

UN Committee on the Rights of the Child

Day of General Discussion

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Resources for the Rights of the Child –
Responsibility of States: ‘Available Resources’ and
their allocation to children

**Article 4 and International Cooperation: A
Case Study from Ethiopia**

Submitted by Save the Children Sweden in Ethiopia

Introduction

1. This submission looks at the first issue raised by the Committee on the Rights of the Child namely 'available resources' and their allocation to children. It considers, in particular, how international organisations prioritise resources for children within their development strategies and, in turn, how they can support States to prioritise resources for children.

2. In early 2007, Save the Children Sweden conducted a study of how thirteen bilateral and multilateral international organisations operating currently in Ethiopia, fulfilled their obligations under Article 4 of the UN Convention on the Rights of the Child (CRC). As its starting point, this study took the view that donors should be prioritising children's rights in their development cooperation strategies in line with the Committee on the Rights of the Child statement that there must be 'a willingness [by states] to give higher political priority to children and an increasing sensitivity to the impact of governance on children and their human rights' (CRC General Comment No.5 2003, para 10). Furthermore, the study took the view that the CRC should form the framework for international development assistance related directly or indirectly to children, and that programmes of donor States should be rights-based.

3. The study examined relevant documentation and conducted interviews with thirteen multilateral and bilateral international organisations to determine the extent to which they prioritised children's rights in their strategies for development assistance in Ethiopia, whether or not they took a rights-based approach and if they supported the Ethiopian government to prioritise resources for children.

4. Specifically, the study asked:

- Are children, and issues relating to child poverty, highlighted in policies, strategies, evaluations and other documents that relate to the development cooperation of thirteen selected bilateral and multilateral donors in Ethiopia?
- Are children's issues considered from a child rights based approach within the development cooperation of these donors?
- Are these international donor agencies working in partnership with the Ethiopian government and civil society to realise children's rights?

5. Very few donors track programme and project activity systematically by age range so determining the extent to which they are involved in protecting and promoting children's rights was not an easy one. Furthermore, the study focuses only upon the extent to which children's issues and children's rights feature in policy documents and country strategy papers. The implementation of policies is not within its scope and there should be no assumption that because certain policies are integrated well with children's rights that it will naturally have a demonstrable positive impact on children in Ethiopia. Having said this, it is highly likely that children are more likely to be neglected within development actions in the absence of a policy that has some focus on children.

6. The study found that children in Ethiopia are not being given the attention they deserve by donors. Currently many bilateral and multilateral programmes directly and indirectly benefit children through investment in health, education, HIV/AIDS and various community development programmes. However, children's rights are rarely prioritised within development strategies, children's issues are not often explicitly addressed from a rights-based perspective and government-led development processes do not sufficiently prioritise resources for children.

7. This study concludes with three main recommendations to ensure proper fulfilment of Article 4 by international donor organisations:

- donors should integrate children's rights throughout their development programmes in order to maximise their effectiveness;
- they should work to influence and support government policy to promote children's rights through sustained, well-informed engagement and evidence

- based argument, mutual respect and willingness to share experience and expertise; and
- they should work more with civil society to cross-fertilise expertise, policy and experience.

The Ethiopian Context

8. Definitions and concepts of childhood differ, but it is widely agreed that childhood should be a time for growth and development, for developing skills and forming aspirations in preparation for adult life. Childhood should be a time of freedom, security, and exploration. The poverty which characterises the vast majority of children's lives in Ethiopia robs many of them of these opportunities and freedoms.

9. Children (0-18 years) make up more than 50% of the population of Ethiopia. About one in every 13 children in Ethiopia dies before reaching age one, while one in eight does not survive to their fifth birthday.¹ Many of those who survive their early years have their childhoods cut short by poverty and vulnerability. Children in Ethiopia often experience physical and mental damage because of poor nourishment. Almost half (47%) of children under five are stunted, or too short for their age, and 11% are wasted or too thin for their height. About 38% are underweight.² The reasons are related to poverty: some 78% of the population has no access to safe water and 94% lacks adequate sanitation. Many children have no access to quality health care: 44% of children are not fully immunized, 84% of children with respiratory infections and 62% with diarrhoea do not have access to adequate treatment and very few children have access to treated nets to prevent malaria. As a result, over 500,000 Ethiopian children die every year before the age of 5 (almost one every minute).

10. Some 1500,000 people live with HIV/AIDS in Ethiopia, 15% of them are children under 14 years. There are 720,000 children orphaned by HIV/AIDS and many of them are living in very hard conditions and with low access to health, education and basic rights such as receiving their due inheritance. They are also vulnerable to violence and trafficking. Adolescents are exposed to HIV infection as well (only 30% of them use condoms in their sexual relations). Girls are especially at risk.

11. Many children are forced out to work at an early age: 43% of children from 5 to 14 years are engaged in work, often in hazardous conditions undermining their possibilities for education and development. Despite the provision in the Revised Family Code setting 18 years of age for marriage for both girls and boys; 49% of girls marry before the age of 18 and many of these are forced marriages. Female Genital Mutilation (FGM) affects 62% of girls under 18.

12. Access to basic health and education services is low for the poor, and there is no solid social protection scheme which can support the needs of the most vulnerable children and their families. In fact a low proportion of children are registered at birth or later, hampering even further their access to basic social services.

13. Ethiopia is highly dependent on foreign development assistance. The revenues generated within the country account for approximately 64% of the total domestic budget. The remainder is provided through development cooperation projects and programmes.³ There is growing acceptance in the arena of international development that cooperation should be founded on partnership and function within national strategies; this was affirmed in the Paris Declaration of 2005.⁴ Ethiopia is perceived to have more ownership over its development processes than many other African countries and most donors work to support

¹ Ethiopia 2005 Demographic and Health Survey Key Findings

² See footnote above.

³ Figure cited in SIDA development strategy for Ethiopia 2003-2007

⁴ Declaration of Paris on Aid Effectiveness: Ownership, Harmonization, Alignment, Results and Mutual Accountability, OECD 2005.

the government's poverty reduction strategy, or Plan for Accelerated and Sustained Development to end Poverty (PASDEP).⁵

14. Ethiopia's National Plan of Action for Children (2003-2010)⁶ articulates what the Ethiopian Government would like to do to promote and protect the rights of their children. It represents an excellent blueprint but has failed to be implemented and lacks domestic resources and complementary international development assistance. Protection systems for children are in place but they too lack resources. At the municipality level there are Child Rights Committees, led by the Ministry of Women's Affairs, which has plans to strengthen and make the committees functional, but again, this initiative lacks resources.

15. This is a context where millions of Ethiopian children are deprived of their rights because of poverty. Children should be the first to benefit from poverty reduction strategies and be a priority for the Ethiopian government and international donor organisations alike.

Are children's rights prioritised in international development strategies in Ethiopia and is a child rights-based approach taken?

16. Three different levels of incorporating children's rights into development strategies in Ethiopia can be distinguished:

Child Focus: Where children receive specific programmatic attention, one result being an increase in child-specific interventions, some of which may directly link to the question of children's rights. Children may be mentioned as a priority area in specific policy documents (for example, USAID, World Bank and JICA)

Rights Based Approach: In which children's rights are incorporated into a general move towards an increased policy focus on human rights in general. In itself, this may not necessarily produce an increased focus on children in policy documents or, indeed, at programme level in development cooperation. This is the most widespread approach noted (for example, Finland, DCI, GTZ, EC, DFID, CIDA, Netherlands)

Child rights based approach: A framework approach in which the CRC underpins children in development policy ultimately resulting in adoption of programmes that give particular attention to children's rights in all aspects (for example, SIDA, Norway and the Italian Development Cooperation).

17. All of the donors involved in the study firmly acknowledge that investment in children is an investment in the future which is closely linked to the over-arching goal of poverty reduction. There is extensive support for the Millennium Development Goals and this goes a long way to promote and protect aspects of children's rights particularly in terms of their survival and development.

18. However, a holistic approach in line with the principles of the CRC is rarely adopted. Children's right to protection from violence, harm and exploitation and their right to participation are two areas which are significantly neglected overall. Children are most often perceived as victims of poverty and are not regarded as stakeholders in development processes: there are just a few examples of children being considered as holders of rights.

19. Often, even where donor policy at a central level makes a commitment to integrating children's rights into its development strategies, translation of these commitments into organisation-wide practices is weak:

- No international donor agency has internal reporting structures in place to ensure impact assessments routinely consider whether their aid is reaching children and young people (unless it is particularly targeted at them through particular projects).

⁵ *Plan for Accelerated and Sustained Development to End Poverty*, Volume I, Main Text, Addis Ababa. Ministry of Finance and Economic Development (2006)

⁶ *Ethiopia's National Plan of Action for Children (2003-2010 and beyond)*, Ministry of Labour and Social Affairs (2004)

- Only two agencies (out of thirteen) have focal points for children with the specific remit of looking at children's issues.
- No children were consulted during the planning of the country strategy papers nor have their substance been communicated to any children.
- Only two donors had heard of the Ethiopian National Plan of Action for Children (2003-10) and only the same two took the UN Committee Rights of the Child Concluding Observations on Ethiopia (2006) into account when planning their development strategies⁷.

What are the obstacles to prioritising children's rights in international donor development strategies?

20. **Donors' belief that their role nationally is to work at a 'macro' level**

There has been a significant shift away from project support towards more general budget support and donors in Ethiopia have gone a long way towards shifting investment to macro policy areas such as governance and support for national systems.⁸ Many now see their work as being less linked directly with children's wellbeing as a consequence. Donors need to be better at linking macro policy with micro-level impacts on children's lives in terms of fulfilment of their rights so that the increasing distance between the 'lived realities' of children and the national policy forums which donors support is closed.

21. **Decentralisation and responsiveness to national agendas.....**

All the donors involved in the Study work to a greater or lesser extent through government led structures for delivering aid. There was a strong sense from many donors in interview that their role is to support the Ethiopian government in the implementation of their poverty reduction strategy (PASDEP) and that if children's rights were not a priority within the Government then any civil society advocacy efforts to improve this should be directed towards the government rather than towards donors themselves. Many argued that to be very directive on any issue is against the principles of decentralisation of decision-making both to donor national offices and to the Government's policy choices. This report submits that donors are committed by their obligations under Article 4 to integrate children's rights into their development policy and that it is not acceptable to evade this responsibility by 'hiding' behind a national government's reluctance to prioritise children's rights. However, the reality of the current aid architecture in Ethiopia is that the national policy context, processes and prioritisation of tackling children's rights is critical (see below for discussion of national policy level constraints).

22. **...and UNICEF 'do' children anyway.**

Many donors in interview expressed the view that they are 'not children's organisations' and that UNICEF and NGOs are altogether 'better placed' to tackle children's rights as a discrete issue. Children are predominantly seen as either dealt with by key social sectors or as a special group requiring largely micro-level projects. One representative commented that child rights should be the specialised preserve of the NGO sector given a proper analysis of the distribution of roles within the development system operating in Ethiopia.

23. **There are too many issues to mainstream...one more is a 'burden'**

One representative felt that it was not so much a question of resistance to the concept of implementation of children's rights but that donors had a cluttered overload of 'priority' or 'cross-cutting' issues, including gender, environment, HIV/AIDS, disability and human rights: one more would be too much of 'a burden' and highly unpopular in the donor community.

⁷ Committee on the Rights of Child (2006) Consideration of Reports Submitted by State Parties Under Article 44 of the Convention, Concluding Observations: Ethiopia, CRC/C/ETH/CO/3.

⁸ The main four government-led development processes which most donors support are: the poverty reduction strategy or PASDEP, the Protection of Basic Services Programme, Productive Safety Nets Programme and Public Sector Capacity Building Programme.

24. **The difficulties of putting a (child) rights-based approach into practice.**

Non rights specialists find it difficult to relate the core principles of the child rights based approach (participation, non-discrimination, survival and development and acting in the best interests of the child) to all aspects of development co-operation, particularly economic policy. The result is often that children's rights are 'added-on' as a set of specific activities rather than being a mainstream consideration.

25. **Lack of understanding or guidance.**

Some representatives felt that there is a lack of evidence of what works and what doesn't work in the application of children's rights - particularly economic evidence to persuade the more sceptical economists in donor agencies and governments. The World Bank felt the need is more for short, snappy reference material of what programming to tackle children's rights could look like.

26. **And still some resistance...**

Whilst no-one denied the need to implement children's rights in Ethiopia, there is still evident resistance to putting this into practice, particularly when it involves making difficult decisions about resource allocation and policy choice.

National level constraints to implementing children's rights

27. **Poverty Reduction Strategy processes...**

*'Both PRSPs and SWAps should reflect children's rights principles, with a holistic, child-centred approach recognizing children as holders of rights and the incorporation of development goals and objectives which are relevant to children.'*⁹

The poverty analysis within the Ethiopian poverty reduction strategy (PASDEP) does not reflect children's rights principles and children are, in the main, portrayed as victims of circumstance not engaged social actors in their own development. There is a short section relating to children and reference to the National Plan of Action but none of this is fully integrated with other sectors within PASDEP and appears to be 'added-on'. There is no specific child budget and no assessment of the impact of economic decisions upon children. Children and child rights organisations within Ethiopia were not fully consulted as part of the PASDEP process.

28. **Marginalised ministries...**

For a range of reasons, ministries with responsibilities for children are commonly under-resourced and lack the capacity or standing to engage in the 'big' policy issues. Bringing together the various sector ministries with direct and indirect links to children's wellbeing is not an easy task. Responsibility for implementation of the CRC and of the National Plan of Action for Children falls under the responsibility of the Ministry of Women's Affairs which is perceived as weak and lacking in clout. The current status of implementation of the National Plan of Action is very weak and it has not yet been translated into local languages nor properly disseminated amongst the authorities responsible for its implementation.¹⁰ Unfortunately, the National Plan of Action for Children is not linked with core government policy and the Ministry of Women's Affairs has been marginalised in PASDEP and budgeting processes.

29. **Lack of data and analysis**

The data systems which inform national policy making are not child sensitive and often do not supply disaggregated data for example, there is no data on the extent of child-headed households, children with disabilities who attend school etc.

30. **Cultural perceptions of children and childhood**

Governments (and donors) often perceive children in the following ways:

⁹ Committee on the Rights of the Child, General Comment No. 5, General measures of implementation of the Convention on the Rights of the Child (arts. 4, 42 and 44, para. 6), U.N. Doc. CRC/GC/2003/5 (2003).

¹⁰ See Committee on the Rights of the Child Concluding Observations: Ethiopia CRC/C/ETH/CO/3 29 September 2006

- children as adults-in-waiting (and not a priority concern until they become formally economically productive);
- as the responsibility of women (therefore any intervention for women will automatically support children);and
- as passive beneficiaries (largely of social services but also of all policies that are aimed at households and communities).

The implication of this is that governments and donors do not prioritise children's rights as they do not fully comprehend the benefits of doing so.

31. **Civil society...**

Civil society organisations working with and for children in Ethiopia are not often well-placed to lobby for macro, or even sector-wide, policy changes. Some are effectively contractors for donor projects; some have little experience in policy engagement and are often faced with a lack of funding sources for policy work. Others are more focused on particular groups of marginalised children, often failing to engage with the bigger picture or link up with broader coalitions working against, for example, social exclusion. There is a lack of coordination amongst them and they are overly in urban areas and particularly Addis Ababa. Strengthening civil society organisations with potential to keep children's issues on the policy agenda and to hold the Ethiopian government and donors to account on them is important.

Conclusions

32. It is submitted that most of the international donor organisations surveyed do not adequately fulfil their obligations under Article 4¹¹. They do not sufficiently prioritise children's rights within their development strategies, the CRC does not properly inform their development strategies and, with few exceptions, they do not take a child rights based approach.

Recommendation: Mainstreaming children's rights within organisations is essential to ensure that children are given the focus they deserve. Children's rights should be explicitly integrated into donors existing frameworks, guidelines and other planning instruments.

33. Operating in an evolving context where 'upstream aid modalities' are the principal mechanisms for aid delivery has important implications for children's rights and for the ways in which donors may promote, or undermine, progress towards their fulfilment. Upstream aid modalities potentially offer tremendous opportunities for promoting children's rights through sector wide and national level policies, programmes and implementation strategies. They offer an opportunity to influence the policy and institutional environment within which local (and project) level activities take place. Since partnership is a priority area of development for all donors, policy dialogue is an area where the issue of children's rights should be far more proactively raised. A commitment to implement the CRC implies that governments mutually accept that children's rights are part and parcel of partnership agreements for development assistance.

Recommendation: International donors must work to influence and support government policy to promote children's rights through sustained, well-informed engagement and evidence based argument, mutual respect and willingness to share experience and expertise.

34. Civil society dialogue and networking among interested agencies and organisations all helps to improve work concerning children in development. Policy debate, for obvious reasons, seems to be most constructive and consistent in countries in which there is a strong sector of child oriented NGOs involved in development. Regular consultations between donors, government and civil society can bring fruitful cross-fertilisation of experience, policies and expertise.

Recommendation: International donors must engage far more with civil society organisations concerned with children's issues.

¹¹ One of the surveyed organisations was USAID; since the US has not ratified the CRC it is arguable whether or not they are bound by Article 4 under international customary law.

Annex: Recommendations

Recommendation One: the Committee on the Rights of the Child must play an important role in ensuring that development assistance does positively impact on children and is informed by the CRC.

Key contributions of the CRC Committee should be to:-

- Encourage alternative reports submitted to the CRC to comment not just on governments performance and obligations, but also to comment on the behaviour of donor countries in respect of any non-commitment of aid, as well as non-delivery of promised aid and non-prioritization of children's rights in aid programmes.
- Require donor states parties to report on the alignment of their foreign policy and trade policies with their aid policy and children's rights, and to explicitly identify their contribution to children's rights fulfilment.

Recommendation Two: Prioritising resources to children must be raised by development assistance organisations in policy dialogue with governments far more proactively.

The recognition of partnership and ownership of development processes also implies a mutual consideration of priorities by both governments and donors, and one such priority must be to protect the rights of the child. Through dialogue, and through the support provided to sectors and programmes perceived to be priorities, donors can still have a degree of influence over the policy environment and must help to raise children's rights up the agenda. In this way, development cooperation can be used as a platform for continued political dialogue about issues of vital importance to the achievement of fulfilling children's rights, prioritising resources and as a means of supporting government and civil society's efforts and initiatives.

Recommendation Three: Development assistance must be informed by the CRC by means of mainstreaming children rights throughout international donor organisations.

This can be accomplished by:

- Including children's rights in reporting mechanisms to head quarters.
- Establishing a focal point so that children are on the agenda internally and externally.
- The possible impact on children and their rights of proposed programmes might be taken into account - whether negative or positive – and the views of children solicited and taken into consideration where possible during consultation processes.
- Having a set of guidelines which must be complied with when negotiating with partner countries or other donors so that children are not forgotten.¹²
- References to children's rights in relevant budget lines to be strengthened, implemented and assessed for their impact.

Recommendation Four: Development assistance organisations must engage far more with civil society organisations concerned with children's issues.

Civil society dialogue and networking among interested agencies and organisations all helps to improve work concerning children in development. Policy debate, for obvious reasons, seems to be most constructive and consistent in countries in which there is a strong sector of child oriented NGOs involved in development. Regular consultations between donors, government and civil society can bring fruitful cross-fertilisation of experience, policies and expertise. Furthermore, work with child rights focussed organisations can achieve visible results very quickly and these projects can go on to function as models in the long term political lobbying work.

¹² See for example the guidelines used in *Three billion reasons. Norway's Development Strategy for Children and Young People in the South*. NORAD (2005)

