
3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

### **Article 15**

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

### **Article 16**

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.
2. The child has the right to the protection of the law against such interference or attacks.

### **Article 17**

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health. To this end, States Parties shall:

- (a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;
- (b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;
- (c) Encourage the production and dissemination of children's books;
- (d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;
- (e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.

#### **Article 18**

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.
2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.
3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.

#### **Article 19**

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.
2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

#### **Article 20**

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.
2. States Parties shall in accordance with their national laws ensure alternative care for such a child.
3. Such care could include, *inter alia*, foster placement, *kafalah* of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

#### **Article 21**

States Parties that recognize and/or permit the system of adoption shall ensure that the best interests of the child shall be the paramount consideration and they shall:

- (a) Ensure that the adoption of a child is authorized only by competent authorities who determine, in accordance with applicable law and procedures and on the basis of all pertinent and reliable information, that the adoption is permissible in view of the child's status concerning parents,

relatives and legal guardians and that, if required, the persons concerned have given their informed consent to the adoption on the basis of such counselling as may be necessary;

- (b) Recognize that inter-country adoption may be considered as an alternative means of child's care, if the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin;
- (c) Ensure that the child concerned by inter-country adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption;
- (d) Take all appropriate measures to ensure that, in inter-country adoption, the placement does not result in improper financial gain for those involved in it;
- (e) Promote, where appropriate, the objectives of the present article by concluding bilateral or multilateral arrangements or agreements, and endeavour, within this framework, to ensure that the placement of the child in another country is carried out by competent authorities or organs.

## Article 22

1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.

2. For this purpose, States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or non-governmental organizations co-operating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

## Article 23

1. States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.

2. States Parties recognize the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child.

3. Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development

4. States Parties shall promote, in the spirit of international cooperation, the exchange of appropriate information in the field of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to information concerning methods of rehabilitation, education and vocational services, with the aim of enabling States Parties to improve their capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken of the needs of developing countries.

## Article 24

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.
2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:
  - (a) To diminish infant and child mortality;
  - (b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;
  - (c) To combat disease and malnutrition, including within the framework of primary health care, through, *inter alia*, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;
  - (d) To ensure appropriate pre-natal and post-natal health care for mothers;
  - (e) 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 child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents;
  - (f) To develop preventive health care, guidance for parents and family planning education and services.
3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.
4. States Parties undertake to promote and encourage international co-operation with a view to achieving progressively the full realization of the right recognized in the present article. In this regard, particular account shall be taken of the needs of developing countries.

## Article 25

States Parties recognize the right of a child who has been placed by the competent authorities for the purposes of care, protection or treatment of his or her physical or mental health, to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement.

## Article 26

1. States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.
2. The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.

## Article 27

1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.
2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.
3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.

4. States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangements.

#### **Article 28**

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

- (a) Make primary education compulsory and available free to all;
- (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
- (c) Make higher education accessible to all on the basis of capacity by every appropriate means;
- (d) Make educational and vocational information and guidance available and accessible to all children;
- (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

#### **Article 29**

1. States Parties agree that the education of the child shall be directed to:

- (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;
- (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
- (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
- (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
- (e) The development of respect for the natural environment.

2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

#### **Article 30**

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with

other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

#### **Article 31**

1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.
2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

#### **Article 32**

1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.
2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:
  - (a) Provide for a minimum age or minimum ages for admission to employment;
  - (b) Provide for appropriate regulation of the hours and conditions of employment;
  - (c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.

#### **Article 33**

States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

#### **Article 34**

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;
- (c) The exploitative use of children in pornographic performances and materials.

#### **Article 35**

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

#### **Article 36**

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

#### **Article 37**

States Parties shall ensure that:

- (a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;



- (b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;
- (c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;
- (d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

#### **Article 38**

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.
2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.
3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest.
4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

#### **Article 39**

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

#### **Article 40**

1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.
2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:
  - (a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;
  - (b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:
    - (i) To be presumed innocent until proven guilty according to law;
    - (ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have

legal or other appropriate assistance in the preparation and presentation of his or her defence;

- (iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;
  - (iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality;
  - (v) If considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;
  - (vi) To have the free assistance of an interpreter if the child cannot understand or speak the language used;
  - (vii) To have his or her privacy fully respected at all stages of the proceedings.
3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and, in particular:

3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law and in particular:

- (a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;
- (b) Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected.

4. A variety of dispositions, such as care, guidance and supervision orders; counselling; probation; foster care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence.

#### Article 41

Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of the child and which may be contained in:

- (a) The law of a State party; or
- (b) International law in force for that State.

## PART II

### Article 42

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

### Article 43

1. For the purpose of examining the progress made by States Parties in achieving the realization of the obligations undertaken in the present Convention, there shall be established a Committee on the Rights of the Child, which shall carry out the functions hereinafter provided.

2. The Committee shall consist of ten experts of high moral standing and recognized competence in the field covered by this Convention. The members of the Committee shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution, as well as to the principal legal systems.
3. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.
4. The initial election to the Committee shall be held no later than six months after the date of the entry into force of the present Convention and thereafter every second year. At least four months before the date of each election, the Secretary-General of the United Nations shall address a letter to States Parties inviting them to submit their nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating States Parties which have nominated them, and shall submit it to the States Parties to the present Convention.
5. The elections shall be held at meetings of States Parties convened by the Secretary-General at United Nations Headquarters. At those meetings, for which two thirds of States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.
6. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if renominated. The term of five of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these five members shall be chosen by lot by the Chairman of the meeting.
7. If a member of the Committee dies or resigns or declares that for any other cause he or she can no longer perform the duties of the Committee, the State Party which nominated the member shall appoint another expert from among its nationals to serve for the remainder of the term, subject to the approval of the Committee.
8. The Committee shall establish its own rules of procedure.
9. The Committee shall elect its officers for a period of two years.
10. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee. The Committee shall normally meet annually. The duration of the meetings of the Committee shall be determined, and reviewed, if necessary, by a meeting of the States Parties to the present Convention, subject to the approval of the General Assembly.
11. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.
12. With the approval of the General Assembly, the members of the Committee established under the present Convention shall receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide.

#### **Article 44**

1. States Parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made on the enjoyment of those rights:
  - (a) Within two years of the entry into force of the Convention for the State Party concerned;
  - (b) Thereafter every five years.
2. Reports made under the present article shall indicate factors and difficulties, if any, affecting the degree of fulfilment of the obligations under the present Convention. Reports shall also contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned.

3. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports submitted in accordance with paragraph 1 (b) of the present article, repeat basic information previously provided.
4. The Committee may request from States Parties further information relevant to the implementation of the Convention.
5. The Committee shall submit to the General Assembly, through the Economic and Social Council, every two years, reports on its activities.
6. States Parties shall make their reports widely available to the public in their own countries.

#### **Article 45**

In order to foster the effective implementation of the Convention and to encourage international co-operation in the field covered by the Convention:

- (a) The specialized agencies, the United Nations Children's Fund, and other United Nations organs shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite the specialized agencies, the United Nations Children's Fund and other competent bodies as it may consider appropriate to provide expert advice on the implementation of the Convention in areas falling within the scope of their respective mandates. The Committee may invite the specialized agencies, the United Nations Children's Fund, and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;
- (b) The Committee shall transmit, as it may consider appropriate, to the specialized agencies, the United Nations Children's Fund and other competent bodies, any reports from States Parties that contain a request, or indicate a need, for technical advice or assistance, along with the Committee's observations and suggestions, if any, on these requests or indications;
- (c) The Committee may recommend to the General Assembly to request the Secretary-General to undertake on its behalf studies on specific issues relating to the rights of the child;
- (d) The Committee may make suggestions and general recommendations based on information received pursuant to articles 44 and 45 of the present Convention. Such suggestions and general recommendations shall be transmitted to any State Party concerned and reported to the General Assembly, together with comments, if any, from States Parties.

### **PART III**

#### **Article 46**

The present Convention shall be open for signature by all States.

#### **Article 47**

The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

#### **Article 48**

The present Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

#### **Article 49**

1. The present Convention shall enter into force on the thirtieth day following the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.
2. For each State ratifying or acceding to the Convention after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or accession.

## **Article 50**

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.
2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of States Parties.
3. When an amendment enters into force, it shall be binding on those States Parties which have accepted it, other States Parties still being bound by the provisions of the present Convention and any earlier amendments which they have accepted.

## **Article 51**

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.
2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.
3. Reservations may be withdrawn at any time by notification to that effect addressed to the Secretary-General of the United Nations, who shall then inform all States. Such notification shall take effect on the date on which it is received by the Secretary-General.

## **Article 52**

A State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations. Denunciation becomes effective one year after the date of receipt of the notification by the Secretary-General.

## **Article 53**

The Secretary-General of the United Nations is designated as the depositary of the present Convention.

## **Article 54**

The original of the present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS THEREOF the undersigned plenipotentiaries, being duly authorized thereto by their respective governments, have signed the present Convention.