Rights-based Monitoring and Evaluation

A Discussion Paper

Joachim Theis

Save the Children

April 2003

Summary

A rights-based approach to development combines human rights, development and social activism to promote justice, equality and freedom. It holds duty bearers to account for their obligations, empowers people to demand their rightful entitlements, promotes equity and challenges discrimination.

Monitoring is a fundamental approach to promoting human rights. The collection and dissemination of data about unfulfilled rights and about rights violations puts pressure on duty bearers to meet their obligations to respect, protect and fulfil human rights.

This paper proposes a rights-based approach to monitoring changes in human and children's rights, accountability, participation and equity by measuring different dimensions of change: changes in people's lives, in policies and practices, in equity, and in participation and empowerment. These dimensions of change should be applied consistently to programme goals, priorities, objectives and become the basis for monitoring changes at different levels.

As much as possible, rights-based monitoring and evaluation should draw on existing tools for measuring change. Relevant tools and frameworks can be found in the areas of gender, disability, participation and empowerment, advocacy, policy and legal change, behaviour change and governance. Rights-based monitoring and evaluation should prioritise actions with the greatest opportunity for impact and sustainability in the realisation of human and children's rights. It should be kept as simple and practical as possible.

An organisation's reward system should be adapted to give incentives to staff and partners for using the dimensions of change, for critically reviewing and improving its own work, thereby reinforcing a rights-based programme approach. Internal policies and procedures should also reflect human rights principles with a view to promoting a culture of accountability, participation and equity in practice.

Contents

I. Introduction

Over the past years many development agencies have begun to adopt rights-based approaches (RBA) in their work. With the growing popularity of these approaches comes an increasing demand for rights-based tools for planning, monitoring and evaluation. This discussion paper provides a framework and identifies the main principles, processes and implications of rights based monitoring and evaluation. As a result, it does not go into much detail on more specific topics, such as monitoring advocacy or evaluating child participation.

The paper concentrates on those aspects of monitoring and evaluation that distinguish a rights-based from other development approaches. It draws on the literature on rights-based approaches and on recent thinking about monitoring and evaluation. It is primarily addressed at colleagues working for Save the Children, but it should be of interest and relevance for a wider audience, primarily NGOs but also donor and UN agencies. It is assumed that the readers have a basic understanding of human rights and of rights-based approaches.

II. Rights-based Programming

A rights-based approach to development makes use of the standards, principles and approaches of human rights, social activism and of development to tackle the power issues that lie at the root of poverty and exploitation, in order to promote justice, equality and freedom.

Human rights are a set of internationally agreed legal and moral standards. They establish the basic civil, political, economic, social and cultural entitlements of every human being anywhere in the world at all times. Central to the idea of human rights is the relationship between right holder and duty bearer. Duty bearers (governments, institutions and individuals) are obligated to respect, protect and fulfil human rights. Right holders are entitled to demand their own rights from duty bearers, but they also have to respect the rights of others.

Social and political activism mobilises people to demand the redistribution of power. Examples include the redistribution of wealth between rich and poor nations through debt relief or a change in trade rules, women demanding equal pay for equal work, workers demanding fair pay and benefits, or landless peasants demanding the redistribution of farmland.
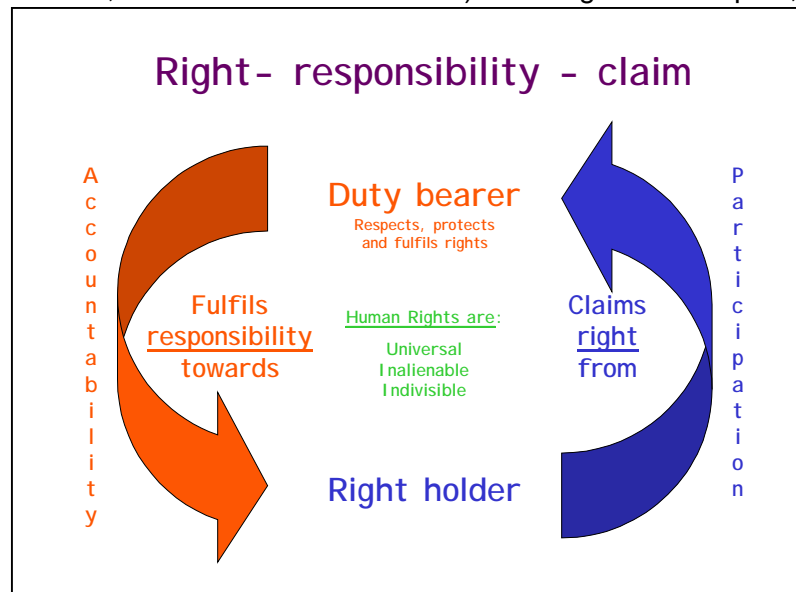
Development is concerned with the distribution of resources and the access to services, such as health, education, social welfare, poverty alleviation and income generation.

A rights-based approach promotes three main principles: the accountability of duty bearers, the participation of right holders, and equity / non-discrimination. It aims to increase impact and strengthen sustainability by addressing root causes, bringing about policy and practice changes, working together with others towards common goals and by changing power relations. The primary role of a rights-based development organisation is to contribute to the fulfilment of human rights by getting duty bearers to meet their obligations, and by empowering poor and exploited people to claim they're entitlements. Directly meeting needs and fulfilling rights helps people, but it does not necessarily strengthen the accountability of duty bearers. It also does not strengthen people's own ability to claim their rights.

The diagram below summarises the key principles or a rights based approach to development:

Figure 1

Rights-based development approach
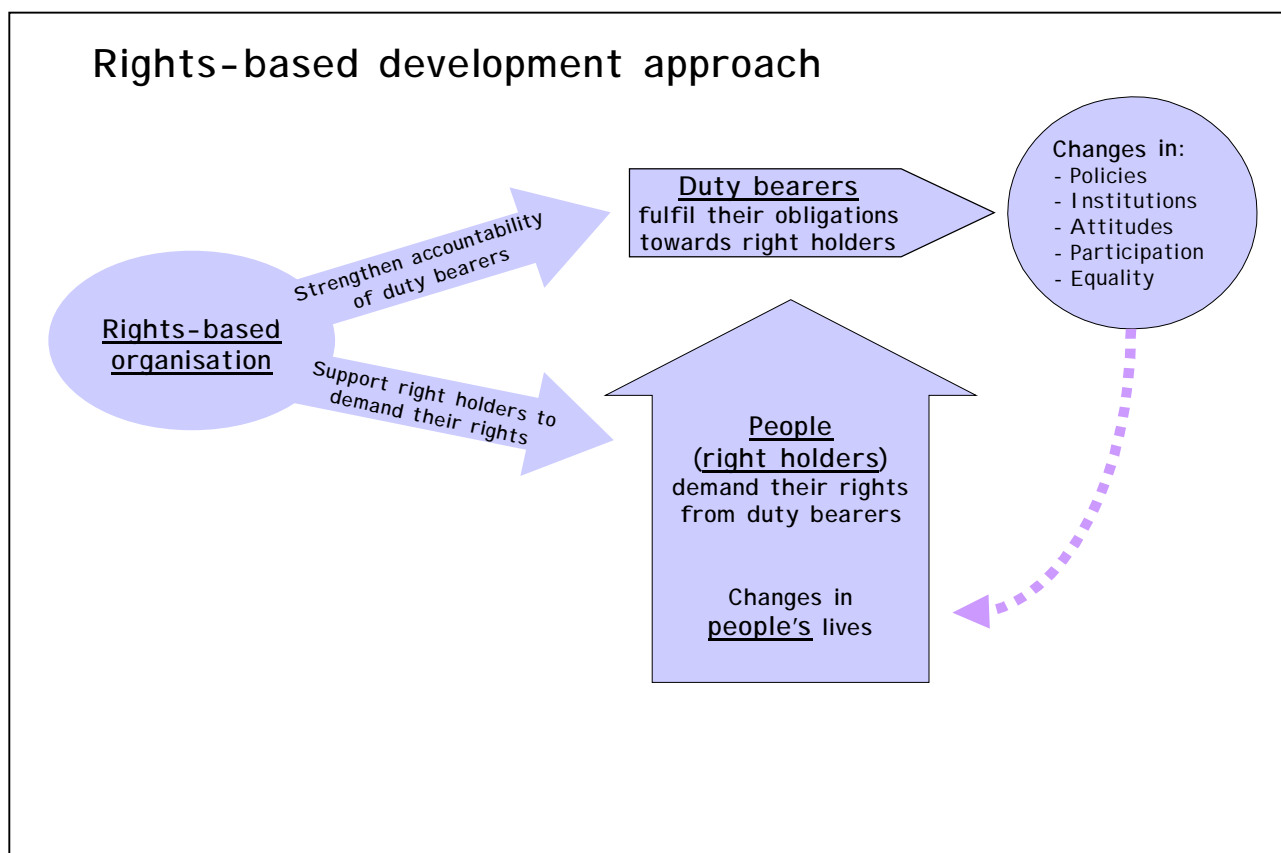
To give an example, a rights-based approach to health uses a combination of support and pressure to urge government departments to make basic health care accessible and affordable for all people in the country. It supports people and organisations to demand better health services from the government and from other duty bearers, to allocate the health budget in a way that benefits the poor rather than the rich, to make health services more patient-friendly, to make health insurance affordable for all people, to provide access to safe drinking water, or to control polluting industries. Far from creating dependency, such an approach empowers people to take action to claim what is their due, rather than passively accepting whatever the government is willing to give them. Adopting a rights based approach to development has implications for programming :

Implications of a child rights approach to programming

Broad goal: A clear focus on children and their rights

Equity and non-discrimination: A focus on the worst rights violations and on the most marginalized children

Accountability: Strengthening the accountability of duty bearers for children's rights at all levels. This should be achieved through a combination of direct action for children's rights, changes in laws and policies, changes in institutional practices and changing adult attitudes and behaviours.

Participation: Strengthening right holders (children, adults and civil society institutions) to demand children's rights

The promotion of children's **participation** in society and in programmes

Best interests of the child: Programming based on what is in children's best interests in the short and long term

Linkages: Working with other government and non-government agencies towards common rights-based goals

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Rights-based goals differ from partial and time-bound development targets. They are 100% goals or visions that relate directly to the realisation of human rights. Rights-based goals are only achieved when all people enjoy these rights. 'All people enjoy their right to health' is a rights-based goal. Such goals provide a common focus for work of different organisations at different national and international levels. They require agencies and departments to collaborate with others towards common goals. Without such goals, there is no guarantee that programme work will contribute towards realising the intended right.

A rights-based goal helps to identify actions that contribute towards achieving the goal, even though no one programme intervention will, by itself, realise that goal. See Annex 3 for an example that shows how a rights-based goal can be broken down into more specific actions and objectives. Different departments and agencies will take different actions in order to maximise the potential for change.

By definition, rights-based goals are broad. This can make it more difficult for organisations to prioritise actions. Organisations have to select actions based on priorities, what others are doing and on their own strategic niche in terms of expertise and skills. Choice of approach and action may depend on the opportunities in a particular country, on the right, or on the organisation's mandate and expertise.

For example, to combat child sexual abuse in Vietnam, a rights-based organisation may advocate for changes in legislation, use media to educate the public about sexual abuse, train social workers and law enforcement personnel in child protection methods, or establish mechanisms for listening to children in institutions (schools, orphanages, etc.). Another organisation, working in Cambodia on poverty eradication, may support grassroots organisations to demand land rights, or support the Cambodian Government to lobby rich countries to remove trade barriers and open their markets to Cambodian goods. These examples show that rights-based programming may call for different approaches depending on the circumstances.

Questions for prioritising actions based on the mapping of possible actions:
- What are the opportunities?
- What are others doing?
- How can we make the most strategic use of our capacity, mandate and expertise? Where is our niche? (define your own programme in relation to the work of others: government, donors, private sector, other INGOs, local organisations, rather than in isolation where "we do everything ourselves in 'our community' or 'our district')"

III.   Rights-based Monitoring and Evaluation

Monitoring and evaluation can be undertaken for a range of purposes, including to measure impact, outputs, efficiency, effectiveness or change; to strengthen accountability; to facilitate organisational learning; to strengthen partnerships and team building; to support advocacy efforts; or to influence an organisation's culture.

Monitoring the extent of the fulfilment and violation of human rights is a fundamental approach to promoting human rights. The collection and dissemination of data about unfulfilled rights and about rights violations puts pressure on duty bearers to meet their obligations to respect, protect and fulfil human rights. Human rights monitoring can help strengthen the compliance of duty bearers with human rights standards. All human rights treaties come with their own mechanisms to monitor government commitment, compliance and progress towards fulfilling rights. Human rights watchdog organisations, such as Amnesty International and Human Rights Watch monitor human rights abuses, such as torture, imprisonment of political opponents, and extra-judicial killings. Some countries have established ombudsman positions and national human rights institutions to monitor human rights abuses.

Detailed international standards have been developed, for example, for the treatment of children in conflict with the law. These standards apply universally and are binding for governmental and

non-governmental bodies. They should form the basis for national legislation and should be used by all law enforcement agencies dealing with children in conflict with the law. The application of international juvenile justice standards can be measured and monitored by reviewing relevant legislation and law enforcement practices.

For rights-based development organisations the collection, analysis and dissemination of data are an essential part of the overall approach to work, not just something that is done in addition to the 'real work'. In addition to being used to better understand the situation of communities in a particular context for the purpose of tailoring interventions, data and analysis are crucial to effectively holding to account duty bearers and to raise awreness on rights violations. Data collection and analysis also strengthens an organisation's own credibility, legitimacy and its accountability to the people and communities it works with. For all these reasons monitoring, evaluation and research become more important as development organisations take a rights-based approach.

What should be measured? The ultimate aim of development, human rights and activism is to bring about improvements in people's lives. Measuring changes in people's lives is therefore a key aspect of rights-based monitoring and evaluation. Development targets are generally time-bound, narrowly focused on one indicator and not complete (i.e. not 100% goals). A typical example is the Millennium Development Goal for child mortality: 'Reduce by two-thirds the mortality rate among children under 5 by 2015.' A rights-based perspective, on the other hand, considers the right to health as a whole rather than just one particular aspect, such as child mortality.

One way to monitor a right would be to select an integrated set of indicators that covers all aspect of this right. However, such an approach poses major methodological and practical challenges. A more practical way is to measure different dimensions related to the realisation of a right. In addition to changes in people's lives, three other dimensions should be measured: changes in accountability, equity, and participation.

Changes in the accountability of duty bearers can be made more concrete by measuring changes in policies, laws and resource allocations, and changes in attitudes, values and practices, although it should always be remembered than changes in laws and policies do not automatically translate into improvements in the lives of poor and exploited people. It is therefore necessary to monitor changes in policies and practices, in equity and non discrimination and in participation, as well changes in people's lives.

Save the Children UK has developed a rights based framework using common dimensions of change to monitor the impact of its work on children's rights. In addition to the 4 dimensions mentioned above, children's participation and active citizenship has been added, reflecting the particular focus of Save the Children programmes.

Common dimensions of change of SC UK work (see the SC UK GIM guidelines for more details)

1. Changes in the lives of children and young people
Which **rights** are being better fulfilled? Which rights are no longer being violated?

2. Changes in policies and practice affecting children and young people's rights
Duty bearers are more **accountable** for the fulfilment, protection and respect of children's and young people's rights. Policies are developed and implemented and the attitudes of duty bearers take into account the best interests and rights of the child.

3. Changes in children's and young people's participation and active citizenship
Children and young people **claim their rights** or are supported to do so. Spaces and opportunities exist which allow participation and the exercise of citizenship by children's groups and others working for the fulfilment of child rights.

**4. Changes in equity and non-discrimination of children and young people**
In policies, programmes, services and communities, are the most marginalised children reached?

5. Changes in civil society and communities capacity to support children's rights
Do networks, coalitions and/or movements add value to the work of their participants? Do they mobilise greater forces for change in children and young people's lives?

The diagram below shows how these dimensions relate to each other
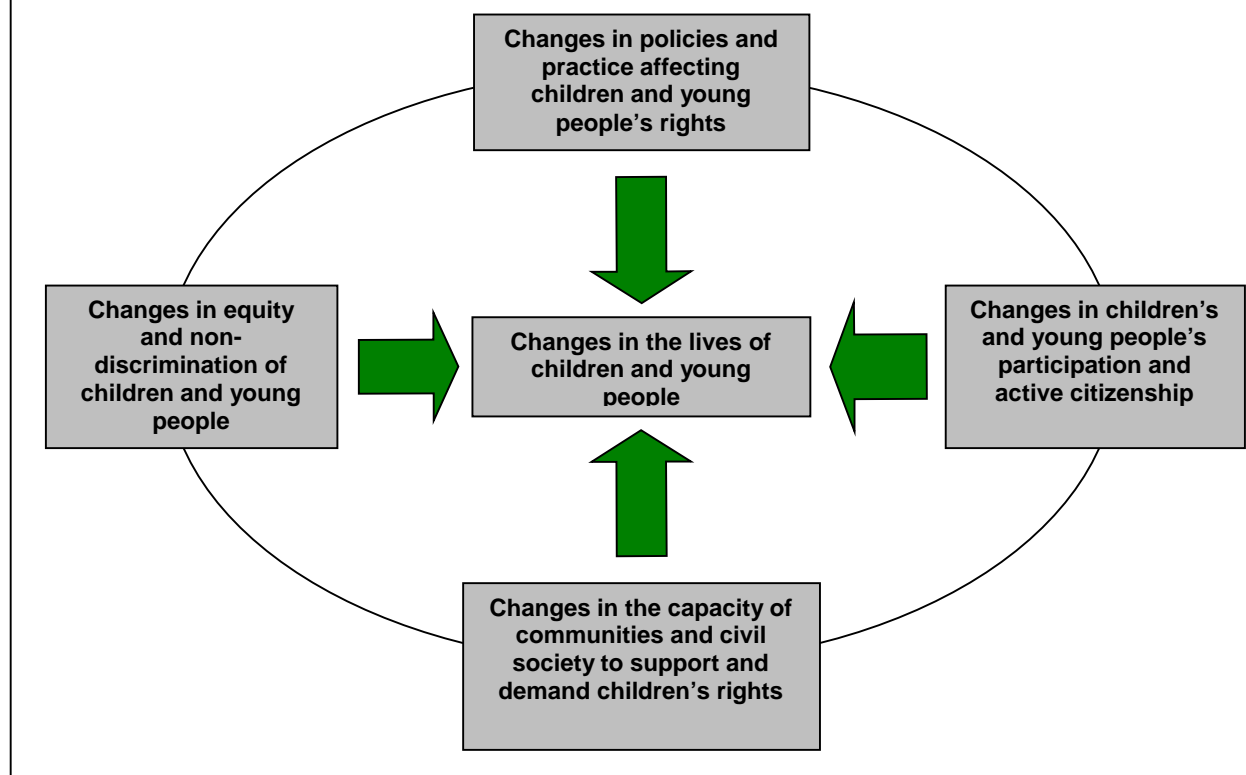
IV.   Measuring Change

This section applies to all dimensions of change. It considers two ways of monitoring change: auditing agreed standards and monitoring steps in the process of change.

Standards. An important part of rights-based work is to turn broad legal and normative human rights standards into more detailed and practical standards that can be monitored and enforced. The compliance of duty bearers with these standards can be measured. Examples of such standards are organisational policies and procedures against sexual harassment and child abuse, or the regular auditing of public expenditures as a way to discourage corruption. Codes of conduct, citizens' charters and report cards are tools to establish and promote minimum service standards and to monitor their implementation. These standards create greater transparency and act as oversight and control mechanisms. Data from monitoring such standards can at the same time be used to monitor the impact of programmes that promote these standards.

Compliance equals impact. For example, a child welfare home has recently established new procedures for child protection. As part of these procedures, monthly meetings are organised with an independent supervisor. At these meetings, children can give anonymous feedback about the conditions in the home. Any complaints are followed up. These meetings make child protection standards concrete. Compliance with these standards can be measured by number of meetings; number of complaints lodged by children; changes made as a result of complaints; sanctions imposed as a result of non-compliance with the standards; and new procedures established. Monitoring compliance with child protection standards also monitors the impact of the child protection procedures.

Steps (or stages) are a series of standards that build on each other, like steps on a ladder. The following example shows how access to formal justice can be broken down into a set of steps. Each of these steps can then be monitored to identify progress towards the ultimate aim of fair and equal access to formal justice.

Example: Five stages in accessing formal justice

Enforcing: translate the paper or verbal judgement into changed social or governmental behaviour

Winning: secure a definitive judgement that addresses the grievance

Claiming: stake a formal claim through a court or similar institution

Blaming: identify a culprit, or a state body that bears responsibility for the grievance

Naming: name a grievance, construe it as a possible cause of legal action

The steps help identify the point the situation has reached and what next steps to take through lobbying, capacity building, standard setting, incentives or sanctions. Data will have to be disaggregated. Standards of access to formal justice may differ between rural and urban areas. The justice system may also treat poor people differently from rich and powerful people.

Stage models identify intermediate outcomes and are widely used to evaluate advocacy work. Oxfam's model for evaluating advocacy work includes the following steps: heightened awareness about an issue è contribution to debate è changed opinions è changed policy è policy change is implemented è positive change in people's lives (Roche, 1999:198).

Models of change are developed to translate theories of change into practice, providing a more realistic picture of what a programme can achieve. Models of change are useful for identifying the most relevant and useful data for monitoring and evaluation. They are also important for checking whether assumptions about social change are correct or not. Where the assumptions are incorrect, the direction of the programme can be changed. For example, much of human rights education is based on the assumption that education leads to behaviour change. If an evaluation shows that this assumption is not valid, the programme has to look for other ways to change behaviour.

Steps in human rights education: raise awareness and enhance knowledge of rights è develop critical understanding è clarify values è change attitudes and opinions è change attitudes è change behaviour or practice è positive change in people's lives

Goals are often affected by many different factors. The quality and responsiveness of public service provision, for example, depends on: supportive policies, incentives for 'good' behaviour, effective mechanisms for enforcing rules, access to adequate and affordable information, adequate resources and skills, and citizen feedback and participation. Each of these factors can be broken down into standards or steps for monitoring. The challenge is to identify the most meaningful variables for monitoring rather than to measure everything.

Selecting relevant variables to monitor policy implementation:
- Prioritise variables that are most likely to influence the outcomes (e.g. budget is allocated to implement a particular policy – this shows a clearer commitment than just changing a policy)
- Ensure adequate access and resources to monitor the variable (e.g. having access to public accounts and being able to track expenditures)
- Join up with other organisations to share the responsibility for monitoring policy implementation and to avoid duplicating of efforts. Different organisations may monitor different indicators
- Allocate resources, time and responsibilities for monitoring activities
- Be prepared to shift the focus of the monitoring in response to changes in the situation

The remainder of the paper explores each dimension of change in more details

V.   Changes in People's Lives

A rights-based approach to measuring changes in people's lives differs in several ways from conventional development targets. Monitoring 100% goals means to focus specifically on those

people who are left out. Human rights indicators go beyond average national performance to emphasize issues of inequality and discrimination. This means that data should be disaggregated by region and by population groups to show which groups of people are being denied their rights. Other criteria for disaggregating data are wealth disparities, differences between urban and rural areas, and differences of ethnicity, religion, caste, gender, disability and age.

Information about children is often not sufficiently broken down into age ranges. Moreover, agencies often use their own age categories. This makes comparisons across agencies and research studies difficult. Another common problem with data about children is the lack of child-centred statistics, which provide direct information about children rather than about adults or institutions (child as the unit of analysis).

Linking community-level and national-level monitoring of children's rights. It is not enough to gather and analyse disaggregated data on different indicators. Information from community-level and national-level monitoring and research should also be linked. There are several benefits of linking monitoring at the national and the community level:

National level: Rights-based goals are directly related to specific human rights and national-level data can be used directly for human rights monitoring. Using national-level indicators helps civil society organisations to be more strategic and to think and act beyond their narrow project objectives. Including national-level monitoring indicators in programme reporting, relates community-level project work to the larger country context.

Community or programme level: Detailed and disaggregated data from the community level often provides a more diverse picture than national-level statistics. This information can be used as a reality check, to challenge country-level statistics, and to hold duty bearers to account. It is an important source of evidence for advocacy. Community groups and CSOs have access to important knowledge, which may not be available to policy makers in central ministries and to donor agencies. Ensuring that people's voices are represented in policy decisions at the national-level is an important part of a rights-based approach.

Young lives: an international study on childhood poverty

Young Lives is a 15-year study investigating childhood poverty in Peru, Vietnam, Ethiopia and India. The study is collecting data on a core set of child welfare indicators in all countries, and on country-specific issues identified by researchers, government, policy-makers and other key stakeholders in each country (e.g. debt and structural adjustment).

The project has three main objectives: producing good quality long-term panel data about the changing nature of the lives of children living in poverty; tracing linkages between key policy changes and child welfare; informing and responding to the needs of policy makers, planners and other stakeholders. There will also be a strong education and media element, both in the countries where the project takes place, and in the UK.

At the heart of the study lies a cohort of children in each country who will be followed up every 3-4 years. In the first round of data collection, 2000 children aged on average 12 months are being recruited in each country to form the main cohort.

The project is taking a multi-dimensional view of poverty and its impact. Information is being gathered on child welfare outcomes (including physical and mental health, nutrition, development, perceptions of well-being) and a wide range of socio-economic indicators, such as assets, access to basic services, work patterns and social relationships. Data at the level of the child, household and the community are being collected.
(Source: http://www.younglives.org.uk)

Linking national and community-level data is a learning process that takes time, practice and experience. The ongoing exchange of data and experiences between organisations working at different levels of society is one of the main benefits of linking national and community level monitoring. Such processes of bringing together micro-macro perspectives (rather than any formal

monitoring tool, mechanism or procedure for linking national indicators with local-level data) are likely to have the greatest impact on programme practice at national and community levels. Recent experiences with participatory poverty assessments demonstrate how the collaboration of agencies working at various levels generates new data and helps to shift perspectives, policies and programmes.

VI.   Policy and Practice Changes

Rights-based approaches aim to strengthen accountability of duty bearers for human rights through:
- Changes in policies, laws and programmes;
- More effective enforcement of laws against rights violations;
- Increased allocations of budgets and resources for poor, marginalized and at-risk people at all levels;
- Changes in awareness, attitudes, behaviours, practices, norms and values;
- Improvements in the quality and responsiveness of institutions and services;
- An economy that enables rights;
- Greater participation of right holders in decisions and in claiming their rights; and
- Better data about people and their rights.

These changes can be turned into indicators for levels of commitment towards and compliance with human rights standards by duty bearers.

Which of these areas of change are relevant depends on the type of work an organisation is doing and on the situation in a particular country. Protecting children from sexual exploitation in Cambodia may require a combination of stronger law enforcement and judicial proceedings in Cambodia and in countries of origin of child sex offenders, changes in the attitudes and behaviours of the Cambodian population towards the commercial sexual exploitation of children, better research about sexual exploitation of children, and more effective poverty reduction. Reducing poverty in Sierra Leone may concentrate on securing poor people's control over land, assets and inputs, the resolution of armed conflicts, the control of 'conflict diamonds', campaigning against EU and US farm subsidies or the dismantling of trade barriers against imports from Sierra Leone.

Every programme needs to identify the changes in policies, laws and practices are needed to achieve the rights-based goal and more specific programme objectives. These priorities and opportunities determine what to monitor and to evaluate.

VII.   Changes in Equity, Non-discrimination and Inclusion

Promote equity, inclusion and non-discrimination. Every human being has the same basic human rights, everywhere and at all times. Equity, non-discrimination and inclusion are fundamental principles of a rights-based approach. They affect all aspects of programming and of organisational practice. Some common approaches to strengthen equity and inclusion in society are to:
- Advocate for laws, policies, programmes and services that promote equity and the inclusion of all children into mainstream society
- Challenge discrimination and exclusion and promote equity, diversity and choice
- Raise awareness, change attitudes, behaviours and practices regarding issues of difference. Make families, communities, institutions and society more open, more tolerant and more accepting of diversity
- Lobby for equitable allocation of budgets and resources
- Develop capacity of duty bearers to include marginalized groups (e.g. inclusive education)
- Support and build capacity of excluded groups to demand their own rights
- Make services accessible to all children (and their families) and overcome obstacles to inclusion by ensuring access, quality, relevance and flexibility of mainstream services.
- Promote changes in media reporting

Analyse differences between groups of people. An important first step to promote equity is to support monitoring mechanisms that disaggregate data to make excluded groups visible. Different groups of people are affected differently by policies and practices based on their differences. For example, a standard national curriculum is likely to represent the perspectives and priorities of the majority population, and as a result is biased against ethnic minority groups. To make excluded groups visible, disaggregate all data by gender, age, disability, ethnicity, caste, wealth and or other relevant differences. Analyse how laws, policies, programmes and services affect different groups of people. Analyse budgets and expenditures by categories of people (gender, age, wealth categories, etc.) to show inequalities in resource allocations.

Monitor changes in the situation of excluded groups to measure progress towards the inclusion and participation of disadvantaged groups in society. Monitor changes in the ability of excluded people to demand their rights. The extensive literature on monitoring issues of difference, such as gender and disability provides many ideas for monitoring equity and non-discrimination.[1]

Reach everybody. Rights-based approaches pay special attention to the situation of the most discriminated-against groups of people. Programmes should be evaluated for their success in reaching groups that are being marginalized in society on the basis of their ethnicity, religion, disability, gender, age or HIV status:
- How successful has the programme been in including girls, disabled children, unregistered children, children from minority ethnic communities, marginal geographical zones, and 'invisible' children such as those in institutions, in domestic service, or victims of sexual exploitation? Have they benefited as much from the programme activity as other children?
- Which groups of people are included and which are excluded by the programme? Were they excluded by design or by default?
- How does the programme protect children from abuse and harassment?
- How does it challenge discrimination of girls, disabled, people with HIV, etc.?
- Level of awareness of staff (programme, administrative and support staff) and partners of the situation and specific needs of discriminated-against groups.

Inclusive evaluations. A rights-based approach demands an inclusive approach to programme planning, implementation and evaluation. This means that different stakeholder groups should be included in the evaluation and that data need to be collected from different groups of people.

VIII.   Changes in Participation and Empowerment

> Fundamental change will only happen if many people demand it. (Oxfam Trade Report)

Participation is a fundamental human right. Where people can influence decisions, the accountability of duty bearers (decision makers) is strengthened. Civil and political rights are the means through which people claim their rights and influence political and economic decisions that affect them. The denial of economic rights also undermines people's ability to exercise their civil and political rights. Poor and hungry people are often too busy trying to survive to take action to demand their entitlements.

Some of the main civil and political rights include: access to information, freedom of expression, freedom of association and voting in democratic elections.[2] Some ways in which people claim their civil and political rights include: public auditing of government services, citizen's report cards, lobbying, protesting, watchdog organisations, participatory planning, user fees linking income to performance, and using media and publicity (naming, blaming, shaming, praising).

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[1] See for example, the Save the Children Alliance Gender Guidelines.
[2] Others are: freedom of thought and religion, right to stand for election, etc.

In order for people to demand their rights they have to know what they are entitled to. Access to information and transparency are critical to ensure that services are delivered and standards are met. Where information about entitlements is widely available, service providers are more likely to meet their obligations and to abide by agreed standards. Public accountability requires that information from monitoring systems is made widely available so that people can judge service performance (e.g. information on budget allocations).

One of the most effective mechanisms to ensure that citizens do not claim their rights is to restrict information on entitlements. Respect, protection and fulfilment of civil rights are essential for people to claim their rights. This does not mean that people cannot claim their rights where their civil and political rights are restricted. It does mean, however, that it is part of a rights-based approach to promote the civil rights of all people and to empower them to demand their rights.

> **Right to information in Rajasthan, India**
> The people's hearings local audit method was introduced in Rajasthan by MKSS, a small CBO, in 1994. It involves research into suspected corruption in local development projects, particularly employment-generation schemes targeted at poor people. The data is compared with information from local government offices about amounts approved and spent on inputs for local development projects.
>
> Villagers, particularly labourers, suppliers and contractors on local projects, are asked to verify whether they received the money due to them, or whether construction took place as claimed. Discrepancies are noted and officials are asked to return missing sums. This process has now been institutionalised. A revision of the local government act in 2000 gives village assemblies the right to audit local spending, and to demand an investigation by District officials in cases of misspending. (Source: Bringing Citizen Voice and Client Focus into Service Delivery, page 25).

Promoting people's ability to influence decisions makes a rights-based approach sustainable. People and their organisations do not become dependent on advocacy done on their behalf by foreign NGOs.

Rights-based organisations support people to claim their rights by: providing direct material support to right holders to claim their rights and to exercise their civil rights (e.g. by funding people's representatives to attend and speak out at important events); strengthening the capacity of people and of activist organisations to claim their rights (e.g. through training in media, communication, advocacy and legal literacy); broadening the political space and strengthening structures in society for people to claim their rights (e.g. through laws on local associations); and promoting people's civil rights in all programmes and institutions.

Rights-based monitoring and evaluation of citizen participation measures progress in people's ability to demand their rights and to influence decisions that affect them. The following section on child participation provides more detailed information on the evaluation of participation and empowerment.

IX.   Changes in Child Participation

Participation is a basic right, not a privilege. Every child has the right to participate in matters that concern him or her. Every child has the right to access relevant information, express his or her views, be involved in decisions affecting him or her, and form or join associations. Child participation is not about a few children representing other children at a few special child participation events. Children have the right to participate in the family, in school, child welfare homes, orphanages, media, in community, and at national and international levels.

A rights-based approach recognises children as right holders and supports children to exercise their civil rights. By exercising their rights to information, expression and association, children are able to demand their rights.

Examples of children exercising their rights to information, expression and association, thereby realising their rights to survival, development and protection

Survival. Access to information about sexuality, drug use and HIV/AIDS is essential for children to realise their rights to survival. Information about HIV and AIDS gives children the access to the knowledge they need to protect themselves from HIV infection.

Development. Access to information, freedom of expression and involvement in decision making are related in various ways to children's rights to development. Children who are able to express themselves and who are involved in decisions, develop their abilities to take greater roles in society. Parents and teachers who listen to their children from an early age encourage them to express themselves. On the other hand, if they tell children to be quiet they discourage them to take an active part in society, they undermine children's self-confidence and stifle their development.

Child participation recognises that children have competencies, knowledge and abilities, and are able to contribute these to society. Children who take an active part in the classroom work, for example, can influence their own learning and make their education more meaningful and more relevant. Students who are not allowed to ask critical questions are denied these benefits. The denial of children's rights to participation have negative effects on their right to education.

Protection. Children who spend time in the care of adults are more vulnerable to mental, physical and sexual abuse if they are denied the right to expression. There are many cases where children in orphanages or in mental institutions are abused by their carers because there are no mechanisms to listen to the children's complaints. The child abusers can continue to abuse the children in their care for many years without fear of detection. The recent scandal of child sexual abuse in the Catholic church in the USA shows the dangers of denying children the right to expression.

Organisations promote children's participation by:
- working with children to transform the power relationships between children and adults;
- raising awareness and developing skills in children's participation among children and adults;
- promoting children's civil rights (information, expression, association) in every project, programme, organisation, policy, law, family, community, and the media;
- overcoming obstacles and increasing the space for children's participation in decision making at all levels of society and in all institutions; and by
- supporting children and adult right holders to claim their rights.

Evaluating child participation. The label 'child participation' is being used for many different activities, including sending a few children to international conferences, children working as peer educators, and supporting child labourers to organise their own unions to demand their rights. The first step of any evaluation is to clarify the objectives of the activities and the purpose of child participation. Evaluation questions depend to a large extent on the purpose of child participation. The main aspects for evaluating child participation include impact, quality, effectiveness and process.

1. Impact of child participation (consider both positive and negative effects)
a) Impact on the stated objectives. Measure changes based on the objectives of the activity or programme. Examples: where children are involved in community decision making, evaluate the quality of decisions taken and improvements in the situation of children; where children are carrying out their own research, measure the quality of the research and the impact the research is having on children's situation; where children are actively involved in schools, measure improvements in the quality of children's learning; or where working children are demanding their right to form their own unions, monitor whether there is a change in the laws governing civil society associations.
b) Impact on children. Measure the effects of participation on children's abilities, self-confidence, independent decision making, and problem solving skills. Participation in the life of the family, community and society is an important part of the socialisation process of every child.

c) Impact on adults, communities and institutions:
Measure impact on adult attitudes towards children, on relationships between adults and children, and on children's role in society; changes in the space, time and resources communities, institutions and society allocate for children's participation; and changes in rules and regulations of institutions to facilitate children's involvement in decision making.

2. Quality of children's participation. In addition to measuring the outcomes and impact of participation, it is necessary to assess the quality of participation: Which children are involved? What are they involved in? How? Who is not involved? Why? Consider ethical standards and risks for children as a result of their participation.

> **Evaluate impact of children's participation**
> - Do young people influence public decisions?
> - How are decisions improved by involving young people?
> - How do organisations benefit from involving young people?
> - How does the wider community benefit from involving young people?
> - How do the participating young people benefit?
> - How do other young people benefit?
>
> (Source: Measuring the Magic, page 15)

3. Effectiveness of child participation. How effective has children's participation been? Compare different ways to involve children. Find out why some approaches are more effective than others: which approaches work well with which children?

X.   Evaluation Process

Monitoring and evaluation offer valuable learning opportunities that can be used to strengthen stakeholder accountability. A rights-based evaluation is not just a technical exercise in data collection and analysis. It is a dialogue and a democratic process to learn from each other, to strengthen accountability and to change power relations between stakeholders.

In order to use monitoring and evaluation to strengthen accountability it is important to involve all relevant stakeholder groups (e.g. children, adults, community leaders, government officials) in the process. Stakeholders need to have real opportunities to influence the judgements reached. Their priorities and experiences should have an equal part in the process. Stakeholder involvement is not optional. It is the responsibility of a rights-based organisation towards its stakeholders.

Getting children, young people and adults involved in monitoring and evaluation is more than asking them about their views on what has happened, although this could be a first step. It means involving them in the process of deciding how to monitor, what to monitor and how to interpret the results. Children and adults can be involved in all parts of the evaluation process, from design, selection of questions and topics, data collection, to analysis and use of findings. There is a growing body of experience on participatory evaluations with children and adults. The evaluation process does not end with the production of a report. Sharing evaluation results with stakeholders is an essential part of the learning process and ensures that the lessons are learned, owned and used to improve programme work.

A commitment to participation and accountability also has major implications for the way rights-based organisations do their work, ranging from participatory decision-making, a commitment to equity and inclusion and fulfilling its own responsibilities towards its stakeholders.

Rights-based agencies should reward staff and partners to plan, implement, monitor and review their work according to rights-based principles. Rights-based monitoring requires organisational commitments and allocations of resources and staff time. Analysis, documentation and dissemination have to be integral parts of programme work. Programmes should be evaluated for their success in reaching groups that are being marginalized in society, for holding duty bearers accountable and for supporting people to demand their rights. This requires systems that reward programme teams for monitoring and analysing changes in policies, practices, participation and equity, for disaggregating data, and for making the links between macro and micro levels. The

dimensions of a rights-based approach should be integrated in objective setting and planning requirements. This will, over time, make programmes and day-to-day work more rights-based.

XI.   Conclusions

Rights-based approaches promote human rights standards, accountability, equity and participation. The ultimate aim is to realise the rights of all human beings through changes in policies, resource allocations, attitudes and practices of duty bearers and right holders. Rights-based monitoring and evaluation helps to reinforce human rights standards, hold duty bearers accountable and strengthen participation and equity.

Development, human rights and social activism have developed many tools to measure changes in attitudes, policies and practices. There is no need to reinvent the wheel. Rights-based monitoring and evaluation ask new questions but, where possible, use existing monitoring and evaluation tools and mechanisms. The literature on monitoring and evaluating gender, disability, participation and empowerment, advocacy, policy and legal change, behaviour change and governance offers a rich source of tools and frameworks for rights-based monitoring and evaluation.

Rights-based monitoring and evaluation can measure a wide range of indicators and can take many different forms. Practical experimentation with different monitoring approaches and indicators is essential to develop the necessary skills and to make the choices that have the greatest impact on the realisation of people's rights.

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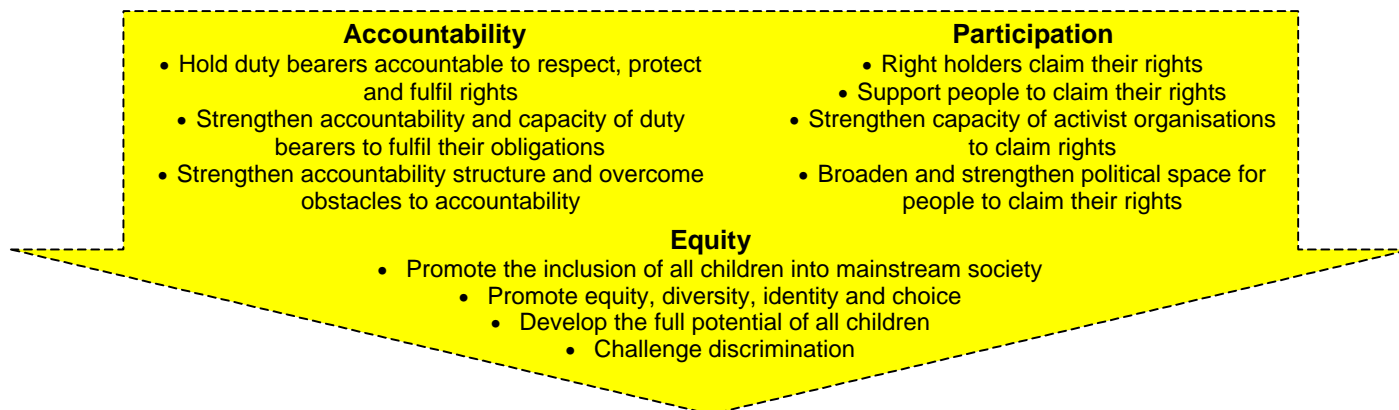
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Annex 1: Child Rights Programming Approaches[*]

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Accountability
- Hold duty bearers accountable to respect, protect and fulfil rights
- Strengthen accountability and capacity of duty bearers to fulfil their obligations
- Strengthen accountability structure and overcome obstacles to accountability

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Participation
- Right holders claim their rights
- Support people to claim their rights
- Strengthen capacity of activist organisations to claim rights
- Broaden and strengthen political space for people to claim their rights

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Equity
- Promote the inclusion of all children into mainstream society
- Promote equity, diversity, identity and choice
- Develop the full potential of all children
- Challenge discrimination

Laws:
- Advocate for changes in laws: non-discriminatory laws; laws that promote equity and inclusion (e.g., affirmative action)
- Strengthen law enforcement: punish discrimination and exclusion

Policies and programmes:
- Advocate for changes in policies and programmes: to promote diversity, tolerance, identity and choice
- Lobby for policies that actively protect against discrimination and that promote inclusion (e.g. affirmative action)
- Lobby for greater effectiveness, equity and participation in the implementation of policies and programmes

Economy:
- Promote an economic environment that enables rights: economic policies based on human rights and that help achieve human rights

Budgets and resources:
- Lobby for increased budgets and resources for children's rights at all levels (international, national… household)
- Lobby for equitable distribution of resources

Quality of institutional structures, mechanisms and procedures (governance):
- Strengthen quality of institutions and institutional capacity
- Develop incentives and sanctions to hold duty bearers accountable (build them into projects, programmes and policies at all levels)
- Overcome institutional and structural obstacles to rights and to accountability for rights
- Overcome obstacles and increase the 'space' for children's participation in decision making at all levels of society and in all institutions
- Promote access, quality, relevance and flexibility of mainstream services for all children (and their families) and overcome obstacles to inclusion

Data:
- Collect data and monitor rights to make rights violations and unrealised rights visible (human rights monitoring and reporting)

- Lobby government departments to make data available to right holders (transparency)
- Strengthen data collection and dissemination systems
- Collect and disaggregate data to make visible those children who are excluded. Analyse and research differences between different groups of children (and adults) by disaggregating (breaking down) data by age, sex, (dis)ability, ethnicity
- Identify those who are left out and overlooked. Make them visible (through data) and make us more aware

Attitudes, norms, behaviours, practices:
- Make rights secure by strengthening commitment to rights-based norms, values, behaviours, attitudes and practices in institutions, among decision makers, societies, communities and families
- Educate the public and campaign for changes in awareness, behaviour and practices
- Protect children from abuse and harassment
- Challenge discrimination
- Raise awareness in society (and in own organisation) of the situation and specific needs of discriminated-against groups
- Make families, communities, institutions and society more open, more tolerant and more accepting of diversity

Participation in claiming rights:
- Work with children to transform the power relationship between children and adults
- Raise awareness and develop skills in children's participation among children and adults
- Promote children's civil rights (information, expression, association) in every project, programme, organisation, policy, law, family, community…
- Overcome obstacles and increase the 'space' for children's participation in decision making at all levels of society and in all institutions
- Support children and adult right holders to claim their rights and to exercise their civil rights
- Build capacity of people and institutions to demand their right
- Support excluded groups to demand their rights
- Children from discriminated-against groups participate fully in society

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Fulfil human rights

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[*] Directly meeting needs, fulfilling rights and addressing rights violations helps children, but it does not necessarily strengthen accountability of duty bearers. It also does not strengthen the ability of right holders (including children) to claim their rights.

Annex 2: Realising the right to health in Ecuador – assessing the state's obligations

State obligation	Assessment	Available or desirable indicators
Respecting rights Is there direct interference with people's ability to realise their rights? Is there avoidable regression in the existing levels of health or access to health care?	State petroleum operations dump heavy metals and carcinogens into water sources of communities in the Ecuadorian Amazon Avoidable cuts are made in programmes without adequate contingency plans for the most vulnerable	Desired data: annual volume of chemical pollution by state operations In 1990 an estimated 50% of children under five were malnourished. Between 1990 and 1994 the coverage of nutrition programmes fell from 11% to 4%
Protecting rights Do people suffer systematic, harmful effects on their health from actions by private actors? What measures does the state take to protect them?	The abuse of women and children by partners and family members is a grave threat to their health Despite the recent law against Violence against Women and the Family, the state has not adequately protected victims through the judicial system The private petroleum industry is not prevented from dumping heavy metals and carcinogens into community water sources in the Ecuadorian Amazon	In 1998, 88% of women in Guayaquil, the largest city, said they had suffered some form of intrafamilial violence Between 1989 and 1992, of 1,920 complaints relating to sex crimes against women and girls in Guayaquil, only 2% resulted in convictions In the late 1980s private oil companies were dumping almost 4.4 million gallons of toxic waste into the Amazon daily
Fulfilling rights Has the state taken adequate measures to tackle the roots of national health problems?	In 1996 government research concluded that more than 80% of deaths could be avoided by giving priority to primary and secondary preventive care Nutrition programmes have limited coverage compared with those in other Latin American countries	In 1995 only 17% of the health budget was allocated to primary care, and just 7% to preventive care In the mid-1990s programme coverage was just 4% - compared with 40% in Bolivia and 85% in Peru
Non-discrimination Is there discrimination – in the state's efforts or in outcomes?	Despite high inequality and extreme deprivation of rural, poor and indigenous populations, the government devotes most expenditures and resources to urban and better-off groups	In 1997, 84% of urban people had access to health services – compared with only 10% of rural people – and 80% of health personnel were in urban areas Desired data: health care access disaggregated by ethnicity, income level and education level
Adequate progress Has the state made adequate progress – both in outcomes and inputs – towards meeting its obligations?	In 1970 the state set benchmarks: • Safe water for 80% of the urban population and 50% of the rural • Sanitation for 70% of the urban population and 50% of the rural Since the late 1980s successive governments have cut health spending – to pay off debt and to increase military spending	In 1982-90 the share of households with access to safe water fell from 88% to 78% in urban areas, and remained below 25% in rural. The share with access to sanitation fell from 46% to 38% in urban areas, and from 15% to 10% in rural In 1998, 4% of the national budget went to health, and 45% to debt servicing
Participation Are people educated about and aware of their rights? Are there mechanisms aimed at ensuring communities greater influence on and participation in policies concerning their health?	There are no government programmes for public education on the right to health, and public information on personal health is very limited The system for allocating resources is very centralised and bureaucratic, undermining opportunities for participation	Desired data: percentage of people aware of their right to health; percentage of people aware of basic health norms Desired data: percentage of health budget allocated locally; percentage of health programmes designed with popular consultation
Effective remedy Has the state provided effective remedies for violations of the right to health?	Inefficiency, corruption and the lack of resources create many barriers to effective lawsuits	After 25 years of massive damage to the health of Amazonian communities by state and private oil companies, only a handful of claims have been filed – and none successfully

Source: CESR 1998 (in UNDP HDR 2000: 102)

Annex 3: Realising the right to primary education in India

Vision (or goal): All children complete primary school in India

Obligations	Objectives	Actions	Indicators
Parents			
Send children to school	• All parents send their children to school by 2005	• Enforce compulsory education • Raise awareness of importance of education among parents	Proportion of parents who send children to school
Government			
Provide schools that are accessible	• All children live within two kilometres from primary school by 2010	• Build primary schools	Distance to school from house
Provide adequate facilities	• All primary schools have sufficient teachers (ratio of 1 teacher per 30 students) by 2010	• Train and hire sufficient primary school teachers	Number of teachers
	• All primary school facilities are in good condition by 2010: at least two rooms, rain-proof roof, functioning toilet, safe drinking water	• Improve primary school facilities	Condition of school facilities
	• All head teachers are engaged in teaching activities by the end of 2003	• Establish monitoring mechanisms, incentives and sanctions to ensure head teachers are engaged in teaching	Head teacher attendance and activity
Community			
Support school, teachers and parents	• All village education committees meet at least four times per year to organise support for school, teachers and parents (by 2004)	• Establish monitoring mechanisms, incentives and sanctions	Public discussion
Media			
Report on neglect of basic education	• Increase newspaper articles on basic education by 50% each year over the next 5 years	• Train journalists • Invite media to visit remote schools • Give annual prize for reporting on basic education • Monitor newspaper articles on basic education	Proportion of newspaper articles on basic education

Source: Adapted from PROBE Team 1999 (in UNDP HDR 2000: 104)

Annex 4: Example rights-based monitoring of HIV/AIDS (selection of possible indicators)

Goals:
1. All children have the necessary knowledge, skills, resources and power to protect themselves from HIV infection.
2. All children affected by HIV/AIDS are protected from discrimination and have access to all necessary services.

	Goal 1: prevention	Goal 2: protection and non-discrimination
General	• Show trends over time • Disaggregate data by age and gender, different parts of the country, different groups of people (ethnic groups, rich/poor, urban/rural, etc.)	
Changes in children's lives	• HIV infection rates • AIDS rates • AIDS deaths	
Changes in policies and practices	• Budget allocations for HIV/AIDS prevention programmes • Changes in attitudes towards, HIV/AIDS, children and sexuality (parents, teachers, religious leaders, policy makers) • Media provide information about sexuality and HIV/AIDS to children • Condoms are widely, freely and cheaply available	• Budget allocations for HIV/AIDS protection, care and non-discrimination programmes • No discriminatory policies • Sanctions against discriminatory practices • Changes in attitudes towards people affected by HIV/AIDS
Changes in equity and non-discrimination	• Girls and women have the power to negotiate sex (able to say no) – gender issues	• People affected by HIV/AIDS have equal access to basic services • Laws and policies are not discriminatory • Sanctions against discrimination of people affected by AIDS (jobs, services, media reporting, etc.)
Changes in people demanding their rights	• Parents, teaches and journalists demand access to information about sexuality and HIV/AIDS prevention for children • AIDS activist organisations demand free access to condoms	AIDS activists, including people affected by HIV/AIDS: • speak at all relevant events • demand non-discrimination and access to services • are involved in designing HIV/AIDS policies and programmes
Changes in children's participation	• Children have access to information about sexuality and protection from HIV/AIDS (media, schools, family) • Children are actively involved in relevant events • Peer education about sexuality and protection from HIV/AIDS • Children are involved in policy making and standard setting regarding children's access to information	• Children are actively involved in relevant events • Children are involved in designing non-discriminatory HIV/AIDS policies and programmes

Annex 5: Approaches used in rights-based programme work (examples only)

General
- Human rights mechanisms: human rights monitoring and reporting (using the concluding observations of the CRC Committee to identify programme priorities), human rights education and training to raise awareness of human rights, implement National Plan of Action for Children
- Support people and institutions to demand children's rights (participation and empowerment)
- Fight discrimination and promote equity and inclusion of all children
- Joint analysis of the situation of children's rights (government, UN, donors, NGOs); data about children

Poverty eradication and economic justice:
- Advocacy, lobbying, and campaigning to change policies, laws and resource allocations. E.g. Oxfam trade campaign, campaign for the production of generic AIDS drugs
- PRSP – lobbying the World Bank
- Research on child poverty
- Child-friendly budgets
- Trade campaign
- Poverty reduction work ()
- Support poor people and their organisations to demand their rights

Basic services
- Advocacy on quality of social services
- Governance: setting and monitoring quality standards, establishing systems for incentives and sanctions. Improve responsiveness, quality and effectiveness of institutions through incentives, sanctions and monitoring of quality standards ('governance'). Examples: child protection policies in orphanages, law enforcement against child sexual abuse, monitoring quality standards in primary schools.
- Support people to demand their rights to basic services (e.g. support parents of disabled children to demand access to basic services)

Child protection
- Advocacy to change legislation
- Strengthen law enforcement
- Public education to raise awareness and change behaviour (child abuse)
- Governance: setting and monitoring quality standards, establishing systems for incentives and sanctions
- Support people to demand that government institutions and other duty bearers protect children from abuse and exploitation

Child participation (throughout)
- Promote children's rights to information, expression, association, decision making and association:
- Define the changes that are needed in laws, families, schools, community organisations, trade unions, NGOs, policy making processes, media etc. in order to realise children's rights to information, expression, association and decision making
- Make changes in laws and institutional structures and procedures to create greater 'space' for child participation
- Support children and children's organisations to take greater roles in public life
- Change adult attitudes and behaviours towards children's participation

Emergencies
- Beyond child survival: child protection, development and participation in emergency situations

Annex 6: Questions for rights-based monitoring and evaluation

1. Implications of a child rights approach to programming

Work is based on human rights standards (conventions, articles…): A clear focus on children and their rights in problem statement, programme goal, strategy, outcomes and impact. Work with other government and non-government agencies towards common rights-based goals
- What is the problem for children? How is it related to children's rights?
- Are our goals broad and rights-based or do we just have partial objectives for our own work? What is the goal? What are the long-term outcomes for children and their rights?
- What actions and changes are needed to achieve the goal?
- Are we clear about who to work with towards rights-based goals?
- Are our assumptions and strategies ('models of change') correct? Do our programmes have the greatest possible impact towards realising children's rights? Or do out strategies have to be revised?
- How can different people and organisations work together toward the same goal?

Promote equity, non-discrimination and inclusion: Focus on the worst rights violations and on the most marginalized children. Ensure inclusion of all children. Fight discrimination
- What are the worst rights violations: Which children are most marginalized, most neglected, most abused, most exploited, most discriminated against?
- Are our programmes doing the most they can to promote the inclusion of all children in mainstream society through inclusive and anti-discriminatory laws, policies, programmes, attitudes, services…)?
- Is our organisation doing all it can to challenge discrimination?
- Is our organisation supporting excluded groups to demand their rights?
- What more could be done?

Hold duty bearers accountable: Strengthen the accountability of duty bearers for children's rights at all levels. This should be achieved through a combination of direct action for children's rights, changes in laws and policies, changes in institutional practices and changing adult attitudes and behaviours.
- Who is responsible for the actions and changes that are necessary to achieve the goal?
- Why are they not meeting their obligations for children and their rights? What are the obstacles?
- How can the obstacles be overcome? How can duty bearers be held accountable?
- Are our programmes doing the most they can to strengthen accountability for children's rights? How?
- Do they target those who can bring about significant change? Are the priorities right – do they have the greatest impact on people's rights?
- What could we do more in our programme to strengthen accountability for children's rights and to hold duty bearers accountable?

Support people and institutions to demand children's rights: Strengthen right holders (children, adults and civil society institutions) to demand children's rights
- Who can demand the rights of children whose rights are being violated?
- What do they need in order to demand these children's rights?
- How can they be supported to demand children's rights?
- Is our organisation/are our programmes doing the most they can to strengthen the ability of people and institutions to claim children's rights?

Promote children's rights to information, expression, decision-making and association in society and in programmes – as a way to realise children's rights to survival, development and protection: Audit responsibilities for children's civil rights: identify opportunities for and barriers against the realisation of children's participation rights (,in society and institutions)
- Are children's rights to information, expression, decision making and association relevant to realise the rights your programme is trying to address? How?
- What are the obstacles that deny children's participation rights? Who is responsible for children's rights to information, expression, decision making and association?
- How can these obstacles be overcome?
- In our organisation (communities, families, schools, partners organisations), do attitudes, values, structures, approaches, mechanisms, policies, laws, rules and procedures promote and facilitate children's rights to information, expression, decision making and association? Which factors facilitate and which hinder children's participation?

Base action on what is in children's best interests in the short and long term
- What is in children's best interests in the short and in the long term?
- Who determines what is in children's best interests
- How can childPren's best interests be determined
- Do we and our partners advocate for laws, programmes and policies that are in children's best interests

Child-centred approach:
- Consider all of a child's developmental needs
- Consider the broader social, economic, political and cultural context and address root causes

2. **Implications of a child rights approach for organisation, management, human resource management**

A rights-based approach does not only have implications for the actions an organisation takes. It also has implications for the way an agency does its work. The organisational culture, systems and procedures should reflect human rights principles and standards: equity, non-discrimination, participation, accountability and best interests of the child. Questions a rights-based organisation should ask itself are:

Equity and non-discrimination:
- Does our workforce (and that of our partners) reflect the diversity of society according to gender, age, disability, ethnicity, and religion? For example, employing disabled people sends a strong message to others inside and outside the organisation that all people have the right to decent work. It challenges discrimination and exclusion.
- Is the office accessible for physically disabled people?

Human rights principles, standards and values: Do all staff and partners have a basic understanding of the principles and standards of human rights? Are they committed to these standards?

Child protection – protect children from abuse by child care workers, relief workers, etc.: Do we have organisational policies against child abuse and sexual harassment? Are job applicants screened to prevent people with a record of abuse to join the organisation?

Participation:
- How participatory is our organisation? How are partners and stakeholders (children and adults) involved in organisational decision making? Who makes the important decisions? How easy is it for information to travel up the organisational hierarchy? Are organisational procedures helping or holding back participatory approaches to work?
- Are we listening to and consulting with children and adults in assessments, monitoring…?
- Are we providing information about your work to children and adults (transparency)?
- Are we using local resources and are we working with local structures and institutions?

Accountability:
- Are we accountable to the people we are working for, or just to our donors, the board of directors, our supporters/members and the government?
- What are the organisational accountability mechanisms towards partners and communities? How does the organisation report to partners and communities?
- Are we assessing the situation to understand the needs of children and adults?
- Are we carrying out stakeholder analyses and are we assessing the impact of our work?