

NGO FOLLOW-UP TO THE SPECIAL SESSION ON CHILDREN

A briefing for members of the Children's Rights Caucus and the NGO Group for the Convention on the Rights of the Child

INTRODUCTION

In *A world fit for children*, the Declaration and Plan of Action adopted by consensus at the end of the UN General Assembly Special Session on Children in New York (May 10 2002), States committed themselves to “*develop or strengthen as a matter of urgency, if possible by the end of 2003, national, and where appropriate, regional action plans with a set of specific time-bound and measurable goals and targets based on this Plan of Action...*” (para. 59: see full text at www.unicef.org)

The coordinating committees of the Child Rights Caucus and the NGO Group for the CRC urge NGOs to get actively involved in the process of follow-up to the Special Session at national level. Our aims are to promote the fullest implementation of the Convention on the Rights of the Child (CRC). We must therefore ensure that all follow-up action by government and others, including drafting of Plans of Action, supports the CRC and does not undermine it. This is the essence of a rights-based approach: States which have ratified the CRC have obligations under international law to recognise and realise children's economic, social and cultural and civil and political rights. **Implementing the Convention is not a matter of choice, welfare or charity, but of fulfilling legal obligations.**

The Committee on the Rights of the Child urges States to develop a comprehensive national strategy for children, based on the Convention. The preparation of Plans of Action following the Special Session should be integrated into or at least closely linked with this process. One of the lessons that should be learned from the last decade and the follow-up to the 1990 World Summit for Children is the danger of setting up confusing parallel processes: NGOs have a key role to play in urging a unified approach focused on CRC obligations.

The purpose of this briefing is to provide practical advice on the first stages of getting engaged in the process. It is aimed at NGOs in the broadest sense, including for example children's rights organisations and coalitions, development NGOs, child- and youth-led groups, independent human rights institutions, professional and academic bodies, faith groups and community-based organisations. The Child Rights Caucus and the NGO Group for the CRC intend to develop and distribute a series of more detailed briefings on the content of National Plans of Action and their relationship with the CRC later in 2002.

As the follow-up process gets under way at national level, our aims must be to ensure that:

- **the process is integrated into and does not in any way undermine national implementation of the CRC;**
- **monitoring and follow-up is integrated with the reporting process under the CRC;**
- **any adopted National Plan of Action uses the Convention as its framework and is rights-based;**

- **NGOs (defined broadly) and children and young people are active and influential in ensuring a rights-based approach.**

The suggested deadline for preparing national Plans of Action is the end of 2003 – so we need to get involved quickly.

*If you have advice, experience, ideas to share with other members, please e mail
We will revise this briefing regularly in the light of members' responses.*

BACKGROUND

The **Convention on the Rights of the Child (CRC)** was adopted by the UN General Assembly in 1989. It has been ratified by every eligible state except the US and Somalia (both of which have signed the Convention, indicating an intention to ratify). When a State ratifies the Convention it takes on a set of binding obligations under international law. States are required to report on progress towards implementing the CRC to the Committee on the Rights of the Child, within two years of ratifying and then every five years.

In 1990, 71 world leaders met in New York and adopted the **World Summit on Children Declaration and Plan of Action** (A/45/625, annex). The Declaration stated that “the Convention on the Rights of the Child provides a new opportunity to make respect for children’s rights and welfare truly universal”. The Plan of Action urged governments “to prepare, before the end of 1991, national programmes of action to implement the commitments undertaken...” More than 150 states submitted **National Plans of Action (NPAs)** aimed at implementing summit goals.

During the decade from 1990 States have been encouraged by the Committee on the Rights of the Child and by UNICEF to develop their **NPAs** so that they are based on the Convention as a whole and thus go beyond the specific goals set at the World Summit. We can learn now from the experience of the 1990s – that it is not helpful to set up a parallel but less comprehensive NPA process alongside the process of CRC implementation. In its reporting guidelines for periodic reports (CRC/C/58), the Committee has encouraged States to adopt “a **comprehensive national strategy** for children in the framework of the Convention, such as a national plan of action on children’s rights...” (para. 17).

The **UN General Assembly Special Session on Children** was planned as a follow-up to the World Summit. In preparation for it, in 2000, States were encouraged by UNICEF to undertake **end-decade reviews**. More than 150 have done so (see www.unicef.org/specialsession/how_country/index.html). These are summarised in the Secretary-General’s report for the Special Session, *We the Children: End-decade review of the follow-up to the World Summit for Children*.

The Child Rights Caucus, human rights institutions and many states lobbied for the resulting outcome document – *A World Fit for Children* - to base itself on the Convention as the logical framework of legal obligations. But following pressure from the US and a minority of other states during the drafting process, references to the Convention in the document are weak and the language in some places falls short of previously agreed norms and standards.

A world fit for children (see www.unicef.org for final text) proposes that new “**national action plans**” should be prepared, if possible by the end of 2003.

Finding out about the national process

To engage effectively with the national process of follow-up to the Special Session, NGOs will need to be fully informed about their State's reporting to the Committee on the Rights of the Child and the State's response to the 1990 World Summit and preparation for the Special Session. You will need to identify and be in touch with those responsible in government.

You will need to know the answers to the following questions. (If you don't know where to start, check first with your Foreign Ministry which government department is responsible for the Convention on the Rights of the Child and who represented your state at the UN Special Session on children):

Who is responsible within Government for implementation of the CRC and reporting under it?

Has the Government:

Submitted initial and periodic reports to the Committee on the Rights of the Child (you can check this at www.unhchr.ch)?

What is the deadline for submission of the next report to the Committee on the Rights of the Child?

Has the Government:

Developed a National Plan of Action (NPA) following the World Summit?

Developed a comprehensive NPA or a children's strategy based on the whole Convention?

Submitted an end-decade review of progress since the World Summit (you can check this at www.unicef.org/specialsession/how_country/index.html)?

Who is responsible for the follow-up process to the Special Session:

Which Government department(s)?

Which Ministers?

Which key officials?

Forming a broad alliance of NGOs

If there is an existing children's rights coalition (coalition of organisations committed to promoting the fullest implementation of the CRC), that is the logical base for NGO involvement and action. If there isn't, consider forming one (see advice available at www.crin.org/NGOGroupforCRC).

Existing coalitions could consider seeking to broaden their membership for this purpose to include, for example:

Child- and youth-led organisations

Human rights institutions (both separate children's ombudspersons and commissioners and general human rights institutions which include a focal point on children)

Organisations dealing with human rights generally

Organisations concerned with development aid

Professional organisations

Trades unions

Faith groups

Academic institutions

Community-based organisations

It will be important, of course, to ensure that all organisations joining the coalition are fully committed to the CRC.

You may want to form a small sub-group of people/organisations to follow up on the Special Session, reporting back to the coalition.

UNICEF and other UN and UN-related agencies

If UNICEF has an office in your state it will be important to contact it and find out what part it is playing in the development of the NPA, and to discuss how best to work collaboratively; also with other relevant UN agencies.

Seeking a partnership with government

If you can identify who is responsible in government for the CRC and for the follow-up process to the Special Session, you should consider formally approaching appropriate ministers and/or officials as early as possible (because government have been asked to prepare Plans of Action by the end of 2003), asking for NGO involvement.

You could start by asking for a meeting to talk about how the government proposes to follow-up the Special Session; you could quote para. 59 of the Outcome Document which commits governments to work “in cooperation with relevant civil society actors, including non-governmental organisations working for and with children, as well as children, in accordance with their age and maturity, and their families”.

At the meeting, or in further letters, you could consider:

- Asking about the timetable for preparation of a Plan of Action;
- Proposing regular meetings and consultation as the Plan is being developed;
- Encouraging, from the start, integration of the process with implementation of the CRC and reporting under it.

Other action

Encouraging your government to take the CRC and the follow-up to the Special Session seriously may not be easy. As well as direct approaches, you may need to consider other ways of lobbying:

- Contacting sympathetic parliamentarians to raise the matter in Parliament and/or write to ministers;
- Using the media: publicising your approaches to government, publicising government lack of action, writing letters to newspapers;
- Organising a conference or event and inviting a key minister to address it;
- Using anniversaries as a focus for discussion and media coverage – eg November 20, the day of adoption of CRC by the UN General Assembly.

General advice on advocacy is given in *Networking for Children's Rights*, a guide published by the NGO Group for the CRC and available in PDF format at www.crin.org/NGOGroupforCRC

Involving children and young people in follow-up

Any organisations of children and young people which are already involved in advocacy of children's rights should be encouraged to join the coalition and play an active role in follow-up. Under article 12 of the CRC, children have a right to be involved. Consultations carried out by Save the Children in 2002 found that children want to be involved and identified many good reasons for involving them.

Children and young people should be seen and treated as equals and with respect. Their involvement demands planning; you will need to consider the various potential barriers – financial and other resources, time, transport, language, culture and so on – and how they can best be overcome. You will need to ensure that documents prepared for discussion are accessible to young people and that they have appropriate support. You will need to consider how to encourage as far as possible “representative” involvement of young people. Ensure that young people have regular opportunities to comment on and improve the quality of their participation.

Save the Children is developing detailed guidance, based on its consultations with children and young people, on how governments and others can encourage their active involvement in developing national Plans of Action. We will let you know how to access it.

Why should Children and Young People be involved?

During consultations held in 14 countries by Save the Children early in 2002, children and young people clearly indicated that they want to be involved in the development of National Plans of Action. The main reasons they gave were:

- They are the people directly targeted by the plans and the most important stakeholders
- They are the people with the most direct experience of the situation of children and they can help governments understand their problems better. Children and young people are the real ‘experts’ on children’s issues!
- Children are not all the same and governments need to hear from different groups of children
- They have a right (contained in Article 12 of the UN Convention on the Rights of the Child) to be consulted on all decisions which affect them
- As can be seen from this consultation, children and young people can – and want to – play a part in supporting implementation of the plan
- They will improve the effectiveness and impact of the plan, making it more successful.
- It helps to build democracy and encourages responsibility among children for their lives, communities and societies
- Young people feel they have valuable resources to bring to the processes.

From “Shaping a country’s future with children and young people: National Plans of Action for Children – involving children and young people in their development”, Save the Children, 2002.

The **NGO Group for the Convention on the Rights of the Child** is a network whose mission is to facilitate the promotion, implementation and monitoring of the CRC.

www.crin.org/NGOGroupforCRC. Further information: ngo-crc@tiscalinet.ch

The **Child Rights Caucus** is a broad group of NGOs committed to the CRC and formed during the preparations for the UN Special Session on Children. It lobbied for full recognition of the CRC in the Special Session Outcome Document and agreed during meetings at the Special Session to remain in existence to promote CRC-based follow-up.

For more information about the Child Rights Caucus, go to www.crin.org/child-rights-caucus

. To subscribe to the Caucus e mail list, send a blank message to

Childrightscaucus-subscribe@domeus.co.uk

Preparation of this briefing was supported by Save the Children UK.