# Tool 3: Summary of the child rights approach and guiding questions

## What is child rights education (CRE)?

**Child Rights Education Toolkit:**
Rooting Child Rights in Early Childhood Education, Primary and Secondary Schools
**First Edition**

unite for children

unicef
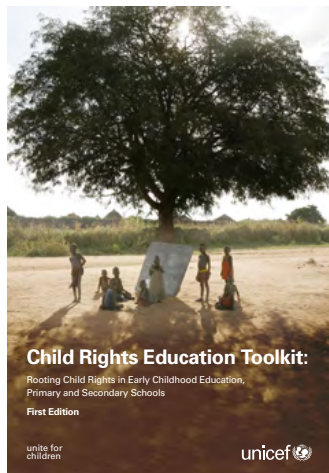
Teaching and learning about the provisions and principles of the Convention on the Rights of the Child (CRC) and the 'child rights approach' in order to empower both adults and children to take action to advocate for and apply these at the family, school, community, national and global levels.
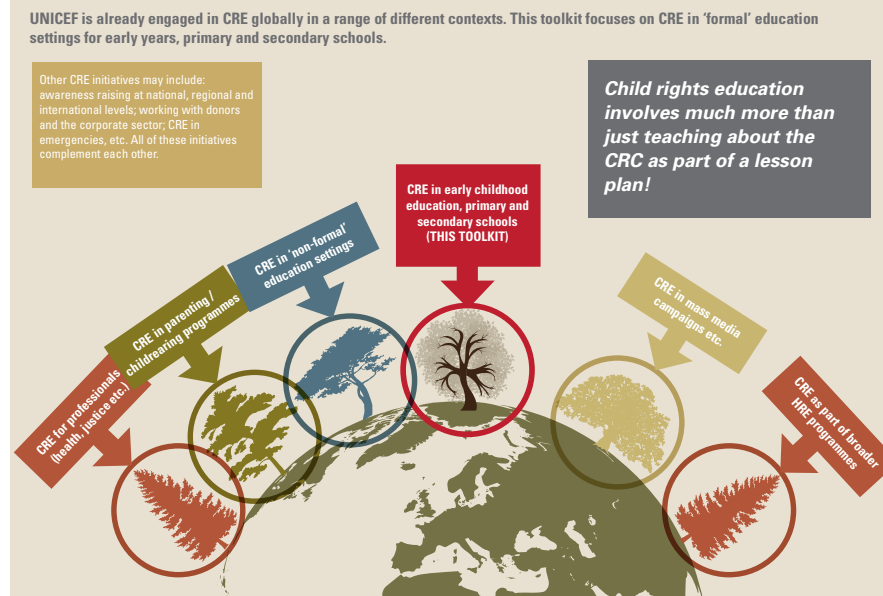
CRE is about taking action. By learning about child rights and the child rights approach children and adults are empowered to bring about change in their immediate environment and the world at large to ensure the full realization of the rights of all children.

CRE promotes the vision articulated in the CRC Preamble that "the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity."

CRE aims to build the capacity of rights-holders - especially children - to claim their rights, and the capacity of duty-bearers to fulfil their obligations. It helps adults and children work together, providing the space and encouragement for meaningful participation and sustained civic engagement of children.

Children's rights are human rights and CRE is consequently a specific component of human rights education.

Like human rights education, CRE involves learning about rights, learning through rights (using rights as an organizing principle to transform the culture of learning) and learning for rights (taking action to realize rights), within an overall context of learning as a right.

UNICEF is already engaged in CRE globally in a range of different contexts. This toolkit focuses on CRE in 'formal' education settings for early years, primary and secondary schools.

Other CRE initiatives may include: awareness raising at national, regional and international levels; working with donors and the corporate sector; CRE in emergencies, etc. All of these initiatives complement each other.

*Child rights education involves much more than just teaching about the CRC as part of a lesson plan!*

CRE for professionals (health, justice etc.)

CRE in parenting / childrearing programmes

CRE in 'non-formal' education settings

CRE in early childhood education, primary and secondary schools (THIS TOOLKIT)

CRE in mass media campaigns etc.

CRE as part of broader HRE programmes

## Always apply the child rights approach!

The child rights approach is an approach that:

- furthers the realization of child rights as laid down in the CRC and other international human rights instruments;

- uses child rights standards and principles from the CRC and other international human rights instruments to guide behaviour, actions, policies and programmes (in particular non-discrimination; the best interests of the child; the right to life, survival and development; the right to be heard and taken seriously; and the child's right to be guided in the exercise of his/her rights by caregivers, parents and community members, in line with the child's evolving capacities);

- builds the capacity of children as rights-holders to claim their rights and the capacity of duty-bearers to fulfil their obligations to children.

# Tool 3:
# Summary of the child rights approach and guiding questions

## The child rights approach in full

Duty-bearer

Rights-holder

CRC ARTICLE 6

**RIGHT TO LIFE, SURVIVAL AND DEVELOPMENT**

BEST INTERESTS

CRC ARTICLE 5

CRC ARTICLE 2

CRC ARTICLE 3

FAMILY AND COMMUNITY GUIDANCE (IN LINE WITH EVOLVING CAPACITIES) TO HELP CHILDREN EXERCISE THEIR RIGHTS

NON-DISCRIMINATION

CRC ARTICLE 12

PARTICIPATION

CRC ARTICLE 4

IMPLEMENTATION TO THE MAXIMUM EXTENT OF AVAILABLE RESOURCES

## Does your initiative pass the 'arch and table leg test' of the child rights approach?

Imagine that a child is sitting on the table. For any project, programme, activity, policy, piece of legislation or behaviour to be considered 'child rights-based', it needs to: further the realization of child rights; build the capacity of rights-holders and duty-bearers; and take all of the umbrella rights into consideration (CRC Articles 2, 3, 4, 5, 6, 12). If one of the table legs or the foundation (implementation to the maximum extent of available resources) is missing, the table is not stable and the child will fall.

Child rights education and the child rights approach fall under the broader scope of human rights education and the human rights-based approach, but they specifically apply child rights provisions and principles in a more systematic manner (particularly the 6 CRC umbrella rights).

## Guiding questions for implementation of the 'child rights approach' (arch and table leg test)

| | | | |
|---|---|---|---|
| Overall context | | A | **Does this initiative proactively further the realisation of children's rights as set out in the CRC and other international human rights instruments?** (It must contribute directly, not just incidentally, to the realization of children's rights.) |
| | | 1 | What are these specific rights? |
| Arch | Duty-bearers | B | **Does this initiative help build the capacity of duty-bearers to fulfil their obligations?** |
| | | 2 | Who are the duty-bearers? (Try to be specific.) |
| | | 3 | What are their obligations? (Try to be specific.) |
| | | 4 | Are the duty-bearers aware of their obligations? |
| | | 5 | What is preventing the duty-bearers from fulfilling their obligations? |
| | | 6 | How does this initiative build their capacity to fulfil their obligations? |
| | Rights-holders | C | **Does this initiative help build the capacity of children as rights-holders to claim their rights?** |
| | | 7 | Who are the rights-holders? (Try to be specific; include children from vulnerable groups to ensure their rights are being addressed.) |
| | | 8 | What are the particular rights which need to be promoted in this context? (Try to be specific.) |
| | | 9 | Are the rights-holders aware of their rights? |
| | | 10 | What is preventing the rights-holders from claiming their rights? |
| | | 11 | How does this initiative build their capacity to claim their rights? |

# Tool 3:
# Summary of the child rights approach and guiding questions

| Table leg test | Table top (Article 6) | **D** | **Does this initiative contribute positively to - and avoid harming - children's right to life, survival and development?** |
|---|---|---|---|
| | | **12** | Does this initiative present any risk to children's life or survival? |
| | | **13** | What measures need to be taken to protect the safety, dignity and well-being of the children involved, including marginalized and excluded children such as children with disabilities and children from minority groups? |
| | | **14** | How does this initiative positively contribute to children's development to their fullest potential – both individual and groups of children? |
| | Table leg (Article 2) | **E** | **Is this initiative discriminating against any individual or groups of children?** |
| | | **15** | Is this initiative targeted at a particular group of children? If so, who? |
| | | **16** | If so, why has this particular group, as opposed to others, been targeted? |
| | | **17** | If so, what will be the impact on individual and groups of children who are not involved? |
| | | **18** | Does this initiative discriminate against any individual or groups of children (including individual or sub-groups of children within the main target group)? |

**Guiding questions for implementation of the 'child rights approach' (arch and table leg test)**

| Table leg test | Table leg (Article 3.1) | **F** | **Is this initiative in children's best interests?** |
|---|---|---|---|
| | | **19** | Has there been an assessment by competent people of the possible impact (positive and/or negative) of the initiative on the child or children concerned? |
| | | **20** | Are child-friendly procedures in place to ensure the right of children to express their views and have their best interests taken as a primary consideration? |
| | | **21** | Is it possible to explain and document why this initiative is in the best interests of the child or children – based on what criteria and how different rights or needs have been weighed against other considerations? |
| | | **22** | Has decision-making taken into account the views of the child, the views of their caregivers, the safety of the child, the child's identity, any situation of vulnerability and the child's specific rights, for example to health and to education? |
| | | **23** | If there was a conflict in weighing various elements, is it clear that the main purpose of assessing the best interests is to ensure full and effective enjoyment of children's rights and the holistic development of the child? |

# Tool 3:
# Summary of the child rights approach and guiding questions

## Guiding questions for implementation of the 'child rights approach' (arch and table leg test)

| Table leg test | | G | Are family and community stakeholders involved? |
|---|---|---|---|
| | Table leg (Article 5) | 24 | Who are the family and community stakeholders involved? (Try to be specific.) |
| | | 25 | To what extent have you consulted them/involved them in the planning, implementation, monitoring and evaluation? |
| | | 26 | Is an advocacy process needed in order to gain their support? If so, what does this need to involve? |
| | | 27 | How does this initiative build their capacity to support children's exercise of their rights in the short, medium and long term? |
| | | H | Are *all* children able to participate in an ethical and meaningful way? |
| | Table leg (Article 12) | 28 | Has this initiative been instigated by adults, by children or by adults and children jointly? (Whose idea was it?) |
| | | 29 | To what extent have children been consulted/involved in the planning, implementation, monitoring and evaluation? |
| | | 30 | Have *all* children been given an equal opportunity to participate, with particular regard to young children, and marginalized and excluded children such as children with disabilities, and children from minority groups? |
| | | 31 | Does children's participation in this initiative comply with ethical standards and guidelines? |
| | | 32 | How does this initiative contribute to the changing of attitudes, and the creation/strengthening of mechanisms, processes and spaces for children to speak out and be taken seriously - in the short, medium and long term? |

## Guiding questions for implementation of the 'child rights approach' (arch and table leg test)

| Foundation / rug (Article 4) | I | Is the initiative being adequately, sustainably and ethically resourced by those responsible? |
|---|---|---|
| | 33 | Does this initiative represent the best use of financial, human and technical resources? |
| | 34 | What is and what should be the role and responsibility of CRC States Parties in relation to implementing and resourcing this initiative (see also questions 2-6)? (This may not be relevant to community-level initiatives.) |
| | 35 | What partnerships have been developed to facilitate resourcing of this initiative? |
| | 36 | How is the initiative being resourced - in the short, medium and long term (including human, financial, technical and material resources')? |
| | 37 | Is the resourcing sustainable? (Will the resourcing come to an abrupt end and if so, what will be the consequences?) |
| | 38 | Is the resourcing ethical? (Do the funds come from an initiative or process which has, in itself, violated human and/or child rights?) |