



# The Rights of Children and Young People

## Conducting a Dialogue (part 1)

In the countries reached by Swedish development cooperation, children and young people make up the majority of the population. They have diverse backgrounds and face different challenges. Yet across national boundaries, their capacity to participate in, and contribute to, development is often overlooked. Inadequate attention is also given to protecting children and young people from violence and abuse.

Policy dialogue has a central function in Swedish development co-operation. It can be used to push the rights of children and young people higher up on the development agenda, so as to achieve desired results. Opportunities for such dialogue can arise when these rights are high on the agenda – or when they are not. The purpose of this brief is to provide pointers on why, about what, with whom and how to dialogue on the rights of children and young people.

### Why dialogue on the rights of children and young people?

- **To reduce the number who live in poverty.** According to UNICEF, 1 billion people under the age of 18 (every second child in the world) live in poverty. Yet, this figure does not take all dimensions of poverty into account.
- **To reduce the number who suffer violations of their rights.** An estimated 300 million children are subjected to violence, exploitation and abuse (UNICEF). This only refers to a breaches of a few human rights.
- **To fulfil legal responsibilities.** There is an obligation on states to fulfil the rights of children and young people, as stipulated in national, regional and global laws and declarations.
- **To advance human rights and reduce poverty as stated in the Swedish Policy for Global Development:** *"The policy should also be based on the rights of the child. Children and young people should be regarded as competent and active individuals with civil, political, social, economic and cultural rights in their own right. They should be*

### Definition of the human rights of children and young people

Human rights of children and young people have been recorded in numerous documents. These include conventions, declarations, resolutions and charters at global and regional levels. They are also found in constitutions, laws and policies at national and local levels. A human rights based situation analysis can bring out what rights of children and young people are realised or not. The *Child Rights Information Network* (CRIN) is a source of information on child rights issues. *Youth and the United Nations* is a source on issues related to young people's rights.

### Definition of dialogue

"A continuous exchange of viewpoints, a process of negotiation and a quest for a common platform of thought and action... to be conducted with humility, dignity and respect, constituting a truly mutual learning process... Particular attention must be paid to categories known to be frequently excluded, such as the very poorest people, women, the elderly, children, people with disabilities..."

Source: *"Perspectives on poverty"*, Sida

*consulted to a greater extent in connection with both the planning and implementation of measures that concern them."*

- **To support the Swedish government policy on human rights and democracy:** *"The point of departure is that all development*

*cooperation will be based on the rights perspective... Gender equality, women's rights as well as children's rights are central parts of the rights perspective."*

- **To promote the protection and participation of children and young people.** Children

and young people represent a focus area in Sida's work. Their protection and political participation are high profile issues on which Sida intends to pursue strategic dialogue in different arenas at global, regional and national levels.

- **To create opportunities for children and young people to inform development interventions.** Children and young people are experts on their own challenges and circumstances, and on ways to reach others their age.

## Policy framework for the human rights of children and young people

- The rights of girls and boys under the age of 18 are outlined in the UN *Convention on the Rights of the Child* (CRC) and in its two Optional Protocols on the *Sale of Children, Child Prostitution and Child Pornography*, and the *Involvement of Children in Armed Conflict*.
- The human rights of children are also outlined in regional treaties – such as the AU *African Charter on the Rights and Welfare of the Child* (ACRWC) – and in national legislation and policies.
- The Swedish Government defines young people as being between 13 and 25 years of age. Depending on their age, young people's rights can also be found in the *CRC*, the *African Youth Charter* (which covers people aged between 15 and 35), the *Ibero American Convention on Young People's Rights* (which includes people 15 to 24 in age), as well as in many other global and regional human rights treaties, and national legislation.
- The treaties and laws above recognise a range of rights that children and young people are entitled to. Amongst these are the right to information, not to be discriminated against and to hold those accountable who are meant to realise their rights.
- Two other Sida briefs take a closer look at specific rights of children and young people. See *Conducting a Dialogue on Child Protection* and *Conducting a Dialogue on Young People's Political Participation*.

### Recommended steps for states to advance the rights of children and young people

1. Develop national legislation to comply with the CRC.
2. Establish independent child rights institutions, like children's ombudspersons or commissions.
3. Develop comprehensive strategies or agendas for children.
4. Establish permanent structures within governments to coordinate implementation.
5. Collect and disaggregate data on children, and evaluate child rights impact.
6. Analyse budgets and budget for children.
7. Support education, training and awareness-raising on the CRC.
8. Contribute to meaningful consultation and collaboration with civil society, including children.

*Convention on the Rights of the Child, General Measures of Implementation 1-8 / General Comment No 5*

## What to dialogue about?

- **About the Implementation of the CRC.** The *General Comment No. 5* of the Committee on the Rights of the Child outline steps countries must take to fulfil their obligations to children. See the box on the left for more information.
- **About the General Comments of the human rights committees.** For example, the *General Comment No. 2* of the CRC committee provides guidance on the role of independent national human rights institutions in the promotion and protection of the rights of the child.
- **About recommendations of human rights committees and individual experts.** Those who monitor the implementation of the rights of children and young people disseminate information and formulate specific recommendations for countries, which can be used in dialogue. See the treaty bodies' database with recommendations of the UN Office of the High Commissioner for Human Rights.
- **About what children and young people have to say.** Gather information and perspectives by consulting with children and young people themselves, and/or with those who are in contact with them (for example, parents, teachers, researchers, NGOs, ombudsmen, and so forth).
- **About recommendations made by development cooperation partners.** This could include recommendations made at different levels, for example by ombudsmen, national NGOs, government ministries, Plan International, Save the Children and UNICEF.
- **About data on children and young people.** Valuable information may be found in local and national research and databases, or UNICEF's Child Info website, which gathers information on a range of child-related indicators worldwide.

## Dialogue with whom?

- **To know the answer to the above question a context specific stakeholder analysis is needed.** Consider who already has knowledge to contribute, who may develop capacity needed, and also who may resist what you want to achieve. Important stakeholders may include national ministries and agencies, parliamentarians, local councillors and authorities, civil society organisations, other donors, and multilateral actors.
- **Consult with Sida partners on child rights.** Sida has existing close relationships with for example the ones below. They could play a key role in Sida dialogues in different countries.
- **Plan Sweden/International** is a child-centred community development organisation, which works with children, their families, communities, organisations and local governments to bring about positive change.
- **Save the Children** works to raise public opinion and spread knowledge about children's needs and rights, while also exerting influence on legislation for the benefit of children whose rights have been most violated.
- **UNICEF** focuses its work on five areas of children's rights, namely young child survival and development; basic education and gender equality; HIV/AIDS; child protection; and policy advocacy and partnerships.
- **The Office of the High Commissioner for Human Rights** works to promote and protect the human rights of international law. The office is headed by the High Commissioner for Human Rights, who co-ordinates human rights activities throughout the UN system.

## How to conduct a dialogue on the rights of children and young people

- **Be selective.** The scope for productive dialogue is greater when you focus on fewer dialogue issues but do it well, rather than trying to cover too many. Children's rights have linkages to all sectors, so it is necessary to select specific rights in particular sectors. Too many different dialogue issues dilute results.
- **Be coherent.** Anchor the dialogue issue within the embassy or section division office and within different departments and levels within Sida (field, HQ, and through the networks) and the Ministry for Foreign Affairs.
- **Be informed about the local context.** Knowledge is key to meaningful dialogue. Draw connections to national debates and country conditions relating to the rights of children and young people. Gather information and data about the development status of children, and the nature and extent of traditional practices affecting them. Be aware of the current legal framework in the country governing the protection and delivery of children's rights.
- **Identify and use windows of opportunity.** Provide technical support and initiate dialogue around children's rights particularly in times of change, such as post-conflict situations or after the election of a new government. Bear in mind when country reports to human rights committees such as the UN Committee on the Rights of the Child are due, and when feedback on progress is made public.
- **Build alliances to create political momentum.** The rights of children and young people are rarely given the attention they need. Time and resources may be required to put certain rights issues on the political agenda. Formalise contacts with important stakeholders (see section above on who to involve in a dialogue), including those within community organisations, government ministries, NGOs, other donors, and multilateral organisations (UN, World Bank and regional institutions).
- **Actively acknowledge diversity.** A cornerstone of meaningful dialogue around children's rights is looking out for the diverse realities of children and young people. Don't assume all children are the same. Be cautious when people claim to speak on behalf of others. Always examine and verify how dialogue includes or excludes the experiences of girls and boys, children in different economic conditions, children with and without disabilities, children in rural and urban areas, or children from diverse cultural and language groups.

### Lessons learned on Dialogue from the Embassy of Sweden in Tanzania

"A combination of several factors allowed the dialogue to take place in a constructive way... First, the persistent efforts to raise the issue in many dialogue fora gave momentum. Secondly a strong interplay between development cooperation and political dialogue. Thirdly a solid commitment from relevant Ministers i.e. the highest political level, which was important for the trickle down in the Ministries. Probably also the long and close development relation between Sida and the involved local actors contributed positively."

*Tanzania – dialogue and influence. April 2010, Lessons learned related to dialogue on pregnant school girls and corporal punishment*



Photographer: Hans Månsson

- **Link words to action.** Dialogue is strengthened when tangible resources are allocated to programs aimed at advancing and fulfilling children's rights. Take into account how state budget resources in a country are being used to benefit and protect children and young people. Consider what other resources may affect the implementation of children's rights, for example funds from the private sector and international community.
- **Learn from children's experiences and from policy debates.** To engender well-balanced dialogue, it is important to draw on the real experiences of children and young people on the one hand, and on broader more abstract policy issues on the other. In fact, dialogue is often particularly needed to help strengthen the connections between the policy terrain and children's everyday realities.
- **Link children's rights to everybody's welfare.** When children and young people are denied their rights, there are devastating consequences for their development and well-being. By implication, this has a negative impact on society as a whole. The pervasive and long-lasting effects of not realising children's rights are often underestimated. Dialogue in this arena should not be confined or sidelined as a "children's issue" or "family issue".
- **Be persistent.** Stick with the children's rights you have chosen to focus on over several years. Advancing the rights of children and young people is a lengthy process in all countries. In many contexts, it calls for significant changes in attitudes and behaviour. Dialogue takes time to plan, unfold and yield results.

## REFERENCES

The following are some references used in this brief:

- African Charter on the Rights and Welfare of the Child: [http://www.africa-union.org/official\\_documents/Treaties\\_%20Conventions\\_%20Protocols/A.%20C.%20ON%20THE%20RIGHT%20AND%20WELF%20OF%20CHILD.pdf](http://www.africa-union.org/official_documents/Treaties_%20Conventions_%20Protocols/A.%20C.%20ON%20THE%20RIGHT%20AND%20WELF%20OF%20CHILD.pdf)
- African Youth Charter: [http://www.africa-union.org/root/au/Documents/Treaties/Text/African\\_Youth\\_Charter.pdf](http://www.africa-union.org/root/au/Documents/Treaties/Text/African_Youth_Charter.pdf)
- Child Rights Information Network (CRIN): [www.crin.org/issues](http://www.crin.org/issues).
- Convention on the Rights of the Child: <http://www2.ohchr.org/english/bodies/crc/index.htm>
- General Measures of Implementation of the CRC: [http://www.crin.org/resources/treaties/CRC\\_GMI.asp](http://www.crin.org/resources/treaties/CRC_GMI.asp)
- Ibero American Convention on Young People's Rights: <http://www.crin.org/resources/infoDetail.asp?ID=16822>
- UN Office of the High Commissioner for Human Rights: [www.ohchr.org](http://www.ohchr.org)
- UNICEF's Child Info: <http://www.child-info.org>
- Youth and the United Nations: [www.un.org/youth](http://www.un.org/youth)

Find more information, references and web links that may be useful for your dialogue on children and young people at: [www.sida.se/childrensrights](http://www.sida.se/childrensrights).

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