

Erasmus+ Youth in Action Project

„Best Practice of Child and Youth Participation in the Children's Rights Networks in Austria, Germany and Switzerland“

September 2016 - February 2018

Conclusion document 2

Best Practices for Child and Youth Participation in the UN-Child-Rights-Monitoring-Process

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enthaltenen Angaben.*

Best Practices for Child and Youth Participation in the UN-Child-Rights-Monitoring-Process

The children's rights networks from Austria, Germany and Switzerland entered into a strategic partnership within the framework of ERASMUS + Youth in Action between September 2016 and February 2018 in order to exchange best practices on youth participation.

The two central questions of the project were:

- 1) How can child and youth participation in the UN child rights monitoring process succeed?
- 2) How can long-term participation of children and youth in the institutional context of a children's rights network (National Coalition) succeed?

This outcome document 2 is devoted to the first question:

How can child and youth participation in the UN child rights monitoring process succeed, especially with the focus on child and youth participation before the UN Committee on the Rights of the Child?



1. Existing documents and guidelines of the UN Committee on the Rights of the Child and Child Rights Connect

This was based on the existing documents and guidelines of the UN Committee on the Rights of the Child and Child Rights Connect (formerly the NGO Group for the CRC)¹ on child and youth participation in the UN child rights monitoring process:

1) „My Pocket Guide to CRC Reporting - A companion guide for children and adolescents willing to tell the United Nations Committee on the Rights of the Child about how children’s rights are respected in their country“, NGO Group for the CRC, 2011²

2) „The Reporting Cycle of the Committee on the Rights of the Child - A guide for NGOs and NHRIs“, Child Rights Connect, 2014³

3) „Together with children - for children: A guide for non-governmental organizations accompanying children in CRC reporting“, NGO Group for the CRC, 2011⁴

4) "Working Methods for the Participation of Children in the Reporting Process of the Committee on the Rights of the Child", Committee on the Rights of the Child, 2014⁵ - (A German summary is included as an appendix.⁶)

5) „General Comment No. 12, The Right of the Child to be Heard“, Committee on the Rights of the Child, 2009⁷

These documents provide an introduction and overview of many detailed questions of child and youth participation in the UN child rights monitoring process, both for child rights networks and for young people themselves. They are therefore an indispensable and important basis for all those who want to include children and young people in the reporting process. However, as mentioned above, they all date from 2009 to 2014. Since the involvement of children and young people in the UN dialogue has increased steadily and in many ways in recent years, it seemed sensible for the three child rights networks to exchange and reflect on their experiences, including with the members of

¹ Child Rights Connect is an independent non-profit network of 80 national, regional and international organisations committed to ensuring that all children fully enjoy their rights as defined by the Convention on the Rights of the Child. Based in Geneva, Switzerland, Child Rights Connect is the strategic partner of the Committee and OHCHR for the engagement of children’s rights defenders in its work, including in the reporting cycle: <http://www.childrightsconnect.org/connect-with-the-un-2/crc-reporting/>

² http://www.childrightsconnect.org/wp-content/uploads/2013/10/My_pocket_guide_to_CRC_reporting_WEB_English.pdf

³ http://www.childrightsconnect.org/wp-content/uploads/2015/07/EN_GuidetoCRCReportingCycle_ChildRightsConnect_2014.pdf

⁴ http://www.childrightsconnect.org/wp-content/uploads/2013/10/With_Children_For_Children_WEB_english.pdf

⁵ <http://www.ohchr.org/EN/HRBodies/CRC/Pages/WorkingMethods.aspx>

⁶ This summary comes from the Monitoring Agency UN Convention on the Rights of the Child of the German Institute for Human Rights, which was involved in the process in an advisory capacity.

⁷ <http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC-C-GC-12.doc>

the UN Committee.

2. The Project

The aim of the present results document is, to describe in a short, concise and clear form, how child and youth participation in the UN child rights monitoring process could be taken a step further at different levels. In the course of the project, three transnational meetings took place in Vienna (December 2016), Geneva (May 2017) and Berlin (September 2017).

Six young people aged 16-18 took part in the 2nd and 3d project meeting. In Geneva they gathered experience directly on the ground by first attending a meeting of the UN-Committee on the Rights of the Child and, on the evening of the same day, by holding a discussion with 13 out of 18 members of the UN Committee on the Rights of the Child, together with representatives of the three child rights networks, on the participation of young people in the UN dialogue⁸. The impressions and opinions of the young people were an important sounding board for us in the discussion which factors contribute to a successful participation of children and young people in the UN child rights monitoring process. These results of the young people, written by the young people themselves at the 3rd project meeting in Berlin, are therefore first and central priority.

This view of young people is supplemented and underlined by findings of (adult) project participants from Austria, Germany and Switzerland, who also discussed with the members of the UN Committee on the Rights of the Child as well as Child Rights Connect⁹ in Geneva and contributed their experiences with regard to the past reporting processes.

3. Recipients of project results

Exactly for these institutions, namely

- for the UN Committee on the Rights of the Child,
- for Child Rights Connect and
- for national child rights networks (National Coalitions)

the project results should be the starting point for further development:

⁸ The discussion with the 13 members of the UN Committee on the Rights of the Child took place at the invitation of the three child rights networks during the 2nd project meeting in Geneva on the evening of 17 May 2017.

⁹ Ilaria Paolazzi of Child Rights Connect told the project participants during the 2nd project meeting in Geneva on 16 May 2017 about Child Rights Connect's experiences with child and youth participation before the UN Committee on the Rights of the Child.

„The working methods for the participation of children were a good step by the committee. This is a constructive paper. However, much more needs to be thought about. Therefore, this project is very positive to develop it further. It is important for the committee to have children in front of it in real life over and over again. And the concerns of the children should also be clearly reflected in the Concluding Observations. The committee must engage further!“

said Prof. Dr. Lothar Krappmann, former member of the UN Committee on the Rights of the Child 2003-2011, at the 3rd project meeting on 15 September 2017 in Berlin, where he accompanied the project participants in developing their findings on child and youth participation.

4. Young people's point of view on child and youth participation in the UN child rights monitoring process (3rd project meeting in Berlin in September 2017)

Josephine Hebling and Paula Meyer (Germany)

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Prerequisites

As a youth group, we are convinced that the process must be designed to be "child-oriented". This means that it must be designed so that it is at the level of children and young people and that they are able to actively participate, contribute and understand it.

It is very important that those involved feel that their commitment is valued and recognized. During this time there must be a permanent reference person for the children and young people and there should be a kind of feel-good zone for them. When children and young people participate, it is very important that they are given responsibility and trust.

Furthermore they must be taken seriously in their concerns and the National Coalitions and the UN Committee on the Rights of the Child should give them a voice (lobbying). When the process or a project begins, the adults should not approach the matter with preconceived ideas about the outcome and their expectations should never be forced upon the children.

In addition, the children and young people should be able to work as they wish and the final result - however different it may be from the expected result of the adults - should be accepted. The cooperation of young people must be gained from the outset and as early as possible.

Selection procedure for children and young people

One of several possibilities is that those involved are selected by the National Coalition member organizations, especially those working with children and youth. It is important that there is a certain diversity and range among the selected and that the selection process does not create barriers for certain people. A kind of representativeness and inclusion must take place step by step, well thought through and in a constant process.

Methods and best practice for participation in the testing process

In principle we consider it useful for children and young people to visit the Committee on the Rights of the Child in Geneva, but it is imperative that the members of the committee do not talk to the children and young people during their break. A timeframe must be allocated to reflect the importance of the meeting. This is very important because the committee members have time to get a picture of the situation, ask questions and respond to the children. Furthermore such meetings would raise awareness of the UN Committee on the Rights of the Child.

On the other hand, consideration must also be given to the possibility of committee members visiting children locally. However, this has to be well planned, is costly and not possible in every country.

Another approach is pictures, video clips, self-written stories and so on. This means that the children and young people do not have to travel to Geneva, but can communicate through their creativity and often also through their having fun. Digital media are not only becoming more and more important these days, but it also gives those involved the opportunity to express themselves and communicate their concerns in a variety of ways.

A good possibility for this is a children and youth report, which is submitted in addition to the shadow report of the NCs. It must be independent of state and shadow reports, but it should be mandatory for all member states of the United Nations. It is extremely important that it is developed and written entirely by youths and children, but this procedure must undoubtedly be carried out with the support of the children's rights networks. There must be no influence on the content by the state or the National Coalition.

A children and youth contribution (report, video, picture series, etc.) should be 100% child and youth work, the "toolbox" should come from the adults.

Tasks of the National Coalitions

The public relations work, especially the social media presence of the National Coalitions, should be improved from this time on, as this will make all the more young people aware of their work, children's rights and the committee. As a result, this allows new projects, events and work to be better perceived, reaching many more children and young people and different groups (greater diversity). In addition, the children and young people with whom the member organizations work should be directly involved.

Another wish is a film project to be initiated by the National Coalitions of Austria, Switzerland and Germany. In this project, an informative film about the process of the UN Committee on the Rights of the Child should be produced. Since the film will be made by young people for young people, it will be child-oriented and the complicated process can be easily explained. Videos, films and clips are becoming more and more popular and can be distributed more easily.¹⁰

¹⁰ Such a film (in German) was initiated by the young people involved in the project Paula Meyer on their own initiative. It can be downloaded from the following link:

<https://www.youtube.com/watch?v=1v5qiT60iLU&feature=youtu.be>

5. View of the adult project participants¹¹ on child and youth participation in the UN child rights monitoring process (3rd project meeting in Berlin in September 2017)

1) Child and youth participation in the preparation of supplementary reports as a central process and task of the child rights networks (National Coalitions)

In so-called supplementary reports, civil society and non-official bodies of the state are to have their say. Children and young people are part of civil society!

Children and young people should be able to influence the reporting by sending an independent report, film or the like to the UN Committee as members of the civil society. In addition, the NGO report should also take into account the perspectives of children and young people collected in previous years (in relation to the respective reporting period).

What should child rights networks pay attention to?

- Participation takes place as early as the conception phase of the participation process, for example by setting up a steering group of adults and children and young people with equal representation. The concepts are designed as openly as possible in order to give the children and young people involved freedom of design.
- A setting suitable for children and young people is created and an age-appropriate language is taken into account throughout the entire process.
- The participation is well documented in all phases and transparent for everyone.
- A project-accompanying working committee selects the children and young people according to various predefined transparent criteria (organized and non-organized children and young people, gender, younger and older children, living environments, occupation with various child rights topics,...).
- The work is carried out with various, different methods, also regionally organized.
- The results are collected by children and young people and prioritised by them if necessary.
- A follow-up will also take place with the involvement of the children and young people.

¹¹ Katrin Grabner, Claudia Grasl, Daniela Köck, Helmut Sax, Elisabeth Schaffelhofer-Garcia Marquez, Magdalena Schwarz (alle Österreich);
Mirjam Rotzler, Nicolette Seiterle, Rahel Wartenweiler, Elisabeth Widmer, Damian Zimmermann (all Switzerland);
Katharina Dorn, Judith Feige, Claudia Kittel, Julia Landgraf, Jörg Maywald, Kirsten Schweder (all Germany)

How can child rights networks be supported?

This process development as well as process support is the task of the child rights networks and should be based on the know-how of Child Rights Connect and on the exchange among the child rights networks. **An up-to-date and easily accessible collection of best practice examples in the sense of a pool of ideas would be very helpful here.**

2) Child and youth participation in the pre-session

- **The icing on the cake?!**

The Pre-Sessional Meeting, which children and young people can, according to current possibilities, attend during the lunch break of the members of the UN Committee on the Rights of the Child, was also called the icing on the cake. At the same time it was pointed out that participation in the pre-session can also carry the risk of being frustrating for the children and young people involved if it has no official framework or if the results are not referred to in the Concluding Observation. The focus should be on the materials submitted in advance, such as the NGO report and, if available, on the contribution of children and young people.

- **Not in the lunch break, but a separate time window in the official schedule!**

Children and young people should no longer be able to talk to committee members exclusively during the so-called lunch break (as this is a voluntary setting and does not do justice to the seriousness of the hearing). The exchange between children and young people and the committee members should be a fixed, separate part of the pre-session. Children and young people are part of civil society! The challenge remains that children and young people should not be instrumentalized, which is why special attention should again be paid to child-friendly conditions and, if necessary, digital media should be used.

- **Language interpretation in a form suitable for children!**

Of course, language interpretation should also be made available for children and young people in a form suitable for children.

- **Education/training process for children and young people and committee members**

The participation of children and young people within the framework of the pre-session must be integrated into an educational and training process. Training for committee members in hearings with children and youths, younger children and children who are not able to speak should be conducted.

3) Using the Simplified reporting procedure in the UN monitoring process as an opportunity for child and youth participation

The simplified reporting procedure should be used as an opportunity to set the focus on the participation of children and young people and to integrate it as a fixed component in the process.

In our view, two process points are to be treated as a priority:

1) The contribution of children and young people is reflected in the List of Issues.

2) Even in the Simplified reporting procedure, the hearing of children and young people should not take place during the lunch break, but in a separate time window in the official schedule.

In particular, the following points should be taken into consideration in the preparation of the abridged procedure:

- **Multiple channels for communication with children are to be created.**
(Examples: direct hearing, Skype, films on existing topics, drawings,...)
- **An independent report by the children and young people is to be considered an official document.**
- **A child-friendly setting is to be created in Geneva.** Again, **special training sessions** should be held **for the committee members in the hearing with children and young people.**
- **The objective of the hearing of children and young people must be clearly formulated and communicated.** A feedback tool (e.g. a questionnaire) would be helpful to optimize the process.
- **The media should be informed about the participation of children and young people.** It is important to clarify how the press deals with children and young people. **Children and young people themselves should receive training in dealing with the press.**

As mentioned at the beginning, the involvement of children and young people in the UN dialogue has increased steadily and in many ways in recent years. It would therefore be supportive of National Coalitions if the committee evaluated the following points for the future shortened procedure:

- **Positively and negatively perceived examples of the participation of young children in the Committee**
- **Recommendations of the Committee for a consistent follow-up with the involvement of children and young people**
- **Explanation of the reasons, why it is of added value for the members of the Committee when children and young people participate with their own contribution or in direct exchange in Geneva or via Skype in the UN Dialogue**

4) Focus on the follow-up

The evaluation of the experiences of previous participation processes has shown that the topic of follow-up is a central weak point, also from the point of view of children and young people.

We consider the following aspects important for a good follow-up:

- Translation of the Concluding Observations into a language suitable for children
- Explicit reference of the UN Committee in the Concluding Observations to positions of children and young people
- Follow-up meetings of state representatives with children and young people as part of civil society
- Follow-up meeting NGO/National Coalition representatives with children and young people
- Evaluation of the experiences of children and young people from several perspectives
- Use of the experiences of the participation process for future child rights monitoring

5) Child and youth participation as a task and incentive for the UN Committee on the Rights of the Child and National Coalitions

The participation of children and young people in the UN dialogue is not optional. An "if" is not an issue, but it depends on the "how". But obviously there is a lack of resources for all those involved in the UN monitoring of children's rights, as the member surveys conducted by the children's rights networks also show.

Among other things, the following appear to be necessary:

- more resources for the secretariat of the Committee
- a reduction in the workload of committee members
- an appeal by the UN Committee to the States Parties to the Convention to create resources that enable children and young people to participate independently in the UN dialogue, making the best possible use of the resources available.
- a reference to the possibility of the Country Rapporteurs visiting the country before the pre-session or after the Concluding Observations or the virtual communication between committee members and children and young people via new media

In the discussion with the committee members, it was repeatedly pointed out that the participation of children and young people was important to the committee members and that they particularly appreciated the exchange within the framework of the pre-session. Unfortunately, however, the general conditions do not allow much flexibility in the design. The Committee therefore also sees it as the duty of NGOs to develop alternatives to participation in the pre-session, for example with the inclusion of new and/or social media.

Child and youth participation thus remains the task and incentive of all those involved in UN child rights monitoring.

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