

# *Monitoring implementation of the UN Convention on the Rights of the Child:*

**To strengthen follow up by civil society  
on Concluding Observations and  
recommendations made by the UN Committee on  
the Rights of the Child**

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# Table contents

- UNCRC reporting process ..... 3**
- About this study ..... 4**
- Some general findings on the follow up of Concluding Observations..... 4**
  - Entry point to and reference in dialogue with government ..... 4*
  - Adding another phase to the CRC reporting ..... 5*
  - Achievements so far by civil society advocacy on Concluding Observations..... 5*
- Some lessons learned and requirements for an effective CRC monitoring process ..... 6**
  - Good quality CRC reports are essential to good quality Concluding Observations..... 6*
  - Strong civil society organisations and national child rights coalitions required for effective follow up on Concluding Observations..... 7*
  - Understanding of the CRC reporting process and its potential essential for effective follow up on Concluding Observations..... 8*
- Activities on Concluding Observations to be considered by civil society ..... 8**
- Annex 1 ..... 15**
- Annex 2 ..... 16**
- Case studies..... 18**
- References ..... 21**
- Persons interviewed..... 23**
- Acronyms ..... 24**

## **UNCRC reporting process**

Upon ratification of the UN Convention on the Rights of the Child, CRC, each state party is requested to submit an initial report within two years and a periodic report on progress on implementation of the CRC every five years. Reports and state party performance will then be examined by a UN committee of experts, Committee on the Rights of the Child, in Geneva. The Committee has recognised that civil society organisations should be engaged in the reporting process. Supplementary (sometimes referred to as alternative) reports or other such written information by non-governmental organizations are therefore welcome and taken into consideration by the Committee when preparing for the dialogue with a state party. The Committee may also invite NGOs to present their views and comments in a meeting. The Committee then presents its conclusive comments and recommendations to the state party in a document referred to as Concluding Observations. Such recommendations may also call the international community and other UN bodies for support.

States are recommended to report according to the Committee Guidelines for CRC reporting. Any report should be based on eight clusters: General measures of implementation, definition of the child, general principles, civil rights and freedoms, family environment and alternative care, basic health and welfare, education, leisure and cultural activities and special protection measures.

The Committee then applies the same structure when drafting its Concluding Observations. These highlight positive developments as well as violations and gaps, principal areas or issues of concern, and make suggestions and recommendations for future action. For relevant, country specific and thus effective advice, the Committee is dependent on the information available and presented to them. To this end NGOs play an important role both as a watchdog identifying gaps and shortcomings, but also as an advisor well familiar with local society context in the country .

The Committee recommends that the implementation of the CRC is monitored systematically and continuously. When the next periodic report is due and submitted the Committee will review to what extent its recommendations from previous Concluding Observations have been taken into account and acted on. In that way the reporting may be regarded as one element in a continuous process of monitoring and implementation of the CRC by both states and NGOs. Therefore it is important for NGOs to establish country level monitoring processes, which allow for systematic and continuous follow up on progress made and regular reporting to the Committee. Such monitoring may also serve other relevant bodies like the UN Universal Review Process or regional monitoring mechanisms.

In 2005 the NGO Group for the Convention on the Rights of the Child made an assessment of state and NGO reports showing that the CRC monitoring mechanism needed strengthening. It was found that in most countries national coalitions of civil society organisations undertook a process of supplementary reporting. However, once the report was received by the Committee in Geneva, the coalition rarely engaged in any follow up of the recommendations in the Concluding Observations. Thus if children had been involved in the preparations of a report they rarely got the opportunity to comment on the recommendations then made by the Committee.

It seems that it is still too often that child rights national coalitions place large efforts in compiling and analyzing information for the supplementary report, while not giving the deserved weight and priority to a follow up of the Concluding Observations. Thus they do not

get the full leverage of the UNCRC monitoring process. This was also confirmed by a study in 2010 "The role of civil society in implementing the general measures of the Convention on the Rights of the Child" by a previous Committee member, Nevena Vuckovic Sahovic.

## **About this study**

Child rights monitoring is a sub-theme of Save the Children's Child Rights Governance Global Initiative, CRGI, and thus a priority area for program co-operation in Save the Children, SC. Support to the CRC reporting process has been identified as a strategic priority. Most members and SC program offices are engaged in supplementary reporting to take advantage of the opportunity to highlight gaps and violations in implementation of the CRC and to use the political leverage of international scrutiny. To move ahead and fully explore and capitalize on the process SC should follow-up on remarks and recommendations made by the Committee to the state concerned. Thereby SC will help turn CRC reporting into a continuum of monitoring of progressive implementation of the CRC. To that end SC wants to share some documented experience made so far.

The overall purpose of this study is to contribute to the CRC reporting process to influence state governments to progress on their implementation of the CRC. The objective is to share some SC experience on how to follow up on Concluding Observations, in order to inspire and guide SC country offices in expanding their efforts.

The study is based on a review of documents and interviews with SC staff from some selected country or regional offices in Asia, Africa, Latin America and Europe mainly Bangladesh, Nepal, Senegal, Swaziland, Sri Lanka, Peru, the Philippines, Moldavia, Ukraine, Serbia, Norway and Sweden. Contacts have also been made with the NGO Group for the Convention on the Rights of the Child, Child Rights Information Network, CRIN and UNICEF.

The document may be useful to Save the Children members, their program and policy staff, particularly the CRGI, as well as other organisations supporting the monitoring of child rights.

## **Some general findings on the follow up of Concluding Observations**

### ***Entry point to and reference in dialogue with government***

The Committee stresses the role of civil society in monitoring and implementation of the CRC. In its Concluding Observations regarding the Philippines the Committee highlighted the importance of civil society to monitor the implementation of children's rights as well as its role in legislative and administrative measures, be it measures of policy, planning, implementation or monitoring.

National coalitions on child rights and NGOs appreciate Concluding Observations as a legitimate and relevant instrument, neutral to party politics, and thus a useful tool for child rights advocacy. Recommendations have been made by an international group of experts as the result of an extensive, participatory process on the basis of information from various sources. In particular references to Concluding Observations may serve in countries where the civil society for child rights is accused by the government of being partial and party-political when claiming children's rights.

Civil society organisations in Bangladesh and Swaziland confirm that the Concluding Observations is an effective tool and an entry point for dialogue and collaboration with government. It is also a tool to enhance cooperation on child rights in civil society at large. Furthermore, Concluding Observations is a tool for measurement of government accountability and for setting a longer term national agenda.

### ***Adding another phase to the CRC reporting***

Although today national coalitions and NGOs in close to all countries contribute to the CRC reporting, yet not many of these organisations follow through the process by advocating for dissemination of the Concluding Observations and implementation of Committee recommendations. This might be due to a slow start in CRC reporting, a fragile state and/or a weak civil society..

For example, due to the unstable situation in the country, Afghanistan got started late receiving its first Concluding Observations in 2011. In countries where governments have received comments on several periodic reports and where there has been a strong civil society engagement in the reporting, like in Sri Lanka, Bangladesh and Norway, civil society now has started to follow up on Concluding Observations in a planned and structured way.

Interest among governments may vary. In the case of West Africa, it was found, that governments often do not recognize Concluding Observations as a tool for child rights monitoring. The entire CRC reporting process may not be taken seriously by the government unless civil society raises awareness and advocates for its importance. Seminars have been conducted by different agencies and organisations like OHCHR, Unicef and Save the Children. Once sensitized, state officials may be more interested and open to children's issues, including the Concluding Observations.

### ***Achievements so far by civil society advocacy on Concluding Observations***

Many child rights organisations, national coalitions or networks recognize their task to continuously monitor the state's implementation and advocate for the recommendations by the Committee. NGOs have both influenced governments and used the recommendations to guide their own program planning. However, it seems that some of the organisations and national coalitions lose interest in or do not have the capacity for longer term activities throughout the period until the next reporting. There is a tendency to slow down the process and "go back to old business".

So far few organizations or networks have had the intention or capacity to take a comprehensive approach or follow-up on the full set of recommendations. Usually organizations take an issue-based approach focusing on one or several specific issues.

In Moldova and Senegal for example violation of rights of separated children and of schoolgirls have been highlighted. (See attached case studies in Annex) while in the Philippines a group of civil society organisations have picked up on all the recommendations on legislation regardless of thematic issue. In Latin America the Concluding Observations have been used both to push for policy planning on a particular thematic issue and for inclusion of all recommendations into national plans of action.

**Thus there is still a lot to be done to become more systematic both in terms of coverage of recommendations and in terms of continuity, regularity and frequency in the follow up process between periodic reports.**

*In Serbia fourteen NGOs, which had formed a national coalition for monitoring children's rights, signed a Memorandum of Understanding on cooperation longer term beyond reporting. Experience showed that the organisations were less active in the network when the main focus for their collaboration was more narrow and specific (like working on juvenile justice) while they were more active when focus was broader (like working on children's education). Some member organisations were unclear about their role and responsibility in the coalition. To overcome this, prepare for work longer term and make participation by members more sustainable, a joint action plan to cover all articles in the Convention was developed. It was also decided to ask partner organisations to write a report on monitoring the Concluding Observations in 2010 in an area of their interest and to include parts of these reports in an annual survey of the implementation of the COs by the coalition. Such a joint effort contributed to keeping the organisations united and coalition advancing.*

## **Some lessons learned and requirements for an effective CRC monitoring process**

When taking stock of Save the Children experience of government and civil society follow up on Concluding Observations some lessons should be learned and drawn upon in capitalising on the CRC reporting process to advance realisation of child rights.

### ***Good quality CRC reports are essential to good quality Concluding Observations***

Concluding Observations and recommendations by the Committee have developed over the last twenty years to become less general and more targeted, specific and directive to guide, advice and push governments to make progress. However, there is still major room for improvement. Civil society organisations may advocate the Committee to become more concrete and specific in its recommendations.

Scope, focus and accuracy of any Concluding Observations depend on information submitted - in the state periodic report as well as supplementary reports and information by other bodies. As a result some problems may have been overlooked or not properly assessed, data may be poor or lacking etc. Furthermore supplementary reports may not reflect the reporting Guidelines or issues commented on in the state periodic report. Supplementary reports tend to provide extensive and detailed information on a couple of issues, usually overlooked by the government, thereby contributing to an issue-based and non-systematic approach rather than a systematic, holistic and comprehensive outlook.

Therefore Save the Children and civil society partners should in the supplementary report provide detailed information about the problem as well as when feasible, solutions and advice on measures to be undertaken in order to inform and advice the Committee. An assessment of the impact of the supplementary report on the Concluding Observations may be useful to have well before the next periodic report is due.

The CRC reporting guidelines on General Measures of Implementation, GMI, provides an interpretation of the rights and provisions of the CRC and assists state parties and civil society organisations in their reporting on the child rights situation in their countries. The use of the GMI as a framework for systematic reporting should be considered also in the follow up of

Concluding Observations. An example of a GMI grid applied on Concluding Observations in the case of child poverty was presented from Sweden, see Annex.

Both civil society and the Committee should encourage governments to systematically comment on measures taken and results obtained regarding recommendations in previous Concluding Observations in their forthcoming next periodic reports. (See “A review of concluding observations by the UN CRC Committee regarding General Measures of Implementation, SCS, 2011)

### ***Strong civil society organisations and national child rights coalitions required for effective follow up on Concluding Observations***

Civil society organisations for child rights need to be well resourced and organized to meet the demands of staying active throughout a full reporting cycle, usually more than five year long, including promotion of and follow up on Concluding Observations.

In most countries a wide range of organisations supporting child rights have formed a national coalition as a collective platform and net. Some of the advantages of working under the umbrella of a national coalition are improved access to policy and decision makers, extended media attention, broader geographic coverage, wider and mixed constituencies, good will from individual member brands and reputation, a comprehensive overview of child rights situation and a broader set of competencies etc. Thus individual NGOs may contribute more effectively and act independently towards government.

One of the key tasks of national coalitions has been to prepare the CRC supplementary report. To achieve sustainability such national coalitions need to ensure continuity between periodic reports, sufficient staff and organisational capacity and complementary competencies and skills, broad thematic scope of monitoring as well as nationwide geographic coverage.

To get an effective and sustainable coalition strong individual organisations have proven essential. Organisational and management development may be required as well as strengthening thematic competencies and programming skills.

*The national coalition in Serbia has decided that all coalition meetings should have two strands: Sharing of organisational matters of concern and sharing experience from capacity building, and follow up and analysis of joint plans and activities.*

*In Ukraine the national coalition found that success was subject to development of a joint structure separate from individual member organisations and open to other organisations,*

*an effective administrative mechanism, members understanding the reporting process,*

*capacity to collect and assess information, an annual review on progress of implementation of Concluding Observations, an advocacy strategy and action plan as well as a web site.*

The follow up on Concluding Observations may be a major task and challenge of any national coalition but can be addressed by sharing responsibilities among its members. A committee of staff and board member from the member organizations and preferably child representatives may identify coalition members working on a specific theme or in a certain geographical area for optimal distribution of the monitoring tasks between them. Follow up on crosscutting general measures of implementation may be left with the coalition secretariat. Member organizations would then be engaged both in their specific contributions and in the overall assessments through the coalition committee.

Funding of national coalitions and their supplementary monitoring work often is a challenge. Donors rarely fund administrative costs, organizational development or capacity building. So far funds might have been available for CRC supplementary reports, now such support needs to be extended to cover the full process including follow up of Concluding Observations. Save the Children has a role to play to access such funding.

Save the Children may consider supporting both individual organizations to become stronger and more effective as participants of national coalitions and the national coalition to fully develop and serve its purpose.

### ***Understanding of the CRC reporting process and its potential essential for effective follow up on Concluding Observations***

It is important to have an understanding of the CRC reporting process and how it may be used for leverage of implementation of the rights of the child by the government. Furthermore the process may be used as a vehicle to effective monitoring as well as a dialogue on child rights between government and civil society and co-operation in between civil society organizations.

A lot of information can be collected from the UN Office of the High Commissioner on Human Rights, OHCHR, its website and CRC Secretariat in Geneva. The NGO group for the Convention on the Rights of the Child also based in Geneva has developed guidelines for the whole reporting process including Concluding Observations. Most material can be find at Save the Children Resource Centre and online portal or the website of Child Rights Information Network, CRIN.

There is still a need for seminars to influence and capacity build government officials and civil society organisations. Also seminars to other groups in the society as professionals and others in contact with children should be considered. A lesson learned over and over again is that the trainings should focus on how to apply knowledge and turn information into their everyday practice.

Sharing of experience, lessons learned and good practice between organisations on implementation and monitoring of the CRC has shown fruitful in making the reporting process more effective and further inspired civil society. So far Save the Children has been instrumental in developing the reporting process and contributed worldwide to national coalition achievements in that respect.

It might be useful to make a country assessment of the government follow up mechanism regarding Concluding Observations and its effectiveness to identify government progress and shortcomings as well as weaknesses in the government monitoring process. There might be scope for civil society advocacy or complementary monitoring.

### **Activities on Concluding Observations to be considered by civil society**

Already contributing to the CRC reporting every five years a follow up on Concluding Observations should be a natural next step in monitoring and advocating for progress in the realization of child rights. When NGOs are planning and operationalizing their strategies for monitoring child rights the following menu of activities may be considered and selected from.

This menu is based on the NGO Group for the CRC guidelines (see Annex) and experiences from the Save the Children work to support the implementation of Concluding Observations.

## a) Activities in connection with the release of the Concluding Observations

- **Involve media**

Media is essential, both news media and other channels. Media contacts may be prepared in advance. It is useful to have a media strategy for the full reporting process and preferably established a dialogue with media contacts. Children's views on the Concluding Observations should be taken into consideration.

*Press conferences on the Concluding Observations have been held in Bangladesh, where government was requested to take immediate action to follow up involving the civil society organisations and children in the implementation.*

*In Swaziland the Concluding Observations were presented on the radio and in TV programmes. Young radio producers reached an audience of 200 000 persons after being introduced to the CRC reporting and Concluding Observations by Save the Children.*

- **Ensure Concluding Observations are widely circulated**

Lobby governments to fulfil its obligation of dissemination to all relevant bodies and the public including children. Enhance distribution at local level countrywide. Whenever required share the Concluding Observations among key stakeholders in parliament, civil society, private sector, media and academia.

*By a joint action of Save the Children, UNICEF and government in Bangladesh, dissemination to the public was made all over the country.*

*In Sweden the recommendations have been disseminated to the municipal level by Save the Children local branches. In the north part of the country a network of local and regional decision makers and civil society has been formed focusing on the concluding observations.*

*The national civil society child rights coalition in Senegal organised workshops on the Concluding Observations all over the country, inviting coalition members and children as well as local authorities and parliamentarians, which pushed the responsible Ministry to present the Concluding Observations in a national workshop for all stakeholders.*

*In Serbia and Peru the Concluding Observations were distributed to universities and centres of law and human rights.*

- **Translate the Concluding Observations into local and child friendly language**

When required be prepared to translate the Concluding Observations into local language. To be relevant to children (and to many adults) it is essential to develop a child friendly version, preferably in consultation with children.

*In Bangladesh, Sri Lanka, Nepal, Sweden and Peru the Concluding Observations were translated into local language and shared in relevant networks.*

*Child friendly versions have been produced and disseminated in Bangladesh, Sri Lanka, Swaziland, Ukraine and Norway. In Peru, El Salvador and Paraguay child friendly versions were designed by children themselves.*

- **Hold round tables and seminars with stakeholders, including government and children**

To engage government and other stakeholders to jointly reflect on the recommendations in the Concluding Observations a round table event may be useful to create dialogue. Such an event may also enhance government officials or staff to consider the outcome and to take action.

*On the request of government in Sri Lanka Save the Children convened CRC sensitizing seminars including a session on Concluding Observations. In West Africa, Save the Children has conducted sessions mainly to civil society organisations on the reporting process including Concluding Observations.*

*The child friendly version of the Concluding Observations in Bangladesh was used by civil society partners to develop capacity of children and to raise awareness among parents and their communities. In Swaziland 12 peer educators received training on Concluding Observations and trained 200 children on the subject.*

- **Create webpage dedicated to CRC reporting process**

Such a webpage may cover the full CRC monitoring process and have a separate section or page for follow up on the Concluding Observations to serve information sharing and demonstrate progress and gaps.

*The Child Right Centre in Serbia collects and analyses information on implementation of the Concluding Observations. A brief annual review is prepared and published. All such information, including the monitoring done by children, is available at a database and website of the centre with links to websites of other members of the child rights network in the country.*

#### b) Activities to be considered within the first year after the release of the Concluding Observations

- **Continue to raise awareness and involve children and young people in monitoring**

Children should continuously be involved in the monitoring of child rights and opportunities should be created to engage them in the reporting process by sharing and pushing for Concluding Observations.

*In Bangladesh children have been consulted on implementation of recommendations, including on budget allocations.*

*In Sri Lanka a national forum was held with child participants from close to all districts in the country on implementation of CRC and recommendations in Concluding Observations.*

*(See also case study from Peru in annex)*

- **Raise awareness among professionals and others working with children**

In follow up on child rights in general or on specific issues professionals like teachers, social workers and health staff working with children should be made aware of the Concluding Observations.

*In Latin America training of professionals on Concluding Observations has taken place at a limited scale.*

- **Lobby key government institutions at different administrative levels**  
Identify and then lobby key government officials and staff continuously to implement recommendations by the Committee. Advocate both at central and local level using local branches and contacts of the child rights network in the country.

*Lobbying of the government in Swaziland was done through different technical groups under the national Children's Coordination Unit supported by Save the Children. Findings were presented to corresponding technical committees in the parliament and to key parliamentarians.*

*In Ukraine discussions on the Concluding Observations were held between the ministries and NGOs. At the meeting each speech by a ministry was followed by a NGO speaker. Discussions raised awareness among government officials about their respective responsibilities and NGOs could influence their priority settings.*

- **Promote the creation of an inclusive multi-sectorial committee to monitor the Concluding Observations**

In case there is no inter-ministerial or multi-sectorial child rights committee in place, advocate for such a mechanism is set up to enhance and co-ordinate follow up of Concluding Observations. Such a mechanism should be inclusive, inviting NGOs, have fixed meetings and a transparent agenda to ensure useful participation and exchange.

*In Norway after extended lobbying by the Norwegian CRC Forum, the Ministry of Children and Equality agreed to an inclusive approach and invited stakeholders for their input, which later resulted in a plan for follow up through different ministries and with regular updates.*

*In Bangladesh the Ministry of Women and Children Affairs selected one focal point person in each relevant ministry to attend a regular forum to follow up on current status on implementation of Concluding Observations. Save the Children takes part in this forum with representatives from government, UN agencies and NGOs. Meetings are held bimonthly. A monitoring format developed by Save the Children is used by all parties for reporting on progress on implementation of the Concluding Observations. The Ministry then shares the official minutes from the meetings to be used as a reference for further government decision-making.*

- **Cooperate with national human rights institutions and/or ombudsperson office**  
Independent government human rights monitoring institutions have an important role to play in emphasizing the CRC reporting instruments and responsibilities of the government. Such institutions may also play a role in bridging to civil society.

*In Latin America Save the Children has co-operated with Children's ombudsperson and national human rights institutions on follow up on Concluding Observations and influenced the Ombudsperson's plan of action. As a result in Peru, early childhood support and education have been included in the National Plan for Development and Poverty Reduction with concrete objectives and funds allocated.*

- **Cooperate with inter-governmental bodies like UNICEF and with INGOs**  
UN bodies have a given task in enhancing CRC implementation and thus any Concluding Observations. It is part of UNICEF agenda both to promote global UN principles and agenda as well as to support individual governments in their efforts to

implement child rights. Together with UNICEF, a couple of key international NGOs are part of the Global movement for children and have similar mandate to Save the Children.

*In Bangladesh, Save the Children has cooperated with UNICEF and ILO on the Concluding Observations In some countries Save the Children has co-operated closely with PLAN International on Concluding Observations.*

- **Review or develop mechanisms, methods and systems, including indicators, for long term monitoring of the implementation of Concluding Observations**  
Systematic follow up on Concluding Observations still have to be developed as an integral part of the CRC monitoring and reporting process.

*Yet no specific methods or systems have been reported from the countries studied apart from a template developed by Save the Children in Bangladesh, referred to above, to be used by government departments and organisations in collective monitoring of progress.*

#### c) Activities to ensure continuous monitoring and to prepare for next periodic report

- **Conduct surveys or reports on issues raised in the Concluding Observations**

Collect information on issues raised in Concluding Observations, which governments may not properly monitor or act on. Such information and assessment of the situation on a specific issue may then be used as input to the Supplementary report to the Committee when next state periodic report is due.

*In Moldova Child Rights Information Centre carried out a study on children left behind- a target group highlighted by the Committee in its concluding observations.*

*In Sweden Save the Children has undertaken research on two issues raised in the Concluding Observations, child poverty and the situation of unaccompanied migrant children.*

*In the Child Rights Coalition in Serbia, some organisations have agreed to prepare reports on different issues raised in the Concluding Observations.*

- **Conduct an annual review or barometer on implementation of recommendations**  
To keep the monitoring process going there is a need for fairly frequent highlights and reminders. Annual reviews may be made public or for target audiences and presented in different ways. They may encompass some selected issues or the full set of recommendations. A full review of progress made on all recommendations may be a heavy task, which is better shared among coalition members

*So far no annual review of progress made on concerns raised in Concluding Observations has been reported from the countries studied. However, in Ukraine the child rights network has decided to produce annual reports on children's rights to follow the development of the implementation of recommendations, and to contribute to the next round of CRC reporting.*

- **Create or contribute to annual events or hearings**  
With or without an annual review civil society may each year arrange a public event or hearing with the government officials concerned. Children may then participate.

Hearings may be conducted with key parliamentary groupings or local government representatives. Civil society may also piggyback on government gatherings by asking questions on CRC implementation or by presenting SC findings.

*In Norway the national coalition organised thematic meetings on different issues raised by the Committee including health, violence and abuse as well as the situation of asylum seeking children in order to keep the dialogue going between civil society and governmental bodies.*

*The national network for the CRC in Sweden organises annual hearings on 20<sup>th</sup> November, where children ask questions to ministers. The network report to the CRC Committee is based on these hearings.*

- **Arrange or participate in country visits by Committee members**

To engage government and civil society in a dialogue on child rights and the Concluding Observations it may be useful to invite Committee members to visit the country.

*Such visits have taken place in Peru, Uruguay, El Salvador and Guatemala with positive results.*

*Save the Children Swaziland invited in 2007 a Committee member to visit the country. She explained the Committee's recommendations and suggested steps to be taken by the Government. The visit triggered a number of actions by both government and parliament to enhance systems and structures for child rights.*

*Regional workshops on Concluding Observations with participants from the CRC Committee, governments and NGOs have been held in different countries in Asia, West Africa and Latin America initiated by OCHCR to stimulate the work with concluding observations through sharing of good practice.*

- **Engage with other human rights monitoring and reporting mechanisms**

The CRC reporting process should be co-ordinated and combined with other reporting mechanisms as the UN Universal Periodic Review process when states examine each other. Regional bodies may have additional processes like Inter- American Commission on Human Rights, and African Committee of Experts on the Rights and Welfare of the Child.

*In West Africa many child rights coalitions have reported on the implementation of the African Charter on the Rights and Welfare of the Child, ACRWC, and also integrated monitoring of and advocacy on the ACRWC in their CRC monitoring work.*

*In Côte d'Ivoire, the child rights coalition trained representatives from several ministries on the ACRWC. As a result, the participants created an inter-ministerial committee with its first task to develop the initial state report to the African Committee of experts on the Rights and Welfare of the Child. The committee would then evolve into a more permanent CRC/ACRWC monitoring committee.*

*The situation of unaccompanied migrant children has been brought up by Save the Children Sweden to the Council of Europe and EU.*

*In Latin America the national coalitions have mostly used the mechanisms of the thematic hearings of the Inter American Commission on Human Rights to highlight specific issues of concern and to elaborate reports including recommendations to the states. Visits of members of the Commission and special rapporteurs to countries to highlight children´s rights have also been facilitated.*

## **Annex 1**

### **Activities in relation to the UNCRC Committee Concluding Observations (COs), adopted from the guide (2006) and the questionnaire (2011) of NGO Group for the Convention on the Rights of the Child**

Conduct a country (national, regional and local levels) analysis of the factors that aid or hinder the implementation of the COs. Based on the analysis

**Develop an advocacy strategy** on the COs where the points below could be present.

Activities immediate after the release of the COs

- Involve media
- Circulate COs to relevant stakeholders and/ or encourage the government to widely circulate them.
- Meet with other NGO to determine whether the COs are compatible with the NGOs mandates and continuously build broad based alliance for CRC and COs
- Translate the COs into local and child friendly language
- Hold workshops, round tables and seminars on COs with duty-bearers, stakeholders and right-holders (children and young people) about COs
- Create webpage dedicated to COs

Short-term activities

- Produce educational material on COs
- Incorporate COs into CRC training for professionals and others working with children
- Meet with inter-governmental groups (e.g. UNICEF)
- Meet with National Human Rights Institutions or Ombudsoffice
- Identify key government institutions and officials responsible for implementing the COs and lobby them
- Promote the creation of a multi-sectoral committee (including government) to monitor the COs
- Seek to have fixed meetings with government officials and local authorities on the COs (bimonthly, biannual or annual meetings)
- Review/Develop mechanisms (methods and systems including indicators) for long term monitoring of the implementation of COs

Long-term activities

- Conduct surveys or reports on COs
- Conduct an annual review of COs
- Create annual events around monitoring and campaigns on COs related issues
- Arrange/participate in country visits from Committee member
- Engage with other UN human rights mechanisms (e.g. other treaty bodies, UPR, Special Rapporteurs)
- Strengthen the network to draft the next alternative report and actively plan to have children involved in preparation of the report
- Use the COs as a reference for preparing the alternative report along with the CRC periodic reporting guidelines.

## **Annex 2**

### **Working against child poverty in Sweden**

*How the general measures of implementation and the concluding observations can be used in practical work*

Save the Children Sweden (SCS) has worked against child poverty in Sweden since 2002. The main activity has been to produce annual reports on situation of child poverty in the country. SCS looked at several ways to measure child poverty and ended up in two absolute measurements: If the child lives in a family which has received financial aid from the social services during the year and/or if the family has low income standard, i.e. the income in the family is not enough to cover necessary expenses, such as living costs, food, clothes and insurances. These measurements are absolute and constant over time and will not change if the income for the majority in the country shifts.

In 2008, SCS included concerns about child poverty in the supplementary report to Sweden's fourth report to the Committee on the Rights of the Child. In particular, SCS highlighted the differences in children's situation between municipalities in Sweden.

This resulted in questions from the Committee to the Swedish government about child poverty and also a recommendation in its concluding observations in 2009 to the state to develop a national action plan on child poverty. SCS has so far not used the general measures of implementation (GMI) in a very structured way apart from using data collection and development of indicators.

Here follows an idea on how to take all the GMI into consideration to highlight child poverty:

*a) Legislation, Strategies and Action Plans*

SCS do not consider there are any major legislative changes that are needed to tackle child poverty. Instead SCS pushes for a national action plan on child poverty, where all actions are gathered to ensure a child rights perspective and a child perspective in areas which are not naturally child related, but have an impact on child poverty, such as actions to ensure employment and integration.

*b) Coordination and decentralisation*

Coordination within the government, between authorities and within municipality structures are essential to tackle both child poverty in the long term, but also the consequences for the individual child living in poverty today. As a first step towards having a structured coordination, SCS could facilitate meetings between authorities and decision makers at different level between government, regional bodies, municipality, state authorities and people working directly with children in poverty.

*c) Data collection*

Data collection is an area where SCS has been highly involved by production of reports about the situation on child poverty i.e. how many children are living below an absolute poverty line and qualitative reports related to child poverty, like the relation between health and poverty, the situation for single parent, the fees in schools and the relation between the welfare system and child poverty. Since 2002 SCS also developed and used indicators to measure how many children are living in poverty, which now are recognised and used by many authorities in Sweden. This work will continue by carrying out various studies with disaggregated data on specific areas related to child poverty.

*d) Child rights budget*

Children's visibility in the state budget is an area SCS just started to work with in relation to child poverty. When the state budget are released SCS will produce a child budget, both to show that it is possible to make a child budget, and demonstrate the use of it. For child poverty issues in particular it is important to develop a child appendix to the budget, in order to see if the resources go to rehabilitating and /or preventive measures to be able to show that the latter is more cost effective in the long run.

*e) Information, awareness raising, training, capacity building*

One key approach to combat child poverty is information and awareness raising, as well as training and capacity building.

In a rich and well-developed state like Sweden, many persons have difficulties in understanding that not all children have the same economic situation and what it actually means to live in poverty. This can lead to social exclusion and stigmatisation, both for the child and his/her parents.

SCS has used awareness raising in a couple of years and plan during autumn 2011 to carry out a communication campaign, which will focus both on advocacy work towards decision makers (both nationally and locally) as well as awareness raising among the general public and, not the least, children.

*f) Co-operation with civil society, with private sector and international co-operation*

On the topic of child poverty, it is essential for the government and municipalities to co-operate with civil society, since many NGOs meet children who live in difficult economic situations. These children are rarely heard when decision makers are talking to children, and their specific situation is not getting the attention needed.

SCS would like to see a structured, formalised collaboration with the state in all issues regarding the rights of the child to ensure a formal way for the civil society to provide input to the government's work. Still there is no such mechanism in Sweden, and SCS will continue to work for its realisation.

*g) Independent ombudsman for children*

The Ombudsman for children in Sweden is not set up in accordance with the Paris principles, since the ombudsman is appointed by and reports to the government (not the parliament). It is not possible for children to submit individual complaints to the Ombudsman.

Concerns about the set up and function of the Ombudsman have been highlighted by SCS and the push for changes in general will continue but particularly in relation to children living in poverty. SCS is also pushing for local complain mechanisms where children can turn to in case of violation of their rights

*h) Monitoring implementation / evaluation*

SCS would be happy to see that a state body takes over the annual reporting on child poverty in Sweden. Until that happens, SCS will continue to produce monitoring reports and follow the situation both at national level as well as within the municipalities where SCS have local active branches, to be able to follow up the situation of child poverty.

## **Case studies**

*Influencing the Concluding observations and using them to bring about change*

### **Case study: Peru and Concluding Observations**

A series of meetings and events were held in Peru to disseminate the concluding observations in order to reach more children representing different organisations and duty bearers.

Versions of the concluding observations were created for children both in Spanish and in Quechua.

Public events were carried out at a local level where children presented the concluding observations using child-friendly materials and methodologies to show how the observations relate to the reality of children's lives.

Children also got the opportunity to analyse and debate the concluding observations with representatives of local authorities. The children worked with these officials to develop solutions to some of the issues raised and to encourage them to make a commitment to implement the recommendations. This process took place during local elections, so the children seized the opportunity to place children's rights on the political agenda. In several municipalities, mayoral candidates signed concrete commitments to follow-up on child rights violations of particular concern.

At a conference in the Congress of the Republic of Peru, children from different regions and cultures presented a legislative proposal to members of Congress asking them to make legislation obliging the Peruvian government to fully implement all the recommendations made by the Committee.

When the Vice Chair of the Committee on the Rights of the Child visited Peru child-led organisations designed a programme for the visit that included meetings with civil servants and key decision makers in the Ministry of Justice, the Ministry of Women and Social Development, the Ministry of Foreign Affairs and with the Children's Ombudsman. Children also arranged meetings with civil society organisations and the media.

The impacts of these advocacy efforts were that

The Committee's concluding observations contained the majority of the children's recommendations.

Child participation has become a priority on the political agenda. A national Advisory Council of Children has been created, and it has recently been announced that a municipal Advisory Council of Children is to be established in Lima. The Ombudsman also meets and consults with children as a part of his working plan, and he has committed to follow up on the concluding observations.

The children's involvement in the CRC reporting process has also kick started an on-going process of reviewing laws concerning children to make the laws compliant with the CRC, amongst these as law against corporal punishment.

### **Case Study: Moldova and Concluding Observations**

The economic challenges and unemployment affecting Moldova have led to that many citizens migrate abroad often leaving children in the care of grandparents or others, or sometimes without care at all. Some children left behind are "invisible" because their parents migrate illegally and do not tell anyone about the situation. Research by Child Rights Information Centre, CRIC, proves that the children are more vulnerable to various risks to violence of abuse, dropping out of school, human trafficking etc. There are many structural

factors hindering the access of community services for those children. Educational, health and social service providers lack knowledge, competence and tools for identification and support to vulnerable children.

The CRC Committee showed concerns about the situation of children left behind and recommended the government in the Concluding Observations to take actions based on the research done by CRIC and UNICEF

CRIC advocated and participated in the development of the national Plan of action for protection of children left behind which was finally adopted in 2010 and advocated for measures to be taken by different ministries.

CRIC also developed a specific methodology for training of teachers and social workers and important materials for professionals, parents, other caregivers and children and advocating for more attention of the situation of children left behind from general public and authorities. A module on teaching children's rights will be inserted in the curricula on civic education.

## **Case Study: Senegal and Concluding Observations**

In West Africa, Save the Children Sweden has for many years insisted on the importance and usefulness of the Concluding Observations from the UN Committee on the Rights of the Child. Several hundreds of civil society activists and other stakeholders have for the first time discovered the Concluding Observations during SCS workshops.

This was also the case with the Senegalese child rights coalition Conafe-Senegal. Although more than 200 child focused organizations were members when the coalition was created in 2004, only a small core group had a good understanding of the monitoring mechanisms of the Convention on the Rights of the Child (CRC). Hence, Save the Children Sweden facilitated a series of participatory trainings in order for the new coalition to well define its mandate to monitor and advocate for the implementation of the CRC, the African Charter on the Rights and Welfare of the Child (ACRWC) and other human rights instruments.

Preparing a complementary report to the State report on the CRC was one of the first major activities of the coalition, involving children and adult members from the whole country. One of the issues that Conafe-Senegal raised in the report was the fact that girls were often excluded from school if they were pregnant - and that there was still an old administrative circular encouraging this discriminatory practice against girls' right to education. During the session when the UN Committee on the Rights of the Child examined the State report, the existence of such a circular was denied by a State representative, but to his surprise he then immediately received a copy of the circular from Conafe-Senegal's Executive Secretary who was present as an observer.

In its Concluding Observations the Committee recommended the State to "Cancel the administrative circular preventing pregnant girls to continue with their education on the basis of their individual ability, in accordance with article 11 (6) of the 1990 African Charter on the Rights and Welfare of the Child"<sup>1</sup>.

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<sup>1</sup> "States Parties to the present Charter shall take all appropriate measures to ensure that children who become pregnant before completing their education shall have an opportunity to continue with their education on the basis of their individual ability."

This recommendation was then used by Conafe-Senegal, with the CRC and the ACRWC as such, to advocate for a withdrawal of the circular together with other civil society actors. The advocacy was successful and the Ministry of Education repealed the old circular from 1986 thus allowing girls to continue their schooling in accordance with the child rights treaties. Although very pleased with this outcome, Conafe-Senegal realized that extensive awareness raising would also be necessary in order to change practice. Their local member organizations have then been working together with school inspectors to make sure schools as well as children and communities are aware of these new standards and would use them to improve the situation of girls in schools.

The coalition's focus on the Concluding Observations has also brought about other changes and influenced the State in several ways. Children's issues are now more visible in the national economic and social policies, and the process of establishing a children's ombudsperson is well advanced.

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## Acronyms

ACRWC	African Charter on the Rights and Welfare of the Child
CO	Concluding Observation
CRC	Convention on the Rights of the Child
CRGI	Child Rights Governance Global Initiative
CRIC	Child Rights Information Centre
CRIN	Child Rights Information Network
EU	European Union
GMI	General Measures of Implementation
ILO	International Labour Organisation
NGO	Non Governmental Organisation
OHCHR	Office of the High Commissioner for Human Rights
SC	Save the Children
SCS	Save the Children Sweden
UN	United Nations
UNCRC	United Nations Convention on the Rights of the Child
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UPR	Universal Periodic Review