

# Report from the workshop on NGO reporting to the UN Committee on the Rights of the Child

Stockholm 11-12 May 2007



**Save the Children**

Sweden

## *Background to the workshop*

To monitor the Convention on the Rights of the Child (CRC) is one of the most important aspects of the work of a child rights based organisation. Save the Children Sweden has been supporting the production of reports from NGO's and NGO Coalitions to the UN Committee on the Rights of the Child (here after referred to as "the Committee") since the Committee started its work in the early 1990's.

In 2006 Save the Children Sweden Europe Programme held a meeting for its partner organisations. At this meeting it was obvious that almost all organisations include the reporting process to the Committee in its work, even though not all does so in a systematic fashion and often it is not included in the plan of operations throughout the five year reporting cycle.

In the beginning of 2007 one partner organisation turned to Save the Children Sweden to ask for an exchange of experience with the domestic programme in producing the NGO report. The Europe Programme was aware that other partner organisations also was in the process of submitting reports to the Committee, and therefore decided to hold a workshop with these organisations to involve as many as possible in the exchange of experience.

Five partner organisations (from Croatia, Estonia, Moldova, Romania and Serbia) and Save the Children Sweden domestic programme were invited to a work shop which took place on 11-12 May 2007 in Stockholm, Sweden (see Appendix II for the list of participants).

To this meeting Save the Children Sweden also invited a member from the Committee, Ms Nevena Vuckovic Sahovic. This is a first step to start collaborating with the Committee in Europe and hopefully this will lead to a mutual benefit, since the Committee needs to have information and contact with NGO's, as well as NGO's benefits from contact with the Committee in their work.

The work shop highlighted the work of the Committee, what the Committee needs from the NGO reports, instruments to be included in the reporting process, how to involve children and young people in the process and how to work with networks and/or coalitions when reporting (see Appendix I for the agenda).

### **How does the Committee work?**

The Committee consists of 18 child rights experts from all regions of the world. They meet three times each year, every time for a 4 week session. The Committee examines State reports for the CRC and for its Optional Protocols. It produces General Comments on child rights issues and hosts General Discussion Days.

During its sessions, the Committee has a dialogue with the States to evaluate the implementation of the CRC. On the basis of the dialogue they elaborate conclud-

ing observations for the States. Before these hearings the Committee has, at its previous session, met with NGO's who have submitted reports on the particular State.

The sessions are also used by the Committee for the drafting of General Comments. These Comments are used by the Committee to interpret and up-date the CRC. They are not binding for the States as the CRC is, but should be recognised in the State report and are used by the Committee in its concluding observations. Until today (June 2007) the Committee has published 10 General Comments.

The Committee organises, on a regular basis, General Discussion Days. These General Discussion Days are open to all and are used to reflect on different aspects of the CRC. The next General Discussion Day will be held on 21 September 2007 and have the title: "Resources for the Rights of the Child – Responsibility of States. Investments for the implementation of Economic, Social and Cultural Rights of Children and International Cooperation" (Article 4 of the CRC).

### **What does the Committee need from NGO reports?<sup>1</sup>**

According to Article 45 (a) of the CRC national NGO's or NGO Coalitions may submit additional information to the Committee. This provision enables NGO's to reflect, in their own report, on the information provided to the Committee in the State report and highlight issues not covered in it, to ensure that the Committee has, as far as possible, an accurate picture of the situation of children's rights in the specific country.

The NGO reporting to the Committee is a unique opportunity for NGO's to bring attention to their concerns about the status of children to the international legal body responsible for monitoring the implementation of the CRC. It encourages and facilitates public scrutiny of governmental policies and empowers national NGO's by offering a legitimate external source to which children's issues can be raised and addressed. The report can open a debate on the status of children in the country and create a window of opportunity to have a serious dialogue with senior government officials about the State's efforts to comply with the CRC.

The report from the NGO's should be seen as a complementary report to the State report. It should provide specific, reliable and objective information in order to obtain a serious and independent assessment of progress made and difficulties encountered. It shall highlight key concerns and provide information about the practical implementation of legislation, programs and policies.

One particular area where the Committee needs more information is regarding the judicial processes in the States. On this area the Committee seldom receives sufficient information, neither from the State nor from NGO's. One particular

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<sup>1</sup> For more information, please visit the website of the Committee on <http://www.ohchr.org/english/bodies/crc/> or the website of the Child Rights Information Network (CRIN) <http://www.crin.org/>

question it would like to have an answer to is how many times the CRC has been referred to in the courts of the State.

The NGO's shall comment on the performance by the State to implement the CRC. To have an objective report it is important not to only focus on bad implementation and/or lack of implementation from the State side. The NGO report shall therefore also comment on positive outcomes from governmental initiatives.

For the Committee to take an NGO report into consideration, it is important that it follows the guidelines provided by the Committee<sup>2</sup>. These guidelines are mainly directed to State reports, but the NGO Group for the Rights of the Child has developed specific guidelines for NGO reporting<sup>3</sup>. Beside these guidelines, the Committee would like the report to:

- Be no more than 30 pages long;
- Be visually reader friendly, with a nice layout, clear highlights, titles etc;
- Use clear sentences focused on key concerns;
- Include facts and figures. However, if something is very obvious, exact numbers are not necessary;
- Be a collaboration of the NGO community in the State. It is preferable to only have one NGO report per State, but the Committee is aware that it is not always possible.

NGO reports should be an objective inside of the state report, provide information of areas of concern not covered or thought to be covered incorrectly or misleadingly and answer the questions:

- Has the State report covered all aspects of children's rights?
- Is it true to the situation in the country?
- Are there any gaps in the information?
- Some states only reports on the legislation of the country, but how does the actual situation for children look?
- Is it self critical?
- Are the priorities identified by the government priorities within the country?
- What is not working in the country?
- How have the previous recommendations from the Committee (concluding observations) been followed up?
- Were NGO's consulted during the drafting?

NGO's or NGO coalitions who have submitted written reports to the Committee may be invited to participate in a private meeting at a pre-session with the Committee. This meeting is an opportunity to provide constructive, critical analysis of the State report and will help the Committee to set the priorities for the discussion with the State. NGO's can during the hearing help the Committee to

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<sup>2</sup> For the state guidelines, see [http://www.unhcr.ch/tbs/doc.nsf/\(Symbol\)/CRC.C.58.En?Opendocument](http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/CRC.C.58.En?Opendocument)

<sup>3</sup> For the NGO guidelines, see <http://www.crin.org/docs/Reporting%20Guide%202006%20English.pdf>

clarify some issues, provide appropriate recommendations and make suggestions for ways to approach sensitive issues.

### ***How can the concluding observations be used for advocacy at national level?***

The reporting process and, in particular, the concluding observations from the Committee can be very useful tools when advocating for children's rights on national level.

As the concluding observations are not suggestions from an individual NGO, but rather recommendations from an international body of experts, this gives these observations a lot of weight, especially when discussing with national politicians, media or the general public. They can stimulate discussions at national level and exert pressure on the government to follow-up the Committee's recommendations. They shall of course be used for lobbying for legislative and practical changes in the country. They should also be seen as important tool when setting the priorities and mobilizing partners at national and local level.

If the reporting process is incorporated in the NGO's work continuously throughout the five year reporting period, it can also be used for advocacy. It will then as well contribute to the implementation of the Committee's recommendations. This includes periodically reviewing measures undertaken, evaluating their success and adequacy and making suggestions for future actions. The reporting process can also be used to monitor achievements in the child rights field and to encourage public scrutiny of policies by identifying existing problems, considering new policies and establishing new targets. Finally, it can be used to offer concrete recommendations or proposals for improving the situation of children in the country.

### ***How can networks/coalitions of NGO's work with the reporting process?***

As mentioned before, the Committee prefers if national NGO's can collaborate with the report and submit only one joint report per country. This can in some instances and in some countries be difficult due to a number of reasons, but NGO's should always try to follow this advice from the Committee. Therefore, there is a need for knowledge on how to form a network, work with it and keep it sustainable.

Today, there are about 70 national child rights networks/coalitions world wide. Most of these have been created for the sole purpose of producing the NGO report for the Committee. The main task of these networks/coalitions is to monitor the implementation of the CRC and they shall function as national advocates for the rights of the child.

Many of the networks are informal, have small or no secretariats and limited funds. The members of the networks/coalitions are mainly NGO's, but many

have also included semi-state institutions, UN agencies, professional associations and other experts.

Save the Children Sweden has been working with NGO networks/coalitions in different regions of the world for several years and have learnt some lessons which are important to take into account when attempting to create a network or coalition in a country:

- The network should not become an NGO, but keep to its informal structure;
- Membership of the network should be open also to other NGO's than only child rights NGO's, to ensure as broad expertise as possible;
- Members must know why they want to be members and what is expected from them;
- To ensure the best possible outcome, the network needs to be focused in its work;
- The network should have a transparent and democratic leadership;
- The work should be divided among the members and built on the individual members strengths as NGO's;
- Try to involve organisations outside the capital and main towns to increase representation and to have an accurate picture of the situation for children in the whole country;
- Spend some time and resources to build a good communication system, for example through e-mail lists or web sites;
- Try not to get involved in ad hoc events only to please donors.

### ***Challenges in the reporting process – how to involve children and young people?***

The major challenge highlighted by all the participants in the workshop was how children and young people can be included in the reporting process, including at the hearing with the Committee. Ms Vuckovic Sahovic highlighted the added value for the Committee to receive information directly from children and young people and also to get the chance to meet with them in person. It is the experience of the Committee that children and young people provides information to the Committee which neither the State nor the NGO's are aware of or has chosen not to highlight in their reports.

Some examples of how this could be done were presented by the participants. In Sweden, the NGO Network for the Rights of the Child annually organises a hearing where children and young people meet with representatives from the government, often the ministers themselves, and have the possibility to ask them questions directly. These hearings form the basis for the report from the NGO Network to the Committee. At the last meeting with the Committee for Swedish NGO's, the Network was represented by four young persons who presented the report in plenary, but also had the opportunity to meet with the majority of the Committee members at a private meeting.

Another, perhaps more indirect, way of including the views of children and young people in the report is through research. In Romania and Moldova children and young people have been involved in research, which will be used in the NGO report to the Committee. In Romania, the children have also been involved in developing the research and research tools.

Other ways to involve children and young people can be through member organisations, child and youth organisations, chats, web sites, reference groups, sports clubs, youth clubs and youth centres.

## **APPENDIX I**

### **Agenda**

#### *Friday 11 May*

- 9.00-9.30 Welcome and presentation of the participants  
- Each participant gives a short presentation (2-3 minutes) of where in the process of producing the alternative report they are and how it is done (single organisation, network/coalition of NGO's etc)
- 9.30-10.30 Presentation of the work of the Committee on the Rights of the child  
*Nevena Vuckovic Sabovic*, member of the Committee on the Rights of the Child
- 10.30-10.45 Coffee break
- 10.45-12.00 Questions and answers regarding the work of the Committee
- 12.00-13.30 Lunch
- 13.30-15.00 Presentation and discussion on the Committee's General Comments and other important documents and how to include these in the alternative report  
*Nevena Vuckovic Sabovic*, member of the Committee on the Rights of the Child
- 15.00-15.15 Coffee break
- 15.15-17.00 Some examples of drafting national reports, the inclusion of children in the process and the NGO Group in Geneva  
*Eva Geidenmark* and *Sven Winberg*

#### *Saturday 12 May*

- 9.00-10.45 Presentation and discussion on coalitions of NGO's drafting alternative reports  
*Eva Geidenmark* and *Karin Johansson*
- 10.45-11.00 Coffee break
- 11.00-12.00 Discussion on how to include the pre-study "Child Rights Monitoring at Local level"
- 12.00-13.00 Open discussion / Exchange of practices / Important issues
- 13.00-14.00 Closing of the workshop with a joint lunch

## **APPENDIX II**

### **List of Participants**

The Committee on the Rights of the Child

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