

Using Children's Rights in Advocacy

ADVANCING CHILDREN'S RIGHTS: CAPTURING THE LEARNING OF THE ATLANTIC
PHILANTHROPIES GRANTEES IN IRELAND AND NORTHERN IRELAND

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Introduction

This resource looks at how organisations in Ireland and Northern Ireland have used the principles and standards of the UN Convention on the Rights of the Child in their advocacy. It reviews some of the barriers that grantees faced when using rights in advocacy, how they've responded to these barriers and some suggestions for children's rights advocacy strategies.

How Grantees Use the Convention on the Rights of the Child

Children's Rights as a Benchmark

The UN Convention on the Rights of the Child (CRC) is a set of common principles and standards to which almost every State in the world has agreed to be bound. For organisations advocating with and for children (up to age 18), this means there is an agreed and existing framework that can be used as a benchmark for developing advocacy agendas as well as monitoring and evaluating the State's actions towards fulfilling its obligations.

Children's Rights as 'Carrot and a Stick'

Examinations by the Committee on the Rights of the Child offer advocacy levers to organisations in their work with policy-makers. In advance of a State examination, NGOs can encourage governments to change policies that are not meeting standards by emphasising that the Committee will look favourably on positive changes or will note its concern about areas in which there has been little or no progress. These are key moments for raising awareness among decision-makers about their obligations under the CRC and how policies can be brought in line with international standards.

... coming up to the next UK examination, it can be something that we'll use it as a stick to say 'Look, you need to get this issue sorted'... There is an incentive there... But other times, you can use it maybe in the same timeframe as a carrot to say 'Look, wouldn't it be great if you got this issue sorted and you can go to the UN and get a pat on the back.'
(Staff, Northern Ireland)

I will look at what the government is proposing to do in relation to a piece of legislation or a policy. I will benchmark that against what the UNCRC said... That is how we do our policy, that is how we make the policy analysis and that is how we try to hold government to account.
(Staff, Northern Ireland)

... legislation shifts, but rights don't shift, so it certainly helps us make the stronger statements with complete confidence and it also gives you a bottom line. No fuzzy area you know, and that's all really positive and useful.
(Staff, Ireland)

Using the General Principles

Even if grantees were not using the full extent of the CRC, most referenced the Convention's General Principles (*Non-Discrimination (art 2); Best Interests (art 3); Life, Survival and Development (art 6); Right to be Heard in Decision-Making (art 12)*) in some part of their advocacy work. For example, most emphasised the importance of young people expressing their views and being heard in decisions that affected their lives.

Using the Law

Some grantees used legal mechanisms, such as reporting to the Committee on the Rights of the Child, advocating for legislative change and using strategic litigation to advance children's rights.

Acknowledging the Barriers

Despite the many positive aspects of using children's rights to inform and support advocacy with and for children and young people, challenges included:

- Political resistance and divisive nature of a rights discourse (e.g. language of 'entitlements' is difficult during times of austerity)
- Actual and perceived limitations of who is covered by the provisions of the CRC (e.g. children are defined as those under age 18 in the Convention)
- Lack of direct enforcement through domestic legislation
- Perception that rights were too resource intensive and complicated to implement
- Persistent tokenism by duty-bearers (e.g. believing they had 'ticked off' their rights obligations with superficial consultation processes)
- Lack of funding for rights-based advocacy, including difficulty of measuring achievements for funders
- Staff members' knowledge and awareness of the children's rights standards and how to implement this in practice
- Duty-bearers' knowledge and awareness of children's rights obligations
- Belief that human rights are too complicated for children and young people to understand
- Belief that children and young people will not be interested in rights

Responding to the Barriers

Staff Knowledge and Awareness

Those wishing to use children's rights advocacy need to understand what it means, use the language with confidence and operationalise it in their own practice. Staff spoke often about the need for children's rights to permeate the culture of the organisation, by 'making children's rights second nature'. A recurring theme was that it was not enough to be able to recite the text of the CRC, but that what was needed was an understanding of the concept of children's rights and in particular what it means to demonstrate respect for children as rights-holders.

Grantees were supporting staff knowledge and awareness through: pre-employment requirements; induction training; on-going staff training; linking policy and practice workers and objectives; ensuring practice staff engaged with children and young people in a rights-compliant and rights-promoting way.

Children and Young People's Participation

From an advocacy perspective, direct engagement was viewed as an opportunity for decision-makers to engage with how children and young people experience the implementation of their policies. NGO staff believed that with children and young people in the room, duty-bearers seemed to understand the issues and significance in real terms in a way that did not occur through indirect methods. This was felt in particular when the issues related to vulnerable or marginalised groups (e.g. young people in care) about which it was difficult to articulate the significance (e.g. the right to play).

Direct engagement creates opportunities for rights-holders to meet those who are responsible for making decisions that affect them. Provided that the 'right' people (both children, young people and decision-makers) are in the room, such engagement seems to lead to better understanding of the issues by decision-makers and greater understanding of the wider picture of decision-making for children and young people. Some young people felt that because they had shared their views and experiences directly, individual decision-makers seemed more accountable for addressing their concerns. Conditions should be put in place to ensure that all children and young people feel their views and contributions have been acknowledged, valued and taken seriously by others in the room.

Strategic Approaches

Making Rights Real

The key message from grantees was that successful advocacy strategies demanded that rights were 'made real' for decision-makers.

- Be specific: work with practice staff to identify *specific* case examples to used in policy and advocacy work
- Use local examples: present issues to politicians that affect their own constituents
- Get personal: support opportunities for meaningful face-to-face engagement between children and duty-bearers where appropriate
- Build relationships: identify and work with particular decision-makers who can then advocate alongside the organisation

Finding the In-Roads

Grantees explained the importance of identifying a common starting point with decision-makers who may be unfamiliar with rights standards and principles or may have less experience working with children and young people. Many described a kind of 'journey' that civil servants, politicians and political policy officers made through multiple engagements, often moving from '*quite* antagonistic... to actually quite supportive of what we actually do on the ground' (Director interview). In many cases, as decision-makers became familiar with the language of rights, they became more comfortable with the principles behind the advocacy campaigns.

Whole organisational approach

Some organisations were taking active measures to integrate the use of rights across various aspects of their work, in an effort to strengthen their role as advocates with and for children and young people. Organisations discussed the value of dedicated policy and advocacy workers to build relationships and negotiate with duty-bearers. Practice staff, such as youth workers or play officers, were encouraged to contribute to the advocacy strategy by facilitating policy and advocacy staff members to hear, either directly or indirectly, the views of children and young people in their programmes. For example, grantees were clear that the most successful advocacy campaigns were built on specific examples passed on from knowledgeable and skilled practice workers to policy and advocacy teams. Finally, these grantees were establishing or strengthening rights-based governance strategies to ensure that children and young people's rights were mainstreamed throughout the organisation.

Building a constituency of support

One key aspect of public campaigns is the need to build support within communities and the media to broaden the campaign's reach and increase pressure on decision-makers. In some cases, this means that children's rights messaging may need to be translated into language that is easier for the general public to understand. Some organisations were working hard to ensure that the key rights standards and principles at the heart of their advocacy were carrying through when these messages were translated for wider appeal.

There's one piece in the Times that had greater impact than all the submissions we can do behind the scenes and on committees and all, so raising awareness with the right people in the media and with the public is important because the public have a very strong voice. (CEO, Ireland)

Supportive Factors

Although the use of children's rights in advocacy can present challenges at times, there are some common factors that support this approach...

- Staff training on children's rights principles and practice
 - Dedicated policy and advocacy workers
 - Practice staff empowered to view their role within the advocacy agenda
- Children and young people's meaningful participation
- Governance strategy built upon a children's rights framework
- Funding that recognises the time and resources required to support children and young people to be involved meaningfully in children's rights advocacy

Summary

Organisations' use of children's rights language in their advocacy differed considerably, both between organisations – some of whom used the CRC in all of their policy and advocacy work and others for whom children's rights informed the general direction of their advocacy – and within particular organisations in their advocacy for different groups of children, for different issues and with different audiences. This *strategic use of children's rights* was common among those who had a well-developed and nuanced understanding of the CRC and the standards on which their advocacy was based.

In terms of advocacy, it is about articulating the changes that we want to see happen, in the most effective way...

Sometimes you will use rights-based language, because it is the best way to achieve change. Other times you might not articulate it with rights-based language because you have a better chance of persuading and achieving a change by articulating it in a different way. But it doesn't mean that it is not child rights advocacy... it is about the obligations of other people to uphold children's rights.

(Staff interview, Northern Ireland)

Background and Context

The Atlantic Philanthropies Children and Youth Programme (Objective 2) grantees included a diverse range of 19 non-governmental organisations in Ireland and Northern Ireland, working with varied groups of children and young people in a multitude of ways. What is common to all is a commitment to effecting social change for children and young people in ways that ensure their active involvement. The understanding, use and value of using a child rights framework for these purposes differed between the projects considered within this study. There are organisations for whom it was up front and centre in all of their activity; those for whom it was used intermittently, sometimes more overtly than other times; and those for whom it underpinned their activity, particularly their work on child and youth participation, rather than the language they used. Grantees provided interesting insights into the ways in which they perceived it to be easier to use a rights discourse when undertaking advocacy for some issues and not for others; for some children and young people and not for others; and with some duty-bearers and not others. This nuanced understanding of the added benefits and challenges associated with a rights discourse meant organisations had developed strategies based on achieving the best outcome for the children and young people they worked with, rather than adhering to a particular framework. In this way, grantees were using children's rights consciously (or choosing not to so overtly) as a means of working strategically, and responding to changes, within the social and political context of Ireland and Northern Ireland.



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