

2 Child rights programming

By the end of this chapter you will:

- be aware of the human rights standards and principles that form the basis for child rights programming (CRP)
- understand the key CRP tools and how to apply them
- know how to plan your programme activities to help duty-bearers meet their obligations, and rights-holders claim their entitlements.

This chapter explains what we mean by child rights programming. It sets out the key tools you need to ensure that your programme activities and advocacy work are based on protecting and fulfilling children's rights, and helping others do the same.

What is child rights programming?

Rights-based approaches to relief and development work are based on fundamental human rights principles and standards. Child rights programming (CRP) draws upon these and upon the general principles of the UN Convention on the Rights of the Child (UNCRC). In 2005, Save the Children developed an organisational statement of intent (see box opposite) on CRP. It echoes the United Nations' own Common Understanding on Human Rights Based Development, agreed in 2003.

Similarly, if your organisation is committed to CRP, you should use the standards and principles set out in the UNCRC as your guide. All of your programme and advocacy work should be based on two key activities: helping duty-bearers meet their obligations, and supporting children (as rights-holders) to claim their rights. (See the section on duty-bearers and rights-holders on p.9.)

Child Rights Programming: Save the Children's Common Understanding¹

Realisation of Rights All Save the Children's programme work, including development and humanitarian assistance and all policy interventions, should further the realisation of children's rights as laid down in the UNCRC and other international human rights instruments.

Standards and Principles Children's rights standards and principles derived from the UNCRC and other international human rights instruments should guide Save the Children's work in all sectors and in all places at all stages of the programming process.

Obligations and Claims All Save the Children's work should contribute to the development of the capacity of duty-bearers to meet their obligations: to respect, protect and fulfil children's rights. Save the Children should empower and support children as rights-holders, directly and through their families and communities, and contribute to the claiming of their rights.

You might find it helpful to think about CRP in terms of the definition of each word:

Child – *all girls and boys under the age of 18, characterised as a period of evolving capabilities and of vulnerabilities relative to adults.*

Rights – *defined as international human rights applicable to children, set out primarily in the UNCRC but also found in all other human rights conventions.*

Programming – *management of a set of activities (including analysis, planning, implementation and monitoring) towards a defined goal or objective and involving good development practice.*

Together, this gives you a working definition of CRP:

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

Children and childhood

The understanding of childhood varies significantly around the world. There are different perceptions about what children need for their optimum development, what environments best provide for those needs, and what form and level of protection is appropriate for children at a specific age. A 17-year-old has very different needs and capacities to those of a six-month-old baby. A ten-year-old in one country may be protected from economic or domestic responsibilities, while in another such responsibilities are deemed beneficial for both the child and the family. How should governments and societies, including parents and other carers, interpret and apply universal human rights standards across such diverse perceptions of childhood? This is one of the questions you will need to consider in the context where you work.

You need an awareness and understanding of childhood and children's 'evolving capacities' to use CRP effectively (see box below).

Evolving capacities and childhood²

Different societies understand 'childhood' in different ways. This leads adults to see children through a set of pre-determined assumptions that inform both how they are treated and what they are deemed capable of achieving. The tendency is to judge children's competencies against a set of adult standards, rather than to value what children have to offer as children.

The UNCRC recognises that children in different environments and cultures, with different life experiences, will acquire competencies at different ages, and this process will vary according to circumstances. Children do not acquire competencies merely as a consequence of age, but rather through experience, culture and levels of parental support and expectation.

The concept of 'evolving capacities' is central to the balance embodied in the UNCRC between empowerment and protection. This balance recognises children as active agents in their own lives, entitled to be listened to, respected and granted increasing autonomy in the exercise of rights, while also being entitled to protection in accordance with their relative immaturity and youth.

It is important to recognise that it is not the respect for rights, as such, that is influenced by the evolving capacities of children; all the rights in the UNCRC extend to all children, irrespective of their capacity. What is at issue is where responsibility for exercising those rights lies.

Key tools

Here are the key tools you need to use CRP in your day-to-day work. Each tool has a corresponding icon to help you identify it more easily as you work through each chapter in this guide.



The duty-bearer and rights-holder relationship



The four general principles of the UNCRC



Circles of influence and obligation



Dimensions of change



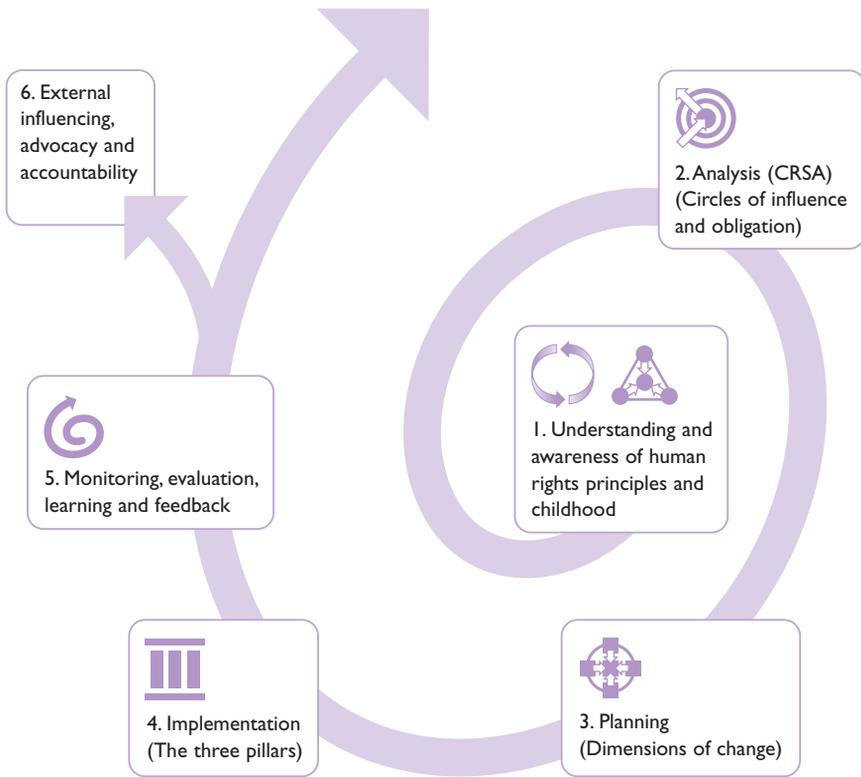
The three pillars



The learning and feedback loop

The following diagram shows how the child rights-based programme cycle is rooted in an understanding of human rights and child rights principles. The relationship between duty-bearers and rights-holders informs all subsequent stages of the cycle. The cycle then moves through analysis, using the circles of influence and obligation tool (see Chapter 3 on carrying out a child rights situation analysis (CRSA)), and on to planning, using the dimensions of change as your framework (see Chapter 4). Implementation should be a balance of work across the three pillars. Monitoring and evaluation provide the basis for the learning and feedback loop.

The child rights programme cycle



An important note on ways of working

Using a CRP approach means adopting certain ways of working (processes) that are grounded in human rights and child rights principles. Bear these in mind at every stage of your work and when using the tools presented in this guide.

The key processes are:

- involving children at every stage of the programme cycle
- working with the most vulnerable children and countering discrimination
- creating a rights climate through redressing power relations in favour of children and their rights
- working in partnership
- working with and enabling the state
- empowering civil society and encouraging community involvement.

The first two relate directly to two of the four UNCRC general principles (see The four general principles of the UNCRC on p.10). The notion of a rights climate is introduced in Chapter 3, on child rights situation analysis (CRSA). Working in partnership is explored more fully in Chapter 6.

The degree to which you can implement these ways of working will depend on your context.

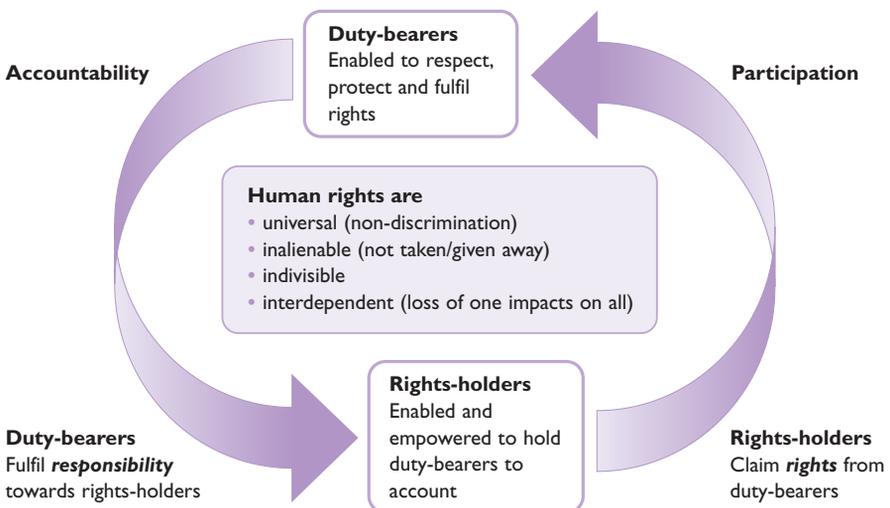
Here are the details on each of the key tools for CRP.

The duty-bearer and rights-holder relationship

A fundamental element of rights-based approaches is the process through which duty-bearers meet, and are held to account for, their obligations, and through which rights-holders are empowered to claim their entitlements. So you will need to understand how this relationship works at various levels in your particular context. Your programme should help enable the effective functioning of the duty-bearer–rights-holder relationship. You may need to take action to hold duty-bearers to account and to support them to fulfil their obligations. You may also need to empower and strengthen the capacity of children as rights-holders (and others in civil society) to claim the entitlements to which they are due.

The diagram below describes this relationship.

The duty-bearer and rights-holder relationship



Who is the duty-bearer?

Duty-bearers are those defined as having obligations under the UNCRC and other international human rights conventions. The **state** is the **main duty-bearer**. It has obligations to respect, protect and fulfil people's rights. It may delegate some of its responsibilities to others (such as private companies or civil society groups). The international community also has obligations to support the state in meeting its responsibilities to fulfil children's rights. **Parents and others who care for children** are also duty-bearers, with specific responsibilities towards children. They may be described as **secondary duty-bearers**. Other individuals and groups may have certain responsibilities for children, depending on the moral codes of the particular society or culture. These are generally **moral duties** rather than legal duties.

Here is some more detail on the responsibilities of the state:

As main duty-bearer, the state has obligations to respect, protect and fulfil children's rights.

- *Respect* – States must not interfere directly or indirectly with the enjoyment of rights.
- *Protect* – States must take measures that prevent third parties from interfering with the enjoyment of rights.
- *Fulfil (facilitate)* – States must adopt appropriate legislative, administrative, budgetary, judicial, promotional and other measures towards the full realisation of rights.
- *Fulfil (provide)* – States must directly provide assistance or services for the realisation of rights.

The rights-holder must be enabled to claim his/her rights and hold duty-bearers to account for the fulfilment of their obligations. A child's ability to do this directly will change over time according to his/her evolving capacities. Rights-holders also have a duty to respect the rights of others.

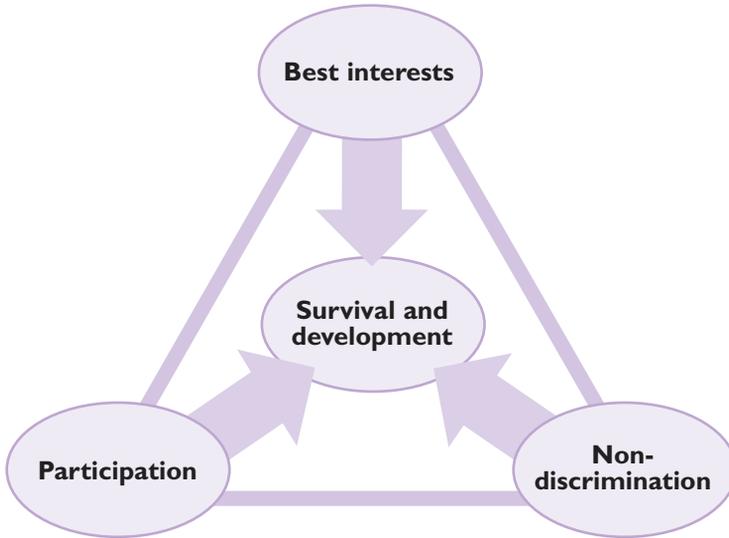


The four general principles of the UNCRC

If the duty-bearer–rights-holder relationship is to work effectively for children, it requires a 'rights climate' in which the four general principles of the UNCRC are fulfilled. The four principles are: survival and development; non-discrimination; child participation and the right to be heard; and the best interests of the child. They are based on human rights principles,

while taking into account the situation of children and their evolving capacities. A fuller explanation can be found in the handbook *Child Rights Programming: How to Apply Rights Based Approaches to Programming* (Save the Children, second edition, 2005). This guide describes how the principles can be applied in practice.

The four general principles of the UNCRC



Survival and development

While children's survival often relates directly to children's right to life, children's right to development (as described in the UNCRC) must be interpreted in its broadest sense, encompassing the physical, psychological, emotional, social and spiritual development of the child. The state, as main duty-bearer, has a responsibility to ensure the survival and development of children to the maximum extent possible. Where the state is unable (or at times unwilling) to assume its responsibilities, international donors, NGOs, civil society organisations and the private sector may need to support and complement the state through financial, technical and logistical responses.

To fulfil children's right to survival and development in practice, you need:

- an **awareness** and **understanding** of childhood and children's evolving capacities. You should also provide appropriate information and training to the children you work with, to government, and to partners

- an **analysis** of the state's capacity to prioritise children's survival and development, including: financial resources, budget allocation and funding mechanisms; policies and legislation; technical capacity; and organisational capacity. You should also **analyse** the capacity of other groups (civil society, international organisations, private sector, etc) who contribute to the fulfilment of children's survival and development rights
- **to plan** programmes based on this analysis, including the perspectives of all relevant stakeholders in the process
- **to implement** responses that strengthen the state's capacity to fulfil its obligations while also working with a broad range of other partners
- **to monitor and evaluate** against clear indicators that measure direct changes in children's lives, as well as changes in capacity, policies, legislation and attitudes.

Non-discrimination

The UNCRC focuses on the elimination of discrimination in three main areas: against individual children; against specific groups of children; and against the population group as a whole. Tackling discrimination is not simply about imposing top-down strategies. Instead, your programmes should analyse power relationships and discrimination and the impacts these have on the children you work with.

In practice this means:

- your organisation should promote non-discrimination and diversity **awareness**. You could also provide appropriate information and training to the children you work with, and to governments and partners
- you should include non-discrimination/diversity **analysis** as part of your child rights situation analysis (CRSA) defined in Chapter 3. This would consider:
 - which groups of children experience discrimination (make sure data is disaggregated)
 - multiple forms of discrimination on the basis of different aspects of social identity; for example, a disabled girl from a minority ethnic group
 - an analysis of work that other local, national or international groups are doing to tackle discrimination
- you should **plan** objectives and advocacy goals that reflect the non-discrimination analysis and clearly demonstrate how discrimination will be addressed

- you should **implement** your programme in ways that engage with, empower and impact on children who face discrimination; that build internal and public awareness around issues of discrimination; and that demonstrate to others the value and abilities of vulnerable children, viewing them as social actors
- **monitoring and evaluation:** use clear indicators to measure a reduction in discrimination and changes in attitude. You should also consider the intended and unintended impacts on different groups and get the views of a range of stakeholders.

Child participation and the right to be heard

Participation, as enshrined in the UNCRC, is about children and young people having the opportunity to express their views, influence decision-making and achieve change in areas that affect their lives. Children's participation is the informed and willing involvement of children, including the most marginalised and those of different ages and abilities, in all matters concerning them.

In practice this means:

- you need an **awareness** and **understanding** of children's evolving capacities and their ability to act on their own behalf. (For example, there are different ways of involving older and younger children depending on their level of understanding and ability to participate. See references at the end of this chapter.)
- you should **analyse** the programme environment to identify the barriers to children speaking out or to their voices being heard
- **planning:** you should create space and opportunity for children's views to influence programme design
- **implementation:** you should create space and opportunity for children's voices to be heard within their families, communities and beyond; build children's confidence, knowledge of their rights and ability to protect themselves; give children an opportunity to learn and practice important life skills; and empower children as members of civil society and as active and responsible citizens
- **monitoring and evaluation:** use clear indicators to measure the extent of children's participation and the creation of spaces and mechanisms for their views to be taken into account in decision-making
- being accountable to children through **feedback**.

Ensuring quality participation

Save the Children has developed seven **practice standards** to guide children's participation:

1. An ethical approach: transparency, honesty and accountability
2. Children's participation is relevant and voluntary
3. A child-friendly, enabling environment
4. Equality of opportunity
5. Staff are effective and confident
6. Participation promotes the safety and protection of children
7. Ensuring follow-up and evaluation

A more in-depth exploration of these practice standards can be found in *Practice Standards in Children's Participation*, Save the Children, 2005.

The best interests of the child

This principle touches on every aspect of a child's life. It means that whenever decisions are taken that affect children's lives, the impact of those decisions must be assessed to ensure that the best interests of children are the main consideration. The interests of others – such as parents, the community and the state – should not be the overriding concern, even though they may influence the final decision.

In practice this means:

- you should promote **awareness** of the best interests principle and its implications for decision-making
- you should **analyse** how local and national policy, legislation and practice is informed by children's best interests
- **planning**: allow children's views to influence programme design
- **implementation**: you should facilitate children's direct involvement in the practical implementation of programme activities
- **monitoring and evaluation**: you need to measure the impact of programme activities on children to assess whether their best interests are being

Case study

In **Uganda**, working on HIV issues, memory books have become an invaluable tool to help children and parents prepare for the future. Putting together a memory book helps parents find the words to disclose their HIV status to children and their wider families. It helps parents listen to their children and involves children in planning for their future. It helps parents and children consider legal issues, like passing on property to their children and making a will.

The project has been hailed as an unqualified success. Families and communities are more open about disclosing HIV status, with a reduction in the social stigma around HIV and AIDS in project areas. Communities have found practical ways to help affected families, such as waiving school fees for children. The project has expanded to more than 20 districts in Uganda.

Save the Children still supports its partner, the National Community of Women Living with HIV/AIDS in Uganda (NACWOLA), and is currently also doing memory work in Ethiopia and South Africa. The Memory Training Programme has now been adapted and used by other development organisations in many African countries, and is also being used in east Asia. Many organisations are collaborating on the Ten Million Memory Project, which aims to share memory work with ten million people by 2010.

realised. You should also measure the impact of programme activities on policies, practice, attitudes and communities to assess the extent to which children's best interests are being prioritised.



Circles of influence and obligation

Use this tool when you do your child rights situation analysis (CRSA). It will help you assess how the duty-bearer–rights-holder relationship works, and identify any rights violations and gaps in provision.

Circles of influence and obligation is a practical tool you can use to establish two key things: the dynamic relationship that children, as rights-holders, have with a range of different groups and individuals; and the obligations that duty-bearers hold in relation to children. Understanding who the duty-bearers and

stakeholders are at every level and their respective roles, responsibilities and capacities, is a crucial step. It will help you plan your programme, identify possible partners, and target your advocacy. It will also help ensure that your work at any one level is both informed by and reinforces work at all the other levels.

Circles of influence and obligation



 **The dimensions of change**

Use this tool to help you design your programme and address the gaps identified through your CRSA. It will also help you define indicators so that you can measure what impact your programme is having. Mapping your objectives, indicators and activities against the dimensions of change will show where you need to strengthen your programme design and implementation.

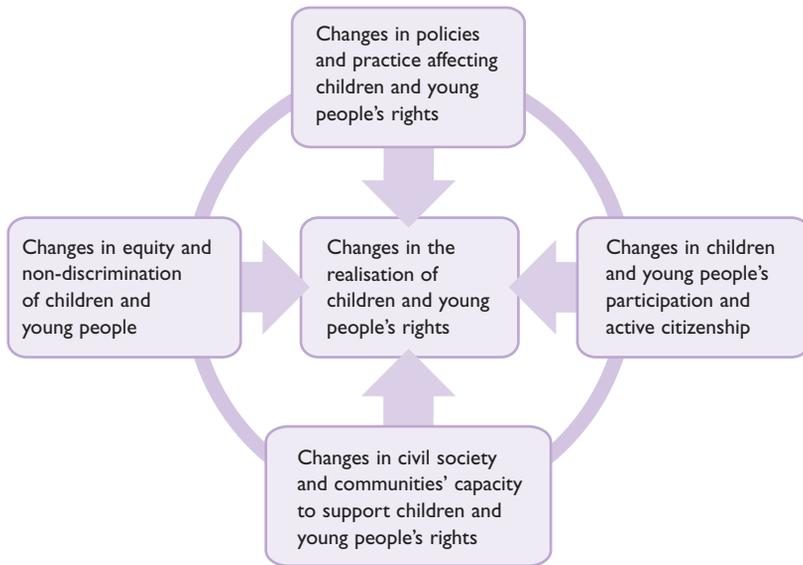
There are five dimensions of change that are critical to the realisation of children’s rights. Only by bringing about change in one or more of these areas will you be helping children achieve positive, long-lasting changes in their lives:

- changes in the realisation of children and young people’s rights
- changes in policies and practice affecting children and young people’s rights

- changes in equity and non-discrimination of children and young people
- changes in children and young people's participation and active citizenship
- changes in civil society and communities' capacity to support children's rights.

This diagram shows how the dimensions of change relate to each other:

The five dimensions of change



The dimensions of change are inter-related and mutually reinforcing. They address aspects of the duty-bearer–rights-holder relationship (vertical axis), and the issue of power relations (horizontal axis). Taken together, the five dimensions provide a framework for measuring sustainable impact and change in the realisation of children's rights.



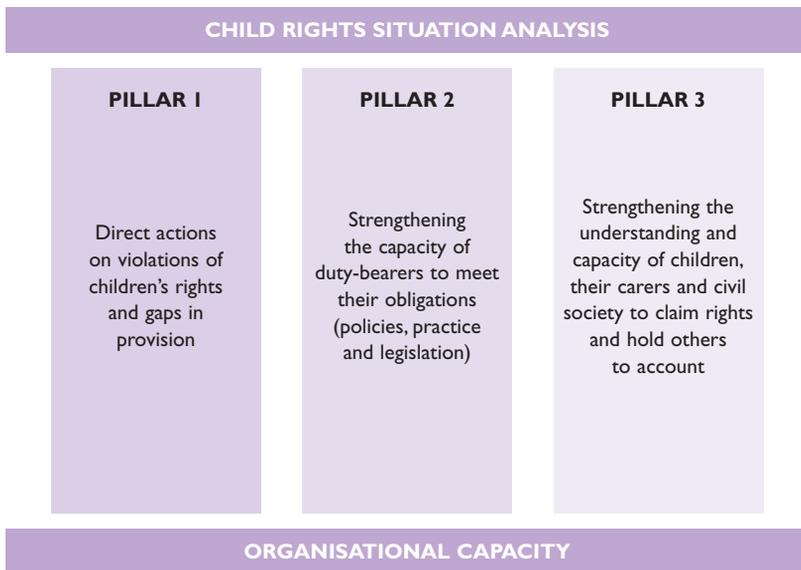
The three pillars of child rights programming

The three pillars model shows the three essential components of a child rights-based programme. Use the tool when you are planning your programme. Your CRSA will establish who the main duty-bearers are in your area, and the extent to which children's rights are being violated. You can then identify how the duty-bearers can be enabled to fulfil their obligations and how children and

civil society can be supported to claim their rights. This may involve you in demonstrating what works and advocating with civil society for its larger scale adoption.

The three pillars can be used as a visual aide to represent a programme strategy, describing the mix and balance of activities. The balance of activities and resources that you allocate between the pillars will vary over time, as your programme progresses and as the capacity and involvement of your partners, the state and other stakeholders change. It is important that you know what the appropriate balance should be at any time, and that work in each pillar is being informed by, and is reinforcing work under, the other two.

The three pillars of CRP



The **first pillar** refers to **direct actions** you take that address gaps in provision and violations of children's rights. Your work should create an evidence base to influence other practitioners. It will give credibility to any advocacy work you undertake (at national or international level). Depending on the nature of your programme, activities could include therapeutic feeding for under-fives, counselling for girls experiencing sexual violence, the provision of primary school materials... and many others.

The **second pillar** focuses on strengthening the capacity of duty-bearers to fulfil their obligations to children. It emphasises the responsibilities of the state as main duty-bearer, and calls for actions that bring about improvements in legislation, policies and practice, structures, mechanisms and resource allocation. Activities could include the integration of child protection measures into a poverty reduction strategic plan, budget monitoring with local authorities, the establishment of decision-making mechanisms that involve children, influencing law reform, the creation of a children’s ombudsman... and many others.

The **third pillar** is concerned with strengthening the understanding and capacity of children (as rights-holders) and their carers and civil society to hold duty-bearers to account and to claim rights for children. Activities could include supporting networks promoting children’s rights (particularly child-led organisations), organisational development of community-based organisations, raising awareness of children’s rights, training and mobilisation of the national media, mobilising professional groups, working in international coalitions... and many others.

Activity in the **first pillar** provides you with evidence, experience and credibility through working directly with children and their families. You can use this evidence to inform your advocacy in the **second pillar** as you seek to influence policy decisions that will bring about the changes you want for children. Your advocacy will be most effective if supported and undertaken by a strong civil society – your work in the **third pillar** – where children and young people and other key groups are empowered and mobilised to claim children’s rights.

The learning and feedback loop

What you learn from monitoring and evaluating your work provides a feedback loop on progress. The knowledge gained informs your future choices and decisions. Through feedback you communicate the results and learning from your work to the various stakeholders, both within and outside of your organisation. It is a key way to demonstrate your accountability, especially to the children and young people involved in your programme. It can stimulate changes that will improve the way in which you work and your effectiveness, provide examples of good practice to be shared with others, and can inform your national and international advocacy work.

Remember!

Child rights programming demands that:

- you use the **UNCRC** as your **framework**. It provides legitimacy, a reference point and opportunities for engagement with its monitoring mechanisms
- the **four general principles** of the UNCRC constitute a filter mechanism throughout your organisation's work. They focus attention on issues of discrimination, the views of children, the mobilisation of resources to ensure children's survival and development, and decision-making processes that make children's best interests a primary consideration
- you seek **children's perspectives**, recognising them as people with dignity and evolving capacities; that they are empowered and assisted to speak out, have their views heard and become an integral part of processes of change.
- **duty-bearers** are identified and held to account
- attention is paid to the most **marginalised**, those whose rights are presently least assured and recognised
- the overall goal is a measurable **impact on the lives of girls and boys** and their rights
- a **long-term** perspective is taken, necessitating an analysis of trends, opportunities and capacities, while also addressing urgent and immediate rights violations
- evidence-based **advocacy** is used to increase the scale of impact on girls and boys (eg, through replication, policy change or increased resource allocation)
- your programme operates at **all levels of society**, ensuring links from one level to another and so maximising impact
- you use **participatory processes** (with a variety of stakeholders, including children and young people) that are empowering
- you enter into a range of **partnerships** (with the state, civil society groups, communities, the private sector, etc) to bring about real change for children.

Notes

¹ The 'common understanding on child rights programming' was agreed by the International Save the Children Alliance CRP Professional Exchange Network, 2005.

² For further information, see Lansdown G *The Evolving Capacities of the Child*, Innocenti Insight 11, UNICEF Innocenti Research Centre, Italy, 2005.