

## **ADVANCING CHILDREN'S RIGHTS THROUGH THE UNIVERSAL PERIODIC REVIEW: ACHIEVEMENTS, CHALLENGES AND LESSONS LEARNED**

**Side event - UN Palais des Nations, room XXIII – 5 May 2014**

**Report**

### **BACKGROUND**

As part of its “Institution-building” package, the Human Rights Council established in 2008, the Universal Periodic Review, a peer review system where all states can review the human rights records of other UN member states.

Child rights organisations and child-led groups have been particularly active in the UPR process, using the mechanism as a monitoring and advocacy tool to raise the profile of children's rights on the political agenda through international peer pressure.

It is not uncommon for children's rights to remain low on the national agenda in the face of other competing priorities and children's concerns tend to be viewed as “soft issues” confined to sector-specific debates. However the increased involvement of child rights coalitions in different countries since the beginning of the first cycle reflects the growing recognition that the UPR can be a catalyst for change and help move children's rights up the national agenda.

Over the first cycle the number of child rights focused recommendations was fairly constant, representing around 20% of the total recommendations made in the UPR.

This said, the legitimacy and strength of the UPR process rests on its capacity to facilitate concrete legal and policy changes for children.

To make the UPR work for children, the latter must be at the forefront of monitoring and reporting efforts and considered key partners in all phases of the UPR process. Their participation in the UPR at the national and international levels need careful planning and must be facilitated through child-friendly materials and tools in order to be meaningful and effective.

### **NOTES FROM THE PANEL DISCUSSION**

On the occasion of the celebration of the 25<sup>th</sup> anniversary of the CRC, on Monday, 5 May 2014, the Permanent Missions of Slovenia, Portugal and Uruguay partnered with UNICEF and a group of child rights NGOs including Plan International, Save the Children, Child Rights Connect, Child Rights Information Network, the Global Initiative to End All Corporal

Punishment of Children World Vision International and organised a panel discussion on “advancing children’s rights through the UPR: achievements, challenges and lessons learned”.

The event saw the participation of 78 people among States, UN agencies and NGOs and was moderated by [Nicolette Moodie](#), UNICEF Human Rights and Gender Liaison Officer.

The event started with the voices of representatives from [Child-Led Groups' "Voice 16 +" and "Peer Educators Group"](#) representatives from Albania who, due to logistical reasons, participated in the discussion through a video and commented on their active involvement in the UPR process. In particular, the young panellists shared their experience in participating in the UPR reporting and advocacy process, including training at national and international level, as well as advocacy efforts to lobby embassies and Permanent Missions in Geneva to raise recommendations to Albania, on issues that children consider priorities., including discrimination, violence against children, healthcare, lack of quality education and child participation. The speakers highlighted the importance of child participation in the UPR– and their experience confirms that when children get involved in the promotion of their own rights, not only they represent their peers, but they can really contribute to advancing the human rights agenda in their countries.

[H.E. Mr Vojislav Suc, Ambassador of the Permanent Mission of Slovenia](#) stressed that children’s rights has long been seen as a national priority, including for historical reasons, and was mainstreamed in foreign policy, development agenda and humanitarian assistance. He shared good practices from Slovenia’s experience on implementing children’s rights through policies and legislations at the national level. He mentioned in particular three initiatives, where children can express their views on their rights, which can serve also as a basis for the preparation of the UPR national report: a roundtable discussion with children, organised by the Ministry of Foreign Affairs and a national NGO, with the aim of identifying and proposing solutions to violations of the Convention on the Right of the Child (CRC), which are then compiled into an outcome document ; the National Children’s Parliament, providing opportunities for children to bring their concerns to the Prime Minister, other Ministers and Parliamentarians; and a project of “school and peer mediation” in kindergarten, primary and secondary schools to reduce violence and promote respect for human rights.

Ambassador Suc further noted that children’s rights are given special attention in their UPR national report through a dedicated chapter but are also mainstreamed into other relevant areas that affect children. He highlighted how Slovenia, as a recommending state, used the concerns raised by children from Albania in their report and advocacy activities, to develop Slovenia’s recommendations to Albania. In conclusion, Ambassador Suc encouraged other States to consider using children’s perspective in the UPR process and to work together with

them and relevant NGO partners to make the UPR an accessible and effective tool for children to realise their rights.

[Lene Steffen, Director, Child Rights Governance Global Initiative, Save the Children](#) talked about achievements and lessons learned from civil society engagement in the UPR process. Ms Steffen stated that “the UPR is a key tool to push children’s rights onto the political agenda” and presented a new Save the Children publication on “The Universal Periodic Review: Successful Examples of Child Rights Advocacy” (available at this [link](#)). The document illustrates 8 country examples of civil society engagement in child rights UPR advocacy and shows that the UPR does make a difference for children when it reinforces existing child rights advocacy initiatives undertaken at different levels, and towards different accountability mechanisms, as opposed to a stand-alone process. She gave concrete examples (i.e. Pakistan, Bangladesh, Zambia, the Philippines, Nepal) where the UPR has been instrumental to achieving legal and policy reforms that had been pending for years. Ms Steffen also highlighted the importance of building new partnerships with a broader range of national actors beyond the “usual suspects”, as well as in capitals.

Among the challenges, she identified the disparities in children’s rights issues covered in the UPR, with some issues like education being raised systematically while others (child protection, investment in children) have far less visibility in the UPR, although they have the potential to address several child rights issues at once. She also mentioned that children’s rights are often seen as a separate topic, but are not necessarily mainstreamed in all interventions. She also stressed that the UPR process cannot lead to positive outcomes for children if it is not accompanied by effective follow-up activities, through the leadership and ownership of local and national stakeholders, and affirmed the importance of developing clear and specific indicators to measure implementation and facilitate monitoring of UPR recommendations and outcomes.

[Jennifer Philpot-Nissen, Senior Advisor on Human Rights, from World Vision International](#) brought World Vision’s experience of working together with children and support their engagement in the UPR process, including preparation, reporting, monitoring and follow-up. Ms Philpot-Nissen gave the examples of various countries where child rights NGOs worked with children in this regard, including Lebanon, Ghana, India, Senegal, Albania and others. In highlighting why child participation is important in the UPR, she stressed that not only is this a legal obligation for States, set forth in articles 12, 13 and 17 of the CRC Convention but also it is more effective. Children often have insights into their own needs and rights which adults might consistently miss while trying to “speak on behalf of children” without listening to them. This approach is sometimes reflected in, among others, UPR recommendations that

may ask governments to focus on child rights-related issues that are not reflective of priorities identified by children themselves.

Ms. Philpot-Nissen suggested increasing children's participation in the UPR by, among others, developing child-friendly materials; making better use of new technologies and media in collaboration with children and youth; involving child-led organisations in consultations for the national report and more generally addressing and combating negative attitudes of adults towards children and their roles and rights, avoid tokenism in favour of promoting active citizenship. To conclude, she suggested all actors to step up their efforts –including knowledge and capacity-building, among others, to really ensure that children can actively and meaningfully take part in the decisions directly affecting them and act upon the inputs that they provide.

[Lisa Myers, Director of Child Rights Connect](#) addressed the complementarity between the UPR and the Convention on the Rights of the Child (CRC). She identified some of the advantages for NGOs and children of engaging in the UPR process, such as its regular reporting and predictability, which gives a window of opportunity for advocating and avoiding the backlog. In addition, Ms Myers highlighted that the UPR has 100% reporting rate by States, contrary to the treaty bodies; the broad scope of the UPR and its midterm assessment is useful for increasing visibility of a range of human rights concerns. Hence, the UPR covers all human rights Conventions (not just the CRC). Last but not least, the political pressure resulting from the UPR is more conducive to the implementation of UPR recommendations. Ms Myers highlighted that about one third of the UPR recommendations are made on one single issue, and the presence of recurring themes addressed during the same session make them quite repetitive. Ms Myers therefore suggested that States increase their efforts to diversify their recommendations. In order for the UPR to better address national priorities on children's rights, she suggested States to support national NGO coalitions which bring a more comprehensive overview.

The floor was then opened for discussion. Many participants, including States, UN Agencies and NGO representatives, expressed their appreciation for the event as a forum for discussion on challenges and opportunities of child participation and mainstreaming of children's rights in the UPR. The discussion was very active and generally agreed that child participation in the UPR can be a very useful tool to promote children's rights. Below are some of the main points raised.

The delegation of [Portugal](#) (co-sponsor of the event) defined the panel "eye-opening and particularly laudable" and wondered whether political leadership can play a better role in advocating for child participation in the UPR. The [European Union](#) asked whether the child-focused recommendations have had an impact on the ground and on whether the key priorities identified by children are in line with those identified by professionals that work

with children. [UPR-info](#) shared their experience with child advocates participating in the pre-session conferences they organise – with the particular case of Albania, and confirmed that the quality of the children's presentations brought a protagonist perspective into the discussion, making the audience more receptive to their concerns. They also noted that the children's rights recommendations in the UPR are less specific than other issues but also that the specificity of child-focused recommendations had dropped by 5 points between the first and second cycle. [Plan International](#) stressed the importance of addressing recommendations that are specific, measurable, realistic and time-bound as this promotes accountability and - in the follow-up process - can strategically help measuring results; and asked the children advocates to share their views on what challenges they faced and what opportunities might be sought in terms of accessing the UPR process. [Edmund Rice International](#) brought the very successful example of child-led UPR advocacy in India, where children went around the country to consult their peers, including vulnerable children to then bring their concerns during the review and actively engage in the follow-up to the recommendations through "the Nine is Mine Campaign". One example of follow-up activity was the development of a children's manifesto gathering 100 signatures to influence the 2014 general elections. The [Inter Parliamentary Union](#) also stressed that children's rights was a priority area in the work of the IPU, and referred to the handbook on child participation available on the following link: <http://goo.gl/BA0JtJ>.

In general, the audience agreed that participation of children in the UPR, as well as in other human rights monitoring, reporting and follow-up processes, can be a great tool to improve the human rights situation in countries. It was agreed that child participation in human rights monitoring needs further discussion and understanding, and that there should be more learning opportunities to discuss how to make this a more common practice among all actors involved in the UPR process.

---