



# Child Rights Governance

## Implementing Child Rights



**Save the Children**

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WE ARE the world's leading independent organisation for children.

OUR VISION is a world in which every child attains the right to survival, protection, development and participation.

OUR MISSION is to inspire breakthroughs in the way the world treats children, and to achieve immediate and lasting change in their lives.

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## Preface

The UN Convention on the Rights of the Child (UNCRC) has become one of the most well-known and broadly supported international human rights treaties. All the states in the world – except the United States and war-torn Somalia – have ratified it and thereby legally bound themselves to implement its provisions. As a result, the situation of children has been placed higher on the political agenda. Yet, the actual implementation of the convention has been less effective than expected.

Persistent and widespread violations of children's rights occur in all parts of Europe. Many children are subjected to different forms of physical, sexual and psychological violence and abuse, mainly inflicted on them by the adults upon whom they depend. Child poverty is an extremely serious problem, having a detrimental impact on the lives of many children far into the future. In some countries, some children still spend their youth isolated in large, obsolete and generally inadequate institutions for children with special needs. There is also a disturbing trend to lock up more children at an earlier age for an increasing number of petty crimes. The basic right of children to have their views taken into account has not yet been guaranteed. Justice, procedures, schools, administrations and cities are still not truly child-friendly.

The main cause for this negative scenario is the absence of a systematic, comprehensive approach to children's rights as a political priority. Although children make up a large section of the population and constitute the future of society, their concerns are seldom given top priority in politics. Ministers responsible for children's affairs tend to be junior and are kept outside the inner circle of power. When political issues are divided into "soft" and "hard", those relating to children are dealt with as "soft-soft".

To reverse this situation and make the values enshrined in the UNCRC reality, a child-centred approach is needed in the political decision making. This would influence legislation and practice and create the conditions in which children are treated as right-holders and with respect for their inherent value as human beings. All actions regarding children should be concerned – not only those taken by state authorities, parliamentary assemblies and judicial bodies, but also by relevant private institutions.

This booklet introduces examples on where Save the Children has supported governments in applying the General Measures of Implementation. Thereby child's rights have been embedded into activities to improve children's well-being. The case studies, presented in the publication, show that when sound commitment to children's rights is combined with sufficient political will, good results can be achieved.



Photo: © Council of Europe

A handwritten signature in black ink that reads "Thomas Hammarberg". The signature is fluid and cursive.

*by Thomas Hammarberg, Council of Europe Commissioner  
for Human Rights*

## Introduction

21 years ago the United Nations adopted the UN Convention on the Rights of the Child and in doing so agreed to establish a child rights system made up of laws, policies, institutions and mechanisms to respect, protect and fulfil the rights of all children in their countries.

The United Nation's Convention on the Rights of the Child (CRC) is the most ratified convention worldwide; all countries but two are State Parties to the CRC. Article 4 of the CRC makes it clear that once a state party ratifies the CRC it is obliged under international law to do its utmost to realize ALL rights for ALL children in their jurisdiction

There is no doubt that positive changes have come about in the lives of children thanks to the Convention and what is equally clear is that the child rights infrastructure, necessary to deliver all rights for all children in all circumstances is not in place in many countries. In its General Comment No. 5, the CRC Committee in 2003 specified that while the State takes on the obligation of implementing children's rights, it needs to engage with all sectors of society, including children in doing so. Also, the State should ensure that domestic legislation is fully compatible with the CRC and that the provisions and principles can be applied and enforced in practice.

The Committee has identified the measures that need to be in place for the State to effectively implement the Convention. Together, this forms the infrastructure, which is needed to realize all child rights and is outlined in what is collectively known as the General Measures of Implementation (GMI)

1. **Ratification**
2. **Legislation.** Ensuring that legislation is fully compatible with the Convention and removal of reservations and ratification of the CRC's Optional Protocols and other human rights instruments for children, including regional instruments.
3. **Impact assessment.** Ensuring that there is a systematic process of assessing new laws, policies or programmes for their impact on children's rights (Child Impact Assessment).
4. **National Agenda.** Developing a detailed, comprehensive national strategy or agenda for children, based on the Convention, and taking into account policies of decentralization, federation and privatization.
5. **Budget for children.** Ensuring adequate resource allocation and making children 'visible' in budgets.
6. **Coordination** Develop permanent mechanisms in government to ensure the effective co-ordination, monitoring and evaluation of implementation.
7. **Training and capacity building.** Developing training, education and capacity building for all those involved in the implementation process.
8. **Non-state service providers.** Creation of a mechanisms or process to ensure all state and non-state service providers (e.g. the private sector, faith communities, civil society organizations) respect the Convention.
9. **Co-operation with civil society.** Promoting co-operation and co-ordination with civil society, professional associations, non-governmental organizations, children and so on.
10. **Data collection and monitoring.** Ensuring the development of appropriate indicators and sufficient data collection on the state of children
11. **International co-operation.** Promoting international co-operation in implementation
12. **Children's ombudsperson.** Creating statutory children's rights institution/ombudsperson offices

With this booklet we would like to share successful case stories where Save the Children has succeeded in breaking grounds for child rights in cooperation with civil society partners in order to move the UN Convention on the Rights of the Child forward on the political agenda.

It contains eight country specific examples on how Save the Children successfully has supported governments to respond and step up to its obligation to put in place the General Measures of Implementation. The twelve GMI can be a powerful tool in measuring how your country is performing in terms of ensuring that children's rights are respected. The different case stories presented in this booklet also demonstrates the clear linkages between policy, practice and the impact on children.

The study, Governance fit for Children, presented as the first case in this report, is about how the GMI have been implemented at national and sub-national levels in Sweden. Similar studies were carried out in Italy, Lithuania, United Kingdom and Romania. The full study report can be found at <http://resourcecentre.savethechildren.se>.

The other seven case stories each demonstrate how Save the Children has worked with governments on a specific GMI:

*Wales on incorporating the CRC into domestic law (GMI 2)*

*Nicaragua on agenda for children at municipality level (GMI 4)*

*Zimbabwe on making children visible in the budget allocations (GMI 5)*

*Swaziland on the creation of a cross-governmental coordination body for child rights (GMI 6)*

*Romania on training professionals working with children on the CRC (GMI 7)*

*Kenya on promoting government and civil society co-operation (GMI 9)*

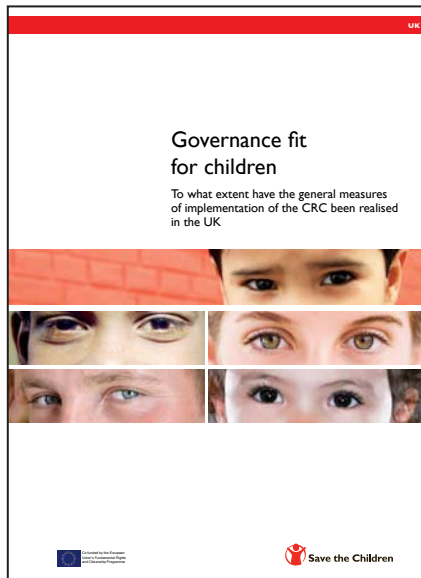
*Bosnia-Herzegovina on strengthening the Ombudsman Institution to work on child rights (GMI 12)*

We hope that these case stories will inspire you and bring ideas to similar actions when it comes to implementing the UN Convention of the Rights of the Child.

Save the Children's Child Rights Governance Global Initiative is about supporting governments to move forward faster in implementing the general measures. And it is about strengthening the voice demanding accountability for children's rights by building capacity among children and their communities, civil society, media, academia, faith communities and the private sector to contribute to realizing children's rights and hold state and non-state actors accountable for their obligations towards children's rights.

## Sweden:

### Governance fit for Children – studying the General Measures of Implementation at National and Local Level



#### Background

Sweden ratified the UN Convention of the Rights of the Child (CRC) in 1990 and has since done a lot to improve the rights of the child in the country. However, there are several gaps in the implementation, so Save the Children decided to look at the structures and mechanisms needed to ensure sustainable and long lasting changes for the rights of the child, which are the mechanisms ensured in articles 4, 42 and 44.6 of the CRC, the so called General Measures of Implementation. The study is called *Governance Fit for Children* and similar studies were carried out in four other European countries. All studies were financed by the European Union.

#### What Save the Children did

During 2010, Save the Children carried out the study on the GMI and how they have been implemented at national level and in four municipalities. The study had two components:

- A desk study, where documents such as General Comment No. 5, recommendations from the UN Committee on the Rights of the Child, the state and supplementary NGO reports to the Committee, national strategy etc. were studied in detail.
- Interviews with key persons within government, parliament, authorities, municipalities and NGOs, as well as with children.

The findings of the study show that the government of Sweden has done a lot in regards to the General Measures of Implementation, however not enough to ensure full compatibility with the CRC and the General Comment No. 5. It also shows that much more efforts are needed at municipality level than national level, in particular regarding knowledge about the CRC and how to use it in practice.

The report was followed up by a national seminar, where the information collected was shared and discussions held on possible ways forward with the government, authorities and NGOs. A seminar was also held in one of the municipalities where studies were carried out with great support from attending political leaders continuing to work for the rights of the child.

“ I guess it's like, well, the prime minister, but for children.”

Girl, when asked what the Ombudsman for Children does.

## Impact

During the same period as the study was carried out, the Swedish government started to initiate new work relating to the GMI. A new strategy for the realization of the CRC was developed during spring 2010 and was adopted by the Parliament in December 2010. The Children's Ombudsman and Statistics Sweden (the national authority responsible to secure statistics) have started to develop indicators for measuring the implementation of the CRC as well as a tool for making the information available to the public. Despite the ongoing activities, the report *Governance Fit for Children* was recognized by the relevant actors as an important document to study and take note of.

It is the first document that gathers information on all the GMI and takes a holistic approach to them. Up until now, what has been done has been fragmented, e.g. one GMI at the time, not recognizing the linkages between them. The report started a necessary discussion on the GMI and how they are interlinked.

Save the Children got in contact with the Swedish Association of Local Authorities and Regions (SALAR) during the study. SALAR was in the process of mapping what had been done at local and regional level in regard to the rights of the child, and the report from Save the Children was included in the mapping. Save the Children has also been invited to participate in SALARs work with training municipality officials on the CRC.

In the municipalities involved in the study, the meetings and seminars helped the municipality officials to get a better understanding of the CRC and the importance of the GMI. Actions to improve their work and make an overview of their structures have started.

The study has also received great recognition internally among Save the Children staff where it has improved the understanding and knowledge about the GMI, and informed future activities for the domestic programme. Save the Children has also identified new areas to focus on in the future, such as children's visibility in budgets, both at national and local level.

Since the study was published in spring 2011, it is too early to see the real impact of it. However, it has already generated discussions and some action, and not least, a greater internal knowledge and understanding of the GMI.

## Lessons learned

The methodology for the study proved to be successful. The combination of a desk study and interviews gave Save the Children a good picture of the real situation, a picture that could not have been provided by using one of the methodologies only.

The interviews in particular turned out to be a great opportunity both for awareness raising and advocacy. Many of the respondents did not know much about the GMI beforehand; the interviewer had to use part of the interview to inform the respondent. During the interviews, the interviewer had the opportunity to discuss possible solutions to problems, i.e. carry out advocacy work.

The study is extremely useful for Save the Children for our present advocacy, but also for our strategic planning 2013–2016.

In Sweden (as opposed to the other countries in the project) the study was carried out by an independent consultant. This is not ideal as Save the Children did not gain nor institutionalize the added value from studying documents and interviewing persons. This knowledge was not included in the report and stays with the consultant. Since the interviewer did not make the follow up, personal contacts with key persons were lost, thus making the follow-up more difficult. The recommendation for conducting a similar study is to use in-house staff, to ensure that all the information stays within the organization.

## Wales:

**GMI 2**

### Incorporating the CRC into domestic law



Photo: Save the Children

#### Background

In the United Kingdom, governmental arrangements include devolved administrations in Wales, Northern Ireland and Scotland. The UK Government and the devolved administrations, therefore, have responsibility for implementing the Convention on the Rights of the Child (CRC) in the UK.

The UN Committee published its most recent Concluding Observations on the UK in 2008. One of the areas of concern addressed by the Committee was the incorporation of the CRC into domestic law.

In 2009 the Welsh Government announced an intention to domesticise the CRC into national law. However, in March 2010 it became clear that the Government only had plans to place a duty on Ministers to have ‘regard for the CRC’, and not to fully incorporate the Convention.

#### What Save the Children did

To convince the Government to change its approach and fully incorporate the CRC in legislation, a number of activities were undertaken:

First, Save the Children submitted a response to the proposal, in which its flaws and the arguments for a full incorporation of the CRC were set out, and urged other organisations to do likewise.

An important step was to give written and oral evidence to the Welsh Assembly’s Children and Young People’s Committee’s pre-legislative examination. This proved very influential as the Committee subsequently wrote to the Government requesting that the legislation be stronger.

In June 2010, the Proposed Rights of Children and Young Persons (Wales) Measure began its legislative process. Despite strong attempts to achieve the full integration of the CRC, it proposed that Ministers would only have the responsibility to embed the CRC when “making decisions of a strategic nature.’ This remained a sectoral approach and Save the Children therefore undertook further lobbying to ensure the full integration of the CRC.

“This Law cuts across every policy area and in doing so will make a positive change to the way in which all support and services for children and young people in Wales will be designed and delivered in the future. By having a greater emphasis on their rights through our policies and legislation children and young people will be in a stronger position to achieve their full potential and contribute to the prosperity of Wales.”

The then Deputy Minister for Children, Huw Lewis AM.

Together with the Wales CRC Monitoring Group, Save the Children submitted evidence to and answered questions from Members of the Committee on the Rights of the Child. The Committee's subsequent report on the Measure clearly reflected this evidence.

In order to galvanise parliamentary support for strengthening the Measure, Save the Children and other NGOs engaged with various Members of the Legislative Assembly and a number of private meetings with the lead Welsh Government officials were held. As a result, our views were quoted in subsequent debates on the Measure.

Ultimately, the efforts were successful and the Welsh Government began considerations of amendments to the proposed Measure to domesticise the CRC into national legislation.

## Impact

The Rights of Children and Young Persons (Wales) Measure was passed by the National Assembly for Wales on 18th January 2011. The passing of this landmark piece of legislation was a historic day for children's rights in Wales. It is a response to the effective and committed lobbying of Save the Children and the Wales CRC Monitoring Group.

The Measure creates a legal requirement for international child rights standards to be taken into account as part of Ministerial decision-making and policy development in Wales and also places a legal duty on Welsh Ministers to promote knowledge and understanding of the CRC among the public (which includes children).

Together with the arrangements that need to be put in place to ensure compliance with the Measure, this will help to ensure that the Welsh Government is made accountable to children and young people in the realisation of their rights. It will also provide opportunities to improve the participation of both children and young people and child rights NGOs in the implementation of the CRC in Wales.

“This legislation is unique within the UK and we would like to congratulate the Welsh Assembly for incorporating the CRC into Welsh law and providing a clear framework of accountability for realising children's human rights...”

Andrew Chalinder, then head of Save the Children in Wales and  
Wales CRC Monitoring Group Chair

## Lessons learned

The experience from this process showed that stakeholders speaking as one strong collective voice was instrumental in ensuring that the Welsh Government changed its approach.

Involving non-Wales specific NGOs in lobbying provided additional pressure on the Welsh Government. Also, a range of advocacy activities throughout the whole process was necessary to ensure change.

The example of the Welsh Government can be used to apply pressure on the UK Government, and the other devolved governments to take steps to incorporate the CRC into domestic legislation.

## Nicaragua:

**GMI 14**

### Supporting Local Governments in Nicaragua to develop Long Term Plans for Children



Photo: Mariela Fernández

## Background

Previously, local governments in Nicaragua did not see themselves as duty-bearers for children's rights and had no long term plans for their fulfilment. Now, children are demanding that municipal governments have a long-term vision with regards to making their rights a reality and investments are made according to their interests.

Save the Children started working with municipal governments years ago and supported the legal establishment of a network of Municipal Governments in 2008. The network is called "The Network of Municipal Government Friends of Children" and its sole purpose is to promote the fulfilment of children's rights at the municipal level.

## What Save the Children did

Together with the Network, Save the Children has ensured that children's voices are strategically integrated in municipal government by participating in the drafting and approval of the 'Municipal Children's Policy'. Through this policy, local governments have been supported in maintaining a long-term vision and ongoing commitment to carrying out activities that fulfil children's rights. At the same time, their awareness on child rights has been raised and their capacity to act as duty-bearers strengthened.

Furthermore more, children have been directly involved in the discussion and approval of projects for their direct benefit and Children's Councils and Lobbies have been created as spaces for children to engage in governance at the municipal level.

In this way, Save the Children has supported an increase in the investment in children both in quantity and quality and a number of projects have been carried out for the direct benefit of children.

## Impact

Three years ago, the Network included 61 municipal governments. Currently, it includes 117 of the 153 municipalities in the country (76%). The Programme Director, Pedro Hurtado, explains, “*it has expanded through ‘peer’s logic’ between the municipalities and almost created a sort of domino effect*”. The fact that the Network includes 76 % of the municipalities means that it de facto reaches the national level.

The network has managed to secure an increase in the annual average of municipal investment in children from 8.5% (2001–2004) to 14.5% (2005–2008), directly benefiting hundreds of thousands of children throughout Nicaragua. 60 municipalities have child rights plans and 23 already have a Municipal Policy for children. One year ago, in 2010, it was only 7.

Policies, plans, projects and budgets were prepared and approved with input from 15,500 children. Children directly selected the content of 9 municipal projects, most of which address the right to an education and the right to recreation, benefitting more than 77,000 children (2010).

## Lessons learned

Experience has proven that municipal governments are more likely to listen to other municipal governments. Therefore, experience sharing is a great way for municipalities to learn. In fact, children’s rights have shown to unify municipal governments despite political and religious differences.

Through encouragement and public recognition it has been possible to generate healthy competition amongst the municipalities, in terms of which local government has contributed to the fulfilment of children’s rights in a particularly noteworthy manner.

“ Consult with the municipal governments – do not make the project from your desk. Ask them what they want to do, how, and why, they want to do it”.

Pedro Hurtado, Programme Coordinator.

## Zimbabwe:

**GMI 5**

### Making children visible in government budgets at municipal level



Photo: Samuel Mandiwana

#### Background

In Zimbabwe, as in so many other countries around the world, children still have limited opportunity to meaningful participation in the governance of their country. To address this Save the Children has supported the establishment and running of child led groups in Zimbabwe. The aim of these groups is to create a platform where children themselves can come together to raise awareness on child rights issues and to engage with decision-makers on different issues, such as making visible budget allocations targeting implementation of children's rights.

#### What Save the Children did

**Established 34 child led groups:** Save the Children has developed, piloted and rolled out a model on child led groups in both cities and remote rural areas where Zimbabwean children run their own groups with some support from adults. The most vulnerable children, including children without adult support and children with disabilities, participate in these groups.

**Analysed budgets for child rights:** Save the Children has supported the National Association of Non Governmental Organisations to implement the "Child Friendly National Budget Initiative". The initiative has successfully engaged the Ministry of Finance and Parliament to raise awareness on the importance of allocating more resources to children. It has been replicated at provincial and district level, where members of the 34 child led groups actively participate in the planning and implementation of the "Child Friendly National Budget Initiative" thus making allocations to child rights visible and acknowledged in the government budgets.

This initiative has empowered children to critique the utilisation of resources as well as raising awareness on budgeting for child rights among policy makers.

**Facilitated contact between children and government officials:** Save the Children has facilitated dialogue between members of the child led groups and different government institutions, policy makers and community leaders. Children were therefore able to engage directly with government officials on budget allocations and spending on different aspects of children's rights. For instance, children raised their concerns on the ineffectiveness of one of the government's social safety nets (the Basic Education Assistance Module) and weak social protection initiatives for children.

## Impact

The process has led to increased budget allocations for children's rights. Based on distribution of vote, the percentage allocated to the Ministry of Education Sports, Arts and Culture increased by 69% from 2010 to 2011 with USD 469.367.000 allocated in 2011. The budget for the Ministry of Health increased by 63% in the same period. Advocacy also contributed to an increase in budget allocations for birth registration.

Children from child led groups are now able to articulate budgetary concepts and produce annual shadow budgets for schools and local authorities. For example, the two local authorities of Kadoma and Zvishavane have increased their 2011 budget allocations for education and health in response to shadow budgets and submissions made by the child led groups. In addition these local authorities have set aside budgets to support child participation in the districts.

Due to children's engagement with leaders and governmental officials at local level, communities have established better infrastructure for children, including the construction of a resource/community centre where children can access information and conduct regular meetings.

## Lessons learned

The establishment of child led groups in Zimbabwe has provided a practical example of how children can influence budgets and gradually be acknowledged as important members of the community who can contribute to decision-making.

Meaningful participation of children can only happen when adults are prepared to listen to children and include them in decision-making.

“*Child participation has enabled us as children to identify and address challenges we face in everyday life thus preparing ourselves to be better and responsible citizenship in our societies”*

Nyasha Dick, 17 years old, Marondera Fight Club – one of the child led groups

## Swaziland:

**GMI 6**

### Coordinating work on child rights across government departments



Photo: Elizabeth Kgololo

### Background

The UN Committee on the Rights of the Child examined Swaziland's first report to the Committee in 2006 with input from amongst others Save the Children. In its Concluding Observations, the Committee made 36 recommendations on issues to be addressed to fulfil all rights for all children, including better coordination structures across government departments.

Rosa Maria Ortiz, a member at the time of the UN Committee on the Rights of the Child was invited to Swaziland. She presented the Committee's Concluding Observations and explained what steps the Government needed to take in order to implement the recommendations. Her visit triggered a number of actions by the Government and Parliament to enhance systems and structures for children's rights.

### What Save the Children did

Save the Children, together with UNICEF and other child-focused organisations, used the 36 recommendations to advocate for increased political commitment to, as well as coordination and improvement of children's rights. An important step was to invite Rosa María Ortíz and thereby motivating the government to enhance internal coordination structures to implement children's rights.

The *National Children's Coordination Unit* was created in 2006 with support from civil society and it is situated within the Deputy Prime Minister's Office. It is mandated to coordinate work around children's issues across government departments and with civil society organizations providing services to children. The Secretariat is supported by technical working groups, which also includes members of civil society.

Save the Children used its membership in the technical working groups under the National Children's Coordination Unit to integrate the Concluding Observations into the development of strategic plans and policies.

Save the Children has been instrumental in establishing the Children's Consortium, a coalition of child-focused organizations in Swaziland. The Children's Consortium is working on different joint issues including the signing of a Pledge for Children by Members of Parliament, efforts to engage in the UPR-process, and advocacy around the Child Welfare and Protection Bill. Save the Children and other members of the Children's Consortium have also made presentations to the different Committees in Parliament and have engaged with individual members of Parliament at constituency level.

Overall, Save the Children has been engaged in mobilising civil society actors and facilitating closer collaboration between child focused organisations in Swaziland to ensure better coordination and joint action to promote and monitor children's rights, often using the Concluding Observations.

## Impact

The National Children's Coordination Unit in the Deputy Prime Minister's Office has improved coordination across government departments as well as with civil society actors on issues relating to children and their rights. Civil society also had opportunities to participate in the work of the National Children's Coordination Unit through technical working groups established by this Unit.

A Portfolio Committee on Children has been established in Parliament to strengthen the focus on and coordination of parliamentary work on children within the Swazi Parliament. Members of Parliament have signed a pledge for children focusing on a selected number of the 36 recommendations made by the UN Committee on the Rights of the Child in its Concluding Observations.

A Human Rights Commission has been established with a mandate to independently promote and monitor human rights, including children's rights.

The Government has adopted a National Children's Policy, which provides a comprehensive framework for services to Swazi children based on minimum standards.

The civil society coalition for children's rights – the Children's Consortium – is now actively promoting and monitoring children's right using the Concluding Observations. More than 200 children have been trained on the Concluding Observations with its 36 recommendations using a child-friendly version of the Concluding Observations. Children have also made inputs to the drafting of the Child Protection and Welfare Bill and the Children's Policy.

## Lessons learned

The Concluding Observations, including the 36 recommendations, issued by the Committee on the Rights of the Child have assisted Save the Children to mobilise civil society actors around children's rights and they have been an important tool to engage further with the Government and Parliament around children's rights.

The visit of one of the members of the UN Committee on the Rights of the Child to Swaziland was crucial to move children's rights further up the political agenda.



*The Concluding Observations from the UN Committee on the Rights of the Child has provided a common platform for civil society organisations to engage with the Government and advance children's rights. The Government has also used the recommendations from the Committee to strengthen different systems and structures to make children's rights a reality in Swaziland."*

Dumisani Mnisi, Director, Save the Children Swaziland

## GMI 7

## Supporting the Government on Training and Capacity Building of Professionals



Photo: Save the Children, Romania

### Background

The UN Committee on the Rights of the Child has reiterated a couple of times that the government of Romania has to strengthen professionals' capacity to implement the principles and provisions of the Convention on the Rights of the Child (CRC). For several years, the national authorities with responsibilities in the child rights area have developed training programmes and publications targeting the relevant specialists. Even though these programmes have reached a large number of people, these efforts were rather sporadic and not institutionalised or consistent.

“The massive replacement rate of the personnel from the child's rights field, the legislative developments and the new emerging problems affecting children are highlighting the need for ongoing and periodical training of professionals working for and with children. This is the reason why Save the Children Romania has been constantly concerned about integrating training activities in almost all its programmes.”

Gabriela Alexandrescu, Executive President, Save the Children Romania

### What Save the Children Romania did

Save the Children shares the Committee's concern and has worked since 1999, with support of the Romanian government, to ensure that professionals are well equipped to deliver quality interventions and programmes, including:

**Raising awareness on the principles and provisions of the CRC with teachers:** Save the Children has worked with the government to include training on the rights of the child in the curriculum, which is now officially approved by the national institution in charge. Save the Children also supports training of teachers from kindergartens, schools and high schools on the CRC. The main components of the curriculum are:

- The UN Convention on the Rights of the Child;
- Fundamental rights of the child;
- Current legislation on child's rights;
- Active learning;
- Interactive teaching strategies;
- Evaluation through alternative methods;
- Planning the optional classes;
- Teachers' deontological code.

At the end of 61 hours of training, teachers have to write and implement a child rights project in the educational institution in which they work. After their evaluation, teachers receive a diploma and are supported in promoting child rights in their schools.

**Training of teachers and mediators working with Roma children:** experienced trainers have trained mediators and teachers working with Roma children on: the national provisions regarding the education of Roma children; the role and involvement of the teachers and educators in ensuring that children attend school; promoting empathy, respect, equality etc. in dialogue with Roma children and parents; and elements of Roma tradition, history and language. The trained teachers and mediators also organise activities for pre-school Roma children in summer kindergartens in order to prepare the children for the inclusion in the mainstream education system (kindergarten or school)

**Developing support materials:** Different publications and materials targeting professionals working with children have been developed by Save the Children, such as handbooks and notebooks on child rights, manuals and good practice guides on positive education, leaflets about fighting violence in school, short films, resource CDs etc.

“After attending this training, I feel more in control of any situation which may appear in the classroom”,

Teacher, Bucharest

## Impact

Since Save the Children started its work to support the government in delivering training, approximately 160 pre-schoolteachers and school mediators have been trained every year and acquired an enhanced knowledge of legislation in the field of early education, relevant public policies addressing vulnerable communities, interactive teaching, and a better understanding of Roma culture.

Teachers have developed better skills to work and communicate with Roma children and their families. School mediators have better knowledge and skills, which allow them to identify cases that need intervention and to inform Roma parents about the importance of ensuring the enrolment of their children in school and pre-school education. Moreover, approximately 95% of the children who benefited from summer pre-school were enrolled in the mainstream education system.

## Lessons learned

Working in partnership with and supporting public authorities from national level and local level (such school inspectorates, directorates general for social work and child protection and schools) is crucial to ensure access of the relevant institutions and specialists.

When institutions start to benefit from trained professionals, they begin to develop and integrate new child rights based and complex approaches in their every-day work with children.



Photo: Save the Children, Romania

**Kenya:****GMI 9****Strengthening Civil Society and Government collaboration***Photo: Tessa Rintala***Background**

Kenya ratified the UN Convention of the Rights of the Child in 1990. The government finally submitted a combined initial and first periodic report in 2000, after strong advocacy and support from civil society. The child focused NGOs got together around the CRC ratification, monitoring and reporting, and formed a national NGO Child Rights Committee, which is still functional. Since 1989, the secretariat has been Kenya Alliance for Advancement of Children's Rights (KAACR), which led and coordinated the process of data collection, preparation and finalization of the second periodic report, submitted jointly with the government in 2005.

**What Save the Children did**

Save the Children works through and with local partners in order to strengthen civil society capacity, including how to engage with the government. In Kenya, the key strategic Child Rights Governance partner is KAACR, with whom the close collaboration has continued for six years already.

Save the Children provided long term capacity support: technical, financial, organizational capacity development, strengthening of networks, etc. The partners have been representing Save the Children in the policy and reporting processes, as their collaboration with government line ministries is crucial for ownership and implementation of the CRC.

In order to decrease competition and build capacity of civil society as a whole, Save the Children increasingly worked to strengthen networks. The child focused agencies in Kenya are quite strong and have good capacity, so the challenges have been more in the field of collaboration both within the civil society and with the government. The child focused agencies are now better able to strike a balance between supporting and criticising the government.

Through the NGO Child Rights Committee, KAACR organized the preparation of the supplementary reports on the two state party reports and submitted them through the NGO Group on CRC in Geneva in 2000 and 2006 respectively. KAACR has also played a key role in the African Charter on the Rights and Welfare of the Child and other reporting processes. As part of ensuring maximum protection of children's rights, KAACR prepared the children's section for the supplementary report on Kenya's implementation of the International Covenant on Civil and political Rights in collaboration with other agencies.

Together, the NGOs, with the support of Government, managed to secure participation of children from Kenya in the international processes in Geneva, where the children had a separate meeting with the CRC Committee. This resulted in the Committee forming an advisory team on how children and NGOs can participate in the pre-sessions and main sessions, with the participation of five children from different countries, one of them Kenya.

## Impact

Collaboration and support between NGOs and the Government of Kenya has improved considerably. The Government now consults NGOs on all key policies, legislation and processes that concern children. There is mutual respect and recognition of each other's strengths: NGOs have good child participation skills, technical expertise, more flexibility and resources, whereas the government has stable structures, permanent presence all over the country and the mandate to lead and coordinate.

*“The termite is seen when its wings grow. We have now known our rights as children, and so we must grow wings and fly so that the people will know us.”*

Lewis, 17 years, Western Kenya

The Government and NGOs also submitted a joint state party report in 2005 instead of making two separate reports - something that was highly praised by the CRC Committee.

Children at community level were consulted during data collection and the Government of Kenya, through the National Council for Children's Services, has sought to mainstream child participation and even allocated a specific budget for children assemblies as a result of NGO advocacy. Guidelines for child participation were drafted in collaboration with civil society, and there are frequent ad hoc meetings between the National Council for Children's Services and NGOs.

The Children' Act of Kenya was originally drafted by a Government commission in the 1990s, with no civil society consultation. NGOs together successfully advocated for the Parliament not to pass the bill, as it had many weaknesses and was not compatible with the CRC. The following draft, which the current Children's Act is largely based on, was drafted by the NGOs. Nowadays the policies and laws are the result of wide consultations and there is a sense of mutual accountability.

## Lessons learned

Close collaboration with government departments is possible, without compromising civil society integrity. However, it requires time, collaboration and consistency.

It is possible to mainstream child participation, as long as the Save the Children practice standards (or guidelines, where applicable) are carefully considered and monitored throughout. Inclusion and representativeness are challenging to achieve, but children can also advise us on those issues.

*“All children, whether blind, disabled or not should participate in family and school activities.”*

Mutinda, 13 years, Kitu

Getting a Kenyan child to be among five child experts on the advisory team for the UN CRC Committee has really empowered and inspired them and other children as well. More and more children are now able to participate in adults' forums, expressing themselves freely.

## Bosnia-Herzegovina:

**GMI 12**

### Strengthening the Role of the Ombudsman



Photo: Save the Children

#### Background

In Bosnia-Herzegovina, as in many countries affected by the post-war situation and the transition from a socialist to a democratic environment, child rights are often neglected and under-prioritised. In such a setting, the Ombudsperson is often the only institution speaking out on behalf of children whose rights are neglected or violated. Moreover, the ombudsperson is working towards changing the situation by suggesting improvement of legal framework or practice, based on specific reported cases of child rights violation.

“All children in Bosnia and Herzegovina are, by law, entitled to health care. Although the problem of invisible children, those who are not registered at birth, is a major obstacle for the fulfillment of this right among the Roma population. We must do everything we can to make sure that the Roma community is informed about the possibilities and rights they have and assisted in the procedure they must undertake to have their rights acknowledged.”

Ahmed Pjano, CRG Advisor, Save the Children.

#### What Save the Children did

Save the Children is supporting the national Ombudsman institutions in the region and the establishment of units for child rights within these institutions. In Bosnia and Herzegovina, the Division for Child Rights Protection within the Institution of Ombudsman for Human Rights of Bosnia and Herzegovina was formed in 2009 and its capacities built with support from Save the Children. Ever since, Save the Children has worked to strengthen the role of the Division, e.g. by supporting it to monitor the child rights situation and to promptly react when rights are violated. Save the Children also encourages the Division to take on specific cases of child rights violations.

A specific case was about a big group of children, primarily of Roma background, who were denied access to primary health care. The Ombudsman Institution initiated an official investigation aimed at establishing the competencies and responsibilities of different institutions in terms of children's access to health services, i.e. Ministry of Education, Ministry of Social Welfare, Institute for Public Health,

municipality and schools. Based on facts and findings of the investigation, the Ombudsman Institution *issued a recommendation* to solve the problem by highlighting the need for joint action by the municipal and cantonal services in cooperation with the primary school. At the same time, the Institution encouraged the authorities to pay special attention to Roma and other vulnerable children, when addressing the access to health care.

## Impact

“The Roma children are deprived of so many things. That is why it is great to have someone standing-up for their rights and make good things happen for them. With help from Save the Children and the Ombudsman Institution, they can finally see that the system can work for them as well.”

Nuradija Džakmić, School Pedagogue

The recommendation was accepted by the relevant authorities and the local Centre for Social Work contacted the parents of the children and informed them about the procedure of getting their right to health care acknowledged. This was done in cooperation with the NGO sector, the municipal authorities and the relevant ministries, who all expressed their willingness to fully comply with the Ombudsman's recommendation.

The Ombudsman Institution, with their recommendation, made the local authorities identify the children who were not having their right to health care fulfilled and made sure this happened by issuing *health cards*, all in accordance with the law. Save the Children and the Division for Child Rights Protection have followed the developments and checked that these children now have their right to health care fulfilled.

## Lessons learned

Save the Children's close cooperation with the Ombudsman Institution makes it possible to alert the Institution on child rights violations encountered in Save the Children's regular work with children.

In discovering the problem, a close involvement of stakeholders was essential, such as the school pedagogue and the school principal, the Roma community and the children. Due to the commitment of the school staff and the close and direct cooperation with Save the Children, the issue was taken to a higher level, namely the Ombudsman.

Also, the close cooperation of schools and local authorities and their willingness to solve the problem, has made it possible for children to obtain *health cards* ensuring their right to health care.



# Child Rights Governance

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