

The Child Rights Approach

in Kindernothilfe's Work



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Table of contents

Preface	5
1 Welcome	7
2 The human rights-based and the child rights approach	11
2.1 Development and importance of the human rights	11
> Human rights treaties	
> Human rights obligations	
> Human rights characteristics and principles	
> International review and implementation mechanisms	
> Regional human rights systems	
> Shrinking Spaces	
2.2 The human rights approach in development cooperation	14
> The beginnings of the human rights-based approach	
> The change of perspective	
> Human rights education as a key element of the human rights-based approach	
> The human rights-based approach – a common denominator	
2.3 The Convention on the Rights of the Child	17
> The importance of the Convention on the Rights of the Child	
> Key concepts of the Convention on the Rights of the Child	
2.4 The child rights approach – universal and sustainable	22
> From a needs orientation towards a child rights orientation	
> Change of attitude: Children are rights holders	
> Children's rights as a goal and as a journey	
> Child participation	
> Mainstreaming child rights in all areas and processes	
3 The child rights approach at Kindernothilfe	27
3.1 Introduction of the child rights approach	28
3.2 Quality standards for child rights-based work	29
> Quality standards at the institutional level	
> Quality standards at the programmatic level	
3.3 In project work and programming	32
> Development towards the child rights approach	
> Perspectives and planned developments	
3.4 In advocacy work	36
> Adjusting advocacy work to the child rights approach	
> Instruments of advocacy work	
> Challenges for advocacy work	
3.5 In development education work	39
3.6 In public relations work and communication	40
> Language transports values	
> Codes and guidelines for child rights-sensitive communication	
> Child sponsorship and children's rights	
4 Outlook	43
Glossary	44
Bibliography / Further reading	46



Dear reader,

the world's 2.3 billion children and youth constitute approximately a third of the global population, while in some countries they actually outnumber the rest of the population. Unfortunately this does not mean, as a consequence, that they can bring up their interests and concerns and are heard, in the sense of real participation in future-oriented discussions.

It is true that across the world enormous progress has been made in the last three decades in implementing the Convention on the Rights of the Child and that governments and non-governmental organisations, and even children themselves, have committed themselves to the enforcement and protection of children's rights. Nonetheless, we still see that chartered rights are deliberately challenged or ignored, also for the sake of consolidating power.

Every single day children are hindered from enjoying their rights. Many of them lack the most basic necessities of subsistence, share a history of sexual violence and neglect, or are discriminated against because of their sex, skin colour or social background. They suffer from malnutrition, are exploited and receive no support or schooling.

As Kindernothilfe, we have been committed to children for more than 60 years. With our rights-based approach we contribute towards implementing the rights of children in their respective communities as well as eliminating structural causes leading to rights violations.

Therefore, it is important to us to involve children and youth in designing and developing projects and programmes. The child rights approach is, in addition to our Christian values, the mainstay of our work. In this publication we explain where it comes from, how we understand it, and why it will also mark our future commitment for children in need.

I hope you enjoy reading about it.

Yours



Carsten Montag
Chief Programme Officer

1



Icons:



Links



Key Tips



Quote



Practical Experiences

Welcome!

“Helping children in need!” has been Kindernothilfe’s mission since its foundation. In the course of our 60year history we have continuously refined our methods of working to support disadvantaged girls and boys more effectively. In the beginning, the sole emphasis was on catering to the basic needs of children in developing countries. School education or vocational training, for example, was meant to give children a secure existence in the long run. The assumption was that vulnerable children would be able to make positive changes to their lives thanks to better education and healthy food. However, hardly an attempt was made to study the causes of poverty.

At the turn of the millennium, a new understanding of poverty and its causes began to emerge in many places. Since then poverty has been looked upon as the social, economic and political exclusion of the poor in their societies, as a result of rights violations and structures of injustice and accompanied by a denial of rights and power. In order to overcome poverty in the long run, social development strategies are required that do not only address the symptoms but also, and most importantly, the structural causes. At the same time, we at Kindernothilfe came to the conclusion that our working approach thus far had been too piecemeal. With our funding, we were able to pave a way into a brighter future for a few sponsored children, yet on the whole there was little change for the majority of the children.

Therefore, like many other organisations in *development cooperation*, we realigned our work: away from charity with a strict focus on needs – towards a rights-based, sustainable approach that benefits more children. Today, we at Kindernothilfe define ourselves as a child rights organisation, which regards children¹ as independent personalities and *rights holders* and which holds *duty bearers* accountable for eliminating structural causes of rights violations. Together with our partners we thus contribute to influencing the societal conditions to the effect that children can enjoy their rights and play an active part in shaping their futures. Thus, we advocate for universal human rights, the global realisation of the rights of children, and the conservation of natural resources for future generations. What we do is inspired by basic Christian values and international *human rights treaties*, in particular the United Nations’ *Convention on the Rights of the Child*.

The *child rights approach* is an expression of our self-understanding and provides the framework and the foundation for our work. Even if, because of their areas of responsibility, some of our departments contribute rather indirectly towards its implementation, all co-workers share the conviction that the *child rights approach* must be taken into account everywhere indiscriminately.



As a child rights organisation we are specifically called upon to involve children meaningfully in all our activities. For me this is not only a self-commitment, but also a unique opportunity.

.....
Kindernothilfe’s Chief
Programme Officer

¹ By definition, human beings under the age of 18. In this document the terms children and youth are used interchangeably.



Definition of the Child Rights Approach for Kindernothilfe

Children are independent personalities and holders of human rights. The realisation of their protection, provision and *participation* rights, enshrined in the *Convention on the Rights of the Child*, is the ultimate goal of Kindernothilfe's work.

Children are actively involved in planning, implementing and evaluating child-related activities and projects so they can claim their rights.

We see ourselves as a learning organisation and fulfil this claim by continuously reflecting on the quality of our child rights-based work in all areas and seeking to improve it. The present document is the second, extended edition of the original concept paper, "The *Child Rights Approach* in Kindernothilfe's work", which was published in 2008. This current edition embraces the lessons learnt by Kindernothilfe, but also global political and legal changes and, on this basis, further develops the work of Kindernothilfe and our partners. The information is targeted specifically at our staff, in-country coordination structures (KNH offices or consultants), and our partner organisations.

The purpose of this concept is ...

- > to serve as a reference framework for Kindernothilfe and our partners in implementing the *child rights approach*.
- > to promote a common understanding of the *child rights approach* in Kindernothilfe and among our partners.
- > to further develop the *child rights approach* as a cross-cutting task throughout the entire work of Kindernothilfe.
- > to offer an insight for interested persons about how to design rights-based *development cooperation*.



Notes for the reader:

Terms in *italics* are explained in more detail in the glossary.

For bibliographic citations we use in-text parenthetical referencing (author, year: page).

You can find the complete details about the publications in the bibliography.

List of acronyms and abbreviations:

BMZ	German Federal Ministry for Economic Cooperation and Development <i>[Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung]</i>
CPDE	CSO Partnership for Development Effectiveness
CRC	Convention on the Rights of the Child
CRP	Child Rights Programming
CRSA	Child Rights Situation Analysis
DZI	German Central Institute for Social Issues
MDGs	Millennium Development Goals
NGO	Non-governmental organisation
OHCHR	United Nations High Commissioner for Human Rights
SDGs	Sustainable Development Goals
UNDP	United Nations Development Programme
UPR	Universal Periodic Review
UN	United Nations

2

“ *Seeing the world from the children’s perspective enriches and motivates me in my daily work. I am convinced that our work is more effective in the long run thanks to meaningful participation.*

Kindernothilfe’s Chief Programme Officer



The human rights-based and the child rights approach

The *human rights-based approach* heralded a change of perspective in *development cooperation*. It fundamentally changed the premises of development projects and the way in which they are implemented This is because a human rights perspective on development puts poverty and exclusion in the context of their structural causes.

Where *development cooperation* is based on the *human rights-based approach*, human rights are systematically taken into account at every step of action. This implies not only to contribute to the sustainable realisation of human rights, but also to abide by human rights principles in all project processes. Given that we at Kindernothilfe focus mainly on the realisation of child rights, we work with a *human rights-based approach* that is specifically oriented towards this group: *the child rights approach*. The *child rights approach* is the foundation of our work and self-understanding. Its frame of reference is the *Convention on the Rights of the Child (CRC)* with the rights and values embodied therein.

2.1 Development and importance of the Human Rights

The human being is a social being and therefore depends on being part of a community. Human societies have always established rules that organize the coexistence of their members. These rules are imbued by different ideologies and values. The experiences of World War II pressured the international community to create a universal set of rules in order to prevent such a disaster in the history of humankind from occurring again. On 10 December 1948, the UN General Assembly adopted the *Universal Declaration of Human Rights*, a list of recommendations for human rights principles with validity for all human beings and destined to ensure a life in peace and dignity for all.

Human rights treaties

The UN *Universal Declaration of Human Rights* is the basic political foundation of today's system of human rights protection. However, it is not binding under *international law*. In contrast, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights are legally binding. These two covenants, created in 1966 and in force since 1976, contain many of the rights from the *Universal Declaration of Human Rights*. Subsequently, other legally binding conventions were adopted to protect and empower particularly vulnerable groups of people. Over time, their contents have been complemented by *optional protocols* and further developed, not least by means of *individual complaint procedures*.



Article 1 of the Universal Declaration of Human Rights:

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Other conventions:

1965

Convention on the Elimination of all Forms of Racial Discrimination

1979

Convention on the Elimination of all Forms of Discrimination Against Women

1984

Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

1989

Convention on the Rights of the Child

1990

Convention on the Protection of the Rights of all Migrant Workers and Members of their Families

2006

Convention on the Rights of Persons with Disabilities

2006

Convention for the Protection of All Persons from Enforced Disappearance



Understanding children's rights means that children have rights, the validity and exercise of which must be guaranteed by states.

.....
Co-worker of a partner organisation

Human rights obligations

The *human rights treaties* give every human being the status of a *rights holder* entitled to the fulfilment of these human rights. Ratifying states, that is, states that do not just approve the contents of the treaties but also incorporate them into their own legislation, make a commitment towards *rights holders* and thus become *duty bearers*. Their binding duties are:

- > **Respect:** States may not violate human rights, nor indirectly or directly hinder the enjoyment of human rights.
- > **Protection:** States are under the obligation to take measures that prevent third parties, like private sector companies, from violating or failing to respect human rights.
- > **Fulfilment:** States must take appropriate legislative, administrative, financial, and other measures to guarantee the full realisation of human rights.

In reality, states and their institutions (such as the police, military, courts, or even educational facilities) are often themselves responsible for human rights violations. In numerous countries, the infrastructure required for effectively protecting human rights simply doesn't exist. However, the duty to protect and uphold human rights refers not only to the state, but to all human beings. The Universal Declaration of Human Rights also defines the duties of every individual to his or her community. Nonetheless, the ability to claim one's human rights is independent of the fulfilment of one's duties to the community.

Human rights characteristics and principles

It is part of the quality of the human rights that they are based solely on the dignity of the human being and are therefore valid everywhere and for all human beings (universality). Moreover, they cannot be withdrawn or surrendered on a voluntary basis (inalienability). They are also of equal value and depend on each other, thus human rights violations in one field usually imply rights violations in other areas as well (interdependence). To prevent this from happening, the implementation of the guiding principles of human rights is key because they describe, on the one hand, how the human rights are meant to be implemented and, on the other hand, the aims that are meant to be achieved by the fulfilment of the human rights. The three guiding principles pervade all *human rights treaties*:

- > **Non-discrimination and equal opportunities:** Everyone has a right to access all human rights – irrespective of his or her origin, age, sex, social status, mental or physical health and ethnicity or religious affiliation. Non-discrimination refers both to equality before the law and equality of access to essential social services, like education and health care, social security, and resources such as water and information.
- > **Participation and empowerment:** All human beings have a right to information as a pre-condition for participating in decision-making processes and claiming their rights from the state. *Participation* means taking part in political, cultural, religious and economic life with the aim of *empowerment*. *Empowerment*, in turn, refers to the ability to promote the fulfilment of human rights out of one's own resources. This may happen at the level of families or communities, but also within the national political process. Human rights-based *participation* is a long-term political process and contributes to the democratisation of a society.



Children's rights mean for me, that we are all equal, older ones and younger ones. That we respect each other.

.....
Child from a project



Participation is critically important for the success of a project. When participation is practiced, then it becomes a children ownership-driven process and transparent.

.....
Director of a partner organisation

> **Duty of accountability and transparency:** State *duty bearers* are accountable to *rights holders*. Transparency and accountability are the foundations of democratic governance, civil-society *participation* and the exposure of discrimination.

International review and implementation mechanisms

Compliance with the aforementioned conventions by the state parties and progress made in implementing them are monitored by UN treaty bodies, consisting of panels of independent experts. The state parties are under the obligation to submit periodic reports to them about the measures taken to protect and fulfil the human rights. In addition to this, the Human Rights Council may demand special reports on specific countries or topics.

The Human Rights Council's Universal Periodic Review (UPR) procedure is meant to monitor the observance of human rights in the member states. Since 2007, the human rights situation has been monitored in all UN member states on a four-yearly basis. Monitoring is based on the reports of the respective states and the UN High Commissioner for Human Rights, as well as on *alternative reports* submitted by non-governmental organisations. In an interactive dialogue involving representatives of the member states, recommendations are made to the reporting states which they may accept or turn down.

Regional human rights systems

In addition to the UN human rights system, regional human rights systems are playing an increasingly important role. They help to adjust the international human rights rules and standards to regional and local contexts and reflect the specific human rights discussions in these areas. They have their own mechanisms aimed at implementing regional and international treaties. These include conventions, committees, special rapporteurs and courts of justice. Their potency is complementary to the UN human rights system and can even be more effective at the regional level. Examples of this include the judgements of the African Court on Human and People's Rights or of the Inter-American Court of Human Rights. However, they often suffer from a lack of resources and a dearth of political support from the member states. Some of them are also overburdened.

Shrinking spaces

Despite their great importance, the various human rights systems do not ensure that the rights of all human beings are upheld. There is a global trend to fundamentally question human rights and human rights institutions, and representatives of state institutions are often not willing to enter into a debate with a critical public. The political situation in many countries also makes it difficult to claim the human rights. This is not only the case in autocratic states, but also in countries with democratic governments. This trend is referred to as *shrinking spaces* and means that the freedom of action for human rights activities is becoming increasingly limited as rights like, the freedom of assembly, of association, and of expression are curbed. Moreover, activists and human rights defenders are being increasingly hindered in their work or even prosecuted for it.



In the Treaty Body Database of the Office of the UN High Commissioner for Human Rights (OHCHR) reports are made public and can be filtered by state or convention:
<https://tbinternet.ohchr.org>



UPR Info provides all information on the Universal Periodic Review processes and the corresponding reporting cycles of individual countries:
www.upr-info.org/en



Further information on regional human rights systems is available e.g. on the website of the OHCHR:
<https://bangkok.ohchr.org/programme/regional-systems.aspx>

2.2 The human rights approach in development cooperation

Since the 1990s, the UN human rights system has been taken into account in *development cooperation* to an increasing extent. Reference to human rights is made, for example, in the Sustainable Development Goals (SDGs), which replaced the Millennium Development Goals (MDGs) in 2015. At the same time, the development community was under pressure to improve the impact, effectiveness, and efficiency of *development cooperation* as a result of the 2005 Paris Declaration. All this marked the beginning of a joint learning process for development actors. They sought new ways to implement the requirements imposed by the international human rights instruments. This also raised the question of how far human rights and sustainable change were linked.

The beginnings of the human rights-based approach

The “Vienna Declaration” of the 1993 World Conference on Human Rights stresses the reciprocal relationship of human rights, democracy and the right to development. Poverty inhibits the full and effective enjoyment of human rights – by means of *international co-operation* based on the human rights, the root causes of poverty are addressed (OHCHR, 1996-2019). After the conference, the UN began to link human rights more strongly with the work of its agencies. In 2003, these efforts culminated in a declaration about a dedicated *human rights-based approach*, which created a common understanding of how to operationalise human rights-based *development cooperation* within the UN and its agencies (UNDP, 2003). The declaration defines three core elements of the *human rights-based approach*:

- > All *development cooperation* programmes, policies and technical assistance should further the realisation of human rights.
- > Human rights standards contained in, and principles derived from, the Universal Declaration of Human Rights and other international human rights instruments should guide all *development cooperation* projects and programming in all sectors and all phases of the project cycle.
- > *Development cooperation* should contribute to developing the capacities of *duty bearers* to fulfil their human rights obligations, and of *rights holders* to claim their rights.

To achieve this, additional tools are necessary. These include human rights situation analyses in the project context and analyses of structural causes of discrimination. Moreover, the capabilities of *rights holders* to make their claims and the capabilities of *duty bearers* to meet their obligations need to be analysed as a first step. In addition, human rights standards and principles should feed into the monitoring and evaluation of outcomes and impact (UNDP, 2003).

The new requirements also led to a change of attitude among *development cooperation* actors: Today target groups are considered to be equal partners and owners of their development processes which they can realise through *empowerment* (by gaining power, status and autonomy). Their *participation*, that is, their involvement and active cooperation, is both a method and an objective in the context of human rights-based *development cooperation*.

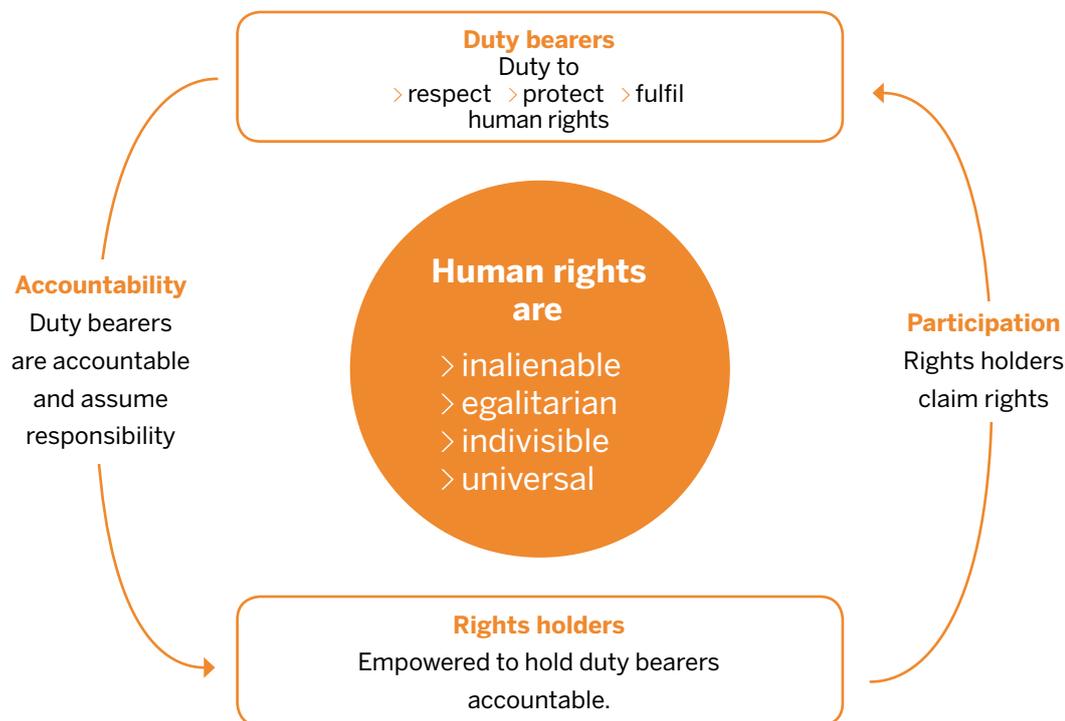
The change of perspective

In its beginnings, *development cooperation* was strongly focused on the satisfaction of basic necessities. For example, providing shelter, education, and food were primary objectives. This approach was based on the assumption that change could be achieved through charity, and specifically the distribution of resources. It turned out that, however, those efforts alone did not sustainably improve the living conditions in the targeted regions. The underlying causes for the situation of the beneficiaries were rarely contemplated.

The *human rights-based approach* brings these causes to the forefront and is therefore particularly suited to bring about sustainable change. It implies a change of perspective by looking upon people in need as holders of rights which they can claim from *duty bearers* (e.g. government entities like officials and authorities). As a consequence, poverty appears less as an expression of unsatisfied human needs and developmental deficits, but rather as a result of non-compliance with duties.

The *human rights-based approach* is aimed at bringing about comprehensive social change based on the recognition of the rights and duties of everybody involved. *Rights holders* are empowered to claim their rights, while *duty bearers* are strengthened to fulfill their duties.

Figure 1 | Relation between *rights holders* and duty bearers:



Human rights education as a key element of the human rights-based approach

Human rights education is essential for the realisation of human rights and the implementation of a *human rights-based approach*. It comprises capacity building among *rights holders* and *duty bearers* and thus contributes to advancing a “universal culture of human rights” (United Nations 2011: Art. 2 (1)) by sensitising people on the importance of human rights. Human rights education and training occurs at the following three levels:

- > **Education about human rights:** Providing persons with knowledge of human rights systems, norms, principles and mechanisms.
- > **Education through human rights:** Developing views and attitudes linked with the human rights – e.g. participatory project planning.
- > **Education for human rights:** Advancing a culture of human rights by empowering individuals so they know and enjoy their rights, and respect the rights of others.

The human rights-based approach – a common denominator

In recent years, numerous government and non-government actors of *development cooperation* have strongly committed themselves to making human rights the foundation of their development policies and work. Currently, there are no universally agreed upon rules for shaping the *human rights-based approach* in *development cooperation* but, in line with the UN, the following elements are generally accepted guidelines (DIMR, 2018):

- > Reference to the human rights systems and legally codified norms, standards and principles of the human rights instruments;
- > Application of human rights-enriched analysis and planning methods;
- > Consideration of human rights standards and principles;
- > Focus on the *participation* of individuals and groups who are especially vulnerable and marginalised because of their living conditions;
- > Establishment of mechanisms for a more equitable distribution of goods and livelihood opportunities, and enhancement of social security systems.

A *human rights-based approach* equipped with these elements will lead to more effective *development cooperation*, as is confirmed in the *Istanbul Principles for CSO Development Effectiveness* and *VENRO's guidelines for development project and programme work* (“Leitlinien für entwicklungspolitische Projekt- und Programmarbeit”).

Human rights and Sustainable Development Goals (SDGs)

The UN's 2030 Agenda with its 17 Sustainable Development Goals (SDGs) constitutes a new global reference framework with concrete targets and timetables and is also applicable to *international cooperation*. As a memorandum of understanding, the 2030 Agenda is not legally binding; nevertheless, many states have publically committed themselves to it. In doing so, they have affirmed an attitude which aims to achieve more equitable global development, similar as in the international human rights instruments. The SDGs are meant to benefit all people and prioritise support for disadvantaged groups: "Leave no one behind", says the 2030 Agenda. Furthermore, many of the SDGs are targeted at the realisation of economic, social, and cultural human rights and broaden the focus to include aspects that are relevant for child rights. In this sense, the SDGs can be seen and used as an opportunity for realising human rights.

2.3 The Convention on the Right of the Child

The genesis of the UN *Convention on the Rights of the Child (CRC)* is a long one with various actors giving key impulses at different stages. A first milestone at the international level was the 1924 "Geneva Declaration" of the League of Nations on the rights of the child. Another milestone was the decision, initiated by the Polish government in 1978, that the "Declaration on the Rights of the Child", adopted by the United Nations as early as in 1959, should be revised and subsequently adopted as a legally binding instrument under *international law*. On 20 November 1989, the revised version was adopted by the UN General Assembly and on 2 September 1990 it entered into force as the *Convention on the Rights of the Child*. Meanwhile, this convention has been ratified by 196 states and is therefore the most universally ratified UN human rights instrument. The United States is the only UN member state that has only signed, but not ratified the *CRC*.

The importance of the Convention on the Rights of the Child

Why are children's rights a matter of concern in addition to human rights? Because children are in need of special protection, assistance and care because their capacities are still evolving. Moreover, across the world, they are among the groups of people whose human rights are most frequently violated. The *CRC* is the first UN treaty ever to guarantee the personal and political rights of children together with their economic, social and cultural rights. It is applicable to all individuals under the age of 18² (*CRC* Article 1) and defines them expressly as holders of rights. Because of its almost universal recognition, the *CRC* is an international framework of commonly shared values and a common basis for action. This consensus is also significant for the development work of Kindernothilfe and its partners, because it is on this basis that political decisions can be assessed and claims can be made.

History of the Convention on the Rights of the Child

ca. 1600

Children and adults are hardly distinguishable. Children dress and behave like adults.

1789

The French revolution leads to the Declaration of Human Rights. Although it does not expressly mention children, it contributes to a more serious debate on the situation of children.

1900

The Swedish progressive educator Ellen Key announces the Century of the Child.

1919

The Polish doctor and educator Janusz Korczak publishes his most important book "How to Love a Child".

1924

The Children's Charta, drawn up by the British educator Eglantyne Jebb, is adopted by the League of Nations and becomes known as the Geneva Declaration.

1948

The UN General Assembly adopts the Universal Declaration of Human Rights.

1959

The UN General Assembly unanimously adopts a declaration on the rights of the child, which is not legally binding though.

1978

On the occasion of the conference of the UN Commission on Human Rights Poland submits a drafting of the convention on child rights which is mainly based on the 1959 declaration. It is turned down as insufficient.

1979

The UN General Assembly proclaims the International Year of the Child.

1989

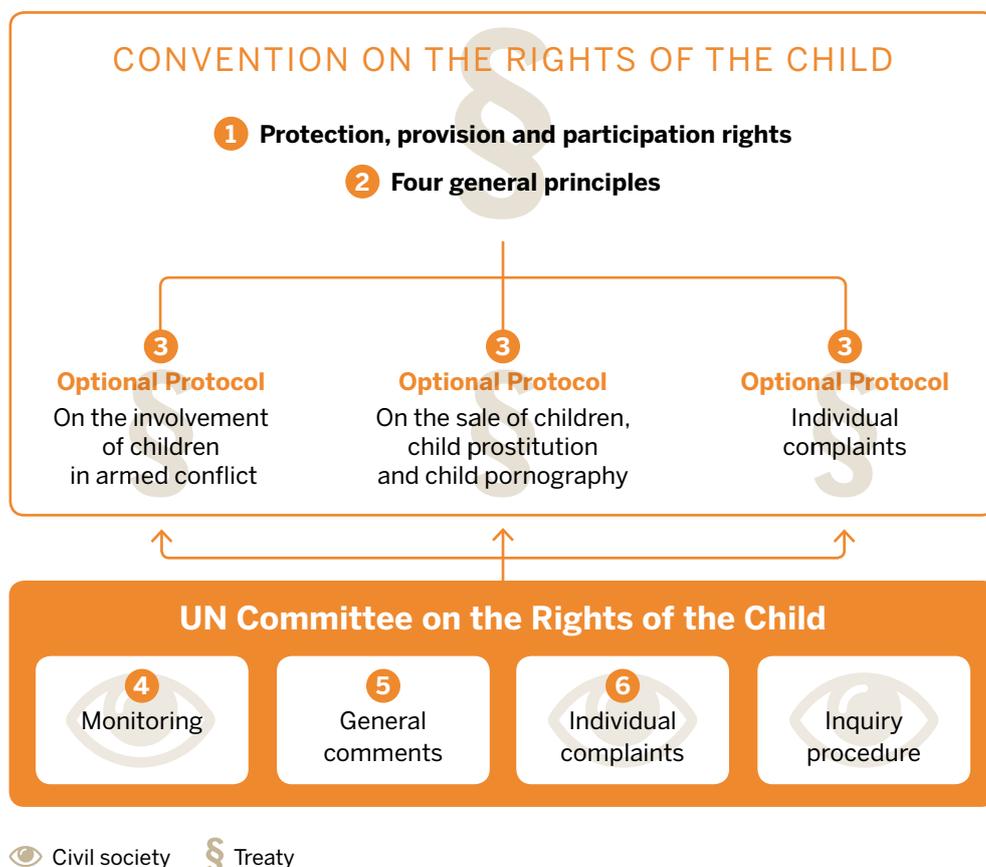
The UN adopts the UN Convention on the Rights of the Child

2 Where the age of majority is not reached earlier under the national law applicable to the child.

Key concepts of the Convention on the Rights of the Child

The implementation of the *CRC* is the duty of the state parties. As is the case with other human rights instruments, the state parties undertake to respect, protect, and fulfil the rights codified in the *CRC* and, in doing so, they are required to uphold the four general principles of the Convention (see below). The implementation is monitored primarily by the UN Committee on the Rights of the Child based in Geneva. Like with all human rights conventions, *state reports* and *alternative reports* (prepared by children, NGOs, and UN agencies) are reviewed for this purpose. Additionally, the implementation of the *CRC* is complemented by what is called General Comments and supplemented by three *Optional Protocols* which are subject to separate *ratification* by the UN member states.

Figure 2 | Overview of the basic features of the CRC and its tools



1 Children's protection, provision and participation rights

The rights embodied in the *CRC* can be divided into three groups:

- > **Protection rights:** These refer to protection against violence, abuse, neglect, exploitation, and cruelty. This includes the right to special protection in times of war and protection from abuse in the criminal justice system, as well as the right to know one's parentage, and the right to life and survival. Protection rights are guaranteed in, among others, articles 6, 8, 19, 32, 33 and 34 of the *CRC*.
- > **Provision rights:** These include the rights to resources, skills, and contributions necessary for the survival and full development of the child, ranging from rights to adequate food, shelter, clean water, formal education, primary health care, leisure,

recreation and cultural activities to information about the child rights. Examples are Articles 24, 25, 26, 27 and 28. Specific articles address, for example, the needs of child refugees, children with disabilities, and children of minorities or indigenous groups.

> **Participation rights:** These rights stress the status of all children as actors. As such, they are entitled to express their views and have a say in all matters affecting their social, economic, religious, cultural, and political life (Article 12 *CRC*). *Participation* rights also include the rights to information and freedom of association (Articles 13–17). Engaging in these rights enables children to play an active role in society.

States have the duty not only to realise child rights, but also to ensure that all children have access to these rights.

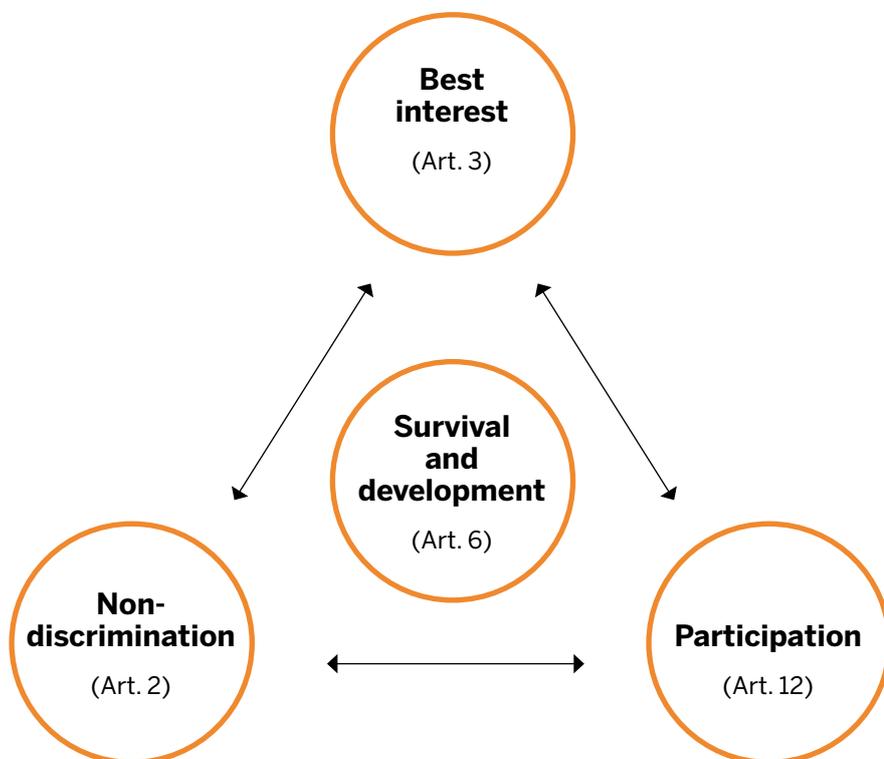
2 Four general principles

There are four general principles underlying the *CRC* that are especially important for the realisation of child rights. They were classified as particularly important by the members of the UN Committee on the Rights of the Child after the Convention had entered into force, so they are regarded as guiding principles. Not only do they constitute separate chartered rights, but they also serve as guidance for the implementation, construction and monitoring of all child rights. The four principles embody the very “spirit” of the Convention (Maywald, 2012: 41).

” *This is about wellbeing of children living in extreme poverty (...). This is about their security (...), their access to basic services like regular education, health care and leisure, a safe environment and a good quality of life. It is also about the engagement of their parents, local Union council and civil society (...) groups to facilitate a better environment, sensitive about the rights of a child and standing against their abuse and violence (...). In short, a journey towards a sustainable quality of life for those who are systematically denied, violated, and remain in poverty.*

.....
 Director of a partner organisation

Figure 3 | The four general principles of the *CRC*



- > **Best interests of the child (Article 3 CRC):** In all actions directly or indirectly concerning children, the *best interests* of the child are the primary consideration. This concept, which is unique in human rights law, is based on the understanding that children are in need of special protection and care because their physical, intellectual and emotional capacities are still evolving. Where several interests are pursued, the child's *best interests* shall always prevail. Decisions that fail to take the child's *best interests* into account are contrary to children's rights and therefore invalid (Maywald, 2012: 104). However, there is no universal consensus on how to define the *best interests* of a child. Especially in *development cooperation*, it is important to bear in mind that views on childhood may differ from one cultural context to another (Lansdown, 2005: 7). The UN Committee on the Rights of the Child has defined a reference point for the application of the concept of the child's *best interests*: it requires that all actors must be engaged to secure the holistic physical, psychological, moral, and spiritual integrity of the child and promote his or her human dignity (Committee, 2013: 4).

- > **Participation (Article 12 CRC):** Children have a right to form their own views and to be heard. The principle of *participation* underlines the active role of children in all matters concerning them. This is only possible when children are perceived as social protagonists on an equal footing, while at the same time showing consideration for childhood as a special phase of life by creating suitable opportunities for children's *participation* (Lansdown, 2005: 3). This also applies when it comes to informing them about the progress or the outcomes of a process (Committee, 2009: 28). The enormous advantages of this *participation* principle can be seen, most importantly, where specific groups of children are able to contribute informed opinions on certain topics by drawing on their own experiences, such as children who have been adopted weighing in on a process of adoption law reform (Committee, 2003:5).

- > **Non-discrimination (Article 2 CRC):** No child may be discriminated against based on distinctions such as sex, sexual orientation, ethnicity, religion, culture, health, disability or other characteristics (Committee, 2003: No. 4). To comply with this principle and implement it successfully, marginalised children must be identified in a first step to ensure that they are reached. All measures must also contribute to addressing the structural causes of discrimination. In this context, it must not be forgotten that strategies for human rights-based work with adults are aimed at giving marginalised groups equal status in society, whereas, in child rights-based work, the main focus is on ensuring the required level of protection for children (Lansdown, 2005: 6).

- > **Survival and development (Article 6 CRC):** This article guarantees every child the right to life, survival, and optimum development. The concept of survival and development "to the maximum extent possible" is crucial for implementing all other articles of the *CRC*, and is therefore a general principle. Development, in this context, is understood in a holistic sense and as covering the physical, intellectual, spiritual, moral, psychological, and social development of a child. In practice, measures should be aimed at promoting the development of each child in the best possible way. Providing children with optimum levels of protection also requires the identification and elimination of risks to which they are exposed in their daily lives and in projects (Lansdown, 2005: 15).

 Children need to be able to develop, have equal opportunities and grow up without discrimination based on their place of residence, sex, national or ethnic origin, colour of skin, religion, language or other conditions. The rights of the child are inalienable. Non-discrimination is an overriding and general principle for every form of legislation, both at the international and the national level.

Kindernothilfe Coordination Office

3 Optional Protocols

The *CRC* is complemented by three *Optional Protocols*:

- > On the involvement of children in armed conflict (in force since 2002);
- > On the sale of children, child prostitution and child pornography (in force since 2002);
and
- > On a *communications procedure* (in force since 2014).

The *Optional Protocols* were only drafted as a follow-up to the *CRC* because, in the beginning, no sufficient consensus could be reached about them. Some of them were preceded by a longer struggle, like for example the one on the *communications procedure*.

4 Monitoring

All states which have ratified the *CRC* are under the obligation to present a report on the status of its implementation two years after their *ratification* of the convention, and afterwards every five years. All relevant legislative, judiciary and executive aspects are required to be described in the reports, with the inclusion of statistical data. Progress and challenges in the reporting period are supposed to be mentioned, in addition to priorities and specific goals for the future. The country reports are reviewed by the UN Committee on the Rights of the Child. This review process also covers *alternative reports* that civil society networks and NGOs submit to the Committee to complement the *state reports*. Children can also present reports and make oral presentations to the Committee to express their views. After the review and dialogue with the specific state, recommendations are made for the further action in the form of *Concluding Observations*. In addition, the Committee has the option to obtain reports on specific child rights issues via the office of the UN Secretary-General.

5 General Comments

The *General Comments* are drafted by the UN Committee on the Rights of the Child and provide guidance on how to interpret and practically implement the contents of individual articles of the *CRC*. As of May 2019, there are 21 *General Comments* which are constantly being expanded to include new topics. NGOs can take part in the process of developing *General Comments*. They can also use the *General Comments* in their advocacy work with the aim of calling upon states to fulfil their child rights-related duties. They can also be used as input for national legislative procedures.

6 The communications procedure

The *communications procedure* allows children to lodge a complaint about a violation of the *CRC* with the UN Committee on the Rights of the Child. The prerequisite is that domestic remedies have been exhausted or that it can be assumed that these remedies will be unreasonably prolonged or unlikely to lead to a solution. Where victims of a human rights violation are unable to lodge a complaint on their own, a third party can do so on their behalf. After examining the merits of the complaint, the competent UN committee may request the corresponding state to redress the damage done. Although these requests are not binding, they take a huge effect solely by being published and because of the authority of the committees. No state wishes to be looked upon by the world community as a violator of human rights.



As early as in the late 1990s, Kindernothilfe, together with different allies, started campaigning for the *individual complaints procedure* to be added to the *CRC* in the form of an optional protocol, like the one that had already been adopted e.g. for the Convention on the Elimination of All Forms of Discrimination against Women.

On 19 December 2011, the Third Optional Protocol to the *CRC* on the *communications procedure* was adopted. It finally entered into force on 14 April 2014.

2.4 The child rights approach – universal and sustainable

” The child rights approach means to make children and youth visible as human beings vested with rights, to strengthen their abilities to enjoy their rights and to promote their creativity to express themselves, so that we as adults can put their opinions into practice. At the same time, it is about enhancing the capacities of duty bearers so they are recognised as such and act accordingly by showing consideration, in their respective area of action, for children and youth as rights holders who need to be protected by the government, society, and their families.

.....
Director of a partner organisation

The *child rights approach* always puts the needs and rights of children, their opinions and their *participation* in the centre of all activities. Organisations working with the *child rights approach* have to be mindful of it in all fields of work. Not only in their project work, but also in their public relations, educational work, and in their communication. This can only be achieved through substantial changes. As a rule, incorporating the *child rights approach* in an organisation's work implies the following aspects:

- > From a needs orientation towards a child rights orientation
- > Change of attitude: Children are *rights holders*
- > Child rights as a goal and as a pathway
- > Child *participation*
- > *Mainstreaming* child rights in all areas and processes

From a needs orientation towards a child rights orientation

Poverty with regard to children is no longer looked upon in terms of an insufficient satisfaction of human needs and developmental deficits, but as a consequence of structures of injustice and unfulfilled duties. It is true that the *child rights approach* also pursues the goal of meeting the basic needs of children, though less by means of short-term satisfaction, but by fighting the structural causes of poverty and rights violations in a sustainable manner.

Change of attitude: Children are rights holders

Where the *child rights approach* is adopted the attitude towards children changes. They are recognised as *legal entities*, which means, that they are holders of rights. As a consequence, every child may claim the rights vested in them. Therefore children are not merely objects of child-rearing. From the very beginning children are people with a right to individuality, freedom to develop, and a right to self-determination.

Children have legal entitlements to people and institutions having the roles of *duty bearers* in the *CRC*. These include the government, but also persons and groups from the children's living environment, like parents, families, village communities or even development organisations. They are all responsible for the realisation of the children's rights. The onion skin model in fig. 4 below shows the network of *duty bearers* in charge of realising child rights.

The roles of *rights holders* and *duty bearers* are not rigid though. Some *duty bearers* are also *rights holders* in the context of making children's rights a reality. Parents have a right to work in order to be able to provide their children with an adequate living standard. Children and families have a right to be protected, by the state, from violence. Teachers have a right to adequate payment and the provision of resources, by the state, to be able to fulfil the child right to education.

” Children from projects claim:

I claim my rights where these are violated.

I claim my rights at home and in school.

I have claimed my rights, because I want to study at university.

Figure 4 | Network of *duty bearers* in charge of realising children's rights



Children's rights as a goal and as a journey

The *child rights approach* aims to identify child rights violations (→ child rights situation analysis), to address them, and to realise children's rights in a sustainable way. Direct measures (e.g. emergency aid) offer quick relief (1). To achieve a long-term social recognition of children's rights, *duty bearers* are also involved in the work and enabled to fulfil their responsibilities towards children (2). The prerequisite for a sustainable realisation of children's rights is that children and their environment learn about their rights and how to claim them. This process is called *empowerment* (3) and is meant not only to increase children's *participation* in policy making, but also to improve the living conditions of the persons concerned.

” We must avoid rights violations in order to promote spaces for the enjoyment of rights at all levels, with the participation and empowerment of children. Moreover, the attitude of duty bearers must change to create the conditions for non-violation.

Kindernothilfe Coordination Office

Figure 5 | Pillar model (Save the Children UK, 2007: 18)



Such forms of holistic strengthening and *empowerment* are based on the active exercise of *participation* rights, like the ones guaranteed by the *CRC*. They are one of the cornerstones of the *child rights approach*.

This means that the *child rights approach* is both a concept and a method – and so much more: It is a principle that makes the active recognition of child rights the organisation's focal point in all project phases and in all areas of action.

Child participation

Within the framework of the *child rights approach*, children are regarded as independent personalities. They can question and strive to change traditionally predetermined rules in their particular local or national context. For children to be able to take an active part in the development of their society, they must be given the freedom to develop their abilities, their creativity, leadership and *participation* skills. This kind of change brought about with the *participation* of children has a particularly sustainable character since it has been initiated and implemented by children in a self-motivated way. *Participation* can be encouraged, e.g. by giving children the opportunity to voice their opinions and to take part in decisions concerning them.



The right to participation is the freedom to be able to express whatever we feel, to express and share our views and to be heard.

.....
Child from a project

The prerequisite is to take the children's views seriously. For this purpose it is important to develop a pedagogy of child rights, enabling adults and children to work together on an equal footing. This does not mean that the differences between children and adults should be eliminated. On the contrary, adults, such as parents and project staff, are obliged "to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the (recognised) rights" (Article 5 *CRC*). With the awareness of dignity and equal rights, it becomes possible for all persons involved to be mindful of different needs and take them into account when defining goals for action.

To ensure the *participation* of children in the sense of the *child rights approach*, children have to be involved in the project work and programming in all project phases: from planning and implementation to the monitoring and evaluation of projects. In this context, the quality of *participation* should be in line with ethical principles and/or the nine criteria for meaningful child *participation*.

Nine criteria for meaningful child participation:

For children's *participation* to be effective and meaningful, it must fulfil the following criteria (*CRC*, 2009: 26f):

- > transparent and informative
- > voluntary
- > respectful
- > relevant
- > child-friendly
- > inclusive supported by training for adults
- > safe and sensitive to risk
- > accountable

By fulfilling these criteria, it can be guaranteed that *participation* is not seen as an end in itself, but rather as a means to enhance one's own sensitivity towards children, their rights and their *empowerment* (Committee, 2003: 4). Moreover, *participation* possibilities should imply consistent and ongoing arrangements and help governments to develop a direct relationship with children (Committee, 2003: 5).

Mainstreaming child rights in all areas and processes

The realisation of child rights is achieved by *mainstreaming* these rights. This means that children's rights need consideration in all fields of work. Thus the *child rights approach* opens up a new and comprehensive perspective, especially in project work and programming. This includes additional strategies and activities that pave the way for the realisation of children's rights: *participation*, information, awareness raising, legal representation, and the claiming of the implementation of rights. The range expands across the entire living environment of the children and also includes their families, social surroundings and communities as *duty bearers*.

Already in the initial phase of a project the situation analysis places a special focus on possible child rights violations and their causes. In doing so, the role of *duty bearers* is examined in order to determine to what extent they fulfil their responsibilities and what the obstacles are, if any.

The project strategy maps all this with the aim of sustainably improving the child rights situation. It does not only encompass the *empowerment* of children and other actors, but also *advocacy* activities targeted at the *duty bearers*. The scope of action ranges from exerting an influence on local development plans, so they prioritise public spending on education and health care, to lobbying with decision-makers for the amendment of national legislation.

The child rights approach achieves more

- > Children are perceived as independent personalities and empowered to defend their rights.
- > Local organisations, communities, and groups are strengthened by enhancing their rights awareness.
- > Children and their environment become actively involved in creating fair structures and, as a result, sustainable outcomes are achieved. This is a crucial step on the way forward from short-term emergency relief to long-term solutions.
- > The principle of *participation* not only strengthens children in their current situation, but also prepares them for their roles as adults. Thus the *child rights approach* also supports the democratisation of a given country.
- > The causes of child rights violations are addressed so lasting positive changes with regard to child rights are achieved by means of suitable strategies.

” The analyses are meant to show that social urgency is not limited to responding to different problems concerning children, but also implies addressing the root causes of these problems. This is meant to take a preventive effect.

.....
Co-worker of a partner organisation

” We can only change something together with the help of mothers, fathers, aunts, uncles, the village, with the members of the community and the teachers, only then can we change something.

.....
Child from a project

3

 *With the child rights approach we are fighting poverty and child rights violations in a sustainable way.*

Kindernothilfe
Coordination Office



The child rights approach at Kindernothilfe

The turn of the millennium marked the start of programmatic reorientation for us at Kindernothilfe. At first we changed our programmatic orientation towards more community development and achieving a broader impact. Then, from 2005 onwards, we shifted towards a rights-based orientation in our work and then took the landmark decision to adopt the *child rights approach*. Since then this approach has been a key feature of our identity and self-understanding.

The child rights approach and our Christian values

The changes in our work implied by the *child rights approach* are in line with our Christian values. Even though there is no explicit mention of child rights in the Bible, children are recognised in the Bible as a gift from God and as having been made in the image of God, with inalienable human dignity, as postulated also by the human rights.

Through his words and his actions, Jesus Christ demonstrates his special nearness to the life of children. He recognises them as independent persons and subjects of their own lives. Like the *CRC*, Jesus' message and actions mark a paradigm change in relating to children and shape a new understanding of childhood. Both also recognise the particular vulnerability of children and, as a consequence, their right to protection, provision, and *participation*.

Last but not least, God claims the rights of the poor against the corruption of the powerful, in the same way as the *child rights approach* is mindful of claiming rights vis-à-vis the *duty bearers*. Thus, the *child rights approach* and the biblical testimony have many things in common and thus reinforce each other.



With the child rights approach, we make a commitment to perceive children as independent personalities and to advocate for their right to survival and development.

.....
Kindernothilfe's Chief
Executive Officer

The aim of our work is to see the rights of children become a reality, which we look upon as an ongoing task that we seek to promote together with our partner organisations and allied partners. In this regard, we are committed to effectively and sustainably fighting the structural causes of poverty and exclusion.

We are convinced that through the *child rights approach* we, together with our partner organisations, can make the biggest possible impact with the resources used. Alongside the required programmatic dialogue with the partner organisations, its central aspects must be reflected in all processes, tools, and requirements of Kindernothilfe and in all fields of work. Therefore, the introduction of the *child rights approach* has had profound consequences for the project work and programming, our advocacy activities and deve-

lopment education work, but also for our public relations, communication and administration.

The following sections describe how we as Kindernothilfe and our partner organisations have realigned and further developed our work during the last few years based on the *child rights approach*. At the same time they provide information on what we expect in our cooperation with our partner organisations and what expectations we, as a learning organisation, have for ourselves and which institutional changes this implies.

3.1 Introduction of the child rights approach

” Over the past decade KNH has had a much greater focus on children’s rights, which has resulted in a greater awareness of many partners on child protection issues and in working to ensure child participation throughout the project cycle.

Kindernothilfe National Coordinator

As we reoriented our work towards the *child rights approach* in 1999, a comprehensive process of change started with Kindernothilfe. To coordinate the related changes and successfully promote the introduction of the *child rights approach* we founded a cross-departmental “*Child Rights Approach Working Group*” in 2005. Apart from the cooperation of various departments in this working group, the results of which were reflected in the organisation, other milestones were also of great importance (see table below).

Important milestones of the last few years

2002–2014	Advocacy campaign in favour of a <i>communications procedure</i> (Third Optional Protocol)
2005	Setting up the <i>Child Rights Approach Working Group</i> in Kindernothilfe to establish the <i>child rights approach</i> as a key guiding principle
2008	Publication of the concept: “The <i>Child Rights Approach</i> in Kindernothilfe’s Work in Germany and Abroad”
2010	Creation of the position of a “ <i>Child Rights Approach Manager</i> ”
2010–2014	Introduction of child rights-based country strategy planning
2011	Creation of the position of a “ <i>Child Rights Commissioner</i> ”
2012	Publication of the Quality Standards for the implementation of child rights-based work
2012	Launch of workshops for our partner organisations
2013	Publication of Kindernothilfe’s Child Protection Policy
2013	Development of an organisational assessment procedure
2013–2016	Review of the formats for project proposals and annual reports
2016	Beginning of the development of child-sensitive <i>participation</i> opportunities by means of the project “Time to Talk!”
2019	Development of a number of concept papers: <ul style="list-style-type: none"> > Practical Guide: „How to develop and use a child rights situation analysis on project level in preparing a project proposal“ > Review of the <i>Child Protection Policy</i> > Publication of the revised concept for implementing the child rights approach in Kindernothilfe’s work > Beginning of the preparation of the “<i>Child Rights Programming Strategy</i>”

Not only did it become necessary to develop a variety of tools (like e.g. the Quality Standards, the Child Protection Policy, the organisational assessment procedure, the new format for project applications, etc.); it was also essential to create new positions: staff dealing with child rights as their main responsibility, and initiating and accompanying important processes. Another central element was the completion of the Child Protection Policy and the related development and implementation of a corresponding training programme for our partner organisations (see p. 32). Mention must also be made of other significant processes including the child rights-based impact orientation, the strengthening of child rights-based project work and programming, and the creation of a comprehensive advocacy concept.

3.2 Quality Standards for child rights-based work

Project work, methods and educational approaches, as well as organisational and personnel development must all comply with the requirements of the *child rights approach*. Our organisation has developed ten Quality Standards as a reference for successful implementation. These standards are the result of a wide range of learning processes and further developments, both within our projects and at the institutional level, and provide guidance on what organisational and programmatic aspects are important to fulfil the holistic aspirations of the *child rights approach*. Institutional standards describe requirements within our organisation and our partner organisations. Programmatic standards define requirements for our joint project work. During the last years, the Quality Standards have contributed towards

- > creating a common understanding for us and our partner organisations of the implementation of the *child rights approach*,
- > convincing our partner organisations of the child rights-based approach and to adjust their project work accordingly,
- > developing further tools and minimum standards for the implementation of the *child rights approach*.

We have defined a number of criteria and alarm signals for each of the standards. They serve as indicators to assess the standards' degree of implementation. These criteria and alarm signals are manifold and often interdependent, showing that the implementation of the standards is only possible by consistently combining various components. Moreover, it requires a clear strategic orientation, time, and resources to acquire the necessary professional knowledge. The full and voluntary commitment of our organisation and our partner organisations is needed to engage in child rights; we must all be ready to change our attitudes and to conduct periodic, critical self-examinations based on the standards.

1. Organisation culture

Kindernothilfe and its partners live a culture of human rights.

2. Learning organisation

Kindernothilfe and its partners continually improve their skills so as to be able to contribute towards implementing children's rights.

3. Child protection

Kindernothilfe and its partners implement child protection policies.

4. Accountability

Kindernothilfe and its partners fulfil their accountability duties.

5. Advocacy and public relations work

Kindernothilfe and its partners contribute to the implementation of child rights by means of their advocacy and public relations work.

 After being invited to an interview, candidates go through a so-called "Cultural Fit Evaluator" that helps establish in so how far Kindernothilfe's and the applicant's sets of values go together. In the job interview, the child rights and their implementation are discussed directly and indirectly with reference to the specific job. This is also applicable to all appraisal interviews with employees where we always pay heed to the fact that all our employees should identify with Kindernothilfe's self-understanding as a child rights organisation.

.....
Head of Kindernothilfe's
HR Department

Quality standards at the institutional level

We at Kindernothilfe continuously set ourselves goals that are meant to promote the implementation of the *child rights approach* and enhance compliance with the standards. Important milestones along this path are:

- > **Standard 1 – Organisation culture:** When hiring staff, we pay attention to the fact that new employees fully share our values, the recognition of child rights, and the principles of the *child rights approach*.
- > **Standard 2 – Learning organisation:** Since 2012, we have regularly organised trainings for our employees and partner organisations and have funded opportunities to participate in professional events. This helps improve our staff's skills in child rights-based work across all organisational units. All new recruits attend introductory workshops on the *child rights approach* and *child protection*. The *Child Rights Approach Manager* and the *Child Protection Officer* coordinate the implementation of the *child rights approach* and the *child protection* requirements.
- > **Standard 3 – Child protection:** A dedicated child protection policy was developed and has been implemented consistently since its completion in 2013. All partner organisations so far have been trained accordingly. In addition, further *child protection* trainings which consider particular needs (like e.g. *child protection* in situations of disaster, children with disabilities, etc.) are organised on a continuous basis.
- > **Standard 4 – Accountability:** We use our financial resources adequately and transparently, and are accountable to the public. This is evidenced by the fact that the German Central Institute for Social Issues (DZI) has repeatedly awarded Kindernothilfe its seal-of-approval. To ensure an adequate use of the funds, we also engage in fighting corruption, as is reflected by our "Integrity and Anti-Corruption Policy" (2019).
- > **Standard 5 – Advocacy and public relations work:** We have set ourselves the goal to support our partner organisations more strongly in their advocacy activities. For this purpose, we have developed an advocacy concept (see section 3.4 Advocacy work).

We do not only promote our own development as a child rights organisation. We also feel that it is important for our partner organisations to take a stand and apply methods that meet the requirements of the *child rights approach*. To be able to assess this effectively, we designed an organisational assessment tool in 2014. It looks into aspects of all the ten quality standards, plus accounting and administrative aspects. This tool makes it possible to make a qualified assessment of a partner organisation's capacities with regard to its child rights-based work. Moreover, it helps determine a partner organisation's need for change and trainings. The introduction of the organisational assessment has led to significantly more professionalism and a quality improvement in the selection of partner organisations with experience in rights-based work. It has also created greater transparency in the initiation of new cooperations and in our dialogue with partner organisations.

Quality standards at the programmatic level

The implementation of quality standards at the programmatic level has given us the opportunity of intensive, enriching and ongoing discussions and learning processes with our in-country coordination and partner organisations. For us at Kindernothilfe, the first and foremost question was what reference to use for identifying child rights violations especially with regard to standard 8 (“Child rights as an aim”). At what level were we and our partner organisations expected to analyse these: directly at the project level or at the country level? Today we have developed tools for both levels. The tool “Child Rights-Based Country Strategy Planning” analyses child rights violations and their causes at the country level. The revised project application and reporting format for project work with its situation analyses informs about rights violations and their causes at the project level.

From practice

The work of our partner organisation “Future Planning for the Child” in Malawi is a good practice example of how projects funded by us contribute towards the realisation of children’s rights and the implementation of standard 8: The overall project goals include making children’s and human rights known to the local public and preventing rights violations. Families and communities are strengthened in a sustainable way so children can grow up in a stable environment that protects them and where their needs are provided for. In addition to cooperating with traditional and political village leaders, a special focus is placed on the *empowerment* of women.

For a long time, the absence of government institutions and a failure to comply with legal standards used to encourage disregard for the children’s *best interests*. The child rights committees and *child protection* groups established in the project’s target communities have substantially improved this situation in recent years. As a result of the changed perception of child rights in the local population, risks to the children’s *best interests* are no longer ignored, but proactively reported to relevant authorities.

As our partner organisation has strengthened local institutions, positive effects on the promotion of early childhood education can also be observed. The day care centres where children learn and play together reach more than 90 per cent of toddlers in the target area. Thus, early childhood development is ensured through nutrition, play, and preparation to transition into school.

Our organisation has developed a number of supporting measures to ensure that the design of the project work and programming is based on children’s rights. These measures will be presented in the next section. These innovations indicate a decisive further development of the quality of Kindernothilfe’s rights-based work. They have enabled us to shift from fighting against the symptoms towards identifying the root causes of poverty. Building on this, we are able to develop targeted project strategies to empower children as *rights holders* and support *duty bearers*.

6. Child’s best interests

The project work is primarily oriented to the child’s best interests according to Article 3 of the CRC.

7. Participation and non-discrimination

The project work gives children of up to 18 years of age an opportunity to participate at all stages. The non-discrimination principle is always observed.

8. Child rights as an aim

The project work has the aim of fighting identified child rights violations and to contribute to the fulfilment of children’s rights.

9. Empowerment

The project work empowers children and their communities so that they can claim their rights.

10. Duty bearers

The project work contributes towards achieving that duty bearers fulfil their obligation of realising children’s rights.



The quality standards 6-9 are explained more in detail in section 3.3.

3.3 In project work and programming

 The child rights approach has become a guideline for the daily work of our office and its relation to the partner organisations. It enables us to concentrate on those sectors of population that are exposed to strong marginalisation, exclusion, and discrimination. For our office, the child rights approach in our work means to act coherently and responsibly at the national and international level, with awareness of the legal mandate, and to ensure the fulfilment and validity of the child rights.

Kindernothilfe Coordination Office

Kindernothilfe's projects are derived from its country strategy planning. We look for suitable partner organisations to implement the targets defined therein. This happens either directly or through our in-country coordination. Local organisations may also contact our national KNH offices, consultants or our office in Duisburg, Germany. In the starting phase of collaboration, potential partners and we get to know each other and our respective working approaches. We discuss project proposals together. In principle, the *child rights approach* requires a consistent reference to the child rights, as articulated in the *CRC*, in all phases of the project cycle. In particular, this applies to the situation and problem analyses, the definition of the project objectives, and the choice of a project strategy. The objective of this procedure is that all our partner organisations integrate the child rights focus in their project development methodology.

Development towards the child rights approach

Since its introduction, the overseas departments have become intensively engaged in integrating the *child rights approach* in our programme and project work, and in progressively implementing the programme-related quality standards. This implies changes, on the one hand, in our dialogue with new organisations or potential partner organisations, but also, on the other hand, in our exchange of experiences about the development of project proposals. At the same time, these changes and/or the integration of the *child rights approach* differ locally because countries or continents are affected by different situations and challenges. On the whole, the qualitative development of the partner organisations is proceeding on all continents, while in-country coordination structures are being built or remodelled, and basic and advanced training courses are held.

We also go to great lengths to further advance the development of programme-related instruments and learning through numerous workshops in Kindernothilfe. For this purpose we use concrete lessons learned from individual countries, work out creative training concepts together with consultants, apply them, and make them available for other areas as well.

- > **Child rights-based country strategy planning:** The child rights-based country strategy planning concept was developed in 2013 and reviewed in 2017 in a participatory evaluation process. It enables the country programmes to be reoriented towards addressing child rights violations and a strategic prioritisation of selected child rights issues within a country, therefore contributing towards the implementation of quality standard 8. New partner organisations can be identified this way, while existing partner organisations are trained in topics that were chosen in a joint effort. In doing so, we seek to develop long-term partnerships with local organisations that may last for the lifecycle of more than one project. This is conducive to building trusting relationships and embarking on a joint learning process with our partner organisations.
- > **Institutional child protection:** As a consequence of the high number of cases of violence against children in institutions, institutional *child protection* has become a priority of our organisation. Thus, we contribute towards the implementation of quality standards 3 and 7 (see section 3.2) and ensure the right of children to be protected

from violence. From 2012 to 2018, we implemented a *child protection* training programme. Today, we, and almost all our partner organisations, have our own child protection policies in place. The application and regular updating of these policies is an important monitoring task for our partner organisations and for us.

- > **Participation and empowerment:** We have strengthened the implementation of *child participation* rights as an important principle of our project work. Thus we contribute towards fulfilling quality standards 7 and 9. Elements promoting *participation* and *empowerment* are, on the one hand, the workshops on participatory methods for our partner organisations, which we have been holding since 2016, and on the other hand, the development of instruments such as a guide on carrying out project-level participatory child rights situation analyses. This was supported by a comprehensive pilot process with a series of phased workshops and the assistance of qualified trainers. In 2016, we also introduced a remodelled project application and reporting system with renewed focus on *participation* as a guiding principle of all the project work. Together with our partner organisations, we plan to further deepen our understanding of child-friendly *participation* and elaborate its implementation even more diverse.
- > **Children in situations of humanitarian crisis and conflict:** The number of children in situations of humanitarian crisis has risen over the years. Humanitarian relief is today an important area of work of our organisation. In 2018, we prepared a guideline for humanitarian interventions called “Child Friendly Spaces” to ensure that children in crisis situations are reliably perceived as *legal subjects*. In this context we and our partners are faced with the challenge of facilitating *child participation* by providing feedback activities adapted to the children’s age and maturity and their specific situation. The implementation of *child protection* standards also implies new tasks for us and our partners, because it requires the sensitisation of communities for the establishment of protection mechanisms, well-trained staff, and the registration of children.

Perspectives and planned developments

In the long run, two aspects are of special concern to us: First, it is important to enable joint learning and second, a roadmap and the corresponding contents have to be defined. This is how we are going to achieve this:

- > **Dialogue with partner organisations and in-country coordination:** In shaping the *child rights approach*, our organisation attaches great importance to the dialogue with our partner organisations and in-country coordination. We are convinced that the planning and the effects of capacity building activities can only be assessed by constantly exchanging information about training needs. Many of our partner organisations wish to shift towards child rights-based and impact-oriented project work. Yet to achieve this, they need sufficient time and resources, as well as support through needs-oriented training programmes. Kindernothilfe’s employees are also to be strengthened in their ability to facilitate a qualified technical dialogue with partner organisations. Thus we contribute towards the accomplishment of quality standard 2, “Learning organisation”. We need to devote financial resources and time to this dialogue.

 In 2019 we will be developing our country strategy according to our own child rights situation analysis (CRSA). And, we believe that it will bring significant changes into our strategy as we will be looking into new ideas in line with the analysis. This analysis will give us opportunities to address not only to the children but also the relevant stakeholders and duty bearers. They will be accountable to make sure that the child rights are being ensured.

.....
Kindernothilfe Coordination Office

 The adults must know how to protect us children and how to give us security. We have duty bearers who must respond to our needs, like public and private institutions. We are the holders of children’s rights. When there are domestic problems I demand respect from society so something is done against this violence. I have always claimed the child rights to prevent maltreatment of children and adolescents.

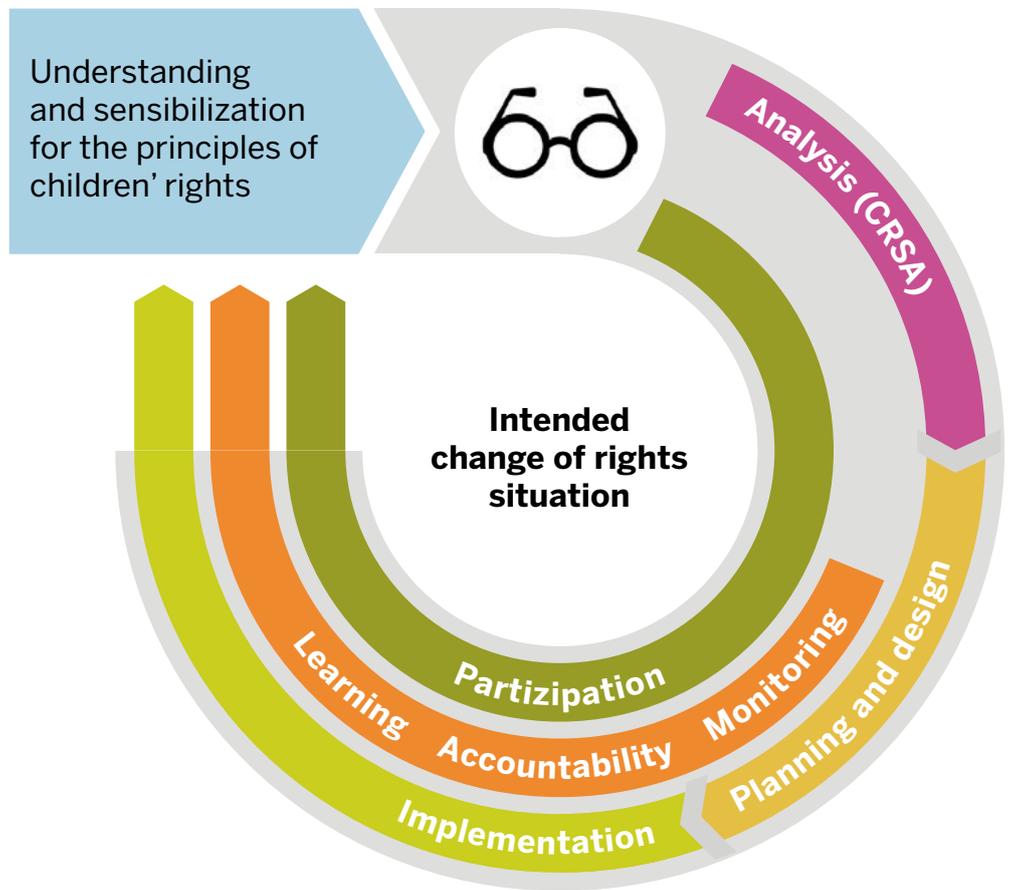
.....
Child from a project

” Participation is critically important and when participation is practiced then it becomes a child ownership driven process and transparent. Main actors are aware and well-articulate about their deprivation, rights and way forward.

.....
 Director of a partner organisation

> **Child rights programming:** The core and thus the intended effect of child rights programming (CRP) is a sustainable improvement of the rights situation of children and, along with it, a change in attitudes of the perception of children as *legal subjects*. This is made possible by a systematic application of the child rights principles in the planning, implementation and monitoring of projects, as is shown in the figure below. Projects are planned in a participatory manner based on a child rights situation analysis; project objectives describe a theory of change with a strong orientation to outcomes, while these changes are meant to impact rights situations that have been selected jointly with children and youth. Progress and experiences are analysed on a regular basis. Thus child rights programming is strictly oriented in impacts.

Figure. 6 | Kindernothilfe's child rights-based project cycle



From practice

SADEGUA is a long-standing strategic partner organisation of Kindernothilfe and has more than 27-years of experience working with children, youth and women from indigenous communities in Guatemala. They also have more than 15 years of experience in awareness-raising on child rights and promoting their realisation.

They implemented a first project phase of a child rights-based community development project from 2013 to 2018. The second phase was approved until 2023 because of the results achieved and the professionalism of our partner. For us, a decisive benefit of this cooperation has been the mutual readiness to learn together and from each other, for the sake of effectively and sustainably changing the living conditions of children and youth. SADEGUA's *participation*, in recent years, in a variety of training programmes on *child protection*, child rights programming and impact-orientation has contributed to this. Newly acquired knowledge and new skills were successfully integrated in SADEGUA's work.

At the project level, SADEGUA took up the recommendations from the evaluation of the first project phase and incorporated them in the follow-up project proposal, so the achieved impact and changes can be further consolidated and deepened in the second project phase. Thus the impact logic of the second phase is based on lessons learned and our partner organisation's expertise, with a special focus on rights violations and their causes, which are an obstacle to the holistic development of children in the project area. They cooperate with important local-level actors, stakeholders from among the community, families and *duty bearers*, as well as overarching structures, and of course, with the children and youth themselves, to achieve long-term positive changes.

The adjustment of the project proposal and reporting systems was also intended to further deepen the impact orientation, taking into account international experiences of increasing the effectiveness of *development cooperation*, such as the *Istanbul Principles*. In recent years, training processes have been designed for partner organisations and implemented in numerous countries. When it comes to practically applying these impact-oriented tools and methodologies, our partners are also accompanied by consultants. Furthermore, a complementary guide on the development of project intervention logic was prepared to support partner organisations and Kindernothilfe's staff to adopt an impact-oriented, child rights-based working approach. As an important component of child rights programming, project planning and monitoring by many partner organisations are to be further improved in the coming years by means of further training processes.

To ensure a professional and qualified dialogue with partner organisations and the required strengthening of in-country coordination and consultants, that accompany and support us in these processes, it is primarily necessary, as an ongoing task, to qualify our own staff (see standard 2 of the quality standards) plus to dedicate the required financial resources and time to this purpose.

3.4 In advocacy work



Definition of advocacy:

Advocacy in a child rights context refers to every organised activity that strives to bring about a sustainable improvement in the political, legal, economic, ecological and social contexts. The overall goal is to claim the rights of children and their families and communities, guaranteed by the *CRC*. These groups are meant to be strengthened and supported either to make the claims themselves or are represented by third parties who engage in advocacy on their behalf. Advocacy activities are aimed at holding *duty bearers* accountable.

The consistent implementation of the *child rights approach* necessarily comprises advocacy work to respond to economic, social and political overall conditions maintaining poverty. This is a commitment that we make together with our partners visàvis decision makers, either in representation of the children or together with children and youth. Advocacy work is a crucial tool to engage in a constructive and cooperative dialogue with *duty bearers* and remind them of their duties to *rights holders*. Our advocacy work is based on the *CRC* and thus we primarily address governments, but also multilateral and international actors. A key element of advocacy work is the focus on children and their families as *legal subjects*. We encourage them to defend their rights themselves, for which they must first know their rights.

In addition to advocacy activities in our overseas projects, we also look back upon 25 years' of advocacy work in favour of child rights in Germany and at the international level, which we have either performed alone or in alliance with other actors. An example of a particularly successful political advocacy initiative is our *participation* in the international coalition to create a *communications procedure* for children at the UN (see section 2.3). It took almost ten years, from 2002 to 2011, until the Third Optional Protocol was finally adopted by the UN General Assembly.

From practice

A good practical example comes from Peru. It's a project with a main focus on violence prevention, strengthening of children's rights and formation of children's labour unions. The overall goal of the project is to improve the living conditions of working children, to give them the opportunity to go to school, and to protect them against harmful work. In cooperation with children aged nine to thirteen, who have organised themselves in self-help organisations of working children in Peru, our partner organisation IFEJANT has developed a concept with which the children learn to identify and overcome situations in which their rights are violated and to claim their rights.

The active *participation* of children in the project planning and implementation processes and the facilitation of the constitution of children's labour unions are seen as very important by the partner organisation IFEJANT because they imply sustainable changes. So, for example, during many of the conversations between Kindernothilfe and IFEJANT children sit with us at the table and have a decisive influence on shaping the project. Meanwhile, representatives of the working children's labour unions get together at the national level to tackle problems together.

The project shows that children can put pressure on the government to sustainably improve their situation by organising themselves and bringing their demands forward with the required clout. Moreover, the project engages in sensitising *duty bearers* (parents, teachers and the like) on the topic of child labour and violence against children, and thus makes a substantial contribution towards reducing and preventing violence.

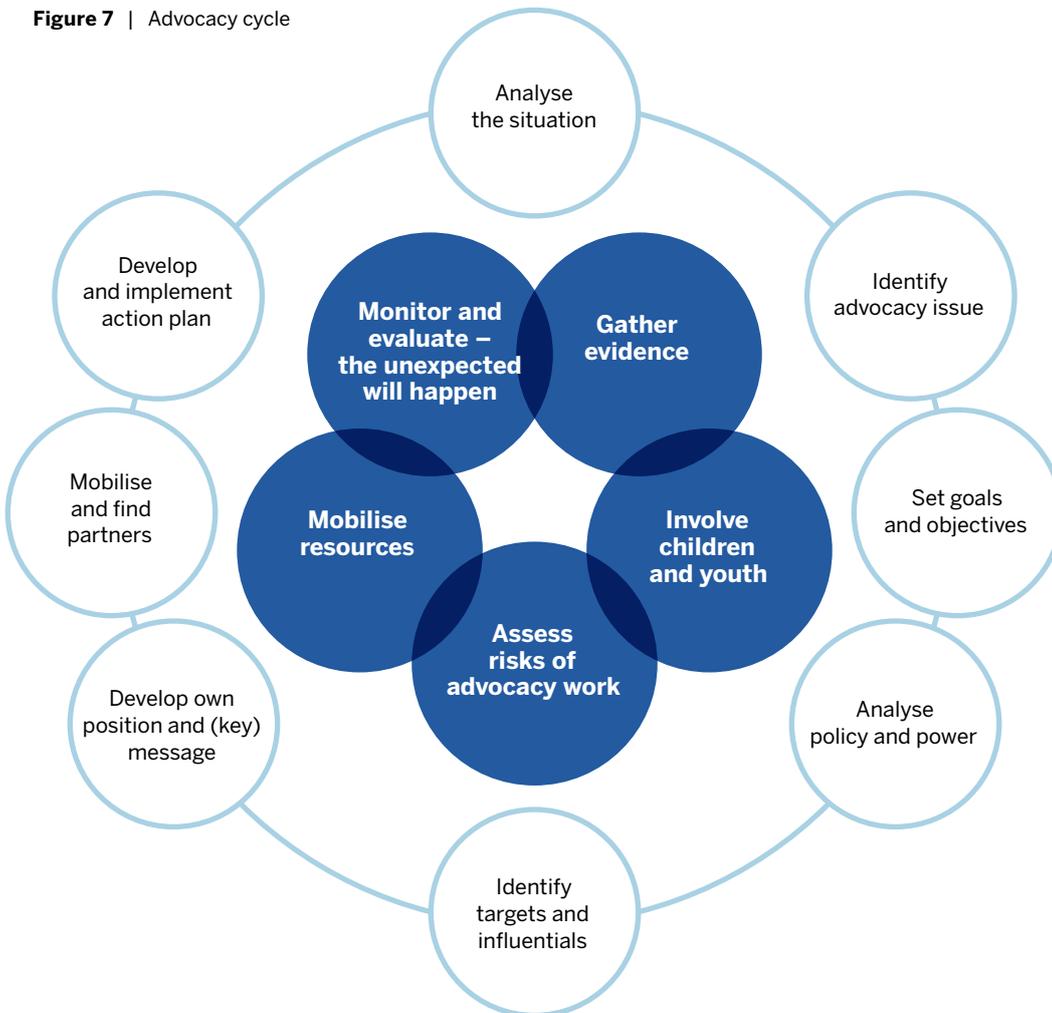
Adjusting advocacy work to the child rights approach

New advocacy formats and/or strategies have been developed as we have focused more intensively on children as *rights holders*. Detailed child rights situation analyses have become the basis for advocacy. Thus we identify child rights violations, develop suitable solutions, and determine the stakeholders and their roles. The focus is on changing the situation to the benefit of the children and on engaging in sustainable action in the sense of the *CRC*. The understanding of advocacy work has also been described more precisely over time and reflects our stronger focus on children and youth as subjects. To be able to achieve long-term structural changes, we seek to provide better support to our partners in their advocacy work. Against this backdrop, our partner organisations' efforts will be linked more strongly with our own advocacy work in Germany.

Instruments of advocacy work

Our advocacy work is goal-oriented and well-structured. For this purpose, we have developed the advocacy cycle. It defines all the steps required for preparing and implementing advocacy activities and for the necessary follow-up.

Figure 7 | Advocacy cycle



” For our organisation, the child rights are codified values and principles that legitimise children as rights holders. In this context it is important to work with duty bearers by actively involving children and all target groups to accomplish positive and sustainable changes of their living conditions in all regards, and thus full enjoyment of their rights. First and foremost, the child rights approach means to modify our mission as an organisation.

.....
 Director of a partner organisation

The causes and effects of child rights violations are usually complex and cannot be resolved single-handedly by individual actors. Therefore, it is absolutely necessary to cooperate when engaging in advocacy activities. By working in alliances and networks we can pursue our objectives more effectively, together with partners. Moreover, an exchange with other organisations enriches our work.

Depending on the particular issue and intended goal, advocacy work makes use of lobbying, campaigning, and public relations instruments and, is supplemented in Germany, by development education work (see section 3.5). The level also varies: local level, district level, national level, regional and international. We involve children and youth as active participants, via our partner organisations, to ensure their right to *participation*.

From practice

In 2015, the “Time to Talk!” initiative was launched with the aim of facilitating the *participation* of working children and youth in the Global Conference on Child Labour in Buenos Aires, Argentina, so their important perspectives would be included in the international debate. At first our project consulted 1,822 children and youth in 36 countries to put down their views, challenges and proposed solutions in a detailed report. In addition, about 17 children’s committees were established to actively accompany the process beyond the consultation. The young participants were empowered in their roles as experts knowledgeable of their living conditions and trained in the active shaping of advocacy processes.

Challenges for advocacy work

Unfortunately, some framework conditions are impedimental to advocacy work. This refers in particular to the phenomenon of *shrinking spaces* (also section 2.1) which also affects our partners in networks and alliances. In many countries, organisations work under difficult, sometimes even extremely dangerous conditions. More and more often we hear of concrete threats against human rights activists, rampant corruption, malfunctioning justice systems, a lack of access to information, and a lack of institutionalised structures for the dialogue with the population (and more so, with children) and the organised civil society. In these contexts, children and youth can hardly stand up for their rights. Therefore, we feel obliged to draw public attention to these *shrinking spaces* through our advocacy work.

From practice

One of our projects in Pakistan contributes to creating a child-friendly learning environment in selected schools of Khyber Pakhtunkhwa province. The project activities of our partner SPARC are focused on training teachers in non-violent teaching methods. This is done by developing and publishing educational materials aimed at disseminating improved, non-violent teaching methods and actively involving students in the designing of lessons.

Children and youth are motivated to engage in child rights committees. Together they campaign against child rights violations and in favour of their rights. In addition, children and youth are involved in the project to help develop *complaints procedures* for cases of child rights violations. Advocacy work is done through cooperation with government authorities and other stakeholders such as journalists. The aim is to sensitise the population on *child protection*, raise awareness against violence of all sorts against children and campaign for a ban of corporal punishment.

Experience has shown that in order to achieve the best possible implementation of the *child rights approach* it is necessary to closely link our advocacy work in Germany with that of our partner organisations in their countries. For this reason, the new advocacy concept has been drawn up. It prepares a conceptual basis for the required coordination of advocacy work at different levels. The concept also develops a more distinct profile of advocacy work by identifying core issues. It serves as a basis for dialogue with our partners to enhance and expand our cooperation in this field. Advocacy work is going to be made more effective, and child *participation* will play an even more important role.

3.5 In development education work

Based on the conviction that sustainable development and, as a result, the fulfilment of children's rights can only be achieved as a result of the *participation* of many well-informed individuals, we have performed development education work in Germany (and Austria, Switzerland and Luxemburg) for more than 20 years.

Concrete objectives of our development education work are to pass on our own expertise about global interrelations and the child rights situation in our partner countries, to advocate for a change of perspective, to question stereotypes about people from the global south, to develop strategies for action together with the target groups and, in general, to raise awareness of children's rights in Germany. Our target groups are children and adults in schools, church congregations, and non-institutional groups. Our materials, workshops and youth conferences follow the principles of the *child rights approach* and place great importance on participatory methods.

From practice

Our international youth conferences are a good-practice example of our development education work. Here committed young people from Kindernothilfe youth groups and partner schools in Germany meet dedicated young people from partner projects, for example from South Africa. For three days they work on a global topic affecting them all (like e.g. HIV/Aids, liveable cities, or schools); they debate and celebrate together, and develop possible action strategies. Sometimes the participants even come up with a list of demands which they then jointly hand over to politicians.

In this way the young people get to know their rights and *participation* opportunities. In addition, the international exchange motivates them to question existing asymmetric perspectives on development. Both the young people from Germany and those from the global south are strengthened as they go back to their schools and pass on their valuable experiences. For some of them, the youth conferences mark the beginning of a commitment as adults in the fields of human rights and our one world.



Ten years ago I myself attended one of Kindernothilfe's youth conferences; it was the first time ever that I felt concern for the world. Today I am glad to be able to facilitate a workshop at a youth conference staged by Kindernothilfe.

.....
Workshop facilitator,
Kindernothilfe Youth
Conference 2018

3.6 In public relations and communication

” In the press office I am naturally in contact with the entire portfolio of Kinder-nothilfe’s project work, that is, with all forms of strengthening children’s rights. However, what is most relevant for my practical work is probably a dignified representation of the children in images, texts and videos.

.....
Co-worker of Kindernothilfe’s press office

” Child participation is an important pillar of the UN CRC in addition to the protection and promotion of children. It is also very important in Kindernothilfe’s work because it is meant to strengthen democratic values and give children a voice to shape the world for their future.

.....
Child rights activist

Through our public relations work and a variety of communication channels we keep the public informed of our work and thus create transparency. Moreover, we seek to find more sponsors making sure that we raise sufficient funds to be able to finance our world-wide project and programme work. In this regard we face the challenge, on the one hand, to give a true picture of the living conditions of the children and their families, to take a stance against abuses, to inform and sensitise the public. On the other hand, we must not to reduce children and adults living in difficult circumstances to a role as victims, but to describe them as dignified persons and holders of rights. The portrayal of their lives should therefore not be limited to misery and poverty but, wherever possible, mention the causes and consequences of exploitation and oppression as well as ways forward towards possible change. In this context, we always have to ask ourselves what the acceptable limits are, what can be shown, told, or pictured in photos and films and what can not.

Language transports values

We are aware that our communication and language give an impression of our ideas, standards and views while, at the same time, influencing them. Language reflects social structures and power relations. It can be a means of change, create and map realities, and thus contribute to change in society. The media have a very important role in this regard because they have an impact on awareness-building. Therefore, we attach great importance to using understandable, inclusive, gender-neutral and child rights-sensitive language that follows the recommendations of the Council for German Orthography. How and what we communicate is based on the needs of the specific target group, our communication objective, and the communication channels used. For instance, the aspects of the *child rights approach* can be laid out more in detail in our development education work or in a project progress report than in a short social media post. However all messages are based on the same conviction that we wish to share with others: Children are independent personalities and holders of human rights.

Codes and guidelines for child rights-sensitive communication

In addition to the *child rights approach*, we orient ourselves in a number of external codes and internal policies and guides. As a member of VENRO, the Association of German Development Non-Governmental Organisations, Kindernothilfe is bound by the principles of VENRO’s Code of Development-Related Public Relations. This states, for instance, that “people on all continents are the subjects of their actions, and not the objects of aid”, which has to be demonstrated in all forms of expression such as word, image and sound. Other examples set out in the code of conduct are the obligations regarding appropriate communication tools and the omission of improper communication. Development-related public relations inevitably address reason and emotions alike; complex facts are simplified for illustration purposes, but this must not mean to “outthink or strain the target group with words or images” (VENRO, 2016: 4).

In addition, in our communication we apply the international Press Code and also orient ourselves in the guidelines for obtaining the DZI Seal-of-Approval for reputable fundraising organisations. With its publications “Ethics in donation-related mailings” and “Ethics in donation-related videos” the German Central Institute for Social Issues (DZI) has created practical guidelines for communication experts from the non-profit sector. Both the international Press Code and DZI’s guides are in line with VENRO’s Code for Development-Related Public Relations, yet provide specific and practical supplements with regard to

specific areas of work. VENRO and DZI have even come to an explicit agreement about the general importance of true, clear, matter-of-fact and open public relations and advertising (cf. DZI&VENRO, 2013; DZI&VENRO, 2018; Press Council, n/a).

Furthermore, in our Child Protection Policy we have defined our own policies for project visits and communication standards. To make these communication standards practical and easy to implement they have been operationalised through a guide on producing and using images. With regard to the protection needs of children stated in the policy, the guide gives examples of images that may be produced and used, and, most importantly, shows examples of images without recognisable faces.

Other concrete examples for the implementation of communication guidelines are available in our internal manual for branding-appropriate communication “Verständlich kommunizieren” (communicating in an understandable manner). It is meant to ensure that we use uniform language in all media. This uniform language should also be in line with the child rights principles. Therefore it contains a dedicated section in our manual on how we communicate in an inclusive, gender-sensitive manner and express the needs and concerns of children with a high level of sensitivity, in order to stress child rights in our communication and highlight the diversity and capabilities of children. For this purpose we avoid exclusionary language, name a variety of different aspects, wherever possible, and specifically highlight the actors’ potential for change. We communicate with a target group orientation, which means that we differentiate them and their needs when necessary, but are overall consistent in our narrative.

Child sponsorship and children’s rights

Sponsoring a child offers the opportunity to make a long-standing commitment in favour of children’s rights. In this relation children take the lead role as experts of their social situation and as subjects of their own development. The fact that child sponsorship is limited in time reduces the risk of dependencies. Donors are able to show consideration for the development of the children they sponsor and accompany them while they stay in the project. They can experience how the children grow into mature and self-reliant individuals because of their financial contribution and are themselves good examples of what can be achieved when a community takes responsibility and makes a commitment to the realisation of child rights and human rights.



In comparison with other organisations, I realise that Kindernothilfe’s Child Protection Policy is taken very seriously. I think this is good because the written guidelines for the production of photos do not only go along with my understanding of high-quality photography, but also provide orientation and clearness.

.....
Photographer

4



For children to be able to laugh, live, and develop their potentials, their rights have to become a reality around the world. The child right-based work contributes to this.

Kindernothilfe's
Child Rights Approach
Coordinator

Outlook

In the last chapter we look back at the many advances that Kindernothilfe and our partner organisations have made with regard to the *child rights approach*, drawing attention to new instruments, new working methods, but also challenges. Since we understand ourselves as a learning organisation that is constantly evolving and reflecting on what it does, we have already made significant efforts to establish the child rights worldwide. But this effort goes on: in the future we want to continue to set clear priorities and be ready to respond to global and local changes.

Therefore, in the coming years we intend, among other things, to further strengthen our child rights programming activities and expand our available trainings for capacity building. In this context we will pay special attention to the *participation* of children and youth. The continuation and expansion of our training programme on impact orientation in our project work are also of central importance, as is *child protection* in general and in particular for special, particularly vulnerable target groups (like children with disabilities or children in natural disaster situations) or in reference to specific concerns (like online safety).

Moreover, we want to link our advocacy work more strongly with the advocacy work of our partners to create and use synergies and to strengthen our partnerships. Given the global trend of *shrinking spaces*, it will also be inevitable essential to identify collaborative responses so that our partner organisations can continue performing their work in the future. Moreover, at the organisational level, we intend to apply our own quality standards for the *child rights approach* more consistently.

The experience we have already gained has strengthened our conviction that we are on the right track. The sustainable fight against poverty in the world, and first and foremost poverty of children, will only be successful when the rights of children are realised. We will continue down this path – hand in hand with children.



Only by campaigning for children's rights is it possible to sustainably improve child right structures.

.....
Kindernothilfe's advocacy team leader

Glossary

Alternative reports (or **shadow reports**) refer to information submitted to a UN treaty body by NGOs or parts of the civil society on the occasion of the review of a state report. As a rule, these reports look critically at the state report under review and the human rights situation in the respective country. They are of great importance for the effective work of the UN committees (DIMR, 2019).

The **best interests** of a child mean that, in all actions directly or indirectly concerning children, their interests are always a primary consideration. There is no universal consensus on how to define the best interests of a child. In *development cooperation* in particular, it is important to bear in mind that views on childhood may differ from one cultural context to another (Lansdown, 2005: 7). The UN Committee on the Rights of the Child formulated a guideline for the application of the concept of the child's best interest: it requires that all actors must be engaged to secure the holistic physical, psychological, moral and spiritual integrity of the child and promote their human dignity (section 2.3: 20 and Committee, 2013: 4).

Child Protection means to protect children against violence and is a central issue in *development cooperation*. Therefore, organisations are called upon to fund child protection programmes and to ensure that children are protected in the real programmatic work, based on an institutional child protection policy. A institutional child protection policy serves as a means to sensitise everybody involved on how to prevent violence, how to report concerns and incidents in a transparent manner, and how to deal with them. Protection, psychological and medical care, as well as rehabilitation measures for the children will always be the top priority.

The **child rights approach** is a *human rights-based approach* that focuses specifically on children as the target group and draws mainly on the United Nations' *Convention on the Rights of the Child*.

The **communications procedure** (or **individual complaints procedure**) is a control procedure introduced by the United Nations for the purpose of protecting the human rights. After exhausting all available national remedies, individuals claiming

an alleged human rights violation by a state can lodge a complaint with the relevant committee of the United Nations. At the end of the communications procedure, the committee makes a recommendation to the respective government where and if a rights violation was ascertained. However, this recommendation is not legally binding.

The **Convention on the Rights of the Child** (commonly abbreviated as *CRC*) was adopted by the United Nations in 1989 and has meanwhile been ratified by almost all member states, with the exception of the United States.

Development cooperation (or **international cooperation**) refers to a bundle of measures, projects and programmes of governmental and non-governmental development institutions, that aim at improving the living conditions of large swathes of the population in countries with significant economic, social, ecological, and political problems (Kevenhörster & van den Boom, 2009: 13).

Duty bearers have the duty to guarantee respect, protection and fulfilment of children's rights because of the *Convention on the Rights of the Child*. The government and its representatives (social workers, judges, police officers, public health officials, teachers) are primary duty bearers, responsible for the realisation of children's rights. Parents, community members and other caregivers are secondary duty bearers. Secondary duty bearers have specific legal obligations to uphold the rights of the children under their care.

Empowerment, in the context of international *development cooperation*, is a process of enhancing the self-confidence of disadvantaged population groups and enabling them to articulate their interests and take part in political processes. The main focus is on strengthening people's existing potential. To achieve this objective, changes to the social, economic, legal and political institutions in a society are required. (BMZ 2010–2019).

The **human rights-based approach** refers to the systematic handling of development processes, fields of policy and/or work to make sure that they contribute to the realisation of human rights. Such work is based on human rights standards and principles like *participation* and *empowerment*, equal opportunities and non-discrimination, accountability and transparency, while human rights-based tools and analysis and planning methods are used.

Human rights treaties are binding conventions under international law for the states party to it. This distinguishes them from most other UN declarations. There are currently nine major international human rights treaties. Some binding

conventions, like the European Human Rights Convention, were also adopted at the regional level (DIMR 2019).

International law is a supranational legal order consisting of principles and rules regulating the relations between individual states (subjects of international law) which are considered to be of equal status.

The **Istanbul Principles** (Istanbul CSO Development Effectiveness Principles) are a set of eight common values and approaches that were developed in the course of a two-year consultative process of the global civil society. They can be applied to the work of civil-society organisations (CSOs) across the world and are easy to adjust to the different contexts in which non-governmental organisations engage. The Istanbul Principles are based on principles recognised in international treaties on human rights and *development cooperation* and serve as a basis for civil-society organisations to reflect on and continuously improve their work in these areas with the aim of achieving more development effectiveness (CPDE, 2010).

A **legal subject** is an entity in a legal system recognised as (potentially) having certain rights and duties. The opposite are legal objects (things and immaterial goods).

Optional Protocols regulate matters that go beyond the main treaty, either with regard to specific legal aspects (e.g. the prohibition of the death penalty) or individual complaints procedures. An optional protocol needs to be ratified separately by the state parties (DIMR, 2019). → Synonym: facultative protocol

Participation means the opportunity to voice an opinion, influence decision making and achieve change. Children's participation is the informed and willing involvement of all children, [in particular] the most marginalised children and those of different ages and abilities, in any matter concerning them either directly or indirectly. Children's participation is a way of working and an essential principle that cuts across all programmes and takes place in all arenas – from homes to the government, from local to international levels (Save the Children, 2005: 4).

Ratification means the legally binding recognition of an international treaty under *international law*. As soon as an instrument has been ratified by a previously agreed upon number of states it officially enters into force. States which are not parties to a treaty upon its entry into force may accede to it by signing and ratifying the treaty (German Institute for Human Rights, 2019).

Rights holders are generally all human beings, as established in the Universal Declaration of Human Rights. A *human rights-based approach* not only recognises that the rights of a human being need to be respected, protected, and fulfilled, but also that the holders of rights are active participants in the realisation of their human rights – either directly or indirectly through organisations defending their interests.

The **self-help group approach** is an approach with which Kindernothilfe has been working for many years. With this approach we socially, economically, and politically strengthen above all the poorest women. Kindernothilfe provides them chiefly with one thing: know-how. They use it to overcome the most extreme poverty in a self-reliant way, give their children better lives, and contribute to the development of their local area.

Shrinking spaces are found in all sorts of regions in the world, both in autocratic states, but also countries with an allegedly democratic government. The term describes an increasing limitation of the freedom given to the civil society. Shrinking spaces mean that rights like the freedom of assembly, association, and expression are only granted to a limited extent. By adopting specific measures, governments hinder activists and human rights defenders in their work (VENRO, 2018).

State reports are documents by means of which state parties inform the respective treaty body of the United Nations every five years about the progress made in implementing a given convention. In the course of the reporting procedure, non-governmental organisations may submit supplementary alternative or shadow reports. The Committee on the Rights of the Child is the competent treaty body for the *Convention on the Rights of the Child*. The committees issue concluding observations with recommendations for enhanced implementation.

VENRO's guidelines for development project and programme work describe the common understanding of project and programme work carried out by VENRO's member organisations. VENRO's members orient their work in these guidelines and in the fundamental understanding of the development policies expressed therein.

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