Eurochild Submission

OHCHR Follow up Report

OHCHR follow-up report on Investment in the Rights of the Child
About Eurochild

Eurochild advocates for children’s rights and well-being to be at the heart of policymaking. We are a network of organisations working with and for children throughout Europe, striving for a society that respects the rights of children. We influence policies, build internal capacities, facilitate mutual learning and exchange practice and research. The United Nations Convention on the Rights of the Child is the foundation of all our work.

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**OHCHR follow-up report on Investment in the Rights of the Child**

**Call for practical examples, good practices, lessons learnt to ensure sufficient, equitable and efficient public resource mobilization, budget allocation and spending to realize the rights of the child**

In its resolution 28/9 on ‘Rights of the child: towards better investment in the rights of the child’, the HRC invites the High Commissioner to prepare a follow-up report on investment in the rights of the child based on good practices and lessons learned to be submitted to the HRC at its thirty-first session in March 2016.

The OHCHR has now circulated an invitation to Member States and other stakeholders to submit information on practical examples, good practices and lessons learnt to ensure sufficient, equitable and efficient public resource mobilization, budget allocation and spending to realize the rights of the child, including measures to address barriers and bottlenecks, relevant tools, resources and guides. Deadline for submission of information is 18 October 2015.

The first OHCHR report on the theme earlier this year ([http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/246/99/PDF/G1424699.pdf?OpenElement](http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/246/99/PDF/G1424699.pdf?OpenElement)) provides detailed information on the conceptual framework related to a human rights-based approach to budget preparation, allocation, spending to realize the rights of the child. In view of this, this follow-up report should take the analysis one step further by focusing on practical examples, good practices, lessons learnt and measures to address barriers and bottlenecks. Good practice examples already included in this first report should not be repeated in the follow-up report.

**Public resource mobilization to increase resources available to invest in children (including domestic resource mobilization and progressive taxation, how states safeguard spending on children during economic and financial crisis and how states ensure that sub-national levels of government can finance their mandates)**

Information on practical examples, good practices, lessons learnt and measures to address barriers and bottlenecks (including relevant references):

- **Vision for deinstitutionalisation of children - National Network for Children (Bulgaria) (1).** The project aimed to assist in the deinstitutionalisation programme of the Bulgarian Government. Even though deinstitutionalisation in Bulgaria started in 2000, the reforms undertaken were patchy, service provision was piloted only in a certain number of municipalities by international donors and NGOs and alternative services were developed in parallel with the old institutional system. NGO Alliance, an informal network of over 90 organisations, developed a
Vision setting clear philosophy, values and principles to underpin all efforts for change, provide a framework for reaching a common goal, and to guide the reform operationally. The bottom-line was decreasing the number of children aged 0-3 in institutions through adequate support to families and early intervention. The Vision was submitted to the Prime Minister and the Council of Ministers and fed into the outcome of an inter-ministerial working group on the national deinstitutionalisation strategy. The strategy was really successful in ring-fencing the Government’s expenditure as the final ministerial document supported, among other things, the investment of more than 100 million euro from the EU structural funds on the reform process. It also promoted a strong government ownership over the process and a strong sense of ownership by NGOs thanks to their involvement in the policy. The process was very cost-efficient as all participants took part voluntarily or were assigned by the Ministry/Agency they were working at and contributed with the resources they had in terms of meeting venues, costs for carrying out meetings, press-conferences, etc. All in all, the strategy could be replicated to other country with similar context in planning or undertaking child-care reforms.

Links to relevant tools, resources and guides:

(1) www.nmd.bg

**Child rights-based budgeting and spending (including how states prioritize budget allocation and spending towards child-focused sectors, make children visible in budgets, coordinate across government departments, ensure a life cycle approach and ensure the best interest of the child in budgeting and spending, and ensure the availability of comprehensive and disaggregated data)**

Information on practical examples, good practices, lessons learnt and measures to address barriers and bottlenecks (including relevant references):

- **Advocacy action on government approach to investing in children - EAPN (Estonia) (2).** Through their advocacy towards the Estonian Government, EAPN has successfully oriented the new budgetary lines in the field of children’s rights and well-being. After launching a campaign to collect letters from Estonian people on the reality of poverty in Estonia, they established a dialogue with the Government to demand children-oriented policies, budgeting and taxation, and raised awareness among Estonians. Their action has contributed to increasing allowances for second and third children, which becomes very relevant considered that Estonia has one of the highest rates of children living in single-parents families in the EU (24%). They also contributed to adopting a child-oriented calculation of subsistence level and to prioritising ESF spending on early and daycare services.

- **Implementing reform of the child protection system - CNAPE (France) (3).** The organisation analysed the implementation of the 2007 Law Reforming the Child Protection System. The law was very much in line with CRC in terms of putting children’s rights at the centre of the system, considering best interest of the child, considering the place of parents and taking a holistic approach. The study
highlighted that seven years later horizontal interaction and national/local partnerships have increased. There has also been a steep increase in the budget allocated to child protections and in number of children benefiting from protection measures. Parents’ and children’s rights have increasingly been taken into account.

- **Changing the child protection paradigm. The case of Bacau County. Reform through DI – Hope and Homes for Children (Romania) (4).** The organisation has contributed to the policy debate under the National Strategy for Child Protection by gathering the opinions of professionals and practitioners. It also undertook a study on the financial impact of reform of the child protection system showing the financial benefits of deinstitutionalisation and highlighting the increased quality of alternative care settings. By gathering evidence, the organisation aims to ensure that EU Structural Funds support the transition from institutional to community-based care. By building the capacity of the relevant authorities, they also sought to improve their gate-keeping mechanisms. The key of their idea is to both create a continuums of community services and preventing access to institutions. The project experienced a great success among local and county authorities in Bacau, that have now become active advocates of approach by advertising it in the whole Moldova region. Building on the project at the county level and scale it up requires continued strengthening of the legal framework and coherent policies and integrated strategies.

Links to relevant tools, resources and guides:

**Non-discrimination**
*(including how states use the budget as an instrument to ensure the realization of the rights of the most deprived and vulnerable children)*

Information on practical examples, good practices, lessons learnt and measures to address barriers and bottlenecks (including relevant references):

- **The Legal Front Office-Clinic model – Save the Children Italy (Italy) (5).** Funded by the European Commission and implemented by Save the Children Italy, the project involved legal practitioners and law students in providing children and their families with high-quality information, free legal advice and chances of participation. The project was two-fold. The Front Office provided legal advice to families of different nationalities, namely on issues with great impact on their lives (migration law, citizenship, family law, social rights). The information and practices collected fed into the work of the Legal Clinic, a course on child and family law held at the Faculty of Law at Università of Roma Tre. The outcome of the course allowed Save the Children Italy to detect and address gaps in the current
legislation through advocacy and lobbying. All in all, the project improved the access to legal and administrative procedures for families at risk of poverty and created strong synergies among different stakeholders and processes, namely field-work, academia and advocacy.

- **Supporting young people leaving care - SOS Children’s Village (Latvia) (6).** The project aimed to enhance the quality of services addressed to those leaving institutional care. Latvia’s GDP expenditure on social protection is the lowest in the EU and, despite the national legal framework, the majority of young people living in institutions do not feel well prepared for independent living. The NGO’s works is two-fold. On the one hand it works to improve the capacity of service providers to cope with the transition from institutional to community care. On the other hand it carries out advocacy towards the Latvian Government to improve relative legislation. For three years the NGO and other members of the Alternative Child Care Alliance dialogued with the Government, with the Ministry of Welfare integrating many of their views into policies and legislation. Now alternative child care is given priority under the National Development Plan 2014-2020, the State Family Policy 2011-2017 includes special support for young people having left care until 2 years after leaving, and the 2012 Requirements for Social Service Providers features an increased maximum age to be eligible for support in youth homes. EU Structural funds are now used in a more child-oriented way, for instance on developing 35 youth homes and on those leaving institutional care. Cooperation has been very effective with the Municipality of Riga, as it developed an internal regulation on how to provide support to young people who are leaving or already left institutional care and offered its youth facilities to carry out awareness raising activities.

- **Inclusive practices for children in an irregular migration situation – RED ACOGE (Spain) (7).** In response to some criticalities in the access to healthcare services by undocumented children, the Municipality of Barcelona has started providing services to all resident children regardless of their status, and this is now a good practice. Data shows that the risk of poverty in Spain in the under 16 age group is particularly high among children of migrant origin, with 27.9% of children living in severe poverty in (2006), compared to 4.3% of those of Spanish origin. In the province of Barcelona, the rate of poverty is 35% among foreign-born families compared with 15% of indigenous families. The Municipality of Barcelona came up with the initiative “Registration With No Fixed Address” that allows people to register to city services (healthcare, library etc.) at the address of a social institution of social service centre (e.g. Red Cross, Caritas). The “no-fixed-address approach” was successful to the extent it was used in other aspects of city services to boost participation of undocumented minors. The participation activities carried out by the Barcelona City Council include public debates, information activities for young people and other proposals for civil participation. Access to these services is becoming increasingly less bound to a fixed address in a perspective of universal access to services. At the same time, the Municipality has an Immigration Council, an advisory and participatory body that gathers several stakeholders active in migration and integration to help
achieve the full exercise of citizenship for foreign-born citizens. The City Council is also working on a network with social organisations to promote mutual participation and cohesive and effective work.

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**Accountability**

*(including how internal and external oversight are ensured, what role international and regional accountability mechanisms play and how civil society actors and children engage in accountability)*

Information on practical examples, good practices, lessons learnt and measures to address barriers and bottlenecks (including relevant references):

| Links to relevant tools, resources and guides: |

**Transparency**

*(including how states are making budgetary, spending and other fiscal information available to the public and how they cater for children’s specific needs for information)*

Information on practical examples, good practices, lessons learnt and measures to address barriers and bottlenecks (including relevant references):

| Links to relevant tools, resources and guides: |

**Participation**

*(including formal and informal opportunities for adults and children to engage in budgetary and fiscal processes, information from children on how they want to be involved in these processes and conditions that need to be in place for adults and children to engage)*

Information on practical examples, good practices, lessons learnt and measures to address barriers and bottlenecks (including relevant references):

- Deinstitutionalisation for Children 0-3 - Hope and Homes for Children (Bulgaria) (8). At the request of the Bulgarian government, the association has helped in closing eight institutions for children aged 0-3. As part of their action, they set up District Coordination Mechanisms (DCMS), i.e. operational bodies bringing together partners from different institutions, to provide inter-agency management of DI cases. Financial sustainability and multilateral governance are two assets of the project. On the one hand, DCMS are composed of permanent members from regional-local authorities and associate members (service providers, NGOs, health institutions etc). On the other hand, it requires very
modest additional financial resources, as participation to in a DCMS falls within the existing functional responsibilities of members. DCMS are functional to finding local solution related to deinstitutionalization through a joint decision-making that empowers families as partners in the process.

- **Children’s City Council – Society Our Children (Croatia) (9).** Since 2001, the organisation has been running a Children’s City Council in the city of Opatija that aims to involve children into expressing their wishes and needs to adults and decision-makers in line with the UNCRC (art. 12). The Council has its own statute and is composed of children elected through actual elections every two years. The composition of the Council ensure that gender, disability and ethnicity is represented. Children gather 4-5 times a year, discuss issues, prepare questions to ask the mayor and the chairman of the City Council and get answer in written or oral form. Based on the information they collect, children make proposals for the city budget and can award the “Children’s best action” prize to children who were involved in positive community activities. The Children’s mayor may accompany the “big” mayor to protocol events that are important to children. So far more than 1500 children have taken part to the Council’s activities. The Council goes hand in hand with the Children’s Forum, a platform where children learn about their rights and explore children’s issues in their free times and report their conclusions to adults in the Croatian Parliament and local authorities.

- **Participatory Budgeting “I count, I participate, I decide” – Municipality of Milan (Italy) (10).** The Municipality of Milan has been planning its 2016 budget under a participatory model where citizens are directly involved and consulted. The “I count, I participate, I decide” project is structured in four phases where citizens can express their view at public consultation meetings held in all the city districts (Phase 1) and can join workshops on multilateral planning (Phase 2). Citizens can vote for the best projects resulting from the workshops on a specific website (Phase 3), and the Municipalities bounds itself to implementing them (Phase 4). The state of advancement of projects can be monitored on a specific website. Part of the project targets young people, namely those aged 14-22. In an open letter published on the social networks, the Mayor of Milan called on young people to speak up for their views and interests and to be in charge of a real change in the city’s daily life.

- **The Child-Friendly Cities Project (CFC) – UNICEF National Committee (Spain) (11)** promotes the rights of the child by creating a child-friendly and participative urban setting. The programme can be applied in municipalities (town or city council) or any other territorial entities (county, region) with a legally constituted local government. Entities are granted a CFC seal if they meet criteria such as child participation, reporting, sufficient budget, monitoring and evaluation, internal and external coordination, awareness raising, participations with citizens and NGOs. The project is part of the broader Child Friendly Cities Initiatives launched in a Special Session of the UN General Assembly on Children in 2002. At a national level, it operates under the National Strategic Plan for Children and Adolescents that calls for municipalities to include children-related aspects in their Local Plans,
and the National Plan of Action for Social Inclusion, that acknowledges the key role of municipalities in achieving social inclusion.

Cities applying for the official Seal must provide UNICEF Spain with proof of their investment in children and adolescents such as periodic reports of activities and reports on the situation of children, action plans, executed budget and planned budget with a 3-4 years scope. They must also ensure the children are permanently involved in policy-making, the impact of all relevant policies on children’s welfare is evaluated and that information on norms is spread throughout all the agencies and authorities. Information relates to at least the twelve months prior to the date of application for the seal. The seal expires every four years and can be renewed provided that cities have fulfilled at least 50% of the actions stated in their plan.

The project supports access to adequate resources and access to affordable and quality services, participation of children and integrated governance, all in line with the UNCRC. It also allows scaling up the change to a higher level, as cities are also demanded to influence children-related policies and legislation at the regional and national level.

Links to relevant tools, resources and guides:
(9) Forms of Child Participation in Society “Our Children” Opatija, 2015

**Role of the private sector**
*(including measures put in place by states to ensure private sector contributions to investment in children and initiatives by the private sector to support realization of the rights of the child and public spending)*

Information on practical examples, good practices, lessons learnt and measures to address barriers and bottlenecks (including relevant references):

Links to relevant tools, resources and guides:

**Obligations of international assistance and cooperation**
*(including how states prioritize children’s rights in ODA, how the UN, IFIs and regional bodies directly and indirectly support states to invest in children and how investment in children are prioritized in decisions on humanitarian financing)*

Information on practical examples, good practices, lessons learnt and measures to address barriers and bottlenecks (including relevant references):

Links to relevant tools, resources and guides:
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