

FACT SHEET: Implementation guidelines for the Convention on the Rights of the Child

The Committee on the Rights of the Child consistently urges governments to take special measures and develop special policies and programmes for children. In its reviews, the Committee recommends using the Convention as a guide in policy-making and implementation, to:

Develop a comprehensive national agenda. The adoption of a national agenda, strategy or plan for children is fundamental to implementing the Convention on the Rights of the Child and to providing effective government for children. A national agenda is considered most effective when it:

- Is based on the whole Convention;
- Addresses all children;
- Includes specific priorities and goals, with time frames and budgets for achieving them;
- Involves widespread consultation and debate and includes non-governmental organizations and children in such debates;
- Complements other national development strategies, priorities and programmes;
- Has strong political backing within the central government;
- Is widely disseminated both within government and civil society;
- Is kept under effective review.

Develop permanent bodies or mechanisms to promote coordination, monitoring and evaluation of activities throughout all sectors of government. Many governments have responded to the Convention on the Rights of the Child by creating new bodies or mechanisms—located near or at the heart of government—that are geared especially to protecting children's rights. These bodies and mechanisms aim to:

- Give visibility to children's rights;
- Coordinate activities in this policy area;
- Monitor progress;
- Promote a comprehensive and integrated agenda and the development of national benchmarks for the realization of children's rights.

To be effective, these bodies and mechanisms should have a clearly defined and permanent role, be given adequate resources, and report periodically on achievements and prevailing difficulties.

Ensure that all legislation is fully compatible with the Convention by incorporating it into domestic law or ensuring that its principles take precedence in cases of conflict with national legislation.

Making national laws fully compatible with the Convention on the Rights of the Child involves the systematic review of a country's national legislation, followed by enactment and enforcement of new and revised laws. Laws should explicitly recognize children's rights and freedoms under the Convention. Human rights laws for children should be distinguished from those for adults, taking into account the child's:

- Vulnerability and need for protection from economic or sexual exploitation, cruelty and abuse, abduction or recruitment into armed forces;

- Special developmental needs and evolving personality, including the right to an education, to an adequate standard of living and to protection before the law, through a juvenile justice system based on rehabilitation rather than retribution;
- Special need for a family environment, family unity and adequate alternative care when necessary.

Make children visible in policy development processes throughout government by introducing child impact assessments. A child impact assessment involves examining existing and proposed policies, legislation and changes in administrative services to determine their impact on children and whether they effectively protect and implement the rights expressed in the Convention on the Rights of the Child. Policies not directly or obviously concerned with children, such as those on immigration, transportation, social security, taxes and environmental issues, should also be assessed for their impact on children.

A child impact assessment might include the following:

- A description of how a measure affects -- or might affect -- children;
- An account of how a measure promotes or impedes implementation of the Convention;
- An identification of controversial issues and of any gaps in information or expertise;
- Guidelines on how a measure should be monitored;
- Children's views on a measure;
- Proposed steps to ameliorate or solve any adverse effects that might be anticipated.

Analyse government spending to determine the portion of public funds spent on children and to ensure that these resources are being used effectively. States are required to ensure the realization of the economic, social and cultural rights of children to the maximum extent of their available resources. This obligation represents an extraordinary challenge to all countries to review and, where necessary, take action to increase:

- The proportion of government spending on children, compared to spending on other issues or, in some cases, spending on other population groups. This should include a breakdown of how the money spent on children is distributed;
- The proportion allotted to the social sectors, both from national resources and international aid. Is spending within the framework of the 20/20 Initiative, which calls for developing countries to allocate 20 per cent of their budgets and donor countries to allocate 20 per cent of official development assistance (ODA) to basic social services? The 20/20 Initiative also aims to ensure that resources are used with greater efficiency and equity;
- The revenue and the material, human and organizational resources that are available at central and local levels and how these resources can be applied to the maximum extent.

Ensure that sufficient data are collected and used to improve the situation of all children in each jurisdiction. Under the Convention on the Rights of the Child, States are obliged to provide extensive child-specific data in their periodic reports, including:

- Data disaggregated in terms of age, gender, ethnic and social origin, place of residence, family status and special groups;
- Data on the state of children's civil rights, as well as on children's survival, welfare and development;

- Qualitative as well as quantitative data, with children themselves consulted as to how information about their lives can best be collected and used;
- Data that is accessible to all those concerned with the well-being of children. Data should be made available to the public and should be presented to governmental bodies on a regular basis to inform planning and policy-making.

Raise awareness and disseminate information on the Convention by providing training to all those involved in government policy-making and working with or for children. One of the many innovations of the Convention on the Rights of the Child is the way in which it obliges States "by appropriate and active means" to inform adults and children of child rights. The Committee on the Rights of the Child suggests that States disseminate information on children's rights in the following ways:

- By adopting a comprehensive strategy to reach all sectors of society;
- By continuous, rather than one-off or ad hoc, dissemination of information;
- In ways that are accessible to and understandable by, children;
- In appropriate languages and forms to reach the entire population, including all minority and indigenous groups;
- By integrating information on child rights into school and training curricula so that it underpins the ethos and organization of education;
- By enlisting the full support of the media.

Involve civil society – including children themselves—in the process of implementing and raising awareness of child rights. While national governments officially commit to implementing the Convention on the Rights of the Child, every sector of society must become involved in implementation if child rights principles are to be effectively translated into reality. As part of this process, children's views should also be taken into account, through such channels as children's councils in local communities and schools, children's elections, hearings and parliaments.

Non-governmental organizations (NGOs) have a formal role in the Convention's reporting process as well as a role in monitoring and advocacy at the national level. In many countries, NGOs have formed coalitions that focus on children's rights; in some countries, NGOs meet regularly with the government and collaborate on implementation initiatives.

Apart from NGOs, other civil society groups and organizations, including the media, academic institutions, the private sector and professional and business associations, should be actively engaged in implementing the Convention.

Set up independent statutory offices—ombudspersons, commissions or other institutions—to promote and protect children's rights. The Convention on the Rights of the Child encourages bodies outside government to set up independent offices to promote children's rights and monitor their protection. The Committee on the Rights of the Child considers it important that such offices be independent of government influence in carrying out their role and that, preferably, such bodies be accountable to legislative bodies rather than to central governments.

These offices go by a variety of names and forms, such as children's ombudspersons, children's rights commissioners, defenders of children and children's advocates. Some form part of national human rights institutions, while others are free standing.