BENCHMARKING PROGRESS IN ADOPTING AND IMPLEMENTING CHILD RIGHTS PROGRAMMING

Gerison Lansdown

Save the Children

Vision

Save the Children works for:

A world which respects and values every child

A world which listens to children and learns

A world where all children have hope and opportunity

Mission

Save the Children fights for children's rights

We deliver immediate and lasting improvements to children's lives worldwide

CONTENTS

PREFACE

The benchmarking study was commissioned by the Coordinating Group on Child Rights Programming of the International Save the Children Alliance. The study was conducted by Gerison Landsdown as an independent consultant.

Five years ago Save the Children committed itself to the adoption of Child Rights Programming [CRP], a child-focussed version of rights-based approaches, as its "distinctive approach to work". A key aim of this study was to consider the lessons learnt from the process so far and to identify good practice that might be helpful to Save the Children and other agencies embarking on the same path.

Rights-based approaches to development integrate the learning of development work into a framework based on human rights principles and standards. Rights-based approaches hold powerful people and institutions accountable for their responsibilities to those with less power. To do so, rights based programmes support rights-holders - especially the poor, powerless and discriminated-against - to claim their rights. They also increase impact and strengthen sustainability by addressing root causes, bringing about policy and practice changes to make a reality of rights and working with others towards common goals.

Adopting a rights-based approach to development is about having a real impact on development and on the way in which organisations and their staff work. The evolution of rights based approaches, as a practical approach to programming is reflected in general good development practice.

In the study, fourteen benchmarks are suggested that highlight the most significant organisational changes that are required by the adoption of a rights-based approach to programming. These benchmarks can be used to identify key components of an implementation strategy following the adoption of a rights-based approach to programming and to assess progress in achieving them. We hope that they will prove helpful both as an overall model and as pointers towards the kind of key indicators that may assist others pursuing the same goal. Save the Children looks forward to debate and discussion among other agencies that may lead to their improvement and further elaboration.

Eva Geidenmark
Chair of the Coordinating Group on Child Rights Programming

Executive Summary

This report examines the progress made by members of the International Save the Children Alliance[1] in *adopting and implementing* its distinctive approach to rights-based programming with children. The focus is mainly on the organisational decisions and strategies that were used to integrate rights-based programming into the work of these organisations - rather than, for example, considering the content or impact of those approaches. It also compares Save the Children's experience with that of other agencies (UNICEF, Oxfam, Plan and Care who have also adopted rights-based approaches.

The key aims of the study were:

- to consider the lessons learnt from the process so far
- to identify good practice that might be helpful to Save the Children and other agencies embarking on the same path.

The study was commissioned as a 'stock take' five years after the International Save the Children Alliance had committed itself to the adoption of Child Rights Programming [CRP] as its "distinctive approach to work". Since that time a significant number of individual members of the Alliance have formally adopted and begun to implement this new programming approach. A small co-ordinating group, made up of representatives from individual Save the Children organisations, has worked during this time to provide a minimum level of consistency and coherence in the approach and to support implementation with key tools such as an Alliance-wide handbook on CRP.

In general however, given the Alliance's federated structure, each individual organisation has followed its own path in this process with a minimal level of central direction or support. The choices made by different organisations reflect their organisational preferences, the cultural context in which they operate and the internal politics of the organisation. The result has been a rich source of comparative experience that is presented in some detail in the main body of this report in terms of the experience of 8 Save the Children organisations of different sizes and backgrounds.

An innovative element of the study is the development of 'benchmarks' that highlight the most significant organisational changes that are required by the adoption of a rights-based approach to programming. The study proposes fourteen benchmarks (see Box 1 below) that can be grouped into four categories:

- Organisational strategies are adopted to introduce CRP (Benchmarks 1-5)
- Institutional ownership of CRP is secured (Benchmarks 6-8)
- Key steps in programme development are changed (Benchmarks 9-12)

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[1] 'members' of the International Save the Children Alliance are individual national non-governmental organisations that have signed up to and comply with the Alliance Bylaws and Licensing Agreements.

- Accountability to children as stakeholders is introduced (Benchmarks 13-14)

Only the last of these groupings is specific to a child-focused organisation such as Save the Children. The others appear to have wider applicability to any organisation adopting a rights-based approach. An initial attempt to apply them to 4 other comparable organisations - UNICEF, Oxfam, Plan and Care - is included in the study. It is suggested that these benchmarks can be used firstly, to identify key components of an implementation strategy following the adoption of a rights-based approach to programming and secondly, to assess progress in achieving them.

Benchmarks of progress in implementing Child Rights Programming

Benchmark 1
A clear mandate, vision and mission expresses commitment to child rights

Benchmark 2
Policies and strategies translate the mandate and mission into practice

Benchmark 3
Staffing policies, including recruitment and induction, facilitate effective CRP

Benchmark 4
Tools, guidance, planning guidance have been developed to build capacity for CRP

Benchmark 5
Organisational support has been introduced to strengthen an integrated approach to CRP

Benchmark 6
All staff and Board members have a clear understanding of, and commitment to, CRP

Benchmark 7
Staff feel competent and confident in CRP

Benchmark 8
Partners are supported and enabled to work within a rights-based approach

Benchmark 9
Situation analysis is directed towards mapping rights violations, and identifying causes and duty bearers, through a process that respects the views of children

Benchmark 10
Priority setting and planning is informed by a rights-based perspective, and takes account of the views of children

Benchmark 11
Implementation is directed towards the fulfilment of all children's rights, without discrimination, involving both holding duty bearers accountable and supporting children to claim their rights

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> **Benchmark 12**
> Monitoring and evaluation is informed by CRP both in respect of its process and focus
>
> **Benchmark 13**
> Children are acknowledged as stakeholders within Save the Children
>
> **Benchmark 14**
> Mechanisms for accountability to children have been introduced

Although it is not claimed that these are necessarily the best or only benchmarks of progress, it is hoped that they will prove helpful both as an overall model and as pointers towards the kind of key indicators that may assist others pursuing the same goal. Save the Children looks forward to debate and discussion among other agencies that may lead to their improvement and further elaboration.

Methodology

The study was a desk-based exercise using four main sources of information

1. A review of available documentation providing evidence of the extent of the adoption and introduction of CRP/rights-based approaches within Save the Children organisations.
2. A similar review of the documentation on the introduction and implementation of rights-based approaches in other development organisations, including UN agencies, NGOs and donors.
3. Interviews with key respondents within Save the Children members and other agencies at head office and regional level.
4. Interviews with key staff in other development agencies with responsibility for implementing rights-based approaches to programming within those agencies.

Key Findings of the Study

- Save the Children has helped to pioneer rights-based approaches to work in development and emergencies. As an 'early adopter' of a rights-based approach it has been a champion for the value of such an approach and has encouraged other organisations to consider taking it on.

- A number of members of the International Save the Children Alliance have now made significant progress in pushing forward with the implementation of CRP within their organisations. Others included in the study have been constrained by their external environment or by other internal factors that have held back implementation.

- The size of an organisation has not been the primary determinant of the speed or success of implementation - some small members have made much more progress than some of the larger members with more resources and capacity.

- There was no blueprint for what CRP, or a rights-based approach more generally, entails or how an organisation should go about implementing it The challenge has been to create a fundamentally new way of working, while simultaneously trying to develop the necessary tools, support systems and competencies in staff, persuade respective Boards of the importance of adopting the changes, and sustain funding from donors unfamiliar with, and indeed, often unsympathetic to rights-based work. In this situation it is perhaps remarkable how much progress has been made.

- There is no evidence that there is a 'magic key' or single overall approach that is markedly more successful than any other approach in implementing the organisational changes required by a rights-based approach. A significantly more 'top down' and centralised approach appears to have been no more or less successful than a much more 'bottom-up' approach for example. Some approaches have worked better than others but they have also been strongly influenced by the local context.

- Nevertheless, there are important pre-conditions and steps that do seem to be essential in accelerating the implementation of CRP - and the benchmarks identified provide a useful guide to these. Some of these points include:

- Developing commitment to CRP involves not just changes in practice and processes but, very importantly, changes in organisational culture and individual attitudes. These cannot be achieved by diktat but require sustained investment in helping staff to review and adapt their work, backed up by systems which help institutionalise the process.
- CRP needs to be fully integrated into organisational systems for planning, programming, monitoring and budget allocation.
- The implementation of CRP requires new skills that are not always to be found in existing staff or in the pool of locally available staff and more deliberate attention needs to be given to recruiting or developing these skills.
- A grounding in, and commitment to, child rights by staff is essential to the effective implementation of CRP.
- Good training materials and other tools are essential to help build understanding, competence and capacity in CRP. Training also needs to be backed up by coaching, mentoring and practice exchange over the longer term.
- The implementation of CRP benefits from an investment in support mechanisms such as CRP advisors and structures to encourage cross-departmental dialogue on CRP e.g. between Operations/Programmes and Human Resources.
- Support should be given to regional and national level initiatives that enable the regional and country implementation of CRP to be better matched with local contexts.
- It is important to invest in partners to build their understanding of, and commitment to, CRP.
- A rights- based situation analysis is an essential tool in CRP and it is important to develop the skills, and share the experience, to enable it to be done well.
- In a rights-based approach such as CRP, which places emphasis on empowerment of adults and children in claiming their rights, a careful balance needs to struck between

global or organisational goal setting and an obligation to respect the stated priorities of children and their communities on the ground.

- CRP stimulates an increased focus on advocacy with duty-bearers but involvement in service provision or other direct programme activity can still be important in its own right for fulfilling children's rights and as the source for the evidence base for advocacy.
- Promoting children's participation is both an objective in its own right as well as an important strategy for promoting all other rights.
- The principle of non-discrimination is universally endorsed across the Alliance but there is a lack of clarity and guidance about its implications for programming.
- Evaluating and assessing the impact of CRP is vital. Organisations need to see that significant investment in new approaches, skills and systems are producing real benefits for the children for and with whom they are working.
- Children are key stakeholders in Save the Children's work and Save the Children organisations therefore have a duty to make themselves accountable to them. More debate is needed on the nature of accountability to children and its implications for the Alliance.

- Implementation of CRP could be considerably assisted by encouraging greater dialogue between individual Save the Children members and between them and other organisations working towards the same goal. The overriding theme that emerges from this analysis is that organisations have faced very similar challenges in making progress. Each of them has ideas, research, tools, resources and models from which others could learn and benefit. There is evidence of significant duplication of learning as well as considerable opportunities for fruitful dialogue and information exchange.

- The use of benchmarks as 'yardsticks' to measure and assess progress in the implementation of rights-based approaches appears to have considerable value. They provide clarity about some of the key steps needed in taking forward a rights-based approach and can provide the basis for a more proactive approach in planning the organisational changes required. They also enable fruitful comparisons to be drawn between different organisations and agencies.

- High level and explicit endorsement from senior management is vital if the organisation is to 'buy in' to adopting rights-based approaches. This endorsement must be reinforced by the introduction of systems, structures, training and budgets which reflect and facilitate the work at the field level. Without such a commitment, progress will inevitably be slower, more erratic and less effective.

- There seems to be less confidence and acceptance that CRP - and rights-based approaches more generally - can be applied in emergencies. More work needs to be done through collaboration with other agencies to explore how the concept can be applied successfully

- The International Save the Children Alliance needs to evolve a more unified approach to child rights programming, backed up by the development of common tools and

guidance. The drive within the Alliance towards unified programmes at country level only serves to underscore the importance of such an approach. Smaller members are clear that they would benefit from a more coherent message from the Alliance.

- Save the Children has to address a number of challenges in its relationships with children associated with this new approach to its work. Although children, like adults, are subjects of rights and equally entitled to have those rights respected, children are not adults. They have a different legal status, they are entitled to additional protections deriving from recognition of their vulnerability and youth, and they have differing levels of capacity for exercising rights, depending on their context, experience, cultural environment and age.

- CRP has been a catalyst for many changes in the work of many Save the Children organisations. When Save the Children first adopted its commitment to the Convention on the Rights of the Child, it had little idea of the profound and far-reaching impact it would have on its future work. The ramifications have filtered through to every layer of the organisation, to every aspect of its work, and to all the children whose rights it seeks to promote. A great deal of progress has been made, but this study reveals that a need for continuing investment in structural change, support for staff, critical review and broader collaboration if the promise to '*Make children rights a reality'* is to be fulfilled.

Recommendations

The recommendations that follow are designed to support, strengthen and accelerate the on-going process of CRP implementation in the member organisations of the International Save the Children Alliance. They seek to address many of the issues highlighted above and to define solutions for them. They also aim to ensure that Save the Children continues to respond successfully to the challenges facing children in the coming years.

- **For the International Save the Children Alliance**

  1. A clear and relatively simple **'common understanding'** of CRP across the Alliance should be developed, incorporating shared guiding principles.
  2. An Alliance-wide **programming manua**l on CRP should be developed as a companion resource to the Alliance CRP Handbook.
  3. Any programme 'best practice' guidance developed by the Alliance should be explicitly located within the CRP framework and draw upon existing CRP tools and resources.
  4. More **collaboration** is needed in the **development of tools** for measuring and monitoring CRP, building on some of the frameworks already produced. A continuing **process of review** of the lessons learned and the impact of CRP is needed.
  5. Greater investment should be made in **cross-fertilising** ideas and practice in CRP within regions, between regions, and with partners.

6. Systematic programmes of **capacity building** in CRP and associated competencies need to be developed.
7. Consideration needs to be given to the need to do more to **promote an organisational culture** conducive to respect for children's rights and CRP, using the benchmarks elaborated in this study.
8. Resources providing **guidance on working in emergencies** need to address humanitarian law, human rights standards, and the application of child rights programming in situations of emergency.
9. Members need a common understanding of who they define as **partners**. Consideration should be given to whether it would be helpful to develop a formal code of principles and practice to underpin relationships with partners from a CRP perspective.
10. Consideration should be given to **recognition of children as stakeholders**, sharing existing materials produced by some of the members (e.g. SC UK's policy, discussion paper and guidelines).

- **For individual members of Save the Children**

1. All members should be encouraged to undertake a **self-assessment**, using the benchmarks, to identify progress in implementing CRP and where additional work is needed to strengthen its implementation
2. All members need to adopt **planning and programming guidance** which incorporates, endorses and supports CRP as the primary approach to programming, both at country and regional levels.
3. All policies, reports and public documents produced by members of the Alliance need to be **explicit in their commitment** to children's rights.
4. A commitment **to work within the principles** underpinning Save the Children's mission and value base needs to be requested of prospective employees, especially those working in programming or policy areas.
5. All staff, and Board members, should be provided with **induction** into children's rights and CRP when starting work in Save the Children
6. Staff working in programming and policy need an **understanding** the concept of the human rights of children and familiarity with the CRC.
7. Human resources departments need to facilitate integration of CRP into all aspects and functions of the organisation.
8. Marketing staff should reflect the principles and practice of CRP in **fund-raising and external communications activities**.
9. Mechanisms and systems for providing organisational support for country programmes in key aspects of CRP – child participation, non-discrimination, advocacy, approaches to CRP etc - need to be explored
10. Senior staff must provide visible and consistent **endorsement** of the principles and practice of CRP
11. More consideration needs to be given to the status and implications of **children as stakeholders** within Save the Children, and the need for consistency between the external expectations of duty bearers and the internal practices of the organisation.

12. Recognition needs to be given to the fact that CRP is a new and evolving process. There is a continuing need for dialogue, practice exchange, and support in addressing the changes it brings to programming.
13. As CRP is an evolving process, on-going debate and analysis will be needed on a range of issues raised by CRP, including:
    a. the potential tensions arising between CRP with its commitment to empowering children to claim their rights, and the establishment of global priorities and plans by member organisations
    b. the application of rights-based approaches to programming when applied to children rather than adults
    c. the challenges associated with child participation, including the need for culturally relevant models, the need for more effective risk assessment, the importance of participation for younger children, the need for improved tools for measurement, and the lack of adequate skills amongst many staff and partner organisations
    d. the potential for CRP in emergency situations
    e. the implications for relationships with governments
    f. strategies for addressing the implications for donors of both the longer time scales involved and the more complex demands of measuring impact and outcomes in CRP.

Introduction

In common with many other agencies in international development, the International Save the Children Alliance[2] recently adopted a 'rights-based' approach to its programming activities. In view of the child-focused nature of Save the Children's work this has become known as 'Child Rights Programming'. (CRP). In 1999, as part of the development of the International Save the Children Alliance's first 5 Year Plan, it was agreed by the Alliance that '*the child rights programming framework will be adopted as Save the Children's distinctive approach to work'*.

Since that time, a working group has been taking steps to support the adoption and implementation of CRP as the common programming framework for members of the International Save the Children Alliance. This has included the publication of a handbook on CRP and an audit of training needs and training activities on CRP in different Save the Children member organisations. however, progress towards this common approach remains uneven, with some Save the Children member organisations still to adopt the approach and others at different stages of implementation.

Five years on from that commitment, the working group decided to review Save the Children's progress in *adopting* and *implementing* CRP as its distinctive approach to work. In part this was to see what progress had been made and what lessons had been learnt that might speed progress in the future. In doing so, it was also considered useful to 'benchmark' that progress against the adoption and implementation of rights-based approaches in other comparable organisations to see what it could learn from the way in which these other organisations have gone about implementing rights-based approaches.

Objectives of the Study
- To assess Save the Children's progress in adopting and implementing rights-based approaches to programming within different member organisations
- To evaluate and benchmark Save the Children's progress compared with four other similar agencies - UNICEF, CARE, Oxfam, and Plan
- To identify good practice (and how CRP is defined in it) in introducing and implementing CRP and rights-based approaches, both within Save the Children member organisations and within other comparable agencies.
- To identify strategic gaps or issues in Save the Children's approach to introducing and implementing CRP.
- To make recommendations about supporting and accelerating the introduction and implementation of CRP among the members and regions within the International Save the Children Alliance.

The review was not intended to attempt any evaluation of the nature and quality of Save the Children's rights-based programming as such. Rather, it was concerned with the

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[2] The International Save the Children Alliance is the world's largest independent movement for children comprising 27 Save the Children member organisations, working in 115 countries

process of adopting and implementing child rights programming. It aimed to examine the extent to which the culture of rights-based approaches to programming has been incorporated into Save the Children's work, and to identify strengths and weaknesses with a view to supporting and accelerating its implementation.

Methodology for the study

1   Development of criteria against which to review progress
One of the challenges in undertaking this analysis was the lack of any established or shared indicators against which to measure the success or effectiveness of the implementation of child rights programming. It was necessary, therefore to construct a series of benchmarks which could be applied as a consistent framework through which to evaluate the developments which have been introduced by the different members of the Alliance in seeking to adapt to a rights-based approach. In discussion with the Save the Children Working Group, the following benchmarks were drawn up to reflect the model of rights-based programming that has been adopted across the Alliance and its implications for organisational and programmatic change. Although some of these are quite specific to Save the Children, many others seem to be equally applicable to any development organisation adopting and implementing the rights-based approach.

Organisational strategies adopted to introduce CRP
- A clear mandate, vision and mission expresses commitment to child rights and CRP
- Policies and strategies translate the mandate and mission into practice
- Staffing policies, including recruitment and induction, facilitate effective CRP
- Tools, guidance, planning guidance have been developed to build capacity for CRP
- Cross-sectoral support has been introduced to strengthen an integrated approach to CRP

Institutional ownership of CRP
- All staff and Board members have a clear understanding of and commitment to CRP
- Staff feel competent and confident in CRP
- Partners are supported and enabled to work within a right-based approach

Programme development
- Situation analysis is directed towards mapping rights violations, and identifying causes and duty bearers, through a process that respects the views of children
- Priority setting and planning is informed by a rights-based perspective, and takes account of the views of children
- Implementation is directed towards the fulfilment of all children's rights, without discrimination, involving both holding duty bearers accountable and supporting children to claim their rights

- Monitoring and evaluation is informed by CRP both in respect of its process and focus

Accountability to children as stakeholders
- Children are acknowledged as stakeholders within Save the Children
- Mechanisms for accountability to children have been introduced

2 Sources of information used

Four main sources of information were used:
- A review of available documentation providing evidence of the extent and nature of the adoption and introduction of CRP/rights-based approaches within Save the Children organisations. This included both organisational resources (e.g. programming toolkits, training manuals, handbooks, policy statements, and programming or planning guidance) and a sample of programme/project-specific resources (e.g. evaluations, funding proposals, project descriptions, annual plans/reports and country strategies or situation analyses).
- A desk-study of the available documentation on the introduction and implementation of rights-based approaches in other development organisations, including UN agencies, NGOs and donors. This study should draw on comparative studies already undertaken by other organisations e.g. INTRAC and ODI/DfID.
- Interviews with key respondents within Save the Children members and other agencies at head office and regional level, able to give an informed view on the extent to which rights-based approaches have been adopted and what has contributed to or blocked their adoption.
- Interviews with key staff in other development agencies with responsibility for implementing rights-based approaches to programming within those agencies.

3 Selection of Organisations to be included in the Study

Alliance members

Due to constraints of time, it was only possible to involve a limited number of Alliance members in the study. In selecting those to be interviewed, efforts were made to ensure a review of a broad possible range of experience in child rights programming in order to gain the widest perspective possible. Accordingly, a balance between the following criteria was applied:
- Members from different regions, including representatives from both the North and South
- Members at different stages of development in incorporating CRP
- Members of different size and levels of resources.

On the basis of these criteria, the following Save the Children members were selected: Denmark, Mexico, Norway, Swaziland. Sweden, Romania, UK, US.

Other development agencies

UNICEF, Oxfam, Care and Plan were chosen to be interviewed for the study to examine what could be learned from their approaches to the introduction of rights based programming. The criteria for selection were relevant competitor organisations who were also at different levels in adopting and implementing such approaches.

4   Limitations of the study

It is important to be clear about what this study can and cannot lay claim to. The sources of evidence used have been restricted to written documentation, and to head and regional office interviews with a limited number of senior personnel. The documentation provides an invaluable source of material on the extent to which CRP has been adopted in the formal language, philosophy, culture and direction of an organisation. It has provided an insight into the commitments made towards embedding CRP across the organisation. The interviews have added significant clarification as to how those processes took place, the barriers impeding progress and factors which have facilitated change. It is possible therefore, to provide a comparative analysis of the inputs that have been made to introduce CRP. It is possible to provide a subjective assessment, from the perspective of head office, and some regional staff as to the impact of those inputs, their limitations and strengths, gaps in support for staff and future challenges. It is also possible to make some comparative analysis between developments across the Alliance and other development agencies committed to rights based approaches.

However, the study cannot provide any evaluation of the perception of these processes by other staff working at head office, or those at regional or country level. It is commonly the case that there is a disparity of perception between the centre and the field as to how progress is being made in any given activity or organisational change, the effectiveness of support provided, and the needs of staff at different points of an organisation. Without direct access to the field, this study has not been able to identify any such differences or their implications for the implementation of CRP across the organisation.

In addition, as there were no agreed benchmarks as CRP was being implemented, there are no clear base lines from which to assess progress. As stated above, it has been necessary to construct benchmarks in order to undertake the study. Normally, of course, such benchmarks would be elaborated through a process of widespread consultation. It is important to acknowledge that the group of benchmarks set out in this report constitute a starting point for the development of appropriate indicators for measuring progress in implementing CRP, rather than a definitive or conclusive framework.

Background to the emergence of CRP

Human rights and development have, until recently, evolved along very different trajectories. The human rights discourse was dominated by the civil and political dimensions of human rights in the North, with an emphasis on establishing and promoting compliance with international human rights standards. The development discourse on the other hand focused on the effective transfer of resources and increased

social well-being in developing countries. The aim was to meet peoples' basic needs in a sustainable and sustained manner. And until the early 1990s, there was very limited contact and exchange between practitioners working in the area of (human) development and those working with human rights.

During the 1990s, a gradual convergence of the two approaches began to occur[3]. The development world was increasingly aware that its strategies were not succeeding in addressing poverty. Indeed, both in relative and absolute terms, poverty was increasing. In response, many development NGOs began to turn to human rights as a potentially more effective approach to addressing root causes and promoting sustainable solutions to poverty, using advocacy for policy change and increased government expenditure, campaigns to seek attitudinal change and a greater commitment to collaboration within the development community[4]. Human rights agencies, by contrast, were beginning to demonstrate an increasing interest in social and economic rights. And many larger movements focusing on women, indigenous people and the environment were also combining the goals of human development and human rights.[5]

Arising from this convergence was a growing recognition among donors, NGOs and others that approaches which seek to integrate both human rights and development are more effective than either one on its own. And this recognition resulted in the concept of right-based approaches to development being rapidly adopted by many development agencies during the 1990s[6].

What, in essence though could be seen as the defining differences between the more traditional development model and a rights-based approach? Theis argues that '*A rights-based approach to programming combines human rights, development and social activism to promote justice equality and freedom. It holds duty bearers to account for their obligations, empowers people to demand their rightful entitlements, promotes equity and challenges discrimination*'[7]. This conceptual analysis is broadly reflected in the models developed by the many agencies in the development field, but, in practice, organisations inevitably have different mandates, philosophies and objectives which affect the specifics of the approaches adopted. The UNHCR has observed that '*There is no single, universally agreed rights-based approach, although there may be an emerging consensus on the basic constituent elements*'[8]. Those elements are perhaps best encapsulated in the UN Common Statement of Understanding[9]:

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[3] Hans-Otto Sano, "Development and Human Rights: The Necessary, but Partial Integration of Human Rights and Human Development," *Human Rights Quarterly* 22 (2000) 734-752.

[4] Promoting rights based approaches: experiences and ideas from Asia and the Pacific, J Theis, Save the Children Sweden, 2004

[5] Neil Stammers, "Social Movements and the Social Construction of Human Rights," *Human Rights Quarterly* 21 (1999) 980-1008.

[6] Promoting rights based approaches: experiences and ideas from Asia and the Pacific, J Theis, Save the Children Sweden, 2004

[7] Rights Based Monitoring and Evaluation: A Discussion Paper, Save the Children, April 2003

[8] unhcr.ch/development/approaches.html

[9] The Human Rights Based Approach to Development Co-operation: Towards a Common Understanding, UNHCHR, Geneva, 2003

- Assessment and analysis identify the human rights claims of rights-holders and the corresponding human rights obligations of duty-bearers as well as the immediate, underlying, and structural causes of the non-realization of rights.
- Programmes assess the capacity of rights-holders to claim their rights, and of duty-bearers to fulfill their obligations. They then develop strategies to build these capacities.
- Programmes monitor and evaluate both outcomes and processes guided by human rights standards and principles.
- Programming is informed by the recommendations of international human rights bodies and mechanisms.

During the 1990s, Save the Children organisations, in common with other organisations, began to explore and adopt the concept of rights-based programming. As awareness and understanding of the Convention on the Rights of the Child [CRC] strengthened, it became increasingly apparent that its principles and standards had direct consequences across the work of the organisation. It had implications for the nature of the work undertaken, the process of determining priorities and the way in which programmes were delivered. A commitment to children's human rights in principle had to be translated into rights based programming in practice. Members of the Alliance, at different paces and with varying degrees of interest, gradually started to examine how to incorporate rights-based approaches in their own work. It rapidly became apparent that it could not be applied without adaptation to the particular situation of children, and gradually, the organisation fashioned a concept of rights-based programming which took account of the differences between adults and children. Such considerations included[10]:

- Although all human rights treaties apply to children, the Convention on the Rights of the Child embodies additional rights which acknowledge children's rights to special protection
- Child rights programming needs to recognise the differing capacities and needs of children between the ages of 0-18
- The Convention on the Rights of the Child requires that consideration is given to children's best interests, and this perspective needs to inform all aspects of programming
- Children's lives are impacted by the actions of a range of actors from their families up to the global community, and child rights programming needs to monitor and advocate children rights at all those levels
- Children have a right to express their views and have them taken seriously, a right which is respected neither culturally nor legally in most countries in the world. It has been necessary, therefore to create opportunities for children to be heard at all levels of decision-making which impacts on their lives
- Parents play a key role as duty bearers in the realisation of children's rights and need to be supported and involved in fulfilling those obligations

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[10]Promoting rights based approaches: experiences and ideas from Asia and the Pacific, J Theis, Save the Children Sweden, 2004

Through the application of these dimensions to rights-based programming, the concept of 'child rights programming' began to evolve and, largely through pressure from the field, from 1999 was established as the basis for programming in the Alliance. However, this process has not been straightforward. The concept had to be invented as it went along. There was no blueprint. The challenge has been to create a fundamentally new way of working, while simultaneously trying to develop the necessary tools, support systems and competencies in staff, persuade respective Boards of the importance of adopting the changes, and sustain funding from donors unfamiliar with, and indeed, often unsympathetic to rights-based work.

Inevitably, progress has been uneven. Most notably, SC US has found that in the political and cultural environment in which it operates, it has proven impossible to 'sell' human rights in funding or communications terms, and it has had to trade the need to maintain its funding stream and market position as a leading implementor of development programmes benefiting children against a public commitment to child rights and child rights programming.

Now, several years into the process, it is timely to take stock of what has been achieved, review what has been learned and strengthen programming on the basis of the findings. It has become increasingly clear that if human rights principles are to genuinely guide programming, more is needed than simply an overall commitment to those principles. It becomes necessary to:
- Embed CRP in the vision, and mission as well as the policies ad guidelines developed by the organisation
- Build commitment and capacity amongst staff
- Apply human rights standards and principles in all aspects of programming, from situation analysis through planning, programme design, implementation and monitoring and evaluation
- Recognise children as stakeholders to whom the organisation is and should be accountable

The aim of this study to provide an overview of how the organisation has moved forward in each of those arenas and to assess what additional action is needed to ensure that the Alliance can use child rights programming as effectively as possible as a tool for promoting the realisation of the rights of the world's children.

SECTION ONE - Benchmarking progress in implementing CRP

This section analyses the steps that have been taken to introduce child rights programming in each of the eight members of the Alliance under review. Four categories of activity were identified within which to establish benchmarks:

1. **Organisational strategies** – indicators of the necessary inputs to create the organisational infrastructure to facilitate, support and strengthen the change towards child rights programming
2. **Institutional ownership of child rights programming** – indicators of the extent to which the organisational commitment to child rights programming has been understood, absorbed and incorporated throughout the organisation and amongst its partners
3. **Programme development** – standards which needs to exist in all aspects of programming – situation analysis, planning and priority setting, implementation and monitoring and evaluation – in order to comply with the principles of a rights-based approach
4. **Accountability to children as stakeholders** – indicators of recognition that a rights-based approach must establish a duty of accountability to children for all work undertaken in their name.

One of the objectives in undertaking this study was to evaluate and benchmark Save the Children's progress against four other similar agencies - Care, UNICEF, Plan and Oxfam. Accordingly, throughout the following section, reference is made to relevant developments in each of those other agencies. The overriding theme that emerges from this analysis is that the other agencies have faced very similar challenges to the Alliance in making progress. Each of them has ideas, research, tools, resources and models from which the Alliance could learn and benefit.

However, there is no overall pattern which indicates that any of them have found the 'magic key' to implementing CRP. Some have made important contributions to the development of tools for measurement of CRP, some are more advanced in introducing the necessary infrastructure to support it, some have been more successful than others in building a culture of respect for children's rights across their organisation. In many cases, Save the Children has been the primary innovator, for example in the field of child participation. Very often, differences in approach can be identified, each of which are equally valid in the context of the environment in which they are developed. No hierarchy of effectiveness can be identified. The key message is that there is no one organisation to which the Alliance can look to strengthen its capacity in CRP. Rather, it needs to build improved networks from which it can create a culture of dialogue and exchange. Rights-based programming is a demanding and dynamic process. All the agencies reviewed in this study have an expertise to contribute towards its evolution.

1 Organisational strategies adopted to introduce CRP

Benchmark 1 A clear vision, mandate and mission exists expressing commitment to child rights

A commitment to children's rights needs to be evidenced through the vision and mission in order to transmit an explicit and unambiguous message to all staff and external stakeholders about the value base and principles of a Save the Children organisation. All Alliance members do now have an explicit vision, mandate and mission expressing commitment to children's rights. However, across the membership, translating a commitment to children's rights into effective child rights programming has been a relatively slow process. For example, in SCUK, although a child rights mandate had been adopted in 1997, it was not until 2004 that this was formally endorsed on behalf of the whole organisation as a commitment to rights based programming. It is now non-negotiable. Although SCUS is less explicit in its overall espousal of child rights, it has established a set of principles to guide and strengthen its programmes, which they would argue implicitly, rather than explicitly, endorse the values of the Convention on the Rights of the Child. In particular, its principle on child centredness stresses that SCUS's programmes should '*address the rights of girls and boys as well as their physical, intellectual, social and emotional needs*'. Furthermore, its vision states that SCUS '*by mobilizing citizens throughout the world envision a world in which every child is ensured the right to survival, protection, development and participation as set forth in the Convention on the Rights of the Child*'. However, its mission statement does not mention rights, as it is generally considered that the US market is not yet ready for such an approach and a more explicit endorsement would threaten their ability to implement large scale development programmes benefiting children by decreasing their funding.

The source of the pressure for change varied amongst Alliance members. For example, in both SCS and SCUK, the move towards rights based programming was, for a number of years, approached largely via a 'bottom up' process. Certain regions began to evolve new methods of working, consistent with a commitment to children's rights, and these were supported by the development of toolkits and training. Similarly, in Save the Children Mexico, change began with the work of staff in the field in some parts of the country. In these programmes, it can be argued that the ultimate commitment to CRP has come about, in large part through the commitment, energy and persistence of staff at country and regional level. A similar evolution of field-led pressure for rights-based programming can be discerned in both Care and Plan, but in UNICEF, the process was much more top-driven, with an explicit global commitment being made as early as 1996. Interestingly, it is not evident that this high level commitment has produced any swifter outcome in achieving real organisational change. While it is ultimately essential to have that commitment at the top, the process of building support from the field does have the merit of achieving a greater degree of ownership of the ultimate changes to the organisation.

Tardiness within the Alliance in formal recognition of CRP reflects in large part the fact that the move to CRP involved stepping into largely uncharted waters. There was no pre-existing concept of CRP, no tools, no blueprints to be emulated from other organisations. In developing it, Save the Children was in a process of radical creativity, adapting the rights-based approaches evolving across other development agencies to the experience of working with children. Its adoption, therefore, involved a degree of risk which, perhaps, has only been possible for Boards to accept once the experience in the field was sufficient to demonstrate the viability and appropriateness of CRP as a model. However, while it is perhaps inevitable that this time-lag arose, there is a strong sense amongst some members that the lack of senior level endorsement has delayed the process of implementation. It has had two outcomes. Firstly, those staff that were already engaged in CRP were not able to obtain the necessary support and acknowledgement for the work they were doing and it was insufficiently integrated into organisational priorities. Secondly, it diminished capacity to encourage those country programmes which were more resistant to the changes to move forward.

Adopting a commitment to CRP in SCN

Influenced by the drafting and adoption of the CRC in the late 1980s, SCN engaged in a major debate about who has responsibility for children within any given society, involving extended dialogue throughout the organisation. Because SCN is relatively small, open discussion between head office and country programmes was possible and was experienced as an inclusive process. The outcome was a significant re-focus away from community based development, and sometimes also direct services, such as agriculture and road-building, towards a commitment to focusing on children directly.

This process ran parallel to the process of diverting the programmes from self implementation to implementation in cooperation with partners which also began towards the end of the 1980s. The change necessitated a challenging and painful process of phasing out all directly implemented projects by SCN, substituting an approach involving working through local groups and governments. By the end of the process in the late 1990s, there were no projects that were run directly. The transformation involved a major review of the entire programme and necessitated laying off hundreds of staff. Sri Lanka, Zimbabwe and Ethiopia were particularly affected. Newer programmes such as in Central America have from the very beginning been implemented in cooperation with local organisations.

Because senior staff at head office were actively engaged in driving these changes forward, an explicit mandate and vision committing the organisation to children's rights and the consequent changes in programming approaches was adopted in 1997 as part of SCN's strategy 1998-2001, somewhat earlier than was the case for some other members. However, interestingly, SCN places less emphasis on the language of child rights *programming*, seeing children's rights as self evidently leading to the approaches they have adopted.

SCN's rights-based work for children is based on the following approach:

- Basis: Children's needs
- Children have rights
- Public authorities have responsibilities
- Children as active participants
- Principles of non-discrimination
- Principles of best interest of the child
- Holistic approach
- Documentation of experiences
- Work on different levels (grass root work, advocacy)
- Work for political changes

It is interesting to note the role of the Alliance in supporting and providing incentives for organisational commitment to children's rights. The Alliance as a whole first adopted a commitment to children's rights in the mid 1990s, with the vision of '*Making children's rights a reality*'. It has since been revised to '*Save the Children fights for children's rights. We deliver immediate and lasting improvements in children's lives worldwide*'. It goes on to state that Save the Children works for '*a world which respects and values each child, a world which listens to children and learns, a world where all children have hope and opportunity*'. This wording has been adopted by many members, although Mexico, for example, while using it, is critical of its failure to address the necessity for cultural change as a central aspect of realising rights for children. However, some members have adapted it to reflect more closely the focus of their programming. In the context of a commitment to unified programming at country level, it has clearly been important that a broad consensus has been achieved as to the shared mission of the organisation worldwide.

There is a strong case for the Alliance to develop a common statement of both child rights and child rights programming, which elaborates its core principles and the implications of those principles for programming throughout the Alliance membership. The UN has developed a formal 'Common Understanding' along these lines and it is generally felt to have been of very considerable benefit in providing a shared framework and build allegiance to a rights base approach to programming throughout the UN agencies[11].

Alternative versions of Save the Children's vision

SCN – amends the Alliance wording to state that its vision is a world where '*children are listened to and have influence*'. Its mission is that SCN '*strives for children's rights and for a dignified life for poor and vulnerable children....*'

SCS – an amended version of the Alliance vision wording stressing '*a world in which all children's rights are fulfilled*'. It also amends the approach to participation, stating that it works for a world where '*all children participate and have influence*'. Its mission is to '*fight for children's rights...(and) influence public opinion and support children at risk...*'

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[11] The Human Rights Based Approach to Development Co-operation: Towards a Common Understanding among the UN Agencies, OHCHR, Geneva, 2003

> Although the differences appear relatively minor, in both cases, they serve to place greater emphasis on the status of children as social actors and are more assertive on the role of advocacy rather than service provision as the strategy for change.

Overall assessment
All members now comply with the benchmark, except SCUS which, for reasons associated with the environment in which it operates, has an implicit rather than an explicit commitment to CRP

Benchmark 2   Policies, strategies and planning guidance have been developed to translate the vision and mission into practice

A vision alone will not achieve change. It needs to be backed up and consolidated by policies, strategies and planning guidance which assist the organisation and its staff in translating a principled commitment into day-to-day practice. In other words, if the organisation is committed to promoting the realisation of children's rights, the framework and tools for programming to make that possible must be designed to strengthen and support the implementation of CRP. A recurring theme throughout this study is the challenge faced by field staff of the Alliance as they began to explore and pilot the innovative concept of CRP in the field, without any corresponding acknowledgement or recognition from head offices. It has, understandably, taken time to persuade senior staff to formally endorse a fundamentally new approach to programming. But that lack of support has posed difficulties and delayed the speed and quality of implementation. Without a clear Alliance or head office endorsement, staff have had to grapple with a range of barriers - failure to integrate sectoral with CRP targets, ambiguity concerning the status of CRP in planning, and failure to allocate resources to CRP as it has not been clear to what extent the organisation wants staff to understand and use it. to achieve this it is clearly imperative that at the global level, strategic priorities, programming and planning guidance, programme objectives and funding are informed by and designed to strengthen rights-based approaches to programming.

As noted above, the experience in UNICEF was the other way around. The initiative for change emanated from the top with a clear mandate and guidance committing the organisation to rights-based programming from the mid-1990s. Similarly, in Oxfam, the decision to adopt a rights-based approach was taken by the organisation at corporate level, and involved the imposition of a much more centralised decision-making structure. This was seen as a necessary change if it was to be effective at the global advocacy level. However, it too, has found that it has still to align its rights-based values and consequent strategic objectives with the agendas of the programme and the advocacy and marketing departments of its member organisations[12].

In recent years, the Alliance picture has begun to change and not only has the necessary endorsement been widely achieved, but there has been gradual recognition of the need for

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[12]The Implications of Adopting Rights Based Approaches for Northern NGOs: A Preliminary Exploration, E Harries Curtis, INTRAC, 2003.

a more holistic approach to CRP to be institutionalised across organisational processes. Most members have now adopted a strategic framework based on a commitment to CRP. In 2001, SCS, for example, published a pamphlet, Compass, setting out its framework for the next ten year period. It contains a clear statement of the organisation's vision and mission, its objectives and work methods, rooted in a commitment to children's rights. This approach is affirmed in the programme priorities which are explicitly designed to promote the realisation of rights both through advocacy, research, direct support and dissemination and capacity building in children's rights[13]. And within each of these programme priorities, country and regional reports are structured and analysed from the child rights perspective[14]. In this way, there is continuity and consistency in the messages being given to country programmes about the goals they are expected to pursue and the strategies by which they should do so. And SCN also have a strategy defining itself as a *'committed and explicit advocate for children's* rights' and setting out the objectives and working principles to realise that commitment.

SCD issued a programme manual for country programmes in 2000. It is now in the process of revising the chapter relating to programme and project management[15]. The decision to revise it derives from an emerging recognition that it needs to better reflect developments in the field relating to rights based monitoring and evaluation, a stronger focus on programme rather than project management, the importance of ensuring that the views of children are properly incorporated into all stages of programming, and the need to develop common standards with the Alliance. These changes will support field staff in building CRP into their day-to-day work.

SCUK realised in 2002 that country programmes were being asked to implement three separate programming processes which were inadequately integrated:
- Global impact monitoring
- Child rights programming
- Planning and reviews

These processes were all managed by different parts of the organisation and their separation reflected the fact that that it was still moving on functional lines operating in isolation from each other. It has now implemented a system for integrating all three processes. The country planning and review process now establishes CRP as the approach that must be adopted in order to achieve the organisation's objective of *'enabling positive, sustainable improvements in the lives of the most marginalised children through working with them and other stakeholders to improve the realisation of their rights'*. This is supported by programming guidance which emphasises CRP as the approach needed in order to maximise impact in:
- Change in the lives of children - greater respect for their rights
- Accountability of duty bearers
- Participation and empowerment of children
- Non-discrimination

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[13] revised summarized version of Programme Area Strategies adopted in 2003, Save the Children Sweden
[14] International Programme Annual Report, Annex 2, Evaluations, assessments and major reports, 2003, Save the Children Sweden
[15] Terms of Reference for Revision of Programme Manual Chapter 5, Save the Children Denmark,

- Society's capacity to support children's rights.

The criteria prescribed for country strategies are also grounded in a rights-based framework, requiring programmes to address whether their strategy is based on a systematic analysis of progress in protecting and realising children's rights.

> **Save the Children Swaziland's** original focus on provision of relief undertook a strategic shift in 2000 towards a commitment to becoming a child rights organisation. In 2002, it held a workshop to help it develop a strategy to re-position itself and help it develop a rights-based approach to programming. Its findings were that the structure of the organisation still concentrated efforts on achieving individual departments' work plans rather than adopting an overall organisational approach to implementation. Tight deadlines further limited the capacity of staff to work as a team and engage in informal dialogue and exchange[16]. Accordingly, the structure of the organisation and its working methods were inhibiting the potential for a more holistic approach to CRP. Since then it has sought to address these barriers. Each quarter, it holds a full day meeting for all its 30 plus staff, including those in programmes, finance, marketing and administration. All administrative staff also have an opportunity to visit programmes in the field. The aim is to share experiences, build opportunities for making links across their work, and promote learning in CRP. These days are highly valued and have made a significant difference in helping develop a more holistic approach to programming.

Differing cultural traditions amongst the members of the Alliance have led to different approaches in determining the level of control exercised by head offices over the nature of programming undertaken at country level. Some take the view that the role of the head office should be to establish the values and then allow the field to evolve using its own creativity. SCN, for example, has developed its current strategy document on the basis of widespread collaboration across the organisation. Annual meetings with staff from all country programmes provide a forum for open debate and the arrival of consensus. However, SCUK, in part because it has a much larger programme, seeks to exert considerable control over the standards expected of country programmes in adopting rights-based approaches to programming, although it argues that there is still considerable autonomy in the field. Its aim is to establish an approach based less on forced compliance and more on commitment to shared values. This can only be achieved with the setting of minimum standards, robust forms of accountability and clarity about the scope of management discretion. This would allow more autonomy and less central monitoring.

Significant regional inputs have contributed to the evolution of CRP strategies. For example, Save the Children Alliance members in the South and East Asia region recognized that more systematic and strategic efforts were needed at local, sub-national, national, regional and global levels to make CRP core to all its work. In 2002, it agreed formally to substitute the language of 'programming' with 'child rights programming', and developed a strategy to facilitate its implementation across the region[17].

Overall assessment

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[16] Review of Annual Workplan, 11 July 2003, Lwati Management Services and Training Institute, Save the Children, Mbabane

[17] Regional Child Rights Programming Strategy for South and East Asia, Save the Children Alliance, 2002

- Recognition of the need for policies and strategies, both consistent with, and supportive of CRP have only slowly been developed across the Alliance. This has impeded progress.
- Although some members are beginning to address the need for improved compatibility, there is a need for further recognition of the critical importance of building CRP fully into organisational systems for planning, programming, monitoring and budgetary allocation.
- Regional Alliance initiatives, bringing together the resources of all members is a valuable strategy for building the necessary structures

Benchmark 3 Staffing policies, including recruitment and induction, have been developed to facilitate effective CRP

Recruitment

If an organisation is moving from a predominantly service led approach towards one based more heavily on advocacy, a fundamentally different skill set is required. Technical expertise in health, education, water and sanitation or engineering, for example, are likely to be less in demand while demand for skills in law, media, campaigning, advocacy, communication and child participation are likely to increase. Save the Children Mexico, for example, estimates that in 1996 when they first adopted child rights programming, they lost around half their staff. And in Denmark and Norway, too, there was significant turnover, and recruitment of new staff with different skills. On the other hand, SCUK has tended towards a commitment to retaining and retraining staff. However, whether working with new or existing staff, there has been a genuine difficulty faced by all the members in building a staffing base with the skills needed to introduce child rights programming. Many of the key competencies required are relatively new – for example, working to promote children's participation, analysing children's situation from the perspective of international human rights standards, and advocacy to hold duty bearers to account. There is only a very limited pool of expertise from which to draw, and therefore Save the Children has been faced with the need to commit to building that pool itself. Furthermore, because the concept of children's rights remains relatively unfamiliar throughout most societies, and child rights programming even more so, all members concur that not only is it difficult to recruit staff with the requisite skills, but it is also difficult to find new staff who are able to express a commitment to children's rights prior to joining the organisation. How, then, have these challenges been addressed?

The problem of lack of knowledge of or commitment to children's rights in incoming staff has not, in the main, been addressed systematically. Few members appear to have an explicit or consistent policy which either recognises the issue or seeks to provide guidance on how to encourage the recruitment of staff with a common value base with the organisation. For example, in SCN, programme directors, and programme and policy staff must have a commitment to children's rights but are not necessarily required to have expertise in the subject. However, it was not clear how this was tested. With marketing and finance staff, no prior knowledge is required but once employed, they are expected to comply with the standards. Again, it is not clear how this would be supported or

monitored. In SCUK, while some job descriptions insist that an understanding of and commitment to children's rights is essential, others focus only on child protection and do not mention child rights. In Mexico, prior knowledge is not required, but prospective staff are expected to have a commitment to training, learning and becoming an active facilitator to promote the cultural change needed to make children's rights a reality. And in SC Romania, although advertisements make no explicit statement about child rights, all information sent to prospective candidates does so.

This lack of systematic approach is also reflected in some of the other agencies reviewed in this study. Within UNICEF, for example, there has only recently been any recognition that commitment to human rights is important amongst staff and that an explicit commitment to recruit on that basis could impact on the culture of the organisation[18]. CARE has addressed the problem more openly. It had to make significant changes to the skill set amongst its staff when it adopted rights-based programming. It approached the problem by developing a competency model placing emphasis on the new skills that were needed. They explicitly require all staff to respect the core values of the organisation, and more radically, require that staff working in country programmes must come from poor or marginalised groups.

There is overall agreement amongst all the agencies that it is not possible to demand expertise or commitment to CR in advance, although, to varying degrees, all implied an expectation of adopting such an awareness and understanding once appointed. However, there did not seem to be a clear approach to the messages the organisation was promoting when recruiting new staff and the importance of sending out a consistent expectation that staff would be expected to, at minimum comply with, and at best actively endorse, those values. Some relatively simple measures could be introduced, for example:
- All job descriptions could carry a common statement clarifying the value base of the organisation, and its implications for staff, similar to that employed by many organisations in respect of non-discriminatory practice.
- All prospective staff, when interviewed, could be asked if they have read the statement and agree to abide by it.
- Person specifications for all relevant jobs could include a requirement for candidates with a value base consistent with respect for children's rights
- Questions could be included in all relevant interviews to assess attitudes towards children's rights

Induction
The extent to which induction on children's rights and CRP is provided varies across members, although most have introduced some form of induction for new members of head office staff to familiarise them with the philosophy and principles of the organisation. In SCN, for example, there are introductory courses for both new and existing staff on the philosophy of Save the Children, children's rights and their implications for the work of the organisation. SCUK runs a one day course on children's rights and its application to programmes, which is manadtory for the majority of new

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[18] Urban Jonsson, "A Human Rights-Based Approach to Programming (HRBAP)", Draft report submitted to Evaluation, Policy and Planning Division, Unicef, New York, 25 June 2004.

policy and programme staff. They also have a series of half-day sessions on child rights programming and related issues for existing staff. They have recently piloted a new two week 'flyback' induction for country programme directors, which includes training on child rights programming, advocacy, child participation, working with the media etc. SCD provides induction for all programme staff on child rights and CRP. SCS currently has no systematic induction for new staff, and acknowledges that its systems are unsatisfactory. It is now beginning to try and address the fact that despite many staff entering the organisation without adequate competencies, they are not provided with the necessary training and support. They are seeking to build professional competence across the organisation by developing quality standards, checks to assess those standards and strategies for taking appropriate action when those standards are not met.

Induction for field staff is largely determined by the individual country office, except for programme directors who usually have a period of induction at head office which will increasingly include a dimension on CRP. All members identify significant variation across country programmes as to the level of commitment of country offices to this process, and a need for greater consistency. One positive example, is Mexico, where the need of new staff for support is both recognised and addressed, with induction and training, including on children's rights and CRP, provided for all relevant staff during their first six months in post, during which time they are closely supervised and supported. It is understood throughout the programme that for those first six months staff are in training. And in Swaziland, all new staff have a full week's induction to help them understand the values, principles and practice adopted by the organisation.

Ideas for promoting human resource development in CRP[19]
- Recruit staff who are committed to the principles of a rights based approach, equity, accountability and participation
- Recruit staff with skills in new areas of work and new approaches
- Involve both programme and human resources staff in recruitment
- Involve human resource staff in CRP training and capacity building to reinforce understanding and commitment to a CRP
- Provide orientation training in CRP to all new staff and partners
- Establish a rights based staff code of conduct
- Do not overwhelm staff with new concepts that are not fully developed or tested
- Build skills in approaches to attitude change, media, advocacy, campaigning, children's participation, good governance etc
- Develop a long term capacity building process rather than single training events

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However, there is a broadly shared view across the Alliance that the organisation has had to learn as it went along in understanding recruitment and induction needs, as in most other aspects of introducing CRP. It is only as the concept has become more widely applied that the type of skills and nature of the induction required by staff has become clear, and the gaps between expectations of staff and capacity to fulfil those expectation

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[19] Promoting rights based approaches: experiences and ideas from Asia and the Pacific, J Theis, Save the Children Sweden, 2004

is adequately understood. It is generally felt that as the concept of CRP becomes more familiar and more widely applied, the problems associated with recruitment and induction will ease.

One of the barriers impeding the effective introduction of recruitment and induction policies designed to promote the value base of the organisation has been a lack of dialogue or sufficient shared understanding between the policy and the human resources staff in some member organisations. Although in SCUK, for example, the relationship between the two sections has been strong, this is not the case for some other members. Good communication is essential and needs to be institutionalised to ensure that staff in human resources sections are fully conversant with debates taking place across the whole organisation which impact on the skills, aptitudes and attitudes required of incoming staff.

Overall assessment
- CRP demands many different skills amongst staff, including advocacy, child participation, campaigning, media, rights analysis.
- It has been difficult to recruit staff from the field with the requisite competencies as many of them are new areas of work, and in many countries, there is no pool of experts in children's rights
- It is also difficult to recruit staff with a pre-existing commitment to children's rights as this is an unfamiliar concept in most countries
- No systematic approach has been taken to ensure that, at the very least, new staff are required it demonstrate a commitment to working in accordance with the principles underpinning the organisation's work.
- Induction of staff tends to be rather ad hoc and is not sufficient to overcome the lack of awareness and understanding of child rights amongst incoming staff.
- Some members are beginning to recognise this and introduce improved systems for enabling new staff to understand the culture of the organisation

Benchmark 4   Tools and guidance have been developed to build capacity for CRP

Training materials on the CRC were developed during the 1990s by many members of the Alliance, particularly SCS and SCUK, and have formed the basis of Alliance training materials at both regional and global levels[20]. However, it was gradually recognised that more follow up work was needed to sustain and apply rights into practice. Simply providing training designed to introduce staff to the CRC and its implications, and then leaving people to get on with developing programmes to promote it, was not sufficient. It was also necessary to help the operationalisation of children's rights through the development of a new understanding of what it meant to apply a children's rights perspective to programming. In other words, the programming implications of children's

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[20] Child rights programming – Experiences from Save the Children Norway, paper presented by J Kramer, to NGO Study Group Nov 2002

rights cannot be assumed to be self evident. Three steps are required to achieve the necessary capacities amongst staff and partners to deliver effective child rights programming.:

- Development of tools and resources
- Provision of training
- Follow-up mentoring and support

The importance of capacity building is fully recognised by all members, and all would probably also concede that it has been a struggle to provide adequate levels of support. They, along with other agencies working in CRP, have been faced with a 'chicken and egg' dilemma i.e. which should/could come first - encouraging the development of practical rights-based programmes or training programme staff in rights-based approaches?. As the Convention on the Rights of the Child increasingly became the framework for various Save the Children organisations during the 1990s, it became apparent that it demanded a new way of approaching programming. As organisations grappled with these approaches and began to adopt and promote them, it also became clear that they demanded new skills from staff. However, without the experience in the field from which to build training resources, and without a body of staff experienced in CRP, it was difficult to produce the tools with which to respond to the needs of country programmes. The option of delaying implementation of CRP until the necessary support tools were available was not open, because those tools could not be produced until there was a body of practice in the field from which to learn and develop them. It is almost inevitable, therefore, that a time lag has taken place while the organisational experience has been documented, systematised and translated into training materials.

There is now a growing body of tools available to staff. In 2002, the Alliance published a handbook on CRP which is used widely, and generally found valuable by all members of the Alliance[21]. However, because of the pace of developments in CRP, it is already felt to be in need of an update and will be re-issued in 2005 with strengthened sections on participation, non-discrimination, monitoring and evaluation, and impact assessment. Individual Save the Children organisations have also produced training materials. SCD produced a very comprehensive toolkit on mapping in CRP in 2002, which has been used widely within the organisation, and is felt to be beginning to influence practice, although they are currently undertaking a survey to evaluate its usage[22]. An initial finding is that staff have expressed interest in a shorter and more accessible tool to complement the original manual. Interestingly, although some other members expressed the need for such materials, and have not, to date, produced them, none appeared to be aware of the Danish toolkit. SCUK has produced its own introduction to CRP, and staff also use the Alliance Handbook. In addition, staff are provided with a CD-ROM containing a range of relevant materials. In response to the demands for more help for staff in the field, they have decided to try a more responsive approach and develop targeted tools in response to particular needs, referenced to other resources. SCS has not produced its own tools on CRP but has published a number of books and pamphlets on more specialised aspects of

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[21] Child Rights Programming: How to Apply Rights Based Approaches in Programming, Save the Children Alliance, Stockholm, 2002
[22] A toolkit on Child Rights Programming, Save the Children Denmark, Copenhagen, 2002

the work. For example, it has recently produced a toolkit on child participation for the UN Study on violence against children[23]. It has also produced a number of resources designed to support advocacy in the field on children's rights, including materials on the UN human rights system, on advocating for disabled children's rights, and on how the Committee on the Rights of the Child has addressed some key child rights issues. Its East Africa regional office also has published a rights-based situation analysis from Ethiopia, which can provide a model to help other countries in undertaking a rights based analysis, as well as its own training manual on CRP. SCUS and some of the smaller members have not produced their own materials but rely on those produced by the Alliance.

One of the challenges in providing Alliance-wide tools is that the differing political and cultural environments inevitably lead to different manifestations and interpretations of the concept of CRP. This is most strongly articulated in the Latin American region where it is felt that some of the conceptual tools developed by the Alliance (for example, those that contrast needs versus rights based analyses or diagrams to illustrate the relationship between rights holders and duty bearers) do not work for them because of their longer tradition of human rights work. This has prompted the region to produce its own version of the Alliance Handbook. Interestingly, although there are some very strong regional networks, for example in South Asia and Central and South America, there are no formalised mechanisms to facilitate interaction between regions which would allow cross fertilisation of ideas and consolidation to create a more informed, shared understanding of CRP.

Overall, although progress has been made, there is clearly a great deal more investment needed in tools for training. There is a view that the failure to address the scale of the need for training and training materials is hindering the organisation in realising its objectives. There is, for example, no comprehensive toolkit (as opposed to the more introductory handbook) available on CRP for members of the Alliance. The key messages that seem to arise from this experience are:
- the importance of enhanced collaboration across the Alliance in the development of resources promoting a coherent and consistent approach to CRP
- the need for sustained support rather than one-off training courses
- the benefit of more opportunities for practice exchange and dialogue.

Another key finding is that there is a surprising lack of cross referencing between Save the Children and other agencies to utilise their expertise and collaborate in the development of resources. UNICEF has invested considerable resources in the development of tools for rights-based programming, as have Oxfam, Care and Plan, yet there is little awareness of each others' work, or apparent interest in mutual learning. For example, Novib (Oxfam Netherlands) instigated a consultation process in 1999-2000 called '*linking and learning in the field of economic, social and cultural rights*', involving five regional workshops bringing together 120 partner organisations. The process helped them learn from each others experiences and understand and articulate

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[23] Supporting Children's Meaningful and Ethical Participation: a toolkit for the UN Study on Children and Violence, Stockholm, 2004

their complementary roles in implementing social, economic and cultural rights[24]. Novib has also produced a toolkit providing insights into work with partners, how rights are translated into practice, lessons learned, an analysis of the programming processes and impact analysis. Until recently it was the only such resource currently available on the web[25]. In the UK, Save the Children UK is a founding member of an Interagency RBA group, which meets every 3 months to share learning and resources – the agencies are now collaborating on a DFID-funded evaluation of the added value of a rights-based approach.

Care's commitment to tools for CRP

Care has developed a basic training manual on its rights-based approach which is both a guide and information source, providing actual cases and experiences from within the organisation[26]. It combines a recognition of the need for an overarching consistency throughout the organisation in the way it approaches RBA, while also valuing the opportunity for country programmes to retain some autonomy in the way they create strategies for implementation. Care also recognised the need for dialogue and practice exchange across the organisation. To this end it has an in-house journal, *'Promoting Rights and Responsibilities'*, which provides a forum for exchange amongst staff on experiences in implementing RBA. It has also published a resource based on five case studies from different parts of the world[27]. Its aim was to broaden understanding of the implications of RBA integration into the organisation and to foster learning across different parts of the CARE world. The five case studies were not selected on the basis of their success, but rather on the basis of their potential for providing learning about the implications of adopting RBA for each stage of CARE's programme cycle – holistic analysis, synthesis, focused strategy, coherent information systems practice. There is a significant dearth of material on case studies which allow for critical analysis of the implications of RBA and this publication makes an important contribution to shared understanding. It provides valuable insights into the process of a rights-based approach together with the lessons learned.

Overall assessment

Progress has been achieved in developing tools and guidance to strengthen CRP. The process has been slow, but this was inevitable as the Alliance has had to develop training tools while simultaneously creating the very concept of CRP. It is to its credit that it has achieved the quality and range of materials that now exist. However, there is a need for further investment in:

- Dialogue between policy and programme staff with human resources staff to build a stronger common framework of understanding
- Development of training materials and tools on CRP for use across the Alliance
- Explicit policies on awareness of and compliance with the organisation's value base for all staff
- Cross-fertilisation of ideas and practice between regions

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[24] The Implications of Adopting Rights Based Approaches for Northern NGOs: A Preliminary Exploration, E Harries Curtis, INTRAC, 2003.

[25] www.toolkitparticipation.com however see also www.therightsapproach.org for a compilation of CRP & RBA toolkits and resources.

[26] Care Human Rights Initiative: Basic introduction to human rights and rights-based programming, CARE

[27] CARE's experience with the adoption of a rights-based approach, J Rand, 2002. CARE USA

- Improved collaboration with partners and other agencies to build on each others' resources and expertise

Benchmark 5 Organisational support has been introduced to strengthen an integrated approach to CRP

If CRP is to become the key approach to work for Save the Children, it cannot be constructed or perceived as an 'add on' to existing work. It needs to become embedded and institutionalised within the culture. However, this poses challenges in organisations structured in ways that encourage departmental or sectoral 'silos' with their own organisational or professional culture.. Staff working in emergencies, for example, often respond to CRP by expressing a view that it has no relevance to their work. Marketing staff are sometimes reluctant to focus on rights as it is perceived as holding less appeal to individual or corporate donors. These problems have been experienced by all the agencies involved in this study. Three years into CARE's commitment to human rights programming, for example, staff began to demand broader organisational changes to reflect what was happening within the programmes. Similarly in Plan, it has become increasingly apparent that additional support systems are necessary to build capacity in the field. The need to address these calls for change is now widely recognised across the Alliance membership, although there is significant variation in the extent and nature of measures adopted to address it, the size of the organisation having a significant bearing on what strategies are possible.

For example, in SCUK, a Policy and Learning team at head office, designed to cut across sectoral divides, has been established to support CRP in head office and the field (see box). Along similar lines, SCD has a programme management team responsible for supporting field programmes on CRP, participation, advocacy, participation, capacity development and partnerships. It has also appointed focal point persons who have responsibility for disseminating experience and expertise, elaborating SCD's position papers, and building capacity in the field in CRP. SC Mexico is an example of an organisation that has avoided the development of thematic 'silos' by having small teams working in different regions of the countryworking with local communities to identify priorities for programming. Staff need to have the versatility to adapt their skills to the issues raised. In other words, they adopt a holistic, grass roots approach, building alliances with partners where additional skills are needed.

SCS considers it is too small to establish a central team to work on CRP and has an organisational structure which is too segmented and vertical to promote a holistic overview towards CRP. However, it is now developing a common plan which will introduce new structures to facilitate closer working. It hopes to promote collaboration between policy staff who are developing the conceptual understanding of CRP, human resources staff who can improve recruitment, induction and training, and communications staff who have the remit to promote awareness of what SCS does. It is anticipated that improved dialogue between these sectors will build a broader understanding of CRP and improved integration across the organisation's work. At a country level, as part of

mainstreaming CRP in programme countries, SCD has appointed CRP advisors in order to provide coherence and support across programmes.

SCN has a team of thematic advisors, for example in child participation, the CRC, economic exploitation, and violence and sexual abuse. This team is responsible for supporting the development of quality in programmes, contributing to increased learning in SCN and among partner staff and advocacy work. In SCUS, the need to create the institutional change necessary for children's rights work is seen as a major priority, but it cannot make it a public exercise as it believes the US market is not at this time ready to accept this.

The role of the regions in providing this integrated support has been significant. In South and Central Asia, for example, CRP is dealt with as an Alliance issue, led by SCS. A regional steering group has been formed which endeavours to maintain a broad constituency of support for CRP, to avoid it being seen as the responsibility of a single agency. It organises regional workshops, a CRP network has been established, and it seeks to follow up regionally based training with country level seminars and the development of regionally specific tools. One key outcome from this work has been a better understanding of relative roles and responsibilities vis-à-vis other actors. Plan has responded to the need from the field by appointing a global child rights and participation adviser, but it has increasingly recognised that one such post to support over 40 programmes is woefully inadequate and that it needs to be backed up with comparable posts at regional level.

Different challenges for different scale of organisation

SC UK, as one of the larger organisations, has established a 'Policy and Learning' team which has the primary responsibility for supporting an integrated programming framework, based on child rights programming. Its team includes advisers on learning and impact assessment, diversity, and child rights programming. It is also linked with a staff member engaged in building accountability to children as stakeholders. Its role is to help place children's rights at the centre of the work of the organisation by:

- Clarifying and supporting the use of a rights basis in programmes, policy and advocacy
- Focusing efforts on children whose rights are commonly ignored
- Ensuring greater accountability and rigorous impact assessment
- Developing stronger mechanisms for organisational learning
- Analysing the wider strategic context and co-ordinating policy development.

This work is supported through the Effective Programmes Group which involves:

- head office staff including representatives from the Policy and Learning team, and from each of the four policy teams (child focused economic policy, access to quality basic services, children protected and respected as citizens, and safeguarding children in emergencies)
- a representative from each country programme - an existing staff member in each country programme who is involved in overseeing child rights-based situation analyses, country strategies, thematic programme plans .
- co-ordinator of each regional office.

This group will meet every two years and is also in regular email contact. In this way, a structured forum for dialogue between head office and the field is institutionalised.

SCN has a thematic adviser on the CRC who has been able to contribute to strengthening work at country level on the Convention on the Rights of the Child in the following ways[28]:

- Input to the development of country programmes through feed back on all country programme annual plans and annual reports on their work on CRC.
- The country programme in Laos has received substantial support to the reporting on CRC to the UN Committee on the Rights of the Child. Advisory support to other countries including Angola, Cambodia, Nepal, Serbia, Mongolia, Mozambique has more focused on the role NGOs should play in the reporting, comments on drafts and presentations
- Support to children ombudsman unit has been provided in Albania, Afghanistan and Bosnia & Herzegovina.
- Consultancy on comparative studies of national legislation and CRC in Cambodia and Zimbabwe
- Support to organisational learning has been provided through the establishment of an electronic topic network for CRC staff in the country programmes and also through training and lectures in CRC and rights based work for staff at the head office
- Input to the drafting of Save the Children statement in the UN Human Rights Commission has been provided on Afghanistan and also support to lobbying in the Norwegian Parliament to incorporate CRC into Norwegian law.

Inevitably, the creation of these mechanisms for incorporating children's rights and CRP have followed, rather than led, the process of change. Their adoption signifies recognition of the need to consolidate the learning to date, to create organisational structures which strengthen rather than hinder the programming approaches endorsed by the organisation, and the need to spread good practice which has evolved in parts of the organisation to all other programmes.

It is evident from the experience of all the organisations reviewed in this study that sustained, consistent and meaningful implementation of CRP can only be achieved if the structures, systems, policies and guidance at all levels of the organisation reflect the demands that are being made of programmes in the field. Unless programme and planning guidance, programme objectives and systems for monitoring and evaluation are constructed both with a clear understanding of the nature of CRP, and with a view to strengthening its implementation, staff in the field will be constrained by inappropriate or conflicting demands from their head offices. Furthermore, systems need to be evolved within the organisation to provide support across sectors in the competencies demanded by CRP. For example, support in introducing child participation, or engaging in advocacy need to be understood by all staff whether they are responsible for emergencies, health, education, early years or child protection, and at all stages of programme development. The holistic nature of the Convention on the Rights of the Child, and the strategies for programming that flow from it, demand an integrated approach.

Overall assessment
- Initial lack of structures, and indeed, recognition of the structures needed to support implementation did slow progress of CRP in all programmes.

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[28] SCUK Norway Annual Report 2003

- However, this barrier of recognition has now been overcome and all programmes are beginning to explore models for strengthening the infrastructure to implement CRP.
- Gradual progress is being now made to introduce broad organisational support for CRP, although the pace of change is variable, and the strategies adopted differ according to the size of the organisation.
- SCUK has probably achieved the most thorough model of support and it is an approach worth examination by other larger members – although it is not a viable model for smaller programmes.
- Regional initiatives can contribute substantially to the strength on CRP at country level
- There is a pressing need to share experience of what works, while acknowledging that every member will need to evolve its own unique approach.

2   Institutional ownership of CRP

Benchmark 6   Staff at all levels and Board members have a clear understanding of and commitment to CRP

Having analysed the inputs made to build knowledge and awareness of the implications of CRP, it is also important to assess the extent to which staff have internalised the principles of a rights-based approach, and established a commitment to changing practice to fulfil the consequent demands.

Head office staff

Overall, the picture appears mixed, both within and between members of the Alliance. A similar picture emerges from the other agencies. Within head offices, differences in the level of commitment to CRP are widely documented within programme and policy staff on the one hand, and between them and marketing and administrative staff on the other. For marketing staff, in particular, there is concern that promoting a rights-based approach is less likely to play well to donors. Care, for example, is seeking to become more explicit in promoting its rights-based approach through its publications, but many of their publications are currently the responsibility of fund-raising staff who are reluctant to implement change as they fear it will impede relationships with donors. Within the Alliance, this perspective is most strongly articulated in SCUS where concern over the political climate of the external market in which it operates has prevented any significant public endorsement of children's rights. With around 50% of its funding coming from the US Government, and much of the balance from foundations which would be largely unsympathetic to a rights-based approach, SCUS has adopted a more stealthy approach to children's rights in the public arena. This has been paralleled by less emphasis internally in demanding a strong understanding of and commitment to children's rights and CRP amongst the staff. SCUS stresses that the difference is in presentation and language, rather than in principle. However, the experience of other members is that systematic and sustained organisational support is required to move staff from a traditional development approach and towards a rights-based approach. It seems unlikely therefore that this shift has been possible in SCUS without those inputs. SCUS does acknowledge the need to do more internally to strengthen understanding of and commitment to CRP, but only if it can

be achieved without detriment to its funding base and ability to implement large scale development programmes benefiting children.

Other members also cite tensions, but whereas in the US, the external market issue has been determinative in limiting an explicit change towards CRP, elsewhere the commitment to CRP is openly established and the challenge is to bring marketing and other staff on board. In SCN, the issue was exemplified recently when a PR company was brought in to help increase funding targets. It saw rights as 'old-fashioned' and linked to the trade union movement of the 1970s. As such it assumed it would not be possible to attract people to donate for such programmes. These views had resonance with some members of staff. However, the organisation is seeking to improve the dialogue between different sectors of staff and is beginning to see some change, although it would recognise that there are still challenges to be overcome.

In SCS and SCUK, a similar picture emerges. In SCUK, the problem was, until recently exacerbated by the policy and administrative staff being located in different sites. The move in 2004 to one site is expected to break down some of the barriers. It is striking how informal and unplanned dialogue on a day-to-day basis between staff who have not previously had significant contact, can begin to change attitudes and awareness. Providing an opportunity for marketing and finance staff to go on field trips is also seen as an important strategy in building commitment to the 'end product' of the money they are raising and processing.

Although for many Alliance members, the driving force for change emanated from the field, it is necessary for active endorsement to be made at the most senior management and Board levels if CRP is to be fully embedded in the culture of the organisation and systematically endorsed throughout. This endorsement is evident, for example in Oxfam International, a confederation of twelve organisations, where rights are seen as central to its value system, and if any members of the confederation do not uphold these rights, the basis for co-operation is no longer seen as being there. In the Alliance, many members cite having experienced difficulties in obtaining this support, but most now feel that the commitment has been made. In SC Mexico, for example, some members of their governing body still have difficulties with the concept and language of children's rights, but they are strongly committed to the well being of children and trust the staff to adopt appropriate programmes. At times, the staff employ the language of listening and respect rather than rights as they embody the same principles, but are more widely endorsed as positive values.

Country office staff
Although this study did not undertake any direct evaluation of staff in the field, it was generally felt by interviewees that there were wide variations between individual country and regional programmes in the level of understanding and commitment, with staff in some regions far in advance of others. One explanation of the difficulties for many staff in endorsing children's rights and CRP is that it was, at least initially, promoted using the legalistic discourse of human rights with inadequate reference to its application to the development context. This created a resistance for a number of reasons:

- it appeared to undermine the value of work and ways of working into which people had made considerable investment;
- it was not at all clear to staff how to translate abstract principles into programmatic practice;
- the use of legalistic language combined with the new concept of 'rights-based programming' served to mystify rather than clarify what was being promoted;
- rights focused on individual claims were difficult to implement in cultures where family and community responsibility are the primary underlying values.

Lack of confidence in what the changes involved and unavailability of adequate training inevitably compound these difficulties. However, it needs to be recognized that the challenges are not unique to Alliance members. All agencies document variable progress in achieving a 'buy-in' to rights-based approaches. Plan, for example, which adopted a participative and gradual process of change which has brought most staff on board, nevertheless cites a residual resistance. In CARE, which also introduced change through a collaborative and democratic process, a similar a pattern emerges with a majority on board, with some remaining resistance. However, in UNICEF, although all programmes have adopted the language of rights, it is only a minority that are actually rights-based in their practice[29]. Widespread misconceptions and lack of clarity prevail with many staff resistant to its implementation. It may be significant here that UNICEF introduced the shift to rights-based approaches from above, and was not able to tap into or build on a groundswell of demand for change from the field.

However, as the tools for understanding children's rights have become more sophisticated and more efforts have been made to integrate the principles of the CRC with strategies for programming, members claim to be more successful in building understanding and commitment. In both South Asia and Central and South America, for example, there is a real sense that, in part as a result of the strong support at regional level, CRP is fully established. A critical factor in strengthening commitment is the active endorsement of CRP by country programme directors, who are in a powerful position to drive change forward. Certainly in those two regions, the programme directors have played a key part in driving the agenda forward. South East Asia, too, has had a stable group of directors supportive of CRP. Progress is also affected by the cultural climate. South America, for example, with a 15 year history in children's rights, already had a normative framework from which to introduce CRP.

Attitudes towards CRP in Central and South America

In the past, relationships between Alliance members and other development agencies have been both collaborative and competitive, particularly between Save the Children and UNICEF. However, CRP has diffused some of the rivalry, providing a framework within which it is possible to collaborate further. Indeed, the Alliance has routinely held workshops attracting up to 80 participants from all the key organisations in the child rights field. Amongst these agencies the Alliance is strongly appreciated as a rights-based organisation, and its investment in CRP has given it a recognised niche. In a recent review of progress in adopting CRP amongst children's

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[29] Urban Jonsson, "A Human Rights-Based Approach to Programming (HRBAP)", Draft report submitted to Evaluation, Policy and Planning Division, Unicef, New York, 25 June 2004.

agencies, all the respondents defined themselves as 'convinced' child rights organisations working in partnership together. They cited the impact of CRP as having:

- Made their programmes more orderly, focusing on rights violations and improving practice in promoting child rights
- Clarified their role in relation to other partners, and helped them visualise what role to play in promoting fulfilment of rights
- Provided more coherent and complete working methods
- Improved relationships with others
- Required them to adopt a much longer term planning frame
- Raised awareness of the need for more work on planning and monitoring, with changes to reporting processes to better reflect CRP

Some members observed that the most effective means of embedding CRP in the culture of the organisation, is for staff to see it working. For example, sceptical staff are often brought around when they see the feasibility and effectiveness of children's participation. In the smaller members operating in one country, such as Romania, Mexico and Swaziland, a more unified picture emerges. Because the staff teams are relatively small, and it is possible for them to meet together on a regular basis, it has been possible to establish a strong and shared commitment to the principles of CRP. In Swaziland, all staff are expected to sign a statement on appointment that they will uphold the values and code of conduct of the organisation. They also ensure that administrative staff are offered the chance to visit programmes in order to gain a better understanding of what the organisation does and why. In SC Romania, however, it is felt that although there is a commitment, there is too little debate on the implications, with staff limited to knowledge of their own field and lacking a broader understanding.

An overview of the challenge

A regional review of SCUK in 2003 found that there were many differences in understanding of what is meant by CRP. Some people mentioned the lack of clear articulation by the organisation of what it meant combined with the lack of an official roll out programme. Many had not read the relevant documentation or were unaware of its existence, and there seemed to be wide variations across regions.

It identified the recruitment of staff with knowledge of and strong commitment to the CRC as vital, yet found that many programme directors were not employing these criteria in recruiting staff. The findings of this review were then fed into the work of the Policy & Learning team.

Overall assessment

- Within the Alliance, there is significant variability of both understanding of and commitment to CRP, both within and between programmes.
- There is a widely reported tension between policy and programme staff on the one hand and marketing, administrative and finance staff on the other in their commitment to and understanding of CRP which needs to be addressed
- The regional or national culture and its level of awareness of human rights impacts on the level of understanding amongst staff and the degree of 'buy in'
- Similar difficulties are experienced amongst all agencies moving towards rights-based programming, but the degree of resistance appears to be affected by the extent

to which staff were engaged in a participative process of change, and whether the pressure for change emanated from the field or the organisational hierarchy

- Visible and consistent endorsement from the most senior staff is a vital factor in building commitment
- Commitment to CRP involves, not only changes in practice, but a change in culture and attitudes. These cannot be achieved by diktat but require sustained investment in supporting staff to review and adapt their work, backed up by systems which help institutionalize the process.

Benchmark 7   Staff feel competent and confident in CRP

There is a broad consensus that, despite the growing organisational 'buy in' to CRP, there is still a very considerable shortfall in the skill and expertise necessary for its effective implementation. Only in SC Mexico and Romania was it felt that staff now had the requisite competence. When CRP was adapted, Save the Children Mexico lost around half its staff, and it has subsequently been able to recruit and train staff who are both willing and able to work within a CRP framework. In Romania, a system of involving volunteers, many of whom are subsequently employed by Save the Children, has led to a high proportion of staff who are both conversant with, and committed to, human rights. Amongst the other members, it was felt that significantly more needed to be done to build the range of competencies for effective rigths-based programming, including skills in child participation, advocacy, situation analyses, media work and campaigning. Again, it is important to stress that similar experiences are being faced by other agencies in the child rights field. In a series of reviews and evaluation within UNICEF in recent years, the lack of training and consequent lack of competence in rights-based programming emerges as one of the primary barriers to its implementation.

It is difficult on the basis of this study to build a meaningful picture of the scope of training provision available for staff. The primary responsibility for field training amongst most members rests with the country programmes themselves, and no systems appear to be available for monitoring their provision. SCUK have developed a series of half day courses for head office staff on key competencies, including diversity, impact assessment and children as stakeholders, but as yet offers very little on participation. Training at the country level varies considerably, although a current effort is being made to assess training needs in the field. SCN do not provide centralised training on specific competencies such as participation or advocacy as this is seen as the responsibility of the field. It recognises that this inevitably means a wide variation between programmes. SCUS estimates that around half of its field staff have experienced some form of training in children's rights, some of which is undertaken on their behalf by SCS. SC Mexico runs an on-going training programme to strengthen competence. Field staff identify needs to which the national office then responds.

> **SCUK review of competency levels in CRP**
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> A preliminary review in 2003 found that[30]:
> - No country or region could yet draw on all the competencies necessary, although S & C Asia and S E Asia & Pacific had moved a considerable way towards building those skills.
> - Regional human resource plans only make very minimal mention of CRP
> - The Africa region has few people with confidence to work in child rights
> - There is a need for follow up to initial training and mentoring and development of individuals' competencies

A number of factors contribute to the difficulties:
- It is difficult for smaller members of the Alliance to develop their own resources. Mexico and Swaziland, for example both stressed the need for Alliance-wide support in producing the necessary training resources.
- Most staff still arrive in the organisation without the requisite skills for CRP – perhapsn inevitably as 'CRP' is a concept unique to Save the Children, and there is only a limited pool of expertise to draw on. This places a substantial burden on programmes to train virtually all incoming their staff.
- Some programmes experience high turnover which places additional burdens in maintaining capacity levels amongst their teams. In SC Swaziland, for example, there remains a significant skills gap, despite the considerable investment it has made to training. It is experiencing difficulties in recruiting high quality staff because of low pay scales and there is a very high turnover.
- The challenges involved in adopting CRP mean that isolated training courses are insufficient. Working with children's rights involves challenging many cultural attitudes and pre-conceptions, as well as the acquisition of new skills. As SCUK puts it, '*We are all dealing with a paradigm change that is personal as well as institutional*'[31]. Accordingly, it requires on-going coaching and mentoring as well as peer group support. There was a concern amongst some members that this had been given insufficient recognition within the organisation, and lessons had not been learned from the experiences in introducing the CRC to staff some years ago.
- There is insufficient sharing of practice between country programmes, in order to build up expertise and utilise peer experience. A regional meeting in Zambia organised by SCS during 2004 was strongly welcomed by SC Swaziland as a unique opportunity to exchange practice.

> **A regional perspective from South Asia[32]**
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> Save the Children in Asia has invested significant resources in building the understanding of staff and partners in the principles and standards of human rights and CRP. Initial introductory training workshops provided a necessary basis, but were not in-depth enough to equip staff with the skills and detailed programme frameworks to implement and operationalise a rights-based approach.

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[30] SCUK regional review, P Dixon
[31] internal SCUK training document
[32] taken from Promoting rights-based approaches: experiences and ideas from Asia and the Pacific, J Theis, Save the Children Sweden, 2004

In response, training and capacity building are being tailored to the specific needs of participants. Workshops have been organised to build skills in:
- Rights-based tools for analysis, planning, monitoring and evaluation
- Advocacy, campaigning, lobbying and working with the media
- Working with human rights instruments and institutions
- Non-discrimination, equality and inclusion
- Children's participation and civil and political rights
- Specific rights, issues or sectors, such as education, violence against children, HIV/AIDs

Overall assessment
- CRP requires the development of a wide range of additional competencies – advocacy, media, campaigning, rights analysis, child participation
- Overall, these skills are not sufficiently widely shared among staff and partners, with lack of competence limiting the potential for implementation of CRP
- Some regions are lagging far behind others, and need substantial investment in training and support to build confidence and competence in CRP
- A growing range of tools are now available, but they are not sufficient on their own – training needs to be backed up by coaching, mentoring and practice exchange
- More cross-fertilisation between regions would strengthen capacity building
- Opportunities for inter-agency training need to be pursued

Benchmark 8   Partners are supported and enabled to work within a right-based approach

A key development arising from the commitment to CRP has been a move towards more emphasis on working through partners rather than running programmes directly. This pattern in reflected throughout the Alliance, as well as in the other agencies. Programming rooted in a commitment to sustainability, empowerment of children and local communities, holding duty bearers to account requires an approach which builds on work with organisations in local communities with knowledge about their own social, economic and cultural conditions. Interestingly, the first edition of the Alliance Handbook makes no reference to this aspect of CRP, providing neither an indication of its importance nor guidance on building effective partnerships. Yet, it is a process documented by all members in the study, except SC Mexico, who continue to work directly on programmes. It poses a number of challenges.

Finding and establishing partnerships committed to CRP
CRP has necessitated not only finding new partners, but also sharing with existing partners the changes in principles, analysis, objectives and methodology associated with rights-based programming. Some members have found it necessary to sever links with a number of their existing partners where there was a reluctance to endorse a commitment to children's rights. Care, too, found it necessary to part company with a number of partners who were unwilling to adopt the changes associated with rights-based programming.

It could be argued that a rights based, holistic approach opens up the potential of collaboration with a much wider network of partners who are also focused on the responsibilities of duty-bearers. Care, for example, has been able to find many new partners in local communities amongst whom there is now very strong support for rights-based programming, with those partners very much beginning to take the lead.

Across the Alliance, considerable effort has been invested in seeking to strengthen partnerships and build capacity in CRP. There is a widely held view amongst all members that the experience of local organisations is a pre-requisite for changing the situation of children. It is not enough to collaborate with governments to achieve change – local communities also need to change. Both SC Mexico and Swaziland, as examples of programmes working only at the country level, emphasise the importance on building networks of local support.

The definitions of 'who?' and 'what?' is a partner is not consistent throughout the Alliance.   Most members employ the term generically to encompass governments, ministries, civil society organisations, community based organisations, faith organisations and representatives of the business sector. SCN, for example, considers this wide definition of partners from public and civil society to be one of its strengths, arguing the importance of commitment from public authorities combined with critical monitoring from civil society in achieving sustained impact. It views its partnerships across these spectrums as contributing to that process.   However, others, such as SCD seek to differentiate between the relationships they establish with organisations, depending on the role they play in promoting children's rights.

SCD analysis of working with country based organisations

SCD creates the following distinctions in the relationships it constructs with organisations at the country and local levels[34]:

Partnership with support groups
These partnerships operate on the basis of formal partnership agreements entered into with committed child focused organisations within the respective country. They include
- CBOs, and religious, and cultural organisations – organisations representing their members and protecting their interests
- NGOs – intermediary organisations representing the interests of beneficiaries who are not members

It finds that while CBOs are presenting new opportunities for working closely with communities, such partnerships are often more complex and costly in terms of staff time

Collaboration with duty bearers
This collaboration is aimed at strengthening the capacity of duty bearers to engage with civil society and meet their obligations to children

Co-operation in networks
Co-operation of local partners through networking is widely felt to facilitate efficient and cost effective interaction. However, networking can become very time-consuming if the objectives are not clear from the outset and too much emphasis is placed on managing the mechanisms of the structure rather than the issues that brought the organisations together. SCD therefore sees its role in assisting and enabling partner networks to ensure that they actively contribute towards fulfilling children's rights.

Building capacity amongst partners
Overall, most members expressed concern that there is a pressing need to strengthen capacity amongst partners. Most programmes work through partners who also need training in CRP. Staff in many of these partner organisations have no background in children's rights and require considerable support in grappling with its conceptual implications. Many are still operating as service deliverers. Many lack expertise in the range of skills necessary, for example, in rights based situation analysis, child participation and advocacy. The scale of the challenge is illustrated starkly in a recent evaluation of SCS and SCD in Bangladesh during which several children stated in private that they had been beaten by staff (including with sticks) as a punishment. One boy described being forced to stand with his hands on his ears in front of other children for up to an hour, as typical punishment for quarrelling with peers[35]. The analysis in this review of some of the challenges faced in achieving both ownership and capacity to operationalise CRP is worth including here in detail.

Review of SCS and SCD in Bangladesh[36]

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[34] Performance statement 2003, Save the Children Denmark,

[35] Country review: Bangladesh, A report for SC Sweden/.Denmark, 2003, Adams J, Boyden J, Feeny T, Singh N, INTRAC

[36] Country review: Bangladesh, A report for SC Sweden/.Denmark, 2003, Adams J, Boyden J, Feeny T, Singh N, INTRAC

'In line with most other child-focused organisations internationally, the Save the Children Alliance employs the CRC as the overriding conceptual and policy framework in all its operations. This move is in many ways very positive and makes a lot of sense in terms of highlighting, analysing and intervening in the issues and problems affecting children's survival, development, protection and general wellbeing. It also facilitates a more positive and constructive environment in which children can grow and flourish.

However, there are certain obstacles and challenges inherent in the use of this framework and these need to be actively addressed and overcome in order to ensure the desired and intended outcomes for children. Certain disparities between SCS/D vision, aims and intentions and reality on the ground still exist and therefore need to be dealt with if programmes are to have their intended impact.

Possibly the most obvious difficulty in implementing the CRC has to do with the potential and/or actual mismatch between local concepts, values and understandings in relation to children, childhood and child development and those embodied in the Convention. A second difficulty arises out of the fact that the CRC is built around a human rights framework, which is foreign in many parts of the world, including Bangladesh. A third is that, intentionally, the CRC is a very comprehensive and generalised instrument and hence is open to many different understandings and interpretations, greatly increasing the potential for conflicting perspectives. These difficulties present challenges at two levels, in terms of bringing about change within partner organisations (be these government, or CSOs) and in operationalising children's rights at the grass roots level.

While the CRC is employed in aid and human rights measures throughout the world and has received almost universal ratification by States Parties, there is still much work to be done to embed the framework in civil society discourse and action. SCS/D in Bangladesh clearly recognise this fact and have embarked on an important process of capacity building, advocacy and awareness raising as a means of changing attitudes, values and practice. Yet, despite the numerous training events, manuals and other mechanisms that have been employed to promote children's rights, this framework has yet to be fully established within the thinking and practice of partner and other CSOs in Bangladesh.[37]

Understanding the CRC at a conceptual or intellectual level does not necessarily mean that staff have internalised the instrument to the extent that it influences their attitudes towards and treatment of children, as SCS/D no doubt recognises. Quite a few of the staff in partner organisations in Bangladesh are still struggling with many aspects of the CRC (as are some SCS/D staff) and at a fairly profound level. This is reflected in difficulties they are having with promoting the instrument among SCS/D primary stakeholders. This indicates the need for continued long-term capacity-building at multiple institutional levels using a variety of methods'.

Responsibility for the provision of training rests primarily with country programmes themselves and therefore varies widely. Both SCS and SCD, for example, do provide capacity building programmes. These have focused on two selected themes – child labour/sexual abuse and exploitation and trafficking and were provided through training, guidance and exchange of experience. They feel that these approaches together with a close co-operation between partners has enhanced learning and help achieve more effective interventions. Nevertheless, it is acknowledged that partners need more time

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[37] This point is highlighted in Madsen, H., L. Karlsson and R. Karakara (2003) 'CRP Developments in South and Central Asia', Save the Children Sweden

and support to internalise and implement rights-based approaches to programming. Not only are the concepts of children's rights and rights-based programming totally unfamiliar to many staff in partner organisations, but they are not necessarily easily reconciled with the cultural traditions from which many of those staff originate. A number of members observed that partners need more help in understanding, for example *'what does child participation look like'*. As with staff employed by members of the Alliance, there is a continuing need for training, mentoring and coaching. A frequently cited demand was for improved documentation of practice, together with analysis of both the challenges and the outcomes, which can be shared across partners.

Critical issues for consideration in relation to partnerships[38]:

- ❑ **Access**. Partnerships can often be limited to those organisations that are able to work easily with international organisations. How can Save the Children partner and communicate on an equal basis with other, less developed and less well connected organisations?
- ❑ **Support and advice**. Is it possible for partnerships to provide only support and advice (as opposed to funding) or does that limit such linkages to organisations that are already strong?
- ❑ **The approach to partnership**. For some members, for example, SCS, it is mainly 'top down', while for SCD it works from the 'bottom up'. What is the most suitable and appropriate approach?
- ❑ **The purpose of partnership**. What is the partnership expected to achieve?
- ❑ **Value added of partners and partnerships**. Working through partners and in partnership is seen as an essential element of Save the Children's strategy. For the value added to be recognised and assessed it will be necessary to develop together with partners a set of qualitative indicators that would help to describe the role and contribution of the partnership.
- ❑ **The burden of reporting** – especially with multiple donors. What is the cost of partnership to the local partner, and has this been adequately taken into account in the agreement? What opportunities exist for using different models of partnership (for example, bilateral and consortia) that may potentially benefit the local partner more? Do current partnerships take the form of equal relations, amalgamation or donor/recipient hierarchy?

Principled approaches to partnership

Partnerships between international NGOs which dispense funding and local partners which rely on it have the potential for creating hierarchical and dependent relationships. The inequity is compounded when those INGOs are seeking to *'export'* a value base and set of practices which are not necessarily those of the local organisation. In this context, it imperative that the Alliance has a clear and principled value base underpinning its relationships with partners. It needs to construct an interface between staff and partners which is based on respect and reciprocity not a form of coercion based on asymmetries based on differences in capacity and resources. Some members have sought to establish an explicit framework for building partnerships which sets out the principles on which the relationship must be based. SCS, for example, describes its collaboration with partners as being aimed at *'promoting mutual learning and enhancing the partner in becoming an independent, sustainable monitor and promote of children's rights'[39]*. It also stresses that *'Collaboration is built on mutual trust, transparency and respect.*

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[38] adapted from Country review: Bangladesh, A report for SC Sweden/.Denmark, 2003, Adams J, Boyden J, Feeny T, Singh N, INTRAC
[39] Compass: framework and direction for Save the Children Sweden,

Partnerships are long term commitments but they always have a set time limit.' SCN has, as one of its working principles, a commitment to ensuring that local partners have the primary responsibility for implementing initiatives, with SCN playing its part by strengthening local capacity to promote children's rights.

A principled approach to working with partners[40]

In most of its work SCN cooperates with local organisations to implement its programmes. It is committed to establishing formalised co-operation with those partners. It has agreed the following principles that must be observed when entering into any partnership:
- Shared vision and values
- Common goals
- Mutual learning and recognition
- Flexibility and local adjustment
- Transparency and trust
- Donor co-ordination
- Party-political neutrality

It would certainly be beneficial for all members to consider developing a code of practice or principled framework for partnerships setting out both the expectations from partners and the commitments being given by the Alliance. The unified programmes process further strengthens the case for a consistent approach across members in the ways in which relationships with partners are constructed.

Overall assessment
- All international members are now operating significantly or largely through local partners
- All document similar experiences of having to either change their partners or change the approach of existing partners, but in many cases experiencing some difficulties in marrying the new expectations demanded by CRP with the cultural environment inhabited by those partners
- There is often insufficient investment in working with partners to build understanding of and commitment to CRP
- There is a need for more explicit principles to inform the nature of the relationship with partners, along the lines developed by SCN
- The absence of any recognition of the role of partners is a serious gap in the Alliance Handbook on CRP and needs to be addressed in the revision
- More training, mentoring and support is needed for partners to help translate the principles of CRP into meaningful practice, particularly through exchange of good practice
- In providing training and support, appropriate recognition needs to be given to the exploration of sensitive and culturally relevant application of children's rights while not undermining their universal nature

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[40] Save the Children Norway's Strategy 2002 -2005

3 Programme development

It is not within the scope of this study to evaluate actual practice in implementing CRP. The previous section explored the introduction of measures necessary to create an infrastructure which facilitates and supports the changes in practice implied in adopting CRP. This section focuses on a review from the perspective of head office staff, and analysis of relevant documentation, as to the effectiveness of those measures in changing practice at country level.

Benchmark 9 Situation analysis is directed towards mapping rights violations, and identifying causes and duty bearers, through a process that respects the views of children

Within a rights-based approach to programming, the task of undertaking a situation analysis is substantially changed. The Alliance handbook on CRP, for example, stresses that such an analysis must include:

- The situation of children's rights
- The immediate as well as the underlying causes of violations and obstacles to fulfilment
- The views and experiences of children
- The duty bearers

As such, the task of producing these analyses becomes more demanding, requiring a different form of analysis, additional evidence and data, and different methodologies. It therefore draws on significantly different skills than would previously have been the case. The analysis must also adopt a holistic approach. SCUK argue that only through holistic analysis is it possible to assess whether strategy should be to:

- Support the delivery of services
- Attempt to change attitudes
- Try to effect policy changes

UNICEF's approach to rights based situation analyses

UNICEF has developed a conceptual framework for undertaking situation analyses, arguing the need to address five dimensions[41]:

Step one - Causality analysis which looks first at the relationships between the ultimate outcome and the immediate causes; then at relationships between immediate causes that are important for the outcome and their underlying causes; and last at the relationships between the identified key underlying causes and the basic causes. Experience in applying this framework shows that while the causes of a problem may be different at the immediate and underlying levels, the *basic causes* are often the same, for example, lack of capacity, forms of social organisation, gender discrimination.

Step two - Role or pattern analysis is a means to understanding the complex web of relationships between claim-holders and duty-bearers. Human rights represent relationships between claim-holders and duty-bearers. Duty-bearers are often unable to meet their obligations because some of their own rights are being violated; for example, parents without resources cannot be held accountable for not being able to pay costly school fees. The relationships between

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[41] See Programme, Policy and Procedures Manual, UNICEF, 2004

claim-holders and duty-bearers form a *pattern* that links individuals and communities to each other and to higher levels of society. Also within a given right, individuals may have both claim-holder and duty-bearer roles. A teacher, for example, is a duty-bearer in relation to children but also a claim-holder in relation to the Ministry of Education.

Step three - Analysis of capacity gaps After the key claim-duty relationships for a specific right have been identified, the next step is to analyse why the right is being violated or at risk of violation. A basic assumption underlying the approach proposed is that rights are violated because claim-holders lack the capacity to claim the right, and/or duty-bearers lack the capacity to meet their duties. The analysis of capacity gaps is called Capacity Analysis.

Step four - Identification of candidate actions which are those actions that are likely to contribute to reducing or closing the capacity gaps of claim-holders and duty-bearers. Such actions should aim at increasing responsibility, authority, resources, and decision-making and communication capabilities of claim-holders and duty-bearers.

Step 5 - Programme Design The priority actions or activities selected should be aggregated into projects and programmes. This is the reverse of most current programming practices, which disaggregate programmes into projects, and projects into activities.

All the Alliance members included in the study, though SCUS to a lesser degree, are actively seeking to extend rights-based situation analyses across all their country programmes, and would concur with the form of analysis promoted in the Alliance Handbook. (In the US, while programmes are informed by reference to the Convention on the Rights of the Child, it is not the driving force behind the process except in the Asia region, which has made a strong commitment to CRP.) However, it is evident both that the quality of analyses varies widely across and within programmes and that significant challenges remain in making progress.

Conceptual understanding of rights based situation analyses
SCD considers that there is now a consistent understanding of stakeholder analyses across its programmes, a change which has been facilitated by the use of its toolkit. Although the toolkit sets ambitious targets, it has been effective in helping build capacity (see box). SCN, too, states that all its programmes claim to be undertaking rights-based analyses, although it recognises that there is some variation in levels of understanding. For example, there is still a common misapprehension that adult duties towards children only relate to service provision. It estimates that probably nine out of fourteen of its country offices are carrying out thorough rights based analyses. Levels of skills, the cultural environment, as well as economic factors impact on the conceptual understanding and therefore the quality of analysis achieved. In some SCUK programmes, there is growing skill in interlinking participation, protection, and social and economic rights in their analyses. SC Mexico argue that their approach to situation analyses has always been rights based, but they conceive the process rather differently. They combine documental data analyses with a self-diagnostic process that involves a training process for all participants. Changing from an integrated rural development approach to a rights-based approach was relatively easy. The additional elements are to view children's rights as the lenses through which they analyse community life and to involve children as participants in all processes and activities. In this way, the process is rooted in a community-based analysis of the situation of children, which involves consultative processes with children, their parents and teachers.

Endorsement of rights-based analyses

All members expressed optimism that overall there is a growing recognition of the values of rights-based analyses, although SCS commented that some programmes still express scepticism about the benefits of undertaking this work, arguing that the additional time involved is not compensated by the outcomes achieved. SCUK are witnessing a growing commitment to holistic analyses across country programmes with an increasing focus on root causes and analysis of duty bearers, although the speed of change varies significantly between regions. It was only in 2003 that a head office post of CRP adviser was created, but it has already begun to bear fruit through a more explicit requirement on programmes to base their programmes on rights based situation analyses. Response in the field has been mixed, with some programmes arguing that head office is imposing the agenda without providing adequate support, while others have welcomed the formal endorsement of work they are already committed to.

Availability of data

A rights based analysis requires the collection and analysis of considerably more data. Experience to date reveals that there are significant gaps in the availability of that data, and also the knowledge base within Save the Children about many aspects of children's lives. Some concern is expressed by many members that the move from service provision to advocacy is diminishing the evidence base of the organisation, thus weakening its direct knowledge of children's lives. A number of programmes are beginning to conduct research, and, indeed to work with children as researchers to expand their understanding and knowledge. However, lack of knowledge remains a significant challenge.

A commitment to building knowledge of children's lives[42]

SCN is committed to ensuring that its work is based on information gathered through research and documentation, recognising that such information is essential in assessing what to do, when to do it and how to do it. It should serve as a base both for practical work targeting children directly and for advocacy towards governmental bodies at different levels as well as organisations, enterprises and other influential bodies.

Examples of building this knowledge base include:

- A NGO network on CRC in Cambodia, where SCN participate, has compiled information and data related to children's issues into an Information Management System.
- Partners of SCN in Serbia, Montenegro and Bosnia & Herzegovina are developing indicators and have conducted research to document children's situation. These data are included in alternative NGO reports on the child rights situation. These reports are intended to serve as a basis for monitoring relevant laws and practices, creating policy in the area of child rights, and monitoring the implementation of National Plan of Actions for children.
- In the Federation of Bosnia & Herzegovina, the SCN partner, the Division for the Rights of the Child at the Ombudsman Institution, is maintaining the previously developed database for individual and groups cases. The similar unit for children's rights at the human rights Ombudsman office in Republica Srbska, also supported by SCN, has conducted research on drug abuse, educational upbringing, inclusion of disabled children in education and legislation for sanctions of juvenile offenders.

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[42] SCN Status report, Updates, 2004

- Research and studies have also been carried out in more specific areas; in Kosovo on maltreatment of children, in Nepal on court decisions on juvenile cases and on corporal punishment and in Federation of Bosnia & Herzegovina on unregistered children. In Norway studies have documented sex abuse against children with disability, the living conditions on asylum centres for separated children in and the need for training on sexual abuse among professionals working with children. The findings are being used in advocacy work as a follow up of the studies.

Donor support for rights based analyses
The process of undertaking rights based analyses is time consuming. Some programmes have expressed concern that donors lack understanding of the importance of investment in this process and are unwilling to fund it.

Participation of children
All programmes claim to have begun to involve children in situation analyses. SCS, SCUK and SCUS commented that programmes are increasingly involving children, although progress is more significant in some regions - for example, South Asia - with some other regions currently at the stage of involving children in project activities and hoping to move towards their participation in situation analyses. SCN are finding that children are playing a growing part, not only in identifying issues but also in contributing towards understanding the appropriate focus and emphasis to be given to them. Nevertheless, they would acknowledge that capacity in involving children varies from a deep understanding in some programmes to a superficial recognition of the issues in others. SC Swaziland has supported the creation of child clubs in all programmes and child to child clubs in schools and these are used as a vehicle for consulting with children during situation analyses. In Nepal too, the extensive network of child clubs provides an invaluable base for contributing to child rights analyses. The children involved have already developed their own skills and capacities, are strongly linked within their own communities and able to provide reasonably representative perspectives. SC Romania have undertaken a number of national consultations with children to feed into their situation analyses.

However, the challenges remain widespread. SCD, for example, feels that it is only at the beginning of a very long road in learning how to create effective mechanisms for the real involvement of children in situation analyses. Although it is experimenting with different methodologies, there is not yet any systematic approach to incorporating children's contribution. All members raised issues of how to ensure the representative involvement of children, how to institutionalise participation in order that it arises from a mandated base, how to create enabling environments which enable children to contribute their insights and experience, and how to create transparent mechanisms which enable children to see how their views have been addressed. There is also a concern expressed by some that it is unlikely that in the context of a more overarching country situation analysis, children will identify anything radical, new or different from what adults already know, and that where they can and do challenge adult assumptions and practices tends to be at the local level in projects impacting directly on their lives. This type of contribution is exemplified in SCS Ethiopia programme where the children highlighted that an education

project was failing to address the rights of working children to education, resulting in a change of focus in the project to address their concerns.

The Save Children Denmark toolkit on child rights analysis
The toolkit provides detailed five step guidance and tools for the process of undertaking a child rights analysis.
Step one Mapping the violations of child rights including participation, protection and provision rights in order to develop a profile of the situation of children and identify target groups. This can be done through the collection of primary and secondary data as well as data collection using participatory methods. The date should then be organised, analysed and summed up and then mapped on a matrix identifying the extent to which the rights are complied with, for example, in legislation, in administrative frameworks and in practice
Step two Choosing sub programme fields. Using the mapping findings, a matrix is drawn up listing all rights and identifying the target groups for whom those rights are violated in order to help inform the selection of themes, target groups, and geographic areas. A series of criteria are then applied to determine priorities – for example, competencies within the staff, financial costs, risks involved, likelihood of positive impact, numbers of children affected, other agencies working on the issue. It is suggested this and stage three is done through a workshop.
Step three – In depth analysis of the nature of the selected rights violations and their causes. It is suggested that this be undertaken in a workshop through the development of a problem tree. This step also needs to address how the rights violation impacts on children's participation rights. It is suggested that the workshop from stages 2 and 3 appoint a task force to undertake both this task and step 4.
Step four – Stakeholder analysis and mapping which involves examining who are the stakeholders in children's lives in relation to the problems and target groups identified, and an analysis of their roles and responsibilities and how they fulfil them. This process will include care givers, duty bearers, support groups and opponents of children's rights. A matrix mapping and analysing duty bearers etc in relation to causes of rights violations is then created.
Step five – formulation of the programme or project strategies for addressing the problems prioritised. Strategy formulation has three aims: to identify solutions to the problems highlighted, objectives for the programme, and strategies, one for integrated child development and one for advocacy. Again it is proposed that this should be done at a workshop with country office staff and partners. It is recommended that children can be involved but preferably not at the workshop itself but through a preparatory meeting.

Collaboration
Notably, apart from the examples cited above by SCN, there is appears to be relatively little collaboration with other agencies working with children in the development of situation analyses. Given the real concern expressed about the workload involved in these processes, it is surprising that more efforts have not been made to explore the potential for more integration. For example, Save the Children is a major participant in NGO coalitions on the rights of the child in most countries in which they have programmes. These coalitions are involved in the five yearly process of submitting NGO reports to the Committee on the Rights of the Child. This process involves a detailed analysis of child rights in the given country coupled with a critique of government action to address these rights, and could usefully be used to contribute towards the creation of a unified child rights analysis. So doing would not only be a more efficient approach to undertaking the task, but could facilitate a shared analysis of the situation of children, a more rationale approach to identification of priorities, better systems for ensuring adequate coverage of

the issues while avoiding duplication of work and strengthened capacity in advocating for change. SCN highlighted the negative consequences of lack of collaboration in Zimbabwe, where the World Bank had committed to increased investment in children and wanted to meet with children's NGOs to seek their views on priorities and strategies for intervention. However, the lack of a common platform or shared priorities militated against making optimum use of this opportunity and thereby gaining the best possible outcomes for children.

Overall assessment
- CRP requires a radically different, and potentially more demanding approach to situation analyses. However, it is an essential tool in the process of child rights programming
- All members are committed to producing rights-based situation analyses, although SCUS has not rolled this out consistently
- The Alliance Handbook has proved a useful resource, as has the more detailed SCD toolkit, both of which have been widely used
- There is still a lack of the necessary skills in all country programmes for developing rigorous rights-based situation analyses
- Too little commitment has been made to collaboration with other child rights agencies in the development of analyses. In particular, it is surprising that more advantage has not been made of the coalition process of reporting to the Committee on the Rights of the Child
- Creative work has been done to involve children in situation analyses, but the methodologies used, lessons learned and challenges raised need to be shared and applied more widely

Benchmark 10   Priority setting and planning is informed by a rights-based perspective, informed by the views of children

There is significant variation in the approach taken towards setting priorities for action across the members of the Alliance, although most claim that the process is informed by a rights-based perspective. The Alliance Handbook suggests that factors that should influence priorities are: the severity and frequency of violations, availability of partners to implement, political support for the aims by governments, the organisational policy and capacity of the country programme, complementarities with other partners, and likelihood of potential outcomes.

Most members do provide a strategic thematic framework at global level, within which country programmes are given varying degrees of autonomy in application. In SCD, for example, two priority programmes have been identified – education and social protection and support, within an overall framework of the cross cutting issues of participation, non-discrimination and HIV/AIDS. They acknowledge that the commitment to CRP has led them to focus more effectively on prioritising specific rights violations, and these priorities have been selected because of their importance for the realisation of children's rights. In SCN, six thematic programme objectives have been identified – two general

themes of understanding and support for children's rights and active opposition to the causes of poverty and economic exploitation, backed up by four specific objectives to address the right to education, to protection from economic exploitation, from violence and abuse and armed conflict and other disasters. SCS has 10 programmes priorities, ranging from substantive rights issues such as education, exploitation and abuse, children without adult support, children in armed conflict to broader cross cutting themes such as non-discrimination, participation, and good governance in the best interests of the child. Each of these frameworks has been constructed explicitly in the context of a commitment to promoting the human rights of children.

In SCUS, however, despite the vision and programme principles giving recognition to child rights, the overall strategic priorities are not articulated in terms of rights. They include ensuring the survival and thriving of children, working with children in emergencies, enabling more children to benefit from quality programmes, and ensuring that children in need benefit for literacy and nutrition programmes. While these objectives are fully consistent with a commitment to children's rights, they are, nevertheless, constructed in terms of a service delivery approach rather than one dedicated to identifying duty bearers and empowering children, families and communities to hold those duty bearers to account.

The process of setting global priorities in the context of a rights based approach raises a number of challenges.

Global or locally driven priorities
There is a tension between, on the one hand, the desire of an organisation operating globally to identify overarching strategic priorities in pursuit of promoting children's rights, and, on the other, the value of providing responsive interventions arising from the expressed concerns of local communities, including children. Unlike the other members in this study, SC Mexico, although obviously not operating globally, has adopted a commitment to being led by community driven priorities. They facilitate local communities, including children, to identify their priority concerns and then develop programmes directed at tackling those concerns. They argue that a rights based approach necessitates taking a lead from expressed concerns and priorities identified by children in their day-to-day lives. And their experience at the community level provides them with the experience with which to undertake advocacy at the national, regional and global levels. It provides them with first hand knowledge of the situation of children living in poverty stricken areas - their perceptions, aspirations, and alternatives. This approach contrasts strongly with that adopted in SC Romania, where the legacy of five decades of totalitarian rule still limits the real potential for working at community level to establish priorities. They have sought to overcome that deficit by working with children through schools to enable priority setting to be informed by their perspectives. A successful campaign to achieve legal reform to end physical punishment was launched in response to children highlighting violence as the primary issue on which they wanted change.

However, many other members would argue the need to apply a degree of consistency in their overall priority setting in order to acquire the necessary expertise, profile and

overview to advocate effectively for children's rights in the national, regional and global context. The challenge is twofold: to try and build mechanisms which allow emerging children's concerns at a country level to be given consideration in determining global priorities and to create a balance between a coherent framework which is sufficiently flexible to allow for locally based priorities to be appropriately addressed. In Oxfam, the international programme has established five aims for all partners to subscribe to, relating to the right to a sustainable livelihood, basic social services, life and security, to be heard and to an identity. These aims are backed up by a number of strategic change objectives to guide the work of meeting those aims. However, the various partners, while expected to subscribe to the overall aims and objectives, do create their own independent medium term objectives for programming[43]. SCUK, in its strategic guidance to country programmes, requires that consultation is undertaken with children who are directly affected by their activities, but also acknowledges that there is a need to reflect the knowledge and experience of partners, Alliance members, donors, host government, relevant advisors and other stakeholders, as well as children themselves[44]. It is fair to say that the members involved in the study are fully aware of these challenges and are struggling with them. Certainly, there is still relatively little institutional involvement of children themselves in the process of determining priorities, and a concern by some, that while the process should be informed by children, individual children are not necessarily able to balance competing priorities and make overall choices in the best interests of children as a whole.

Which children?
A rights based approach requires a commitment to addressing rights violations of the most marginalised and vulnerable children. SCD, for example, has explored whether to focus on a particular rights violation, such as child labour, or whether to focus on a constituency of particularly vulnerable children for whom most rights are violated. SC Romania identified difficulties in achieving an appropriate balance, acknowledging, for example, that it had placed too great a focus on urban children, to the detriment of those living in rural areas. SCUK has also grappled with this issue. Should it, for example, give priority to programmes focused on disabled children, or should it seek to include disabled children across all programmes. There are no ideal solutions to these dilemmas. Its strategy has been to give a focus to the concept of diversity, recognising the different experiences of childhood amongst different groups of children, valuing those differences, and recognising and countering inequality and discrimination. It requires that in assessing priorities, consideration is given to which groups of children experience discrimination, whether there are children experiencing multiple discrimination, and what are the impacts on the realisation of rights. An adviser on diversity at head office has been appointed expressly to support country programmes in addressing these questions and identifying and giving appropriate priority to the rights of marginalised children. SCS identifies non-discrimination as a specific programme area and gives priority to discrimination on grounds of gender, disability, ethnicity and social background. Amongst these groups of children, it gives special attention to those at risk of violence, abuse or exploitation.

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[43] The Implications of Adopting Rights Based Approaches for Northern NGOs: A Preliminary Exploration, E Harries Curtis, INTRAC, 2003.
[44] Country Planning and Review Processes: guidance notes, Save the Children UK, 2004

Save the Children will always need to prioritise between competing demands for programmes. The adoption of a rights based approach has begun to build the issue of non-discrimination into the planning process. All members articulate an explicit commitment to the principle, some have evolved strategies for applying those principles. However, the full implications on programming priorities are still at a relatively early stage of development.

Optimising effectiveness
There is often an incompatibility between the expertise within the organisation, and the skills demanded by the assessed priorities in the field. SC Mexico respond to this tension arguing that their staff have to be prepared to adapt as the needs arise, drawing, wherever possible on expertise within the local community, partners, and training opportunities. However, SCD has highlighted global priorities in education and social protection, in large part, because the organisation has significant competencies in those areas. Most other members have adopted this more pragmatic approach, selecting programmes for which they have a capacity or where they can work with partners who can provide the necessary skills.

Overall assessment
- All members, except SCUS, provide some strategic guidance in setting priorities for programming which derive from a rights-based analysis
- In a rights-based approach which places emphasis on empowerment of children in claiming their rights, a number of tensions arise between:
- ➢ the need to construct coherent global priorities and the obligation to respect the stated priorities of children and their communities on the ground
- ➢ the need to build an evidence base for global advocacy through overarching strategic objectives, and the need for advocacy at local level deriving from locally driven experience of rights violations
- ➢ emerging priorities arising whether from international imperatives (for example, the UN Study on Violence) or from children themselves and the competency base of the organisation
- There is a continuing and unresolved debate about the implications of a commitment to non-discrimination and its implications for prioritising the most vulnerable or marginalised children

Benchmark 11 Implementation is directed towards the fulfilment of all children's rights, without discrimination, involving both holding duty bearers accountable and supporting children to claim their rights

The Alliance Handbook argues that a rights-based implementation strategy is intended to increase accountability and advance the overall fulfilment of children's rights. In order to

achieve these goals, it advocates a 'three pillar' approach indicating the complementary and mutually reinforcing interventions necessary:

- **Pillar One** Practical actions to directly address violations of rights and gaps in provision
- **Pillar Two** Strengthening the infrastructure (institutions, policy, law etc.) to overcome constraints, ensure accountability and monitor progress in child rights
- **Pillar Three** Building a constituency of support in society for children's rights among individuals across the government, professionals, media, private sector and civil society.

Applying the three pillar approach

SCUK employs this three pillar approach. Historically much of its work would have come under pillar one. For example, in Nepal, it was effectively providing health services for children, and although they undertook work in the other pillars, it was not always related to the work in pillar one. CRP has helped programmes see the need to develop a spreads of work across the three pillars in order to achieve a sustainable impact in the lives of children. The nature of work in pillar one is increasingly pilot initiatives and service delivery as an entry point for strengthening work in the other two pillars, and as the evidence base for it. As the work on the programme develops, it is expected that the work in pillar one will further decrease.

All members taking part in the study reflect that the commitment to CRP has had significant impact on the nature of implementation of programmes in the field.

Duty bearers and advocacy

Most country programmes have begun to shift the balance of their work to take on a greater volume of advocacy, employing an analysis which emphasises the importance of identifying duty bearers and encouraging them to fulfil their obligations to children. In the documentation provided by many of the members, there is a recognition of duty bearers at all levels of society – parents, teachers, local communities, local authorities as well as national governments and the international community, and a commitment to working at all these levels. In doing so there has been a reduction in direct service delivery (pillar one), paralleled by increased activity on such issues such as rights awareness training, reporting to the CRC, legal reform, establishment of an infrastructure to support the realisation of rights, including children's ombudsmen. Among the larger members SC S has probably gone the furthest in this direction , commenting that since the mid 1990s, it has provided no major support for programme delivery. It only supports innovative projects or works in an advisory capacity or advocacy role. Indeed, advocacy now represents around 80% of their work, including a high level commitment to sustained advocacy with the relevant international institutions that impact on children's rights – the Committee on the Rights of the Child, the Human Rights Commission, and initiatives such as the UN Study on Children and Violence. After considerable debate throughout the organisation, it has identified four main implementing strategies consistent with a rights based approach:

- Research and analysis
- Knowledge dissemination
- Direct support

- Advocacy and awareness raising

In practice, this means a strong emphasis on challenging the conditions which enable children's rights to be violated. Indeed, in its framework for action, it asserts clearly that SCS is not a social service organisation and does not take over the responsibilities of others[45].

In SCN, a similar shift of emphasis has taken place. It is recognised that it is both legitimate and necessary to undertake advocacy work at all levels from the local to the global. However, SCN bases its work on both practical work, service delivery included, and advocacy. This approach was affirmed in its 2002-2005 strategy. Advocacy takes place both in relation to local and national authorities. Even though some partners continue to provide what can be called service delivery, there is a growing recognition that this should be supplemented with advocacy work. It is also recognised that some of SCN's partners which continue to operate as service providers, may lack the skills to analyse the environment they are facing from a rights perspective. SCN highlights the need for better documentation of experiences and analysis of conclusions to share amongst partners in order to build capacity.

SCUK observes that a definite shift has taken place in the nature of its programming. Far more work is being done now on, for example, participation, legislative and policy change, reporting to the Committee on the Rights of the Child and using the Committee's concluding observations. This development is strongest in South and South East Asia where the capacity to progress has been influenced by such factors as the strength of existing civil society, the willingness of governments to work with civil society organisations and government interest in advice from INGOs on how to design social policies in the transition to a market economy. However, to date, there is only anecdotal data on the extent to which advocacy has begun to take a higher priority. No systematic or quantifiable data has been produced.

Similar shifts in the focus of work can be seen in the programmes of other agencies. In UNICEF, for example, many programmes have been re-aligned to give a higher priority to work on the Convention, advocating for changes in legislation and policies and work on PRSPs to ensure a child rights perspective[46]. One recent study has shown that the transition to the rights approach has implied profound changes in country programmes. The number of programmes has been drastically reduced and there is a high degree of integration among the programme areas. There is now a more intersectoral approach to development and UNICEF sees its role no longer as being to fund projects but to support national reform processes, such as legal, institutional, and policy reform, institutional development and capacity, monitoring of public expenditure, systems for rights guarantees and mechanisms for the monitoring and evaluation of child rights[47]. Interestingly, Care initially focused its energies on poor policies and legislation and poor

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[45] Compass: framework and direction for Save the Children Sweden, (date?)
[46] Moving Ahead with Human Rights: Assessment of the Operationalisation of the Human Rights Based Approach in UNICEF Programming 2002, C Moser and A Moser, UNICEF, 2003
[47] Elisabeth Lewin, Programming for the Realization of Children's Rights: Lessons Learned from Brazil, Costa Rica and Venezuela, p. 8.

implementation, but gradually recognised that these factors are not the only barriers to the realisation of rights. It recognised that poor people also face barriers of deep seated societal values resulting in discrimination or abuse at all levels, including in the family. It has become clear to the organisation that it needs to focus greater attention on these issues and will require new advocacy strategies to be able to target attitude change as well as legal instruments and their implementation.

A further challenge raised by some members - and those concerned about the impact of the rights-based approach - is that in transferring greater resources to advocacy, country programmes could risk losing the very evidence-base from which to gain legitimacy in advocating change. SCD observed, for example, that without that evidence base, Save the Children becomes an organisation more like Amnesty, holding government to account on the basis of international human rights standards but without direct practical experience of children's lives on the ground. However, SCS argues that lack of direct evidence only becomes a problem if Save the Children is pressing for a particular model of change, based on its own practice, rather than principled change. And in any event, it is possible to draw on evidence produced by other organisations.

SCUS acknowledges the importance of a greater investment in advocacy but feels that the scale of the crises facing children inhibits the potential for moving away from service provision, arguing that advocacy with duty bearers can only be effective where duty bearers exist and are functioning to a minimum level of efficiency. Accordingly it continues to undertake large scale service provision. Their work has begun to include a greater advocacy dimension of late but only to the extent that it arises from the evidence base from programming, and where it is considered that there is a real potential for achieving change. Nevertheless, its strategy for 2002-5 does include advocacy on behalf of children at both national and global levels as a key objective. SCUS acknowledges the difference in emphasis in programming strategies between, in particular itself and the Nordic programmes but argues that in the context of working towards unified country presences, it is important to build a shared commitment to enable programmes to benefit from complementarity. Where there is a significant ideological difference underpinning the approach, however, rather than merely alternative strategies for the same end, such unification will inevitably be more difficult to achieve and sustain.

SC Swaziland began 10-15 years ago as a food programme but has now sought to shift towards advocacy to achieve, for example, law reform and enhanced child protection. However, the scale of difficulties facing children means a need for continued services, including food programmes, health care, education and counselling for AIDs orphans. A recent independent review of the 2002/3 work plan indicates that those activities which tended to get neglected were those involving advocacy rather than service provision[48]. For example, whereas the food supply programme was effectively achieved, programmes intended to improve the quality of life in schools and the legal reform programme in child protection were not implemented. The explanation for this pattern was understood not in terms of commitment or competence, but rather as a consequence of the organisational structure and focus on individual departmental plans,

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[48] Review of Annual Workplan, 11 July 2003, Lwati Management Services and Training Institute, Save the Children, Mbabane

underlining the very real importance of developing an infrastructure consistent with the commitment to CRP.

Other agencies have faced similar debates. Plan, for example, has grappled with how to balance ervice delivery and advocacy, concluding that it does require a continuing engagement with services, but developing more collaborative models in which children and communities determine the services they need, with Plan working with them as a facilitator rather than a provider. One of the most significant changes in its approach has been to shift from its traditional practice of working with the power elites in local communities, and instead involving a wider range of community members in its work in order to challenge those power bases. For Care, too, rights-based programming has not resulted in an end to field level action, but has meant changing from a focus on stand-alone projects to building longer term initiatives that help people claim and protect their rights.

Participation/ claiming rights
Save the Children is widely acknowledged as having undertaken groundbreaking work in the field of children's participation. UNICEF, for example, recognise that Save the Children has been a leader in the field while pointing out the challenges it will face in bringing its practices to scale. However, it is not the role of this study to review its contribution to the child participation agenda. Rather, it is necessary to review how effectively participation has been identified and supported as a central goal as part of CRP. The priority given to the issue in the Alliance is evidenced by the creation of a working group on children's participation to strengthen capacity across the membership. It organised a global meeting in 2003 at which it identified six strategic issues needing further development including documentation work, development assessment tools and policy initiatives. It has also invested in a number of publications designed to support and strengthen practice in the field[49]. Interestingly, however, the Handbook construction of the three pillar approach makes no mention of the importance of empowerment of children or working to promote their participation as actors in seeking the proposed changes. In other words, it focuses on the tasks that are required rather than the process through which those outcomes should be achieved. However, human rights approaches require equal attention to both the achievement of a desirable *outcome* and the establishment of an adequate *process* to achieve and sustain that outcome. Johnsson argues that human rights standards provide benchmarks for desirable outcomes for children, but that human rights *principles* represent conditions for the process. These principles include participation, local ownership, empowerment, and sustainability. While the outcome dimension can and should be understood based on facts, the process dimension can only be understood ethically (based on values)[50].

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[49] recent example include So you want to consult with children: a toolkit of good practice, International Save the Children Alliance, 2004 and Children and young people as citizens: partners for social change, Save the Children Alliance South and Central Asia, 2004
[50] Urban Jonsson, *Human Rights Approach to Development Programming*, Unicef, Eastern and Southern Africa Regional Office (ESARO), 2003

This approach is mirrored by Oxfam in its concept of 'voice poverty' which addresses the denial of poor women and men's right to influence the decisions that affect their lives[51]. It addresses the right to be heard both as an outcome and a process objective. It argues that by focusing on voice poverty, it can contribute towards its aim of reducing poverty and suffering in two ways:

- ending voice poverty tackles a key element of what it is to be poor
- enabling the voices of the poor to reach and influence policy makers enables them to advocate for policies and practices that impact positively on all other aspects of poverty such as material deprivation.

All members stress that CRP has involved them in a much greater commitment to working with children, and they have sought to encourage country programmes to institutionalise processes to promote children's participation. This commitment is explicitly promoted in the documentation and tools of all members, except those of SCUS. SC Swaziland establishes, as key values, a commitment to facilitating the participation of children in activities, to respect their opinions and to try and view the world through their eyes. SCS states its commitment to enabling children to be heard as one of its three key long term objectives[52]. SC Romania stress that children are consulted, and involved at some level in all their programmes. In SCN's strategy for 2002–2005, children's participation is one of the key working principles: *Children and young people are a resource and shall set the terms for Save the Children Norway's work[53]*. One of eight benchmarks for the implementation of the strategy states that: *Children and young people are participating with enthusiasm at all levels and in all sectors of SC Norway's work.* SCUK have adopted a conceptual approach using a triangle in which all the three corners of non-discrimination, best interests and participation are seen to contribute towards a central objective of survival and development. This framework is intended for use at all stages of programme development. In other words, the involvement of children is deemed to be a central dimension throughout the programme cycle. It has also published a wide range of guidance and reports to help build capacity in the field[54]. Although SCUS articulate a firm commitment to children's participation, it is interesting to note that in its current SCUS strategic plan, no explicit reference is made to participation as either an objective or a strategy in improving the lives of children.

SC Mexico's work is rooted in an analysis of empowerment. It seeks to distinguish between the concept of empowerment in traditional development work and that employed in rights-based approaches. It argues that the former models of development effectively victimised poor people, denying them tools for change. It offered empowerment to some, but without any basis in shared principles and standards. It therefore allowed those people to replicate authoritarian structures. It resulted in a mind set which viewed agencies and governments as bodies to do things for them rather than focusing on action they could take for themselves.

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[51] www.oxfam.org
[52] Compass: framework and direction for Save the Children Sweden, (date?)
[53] Status reports, Updates, SC Norway, May 2004
[54] for example, Children and young people participating in PRSP processes: lessons from Save the Children's experiences, Save the Children UK, 2004

Rights based programming, on the other hand, is fundamentally about changing power relationships. It necessitates working with communities to find out from them what changes they want and, based on principles of respect, dignity and non-discrimination, working towards those changes. SC Mexico argue that rights must be understood as reciprocal and mutual and that it is not possible to empower one group in society without reference to another. It is not possible therefore to work with children out of context from their families and communities. They also argue that children must be understood not only as rights holders but also as duty bearers, that this is a fundamental characteristic of the Convention's inclusive philosophy. In their work in schools, for example, they emphasise that children's rights means respecting each other and sharing responsibility in contributing towards a learning environment. Learning about rights without responsibilities undermines the spirit of the CRC.

Overall, children's participation has been given a high priority both at the level of organisational commitment and implementation in the field as a key dimension of CRP. However, emerging from that extensive experience are a number of challenges which require continuing discussion and analysis, for example:

- Different conceptualisations of participation in the development and human rights field
- Lack of appropriate skills amongst staff and partners
- Concept of children as individual rights holders in communities where this is not recognised
- Exposure to risk
- Need for investment in building a culture of participation
- Lack of tools for monitoring and evaluation
- Lack of focus on younger children
- Ensuring sustainability

In addition, there has been relatively little debate as to the different implications of rights-based programming when working with children rather than adults. Although the broad principles are similar, the childhood status of children does necessarily impact on the nature of both participation and advocacy and requires consideration of the evolving capacities of children. These issues need further attention.

Non-discrimination
All members are unequivocal about the commitment to non-discrimination. It features in all statements of principles and values. However, the application of the commitment is more challenging. One of the questions that arises is whether non-discrimination should be established as an area for direct programme intervention or whether it functions as a principle to be extended across all programmes. Most members have embedded it as a core principle in all programmes. However, SCS have also decided to single it out as a programme area, on the basis that the scale of discrimination perpetrated against many children is so severe that it is necessary to develop strategies and activities to integrate the principle across all other programmes. In a recent evaluation of the work of SCS in Bangladesh, it was found that this approach was appropriate in the context of that

country[55]. However, although the senior staff understood why this principle had also been adopted as a programme area, more junior staff struggled with the conceptual relationship of non-discrimination as a programme and its relationship to other programmes.

SCS approach to non-discrimination

SCS gives particular attention to discrimination on grounds of sex and gender; disability; ethnicity and social background. Five strategic approaches have been adopted to address discrimination:

1. Influence to ensure that legislation and policies against discrimination are developed and enforced
2. Increase capacity of those taking decisions and those working directly with children
3. Raise awareness and support change of discriminating opinions and attitudes among the public at large
4. Develop monitoring mechanisms to ensure that cases of discrimination are reported, and that legislation is enforced in the best interests of children
5. Promote enhanced self confidence, knowledge and capacity of children and families who are subject to discrimination, or run the risk of discrimination.

While it is not the remit of this study to review individual programmes, it is important to note that a brief overview of work being undertaken in the field across the Alliance indicates that most of the work is taking place with profoundly marginalised and vulnerable children. What is less clear, is how the principles of non-discrimination are being addressed within those programmes. Even amongst street children, for example, discrimination can arise between girls and boys, disabled and non-disabled children, children from different castes or ethnic groups. If programmes are targeted at particular groups of children, they run the risk of institutionalising or compounding existing discriminatory patterns. If programmes seek to include all marginalised children, there is a danger that the less accessible, or more challenging groups will simply not be approached. It is necessary to undertake more rigorous analyses of whether all marginalised children have access to programmes, how those children are treated within programmes and how the principle of non-discrimination is addressed throughout the programme cycle. Programmes would benefit from greater clarity and guidance about the practical application of the principle. The Alliance Handbook suggests a list of question to address within programmes which provide a useful checklist for programmes. It would be useful to know whether this checklist is used and if so, to what effect.

SCUK have sought to address the issue through the creation of a focus on diversity rather than discrimination. In other words, it takes the principle of non-discrimination and seeks to focus on its overall objectives in terms of valuing difference, promoting inclusion and understanding the interconnectedness between different forms of discrimination. It uses the concept of diversity to encapsulate this approach. Whereas in the past, it promoted specialisms in particular areas of inequality, for instance gender and disability, it now recognizes the value of a unified overall approach to tackling discrimination because:

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[55] Country review: Bangladesh, A report for SC Sweden.Denmark, 2003, Adams J, Boyden J, Feeny T, Singh N,

- The impacts of discrimination, whatever the root causes, are likely to be marginalisation, social exclusion, lack of access, an increased likelihood of poverty and lack of power. As such, there are overlaps in the actions required to address them.

- Common analytical frameworks can be used both to define problems and find solutions to discrimination based on gender, ethnicity, disability or other factors.

- The inter-relatedness of issues of identity means that it is important to have a unified strategy to tackle discrimination, particularly multiple discrimination.

A diversity approach has implications for each stage of the programme cycle. For example, it requires a clear analysis of patterns of discrimination to discover who experiences discrimination and which rights are violated. This information forms part of an initial child rights analysis, at country level or as part of a more focused thematic analysis. Effective approaches to diversity do not just change attitudes but also change practices and policies, systems and outcomes.

SCUK – Strategies for promoting respect for diversity
When working to tackle discrimination from a diversity perspective it is very important to have clear objectives in mind. To tackle discrimination it is important to:
- Enable children and young people from discriminated against groups to speak out and engage with decision makers.
- Monitor national policies, programmes and plans and service delivery to assess if particular groups of children experience discrimination. This may involve monitoring budgets or other expenditure to ensure that some groups of children are not losing out.
- Lobby governments and other agencies to disaggregate data along the lines of gender, disability and ethnicity, or other aspects of identity
- Identify and work closely with other NGOs, institutions and community groups to tackle discrimination and promote positive attitudes towards diverse groups. This could take the form of training or joint projects.
- Research the impact of discrimination on particularly marginalised groups of young people, noting the impacts of multiple discrimination
- Engage with the media to ensure that discriminatory attitudes are not perpetuated[56]

CRP in emergencies
Some ambivalence emerges from the study about the perception of the viability of rights-based approaches in the context of emergencies. SCD takes the view that it is always imperative to have a strategy for moving forward: in emergencies, protection must be a priority but always in a context of how to analyse change. In order to support this work and other advocacy challenges, it launched an advocacy project in 2003. SCUK considers that the use of the three pillar model has helped them focus on the need to strengthen structures and mechanisms even in emergencies, and they are seeking to assess what added value a CRP approach can bring to that work. Overall there is support for the principle that CRP should extend to emergencies, but a lack of confidence and capacity in

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[56] International Save the Children Alliance (2000) Children's Rights: Equal Rights? Diversity, Difference and the Issue of Discrimination.

translating the approach into those situations. Although SCUS argue that in the context of humanitarian crises, the primary agenda has to be about saving lives and that CRP is a lesser priority. Elsewhere, the child protection issues arising with refugee populations in West Africa in 2001 were widely cited as evidence of the importance of holistic rights based emergencies work

UNICEF has probably gone furthest in analyzing the application of rights-based approaches in crisis situations. It argues that there are no major conceptual differences in rights-based approaches in development or humanitarian contexts, but there are implications for the work that need to be addressed. These implications can be applied equally to the Alliance. It is worth quoting the implications for what and how it is done in full.

RBA in emergencies[57]

Implications for what is done

- **Protection and assistance**: It is clear that assistance without protection can only go so far in most complex emergencies—an idea summed up in the phrase "the well-fed dead."
- **Advocacy with greater consequences**: The rights-based approaches imply that UNICEF has to become more sophisticated at understanding what advocacy is, and how to do it effectively and strategically in humanitarian situations. Since the "retributions" of a human rights-based approach in crises can be more life-threatening than in non-crises, we have to be more thoughtful about how we apply this approach—but we should not question the validity of the approach itself.
- **A broader legal and ethical base for our work**: Staff need to be familiar with international humanitarian law and international criminal law, namely the Geneva Conventions and the Rome Statute of the International Criminal Court, as well as other relevant normative standards, including Security Council resolutions, the Guiding Principles on Internal Displacement, refugee law and humanitarian principles.
- **Improved monitoring:** A rights-based approach requires that UNICEF adopt a stronger role in the monitoring and documentation of child rights violations. At a minimum, UNICEF must be aware of the situation of children in humanitarian crises, and be prepared to document and report on it. To accomplish this, UNICEF could make more strategic use of existing United Nations human rights monitoring mechanisms, such as the Commission on Human Rights and its country and thematic rapporteurs.
- **Justice and impunity:** Rights-based approaches with their emphasis on the universality of human rights and the obligations of duty-bearers, particularly States Parties, recognise the importance of accounting for atrocities committed against children, in order to strengthen the protection of children and end the climate of impunity that so often prevails in complex emergencies. UNICEF's role in such situations is to call for accountability for those who have committed crimes against children and women, to advocate for child-sensitive protocols in any truth and justice-seeking mechanisms that may be established, and to provide technical assistance to such mechanisms as necessary.
- **Transition***: The human rights-based approach to programming must build the bridge between emergency response and longer-term development work. UNICEF's presence in a country before, during and after a humanitarian crisis puts us in a unique position to *continuously* apply rights-based approaches in all of these phases, without the usual artificial distinctions between "emergency" and "development."

Implications for how it is done

- **An expanded set of programme tools and approaches**: rights-based approaches can inform the traditional tools and strategies used to programme in crisis situations. For example, they can provide a

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[57] Urban Jonsson, "A Human Rights-Based Approach to Programming (HRBAP)", Draft report submitted to Evaluation, Policy and Planning Division, Unicef, New York, 25 June 2004.

framework for developing or modifying rapid assessment tools so that they capture a wider range of children's rights violations in humanitarian situations, and help identify the respective duty-bearers and their capacity gaps and assistance needs.

- **Participatory approaches, including with young people:** rights-based approaches can act as an impetus for us to review how we involve affected populations in the delivery/management of humanitarian assistance, as well as in recovery and social reintegration of victims (e.g. child soldiers). In order to develop skills and become contributing members of the community, young people need to play a role in decisions that affect their lives. Specific strategies are needed to overcome obstacles to young peoples' involvement, and to address the inherent risks.
- **Working with national and local civil society organisations**: Such organisations are often best placed to monitor human rights abuses, implement participatory approaches with communities, and generally link external assistance to the needs of affected populations.
- **Exacerbated gender inequalities:** With its emphasis on equity and non-discrimination, a rights-based approach compels us to bring a gender perspective to our humanitarian work. Humanitarian actors must recognize and act upon the different ways that women, men, boys and girls are affected by humanitarian crises, with a view to ensuring the realisation of their human rights.
- **Principled engagement with non-state entities (NSEs) and failed states**: Rights-based approaches can play an important and powerful role in establishing UNICEF's impartiality, neutrality and credibility as a humanitarian actor. Unlike NSEs, failed or failing states *are* legally bound by their obligations under international human rights law and can be held accountable for meeting these obligations. In such cases, capacity building of government officials at all levels constitutes a key strategy of the HRBAP, although in most armed conflicts, this strategy may not be feasible in the short-term.
- **A shift in the humanitarian culture of humanitarian organisations:** First, humanitarian organisations need to "reorient their morality and thought so that they orbit around equality and justice rather than pity and help" because "rights dignify rather than victimise or patronize people…[and] make people more powerful as claimants…. ". [58] Second, the scope of emergency response needs to be broadened to include basic education and learning opportunities, recreation, the monitoring of child rights violations and advocacy for the safeguarding of children's rights, as well as life-saving actions.
- **Accountability of humanitarian organisations:** Rights-based approaches recognise crisis-affected populations as rights-holders. In so doing they impose a duty upon humanitarian organisations and local and national authorities to hold themselves accountable for providing standards of assistance and protection in accordance with internationally accepted norms.
- **Improved knowledge and sharing of information about rights-based approaches in a humanitarian context:** UNICEF needs to continue to familiarise staff with this approach, to de-mystify it, while also promoting its applicability in humanitarian crises. In addition to staff, implementing partners and donors also need to be briefed on the HRBAP in humanitarian crises

Which rights inform CRP

Although all the agencies reviewed in this study use human rights as their principled framework, the human rights instruments which inform their programming differ. The Alliance and Plan tend to focus exclusively on the Convention on the Rights of the Child, with relatively little awareness amongst staff about its relationship to other human rights instruments or their relevance to children's rights. UNICEF claims to give equal weight to both the CRC and CEDAW. However, a recent evaluation of their work indicates that it is increasingly rare for any emphasis to be given to the latter[59]. Oxfam focuses on social, economic and cultural rights within a wider human rights context, with special focus on the five rights described on page? Care, on the other hand, adopts a more general commitment to human rights without specific reference to particular instruments.

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[58] Slim H - check

[59] Moving Ahead with Human Rights: Assessment of the Operationalisation of the Human Rights Based Approach in UNICEF Programming 2002, C Moser and A Moser, UNICEF, 2003

It can be argued that the ability to focus on one treaty provides coherence to advocacy. UNICEF's commitment to the CRC, for example, has enabled it to build up a strong relationship with the Committee on the Rights of the Child, and to make significant impact on the reporting process. However, it seems that this has been at the expense of its formal commitments to CEDAW. And for the both UNICEF and the Alliance, it is also important to understand the wider range of human rights standards that exist. This awareness is needed not only to ensure that advocacy is informed by all relevant rights, but also in order to promote the mainstreaming of children's rights into the broader human rights agenda. An example of the benefits of mainstreaming can be found in the recent efforts to raise the issue of physical punishment of children on to the agenda of the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the European Court of Human Rights and the European Committee of Social Rights. Persistent efforts in bringing the issue to the attention of these Committees has resulted in clear recommendations from them all that physical punishment breaches the human rights of the child, thus increasing the pressure on governments to reform legislation. Other human rights standards such as the relevant ILO Conventions, the Beijing Rules on Juvenile Justice, the Riyadh Guidelines on Prevention of Juvenile Delinquency and the UN Standard Rules for Persons with Disability and the Hague Convention on Intercountry Adoption also need to be used by agencies advocating for children's rights.

Overall assessment

- CRP has resulted in a substantial shift from services to advocacy amongst all members, except SCUS, although the balance varies both between members, and across regions
- The changes have prompted much debate about what is the appropriate balance between service provision and advocacy with fears that ending service provision erodes the evidence base for advocacy. Counter arguments are posed that there are other sources of evidence that can be used. Similar debates are taking place across all the child rights agencies.
- Advocacy is taking place at all levels from local communities to the global arena
- Promoting children's participation has been both a primary strategy for promoting broader rights as well as an objective in its own right. The Alliance is widely recognised as the lead agency in this field, playing a key role as a resource for other agencies
- In rights-based programming, the process through which rights are claimed is seen as important as the realisation itself. The Alliance has employed meaningful participation as the process through which this is being achieved
- Many challenges are emerging from the experience of promoting child participation:
  ➢ Lack of appropriate skill amongst staff and partners
  ➢ Lack of tools for measurement
  ➢ The need for culturally relevant models
  ➢ The lack of focus on younger children
  ➢ The need to create a culture of participation, not just establish projects

> ➢ The risks to which it may expose children
- Rights-based programming does have significantly different implications when undertaken with children. While some of these implications are being explored, there is a need for further consideration of the concept of CRP
- The principle of non-discrimination is universally endorsed across the Alliance but there is a lack of clarity about its implications for programming
- 'There is a lack of confidence and capacity in applying CRP in emergencies. More work needs to be done through collaboration with other agencies to explore how the concept can be applied successfully
- Too little use is made of human rights instruments outside the CRC, which have relevance for children's rights.

Benchmark 12   Monitoring and evaluation is informed by CRP both in respect of its process and focus

Child rights programming must include a child rights approach to monitoring. Any organisation attempting to operationalise the CRC must develop its own aims and objectives and appropriate measures for achieving these. It is essential for ensuring consistency and clarity of purpose within programmes globally and nationally. However, the process is complex because, although the CRC sets an international minimum standards, rights are abstract values rather than expressions of localised ideas and practices; consequently determining what rights mean in each local setting is a key task. Child rights monitoring differs from the more traditional monitoring and evaluation methods, based on linear, cause and effect interpretations of social development. It is necessary to develop effective benchmarks against which to assess what has been achieved. In addition, however, consistent with the principles of empowerment and participation, the process of monitoring and evaluation needs to be a dialogue and a democratic process to promote mutual learning, strengthen accountability and change power relations between stakeholders. It must also be participatory, viewing beneficiaries as active agents and looking at the impact programming has on their lives, in their terms. These are issues with which Save the Children has been grappling with since its adoption of CRP as a programming approach.

Both in terms of impact and process, CRP does pose significant challenges to monitoring and evaluation. While some human rights standards can be measured relatively easily, for example, data on levels of enrolment in school, it is hard to measure the levels of violence perpetrated on children at school, or the extent to which children are able to express their views and have then taken seriously in the education system, and even harder to assess the extent to which children have been empowered to make those claims in their own right. As one commentator eloquently put it '*you cannot speak of delivering two tons of democracy or 80 grams of justice*!!'[60] And the timescales involved in achieving changes in children's rights are inevitably slow. So demonstrating the outcomes of investment in advocacy are likely to prove difficult. Furthermore, there are few agreed and detailed indicators of human rights compliance against which to monitor

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[60] cited in A Human Rights Approach to Human Development, J Hauserman

progress in the realisation of children's rights with any degree of rigour. Within the Alliance, there is a reluctance at this stage to go down the route of detailed indicators, partly because of the difficulties of constructing universally applicable or relevant indicators in vastly different contexts, and partly because of a desire to avoid an overly bureaucratic or reductionist approach to measuring impact. SCN, for example argues that the priority must be to develop a tool box, from which country programmes can evolve their own indicators, rather than a standardised system. The goal is to promote professional competencies and not to tick boxes.

Most members would agree that they are still at a very early stage in the development of appropriate and effective tools for undertaking rights-based monitoring, although there is a wide variation between members in how far they have gone in the development of tools. SCUS, for example observes that it monitors against programme objectives not realization of children's rights. It argues that children's rights are implicit in this process rather than explicit. However, it is difficult to see how any effective monitoring of children's rights can be undertaken unless those principles and standards inform the assessment of change that has taken place. Furthermore, organisational monitoring of programme objectives creates no space for children themselves, or other stakeholders to participate in the process of hold the organisation to account. SCN have developed a concept of Key Quality Elements (KQE) as the basis for evaluating programmes. For example, in a situation of children in armed conflict, programmes help children characterize KQE to assess what constitutes good practice and then guides them to improving standards. This process was developed by head office and then discussed and adapted at local level. It is viewed as a tool through which programmes can improve rather than an independent form of monitoring for head office. Action is also being taken at regional level. The South and Central Asia region held a five day workshop in 2004 to initiate processes for integrating child rights based monitoring and evaluation into programming.

SCUK have invested significant resources in creating an effective monitoring tool. Faced with the difficulties of developing and monitoring rights based indicators, it has adopted a different approach focusing on five dimensions of change against which its work can be assessed. This system, Global Impact Monitoring, operates through the main principles of a rights-based approach – accountability, equity and participation, and facilitates analysis and comparison across all the work of the organisation. The process involves review meetings with stakeholders where groups of partners, children, adult community members, government officials, donors and NGOs review the performance of SCUK programmes, against the five dimensions of change. By avoiding the initial construction of indicators, stakeholders are able to identify their own criteria against which to assess programmes. However, over time, it is likely that commonly agreed indicators will evolve through the process. Both the participatory nature of the review and the democratic ownership of impact criteria ensure that the process operates in a manner consistent with the principles embodied in CRP. There was some initial resistance within the organisation to its implementation, partly because it had the potential for highlighting negative or minimal impacts. However, it is gradually becoming more widely accepted.

Global Impact Monitoring (GIM) - SCUK

Objectives of GIM

- To understand the effects of SCUK's work
- To provide the means for SCUK to become more accountable to stakeholders
- To support institutional learning and decision-making and improve future work
- To contribute to policy development and effective advocacy
- To help demonstrate organizational performance and achievements

Five dimensions of change identified in GIM

- Changes in children's lives – rights being better fulfilled or no longer violated
- Changes in policies and practice affecting children's rights – duty bearers more accountable, policies developed and best interests of the child taken into account
- Changes in children's participation and active citizenship – children claim their rights or are supported to do so, opportunities exist for participation and the exercise of citizenship,
- Changes in equity and non-discrimination of children – most marginalized children are reached in policies, programmes and services
- Changes in the capacity of civil society and communities to support children's rights – networks, coalitions, mobilize greater forces for change in the lives of children

Lessons learned after 2 years of GIM[61]

Positive messages

- The five dimensions of change work
- GIM is an effective way to operationalise CRP
- Programmes have to report on questions about participation, equity and other key elements of rights for the first time
- Organizational learning about what works in terms of programme inputs and process improves
- Involving external stakeholders is crucial. It increases transparency and accountability, but it is difficult to avoid stakeholder bias
- Some donors have reacted positively and accepted GIM as a reporting mechanism

Negative messages

- Unclear project and programme objectives make it difficult to assess programme impact
- Advocacy is difficult to assess
- Some tensions can develop between GIM and management reporting
- Countries where CRP is not well established may find the GIM process more difficult to implement
- Rights based principles and processes must be integrated into the whole programme cycle, not just assessing impact
- GIM is time and labour intensive

To date, GIM is by far the most sophisticated tool created within the Alliance, and a number of other members have expressed interest in looking at it more closely with a view to adopting or adapting it for their own programmes. Clearly, this makes sense. Its development has involved the investment of considerable time and effort, and has

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[61] Global Impact Monitoring: Save the Children UK's experience of Impact Assessment (2004) Starling S, Foresti M, Banos Smith H, Save the Children, London

resulted in a viable and evolving process. Many of the smaller members of the Alliance lack the resources with which to invest in time consuming and costly process of developing these complex tools, and express a need to draw on the experiences of larger members. However, few other members currently have any real knowledge of GIM. SCD is one member which has recognized its value and, in 2003, it commissioned a review of its monitoring processes with a view to introducing a model similar to GIM. It had already developed an objectives/indicator system, but hopes the review will assist the development of a more rights-based monitoring system. SCD is particularly committed to achieving greater coherence and uniformity across the Alliance, and has built on the developments in SCUK as part of a process of achieving this goal.

Indeed, the move towards unified programmes at country level, strengthens the case for building integrated processes for monitoring and evaluation. The Alliance has a role to play here in disseminating and strengthening understanding of the most effective models for monitoring that have been created within the Alliance. At present the Handbook suggests three areas for measurement of CRP:

- Changes in awareness of children's rights
- Changes in policies, strategies and institutional capacity to respect and fulfil children's rights
- Changes in the actual situation of children

In the proposed review of the Handbook, it would be beneficial to examine the five dimensions of change adopted by the GIM approach, as well as the proposed tools being developed in SCD, with a view to using these as the framework. Additionally, the Handbook only addresses monitoring in terms of outcome and says nothing about process. In any revision, it will be important to place equal emphasis on the development of methodologies for monitoring which are consistent with the principles underpinning CRP.

Priority also needs to be given to the development of tools for measuring participation within programmes. Some work is already taking place. A recent SCS publication examining progress in CRP in Asia reviews recent development in evaluating child participation sets out some proposed methodologies[62]. The Alliance has developed a series of quality standards which can be used as the basis for assessing the quality of practice. And Plan recently undertook a review of progress in the measurement of participation and brought together a wide range of agencies to assess the findings[63]. However, to date, there is still insufficient effective analysis, recording and dissemination of effective practice.

Given that all members are at an early stage of development in this field, the Alliance would benefit from more dialogue with other agencies who are also exploring the creation of monitoring tools. Care, for example, has produced a Benefits-Harm Toolkit which offers a variety of tools for assessing impact. Furthermore, it makes an invaluable

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[62] Promoting Rights-Based Aapproaches: Experiences and Ideas from Asia and the Pacific, J Theis, Save the Children Sweden, 2004
[63] Children Changing their World: Understanding and Evaluating Children's Participation in Development, J Hart, J Newman, L Ackermann, T Feeny, Plan International, 2004

contribution to the process of weighing up the potential risks associated with rights-based programming and the unintended negative consequences that it can produce (see page?). UNICEF, too is evolving a conceptual framework for undertaking monitoring and evaluation (see page ?)
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The case for strengthening tools for monitoring and evaluation is powerful. CRP is a new and evolving approach which has been created, promoted and implemented largely on the basis of its values and principles. While its advocates would anticipate that it is also an effective approach, without evidence of its impact, it has not been possible to demonstrate its efficacy. However, doing so is vital. Donors need to know that the money they invest is producing the outcomes that are intended. Stakeholders, including children, have a right to be able to assess work that is done in their name. Programmes need to see that significant investment in new approaches, skills and systems are producing real benefits for the children for and with whom they are working.

Overall assessment
- Monitoring and evaluating CRP is a complex process – human rights are abstract and measuring their realisation requires the construction of indicators to translate them into appropriate measurements against which to monitor at the local level
- It is as important to measure process as outcome when monitoring CRP. Both present challenges, for example how can empowerment and cultural change be measured? What indicators are appropriate to assess the quality of participatory processes and who makes the assessment?
- Impact and outcomes associated with CRP tend to have long time scales. The changes sought cannot be achieved within the usual donor time frames, thus raising difficulties with funders
- The Alliance has preferred to focus on looking at overall impact rather than seek to construct detailed indicators, which they consider can lead to a bureaucratic and reductionist approach to programme measurement
- It is imperative for children themselves to be involved in monitoring and evaluation, both in terms of determining what is to be measured and what has been achieved
- Some valuable tools have been developed – Global Impact Monitoring, Key Quality Elements and Care's Harm-Benefits Toolkit, but more collaboration is needed to share thinking and experience both within the Alliance and with other agencies. There is currently too little dialogue to the detriment, particularly, of the smaller members of the Alliance
- Convergence of tools across the Alliance is needed in order to promote use of a common conceptual language. This is especially important in the context of unified programmes

4   Accountability to children as stakeholders

Benchmark 13 Children are acknowledged as stakeholders within Save the Children

Children are primary beneficiaries of the programmes that are provided by Save the Children. Accordingly, they have a stake in what, how and why the organisation does what it does. In other words, alongside partners, staff, volunteers, donors, board members, and local communities, they are stakeholders in the organisation. It is appropriate, therefore, that the organisation should be accountable to children in its work. But there is an even more powerful argument for acknowledging children as stakeholders. Implicit in a rights-based approach to programming, is a commitment to empowering children to claim their rights. Children are subjects of rights and entitled to express their views and have them taken seriously. However, in reality, although much of Save the Children's work is dedicated to promoting children's right to participation, much of its advocacy work does not involve the creation of opportunities for children to advocate for themselves, but rather involves the organisation in direct advocacy on their behalf. Much of that advocacy involves seeking to hold duty bearers to account in their obligations to children, including the obligation to create avenues for listening to children. If Save the Children is to be consistent internally with the principles it is advocating externally, it is clearly important that it adopts the necessary measures within its own decision-making processes to ensure that it is accountable to the children in whose name is working. To date, there is considerable disparity across the Alliance as to both the nature of the organisation's accountability to children and the priority that should be given to that accountability.

SCD, for example, were unequivocal that children were stakeholders in the organisation. Norway, SCUK and SC Swaziland also all acknowledge the importance of building accountability to children. However, others were more wary of the issue. SCS, for example, has not, to date identified building accountability as a priority, and has made little progress on the issue, although it does support the process of accountability to children in individual projects through ensuring they are provided with appropriate feedback. Its view is that until it has a better understanding of CRP, it cannot really progress its thinking on the role of children as stakeholders. Furthermore, priority should be given to building accountability to children in the external environment rather than on internal processes. SC Mexico also feels that the issue of accountability is a challenge to the organisation. Although its work is rooted in the principle of respect for children's views, it argues that involving children in critical feedback is an altogether more difficult task. This is particularly true in countries where children are not accustomed to having their views solicited, and where it would be necessary to invest considerable resources in creating environments in which they felt sufficiently confident to criticise. In SCUS, it is not an issue that has been explored consistently, although it is argued that individual projects are accountable to children. Similarly, little progress in UNICEF or Plan has been made in constructing systems for accountability to children.

Why accountability to children matters[64]

1   Principle

Save the Children is strongly committed to the principle of listening to children and taking them seriously, a principle which underpins the methodology for much of its programming and

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[64] Children as stakeholders: Guidelines for strengthening accountability to children (draft) Save the Children UK, 2004

advocacy. The importance attached to this concept of participation rests both on the recognition that being able to influence decisions that affect one is a fundamental human right and also that it is not possible to act effectively on behalf of children without being informed by their experience, perspectives and concerns. Save the Children needs, therefore, to ensure that it is acting in accordance with this principle in the way that it operates both internally and externally.

2   Credibility
Save the Children demands accountability from governments, and other duty bearers in complying with commitments made to children under international law. It demands that governments promote opportunities for children to influence laws and policies made on their behalf. It is therefore incumbent on Save the Children to be equally open in its own procedures for scrutiny and accountability. Failure to do so implies that, although children should be given a voice in the wider society, Save the Children will not give them a voice in work it does in their name. This weakens the capacity of the organisation to press for others to change. Conversely, the more accountable it is seen to be, the more influence it is likely to exert.

3   **Effectiveness**
Without exposure to the concerns and critiques of children for whom it is working, Save the Children has no way of ensuring that the agendas it pursues are those that are of most concern to these children, that the strategies being adopted take account of the realities of children's lives, or that the solutions it is proposing would be agreed to by children affected by its work. In other words, if it to be optimally effective, its work must take account of children's own views, experiences and expertise.

4   Good governance
Save the Children is committed to strengthening opportunities for transparent and open dialogue between children and decision-makers within all areas of their lives – the family, schools, local communities and local and national governments. In turn, it needs to be transparent in its own decision-making processes, open to influence and responsive to stakeholders. By committing to implement an accountable culture within its own organisational process, Save the Children is contributing towards strengthening good governance in the wider political environment, and setting a standard for others.

Overall assessment
- Children are stakeholders in the Alliance and the organisation therefore has a duty to make itself accountable to them
- Much of the work of the Alliance is dedicated to holding duty bearers to account in fulfilling their obligations to children
- Unless the Alliance is prepared to hold itself accountable to children, it is operating a different set of principles internally than it is promoting externally
- More debate is needed on the nature of accountability to children and its implications for the Alliance

Benchmark 14   Mechanisms for accountability to children have been introduced

Progress in building mechanisms for accountability to children are at a very early stage of development across the Alliance, with few members having gone much further than recognising it as an issue for future consideration. Progress on these issues is no further advanced in any of the other agencies reviewed in the study. In practice, at the project level, all members are, to varying degrees, involving children into all stages of decision-making – selection of projects, planning and development, implementation and monitoring and evaluation. However, these processes are not always recognised as mechanisms for building systems of accountability. Beyond formal expressions of commitment, relatively little analysis of the implications of accountability to children have been undertaken, and there is lack of real debate on the issue of how the concept of empowerment, which is so central to rights based programming, applies to the relationship between the organisation itself and the children it works with.

SCN did engage in debates about children's status in the organisation a couple of years ago and made a number of proposals for giving practical effect to their commitment to accountability to children. However, it was subsequently felt that these proposals were too ambitious and it had to pull back. These proposals included children taking part in regional and national congresses, creating opportunities for children to meet with SCN decision-makers, involving children in evaluating SCN's school materials, involving children as partners in SCN's Children's Rights Centre. However, some progress was made and its youth organisation, PRESS, now has representatives on the SCN Board. SC Swaziland has taken the issue seriously. It has two young people on its board. They were elected by their peers through forums, originally set up for the UN Special Session, and are accountable to those forums. In addition, the organisation held a forum to explore the creation of regional structures which would hold annual meetings for beneficiaries. During the run up to the Special Session, regular meetings were held with children and it is hoped to continue these as a place where children can identify the promises made by the organisation and the subsequent action taken.

Policy for promoting accountability to children as stakeholders

SCUK has invested considerable energy in exploring the implications of becoming more accountable to children. In 2003, it commissioned case studies from nearly 20 country programmes and regional offices documenting ways in which children were involved in influencing the governance of the organisation[65]. Drawing on the findings from those studies, a policy on children as stakeholders was drawn up[66]. Its key undertakings included:

At project level
- Seek and act on the views of children to influence the design, development, implementation and evaluation of projects that most directly affect their lives and feed back to children how their views have been taken into account.
- Seek and act on the views of children in developing emergency preparedness plans and when practical and appropriate in the development of intermediate emergency response.

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[65] Involvement of children and young people in shaping the work of SCUK UK: Report to the SCUK Board, 2003

[66] Children as Stakeholders Policy, Save the Children UK, 2004

- Explore the development and implementation of mechanisms for giving children opportunities to hold the organisation to account, for example through the involvement of children in impact assessments and evaluations.
- Publicise in project reports, assessments, evaluations and/or via stakeholders meetings the results of consultation with children.
- Identify opportunities and create spaces for children to take responsibilities in developing and managing projects, which address their most immediate concerns and can benefit from a peer-to-peer approach. The organisation will undertake to provide training and support to children leading these projects and will recognise their contribution.
- At the local level, identify opportunities, open spaces and support children in developing and directly delivering advocacy messages aimed at bringing changes in their lives and the lives of the children they represent. .
- Involve children who are intended to benefit from the project in identifying key criteria for the selection of staff who will work directly with them and, where clearly beneficial, involve then in parts of the selection process.
- Work with and support project partners to undertake the above (1 to 7).

At programme and advocacy level
- Seek and act on the views of children to inform the development of Thematic Programme Plans in those aspects most directly related to their own experience and feed back to children how their input has shaped the plans.
- Seek the advice of children's organisations and child led organisations with expertise in SC UK's thematic priorities to influence the implementation and evaluation of programmes through a variety of mechanisms including peer reviews.
- Publicise in Thematic Programme Plan Reviews and/or via stakeholders meetings the results of consultation with children related to the Thematic Programme Plan.
- At the national, regional and international level, identify appropriate strategic opportunities, advocate for spaces and support children in developing and delivering advocacy messages aimed at bringing changes in their lives and the lives of children they represent.

The policy has been followed through with the development of guidelines for building accountability at the country programme level[67].

Overall assessment
- The Alliance is beginning to be aware of the importance of accountability to children, but, overall, has made little progress to date in operationalising it. Other child rights agencies are at much the same stage.
- SCUK has begun to develop a policy and guidelines to implement an incremental process of building accountability to children
- More investment needs to be made into research and strategies for acknowledging children as stakeholders
- Further collaboration across the Alliance is needed to stimulate debate and share thinking on the concept of accountability to children

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[67] Children as stakeholders: Save the Children guidelines for strengthening accountability to children, Save the Children UK**,** July 2004

SECTION TWO
Comparative approaches to rights-based programming in other development agencies

1   CARE

During the 1990s, CARE launched a process of internal debate on the relationship between its work and human rights, resulting in the launch of a human rights initiative in 2000. The change was triggered by increasing recognition amongst country programmes that they were not achieving the impact that was needed. They were overly focused on symptoms not causes, and began to identify a need to move towards a rights based approach which placed a stronger emphasis on the relationship between the lack of human rights and poverty. Pressure for change was coming from practitioners in the field, and was accelerated by the senior management, particularly the CARE USA President, who was committed to the introduction of an enhanced focus on human rights within CARE. The outcome has been an endeavour to move from a rigid service delivery focus to a more flexible and highly participative rights-based approach – from delivering to facilitating.. This is defined as an approach which '*deliberately and explicitly focuses on people achieving the minimum conditions for living with dignity. It does so by exposing the roots of vulnerability and marginalisation, and expanding the range of responses. It empowers people to claim and exercise their rights and fulfil their responsibilities. A rights-based approach recognises poor, displaced and war-affected people as having inherent rights essential to livelihood security – rights that are validated by international law*' [68].

The value base and vision of CARE
The new approach in CARE is rooted in four core values:
- Respect – for all participants, donors, partners and staff
- Integrity – CARE must be accountable and transparent in all it does
- Commitment – working together effectively to serve the community
- Excellence – challenging itself to the highest levels of learning and performance to achieve greater impact

CARE has also recently adopted six Programming Principles which capture the main characteristics of a rights-based approach:
Principle 1 - Promote empowerment
Principle 2 - Work with partners
Principle 3 - Ensure accountability and promote responsibility
Principle 4 - Address discrimination
Principle 5 - Promote non-violent resolution of conflicts
Principle 6 - Seek sustainable results

Strategies for introducing RBA

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[68] Official Care communication, issue on Nov 10th 2000

Organisational structure
The initial strategy for implementing RBA was to introduce the overarching principles and then provide leeway across the field to explore their own approaches for applying them. Experimentation was encouraged in order to encourage creativity and strengthen ownership of the process. Examples of practice were then written up and shared across the organisation. This strategy brought many benefits in terms of the breadth of ideas and practice that evolved but it nevertheless became apparent that simply changing the mandate and establishing core principles was not enough in the long term to embed the necessary cultural change that was needed across the organisation. By 2002, staff were beginning to demand that change be introduced within the organisation in order to reflect the changes being demanded in programmes.

Accordingly, a 10 year action plan was designed to try and align the actual work of the organisation with its vision, and help staff achieve their objectives. It involves better support for RBA at both head office and country programmes.

Recruitment
CARE has developed a competency model for RBA which places emphasis on conflict resolution, peace building and analytical capacities. It has resulted in the recruitment of staff with significantly different skills, for example, a focus on social scientists rather than nurses, engineers and agro-foresters[69]. The competency model also stresses the need for an organisational shift in culture as well as staffing skills, for example linking the principles involved in practicing RBA programmatically and practicing respect for diversity organisationally. All staff are required to respect the core values of the organisation. Interestingly, one of the commitments the organisation has made is to recruit more staff working in country programmes from poor and marginalised groups.

Development of tools and guidance
CARE has invested significantly in the development of resources for staff to help strengthen capacity in introducing RBA. Of particular importance is the basic training manual on the CARE rights-based approach which is both a guide and an information source, providing actual cases and experiences from within the organisation[70]. In a recent evaluation, it was described as an excellent programming tool, orientated to group learning, with clear objectives[71]. What it represents is a recognition of the need for an overarching consistency throughout the organisation in the way it approaches RBA, while also valuing the opportunity for country programmes to retain some autonomy in the way they create strategies for implementation. CARE has an in-house journal, Promoting Rights and Responsibilities, which provides a forum for exchange and dialogue amongst staff on experiences in implementing RBA, and considerable investment has been made in organising national and international workshops, in engagement in significantly greater levels of dialogue with other NGOs in the field and in research and development.

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[69] CARE's experience with the adoption of a rights-based approach, J Rand, 2002, CARE USA
[70] Care Human Rights Initiative: Basic introduction to human rights and rights-based programming, CARE
[71] The Implications of Adopting Rights Based Approaches for Northern NGOs: A Preliminary Exploration, E Harries Curtis, INTRAC, 2003.

The commitment to exchange and sharing of practice was exemplified in a recent publication based on five case studies from different parts of the world[72]. Its aim was to broaden understanding of the implications of RBA integration into the organisation and to foster learning across different parts of the CARE world. The five case studies were not selected on the basis of their success, but rather on the basis of their potential for providing learning about the implications of adopting RBA for each stage of CARE's programme cycle – holistic analysis, synthesis, focused strategy, coherent information systems practice. The study found that an increasing number of CARE missions and staff were genuinely coming to grips with the main implications of a rights-based approach, but that it was facing many challenges – the need to prioritise rights, the importance of consistency in adopting RBA, how to measure the impact of promoting legal and policy reform, maintaining support of donors when adopting RBA, and the conflicts that arise between the realisation of rights and backlashes against those who stand up for those rights. It is very much to the credit of CARE that it has produced this analysis. There is a significant dearth of material on case studies which allow for critical analysis of the implications of RBA and this publication makes an important contribution to shared understanding. It provides valuable insights into the process of a rights-based approach together with the lessons learned.

Institutional ownership of RBA
It is felt that the initial approach of allowing country programmes to explore their own methodologies for implementing RBA played an important role in helping strengthen ownership of the new way of working. Most staff do recognise that it is the most effective form of programming, and are now committed to RBA, although there is still some resistance. However, despite this in principle commitment, many staff are still struggling with implementation on the ground.

CARE does now increasingly work through partners rather than delivering services itself. Some of its previous partners were not willing to change to the new regime and the relationships were therefore ended. Many new partners have been found within local communities and generally speaking, CARE has found that while it is viewed very differently now by those communities, there is strong support for the changes with partners and local communities very much taking the lead.

Impact on programming as a consequence of RBA
Traditionally, CARE centred its programming on household-level impact and a holistic understanding of livelihoods, with a view to seeking the greatest leverage effect on improving poor households' livelihood security (HLS). The change to RBA as the strategy for achieving this goal arose because of a growing recognition of the need to address not only the immediate causes and effects of poverty but also the more fundamental underlying causes which are often related to abuse or neglect of human rights in the form of discrimination, exploitation or exclusion from the development process. Household livelihood security has helped bring to light the relative power and relationships within and between households and authority structures. RBA reinforces

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[72] CARE's experience with the adoption of a rights-based approach, J Rand, 2002. CARE USA

this understanding by focusing on the responsibilities of those in power towards others and calling for an analysis of who is doing what to impede or progress poor people's prospects for development and rights realisation[73].

In making these changes, it has acknowledged the need for new approaches and tools. Accordingly, it has produced a programme strategy paper to help staff integrate RBA and HLS approaches[74]. These include:

- Partnerships – sustained partnerships with a range of actors – governments, other NGOs, research institutions as well as community based partners
- Research – to undertake proper situation analyses from the wider societal to the internal family situation, addressing access to and control of resources, power relationships etc
- Direct field action – RBA does not mean giving up on field level action, but involves doing is in ways that are not stand alone projects and contribute to helping people claim and protect their rights.
- Advocacy – trying to influence the ways laws, policies and their implementation impact on poor people and by doing so can benefit a much wider range of people than simply through stand alone projects
- Facilitation – helping the voices of poor people be heard at high levels and gain access to those in power
- Mediation and dialogue – helping to manage the tensions and conflicts that arise as they work for people's rights

One of the findings that has emerged from CARE's work in RBA to date is that while advocacy is only one of the tools employed, it is necessary in some form in almost all aspects of working towards systemic change. It has also become increasingly obvious that many problems do not derive from poor policy or legislation or poor implementation. Rather, many of the barriers facing poor people are rooted in deep seated societal values resulting in discrimination or abuse of particular groups of people at all levels, including within the household. To date, CARE has worked much less on these issues, and recognises that it needs new strategies to target changing these attitudes as well as legal instruments and their implementation mechanisms.

As a result of these changes in approach, CARE is now finding that its programmes are beginning to alter:

- It is using a longer term approach
- It is changing the position of programme participants. How rights are realised is as important as the fact of their realisation. CARE argues that without commitment to and responsibility for their own rights, programme participants will not truly realise those rights
- It is important to have staff from poor and marginalised groups

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[73] Frequently asked questions about a rights-based approach, March 2002, (draft) CARE
[74] The program Strategy Paper, A tool for Integrating CARE's Household Livelihood Security and Rights – based Approaches within a Program Structure, J Ambler, 2002 (draft)

- Holistic analysis both in programme design and throughout its lifespan is very important. In this way, programming and monitoring and evaluation have to be inextricably linked at an organisational as well as practical field level
- Increased focus on rights means increased focus for CARE as an NGO
- Coherent information systems will ensure CARE's interpretation of rights approaches pervades all partners and stakeholders
- Commitment to reflective practice will mean programming is constantly improved and adapted.

Monitoring and evaluation

CARE is very de-centralised and the quality and form of monitoring and evaluation that takes place varies considerably between countries. However, the team responsible for design, monitoring and evaluation (DME) has begun to analyse the specific impacts of rights-based approaches. It has identified the need to build DME in the local context and develop the skills to shift from a top down to a bottom up approach. It also recognises the need to learn from partners and their own DME experiences. It has found that best practice from the past can inform rights-based DME and the organisation should not jettison its previous positive learning in engaging in RBA. It has begun to develop a rating scale for measuring its six programming principles which is used internally to promote staff discussions and provide general descriptions of what an RBA programme should look like, although it is felt to be at an early stage of development requiring much more work. What it seeks to do under each programming principle, is identify what minimum, symbolic, basic, considerable and strong standards would consistent of[75].

It has also developed a 'Benefits-Harm Toolkit' which offers a variety of tools for assessing impact, both positive and negative. This toolkit addresses the dilemma faced by many rights-based organisations that supporting people to claim their rights can expose them to certain risks – in other words, that there are often unintended, negative consequences of challenging duty bearers. It conceptualises programming through two dimensions:
- First the need to recognise that human rights can be categorised in three ways
    - political rights and impacts
    - security rights and impacts
    - economic rights and impacts
- Second, that unintended impacts can flow from rights-based programming for three reasons
    - Lack of knowledge about the contexts in which they work - profile tools need to be developed to redress this problem
    - Lack of thought about unintended consequences – impact tools need to be developed to redress this problem
    - Failure to take action to mitigate unintended harms or capitalise on unforeseen benefits.

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[75] Rights-based programming ratings scale, CARE

Emerging issues[76]

Over the period since adopting a rights-based approach to programming, the following issues have emerged:

- CARE has changed significantly from a needs based service provider to a rights based facilitator (while continuing to help people meet their needs when required).
- The DM&E process of CARE is committed to a long term learning exercise in order to monitor, evaluate and develop CARE's rights approach. The Benefits-Harm Toolkit provides a valuable tool and its usage needs to be evaluated
- The change from an implicit to an explicit rights approach has given CARE a clear value system and enhanced transparency of the organisation.
- There has been a change in how staff are recruited.
- There is more emphasis on collaboration with other NGOs and members of civil society and a clear commitment to the dissemination of CARE's experiences.
- It would be of immense benefit to undertake a longitudinal external analysis of CARE to analyse the impact of the rights based approach over a fixed period of time. This should feed back into the manuals, journals and other initiatives so as to learn from their experiences.

2 UNICEF

The value base and vision of UNICEF

Since 1996 UNICEF has made an explicit commitment to both human rights as the underpinning principles of the organisation and to rights-based programming as the strategy to be adopted by the organisation to promote the realisation of those rights. It is possible to chart a very clear trajectory of the actions taken at the most senior level of the organisation to implement this commitment systematically.

- **1996 Mission Satement**   UNICEF adopted a Mission Statement in 1996 in which a clear commitment was given to human rights being the foundation for activities undertaken. This represented a significant milestone for the organisation, providing the direction for all future programming.
- **1998 EXDIR**   Over the next two years, widespread consultation took place across UNICEF as part of a process of developing guidelines to re-focus country level programming towards a human rights approach. The Guidelines for Human Rights-Based Programming for Women and Children (EXDIR) were published in 1998. They emphasised the centrality of the CRC and CEDAW in all UNICEF's work and were expected to be applied across the organisation and at all stages of the programming process.
- **2003 Statement of Common Understanding** In 2003, an agreement, known as the Common Statement of Understanding in a Human Rights-Based Approach to Programming (HRBAP), and in which UNICEF played a major role, was endorsed by UNDG[77]. It recognised that in order to implement HRBAP it was necessary to apply

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[76] adapted from 'The Implications of Adopting Rights Based Approaches for Northern NGOs: A Preliminary Exploration, E Harries Curtis, INTRAC, 2003.

[77] The Human Rights Based Approach to Development Co-operation: Towards a Common Understanding, UNHCHR, Geneva, 2003

good programming practices, while adding key additional and unique dimensions to programming. These were:

- Assessment and analysis in order to identify the human rights claims of right-holders and the corresponding human rights obligations of duty-bearers as well as the immediate, underlying, and structural causes of the non-realization of rights.
- Programmes assess the capacity of right-holders to claim their rights and of duty-bearers to fulfil their obligations. They then develop strategies to build these capacities.
- Programmes monitor and evaluate both outcomes and processes guided by human rights standards and principles.
- Programming is informed by the recommendations of international human rights bodies and mechanisms.

The Statement represented a huge leap forward within the UN, committing it to rights-based approaches, providing a unified and principled framework for doing so, and establishing agreed bases for human rights programming.

Strategies for introducing RBA
Planning and organisational framework
The commitment to HRBAP required very considerable changes within the entire organisation. Statements of principle and commitment are vital, but will achieve little without significant organisational backing to translate them into meaningful change. EXDIR 1998 provided initial guidance on the application of principle into practice, and in 1999, a paper was submitted to the Board entitled Programme Co-operation for Children and Women from a Human Rights Perspective, describing progress made in its implementation, and making a number of important contributions to understanding of rights-based programming

1   It directed attention to the need for the following principles to guide UNICEF's programming:
- Universality of rights
- The best interests of the child
- Participation, inclusion and interdependence
- Indivisibility and complementarities of rights

2   It pointed out that good programming practices are essential to a human rights approach. .

3   It acknowledged that children must be viewed as subjects of rights and not merely objects of charity, and that human rights require attention to both process and outcome.

4   It focused attention on the need to build staff capacity in order to:
- support planning processes so that human rights principles are respected
- develop and manage programme partnerships
- design and implement strategies for convergence among sector based activities.

Overall, it highlighted the central characteristics for programming from a human rights perspective, but it did not move beyond this towards mainstreaming human rights and evolving a human rights-based approach to programming.

The Medium Term Strategic Plan 2002-2005 provided an opportunity to embed HRBAP into the work of the organisation, but was prepared before any real consensus had been achieved on   what rights-based approaches within UNICEF would mean. Hence, for example, it refers to a vision in which 'governments commit' to working towards the realisation of children's rights, rather than recognising, as is required in a rights-based approach, that governments have obligations to children. It also uses the term 'rights and well-being' implying that that economic and social rights do not have the same status as other rights. It is focused on implementing the outcome document from the UN Special Session on Children

However, progress has been made in the development of tools for country offices in implementing HRBAP. The Programme, Policies and Procedure Manual has been revised frequently since 1998, and now provides an invaluable resource for the field in helping understand HRBAP, and update them in new developments[78].

Training and capacity building
Every review and evaluation on HRBAP in UNICEF stresses the importance of more and better training, with its lack identified as the major constraint in implementation[79]. These reviews also identify as a priority that HRBAP documents be translated to other languages, experience on best practices be documented, and the relationship between HRBAP and the MTSP priorities be better explained.

Accordingly, considerable emphasis has been placed on the development of training opportunities for staff. In 2003, the Programme Learning Working Group adopted a new strategy for strengthening the programming capacities of staff in HRBAP. A wide range of tools and training resources have been developed including, for example:
- The Human Rights Core Course
- Programme Process Training which comprises a 10 hour course on CD-ROM and includes a dedicated section on human rights, a course on humanitarian principles with an HRBAP component,
- Specialised Training including an Early Childhood Development Resource Package aimed at emphasising a rights-based perspective of programming for early childhood and stressing the links with the general programme process, a training package on child protection with a rights-based perspective is in the early stages of being drafted, an HIV/AIDS "rights-based" package

Institutional ownership of HRBAP
The goal of adopting HRBAP is widely acknowledged across UNICEF and in a recent assessment of progress in operationalising HRBAP, the evidence indicated that all

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[78] Programme Policy and Procedure Manual, Programme Operations, UNICEF, 2004
[79] Alison Raphael, *HRBAP Progress Review 2003. Implementation of Human Rights Approach to Programming in UNICEF Country Offices (1998-2003).*

country programmes do explicitly state that their goals and objectives are directed towards the realisation of children's rights[80]. During February 2004 about 20 senior staff at UNICEF HQ were informally interviewed about their familiarity with HRBAP, perceived opportunities and risks associated with its promotion, and suggestions on how to move it implementation forward in UNICEF[81]. All were very positive about moving UNICEF into a full adoption of HRBAP, representing a significant change from just a few years ago. Only a few of the interviewed staff, however, seemed to have a clear knowledge or understanding of the concept. Most had had no opportunity to learn, or even to attend training in the Core Course. Few had studied on their own and very few had any practical experience with HRBAP in the field.

Furthermore, although all programmes have adopted the language of rights, it is felt that only a handful of country are genuinely human rights based in their practice. There is still considerable lack of clarity and misconceptions about the concept of HRBAP, and many staff are resistant to its implementation[82]. In some country offices, these internal barriers are impeding progress. In some cases, this resistance derives from a misconceived view that human rights are too political.

One approach that has been acknowledged as necessary to address these difficulties is through recruitment, which must be influenced by the organisational commitment to human rights. There is a view that many current staff within UNICEF have a somewhat authoritarian style which is not consistent with HRBAP.

Impact on programming as a consequence of HRBAP

A review in 2002 of the impact of HRBAP in UNICEF analysed the planning documents and annual report of country programmes in order to assess the extent to which country programmes have engaged in the key activities associated with rights-based approaches. Its findings reveal an uneven picture, with clear evidence that considerable progress has been made, but highlighting the scope for further change[83]. For example:

- **Work on the CRC** - a significant number of programmes were involved in supporting ratification of the Optional Protocols, providing technical and financial support in the CRC reporting process, and awareness raising and advocacy around the CRC. Some programmes were seeking to promote the participation of children in the reporting process, and the majority of programmes were taking the concluding observations of the CRC into account in their own planning processes. UNICEF's work with the Committee on the Rights of the Child has been widely valued and it is recognised as having played a significant role in mobilising work around the reporting process.

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[80] Moving Ahead with Human Rights: Assessment of the Operationalisation of the Human Rights Based Approach in UNICEF Programming 2002, C Moser and A Moser, UNICEF, 2003

[81] Urban Jonsson, "A Human Rights-Based Approach to Programming (HRBAP)", Draft report submitted to Evaluation, Policy and Planning Division, Unicef, New York, 25 June 2004.

[82] Urban Jonsson, "A Human Rights-Based Approach to Programming (HRBAP)", Draft report submitted to Evaluation, Policy and Planning Division, Unicef, New York, 25 June 2004.

[83] Moving Ahead with Human Rights: Assessment of the Operationalisation of the Human Rights Based Approach in UNICEF Programming 2002, C Moser and A Moser, UNICEF, 2003

- **Legislation and child policies** – almost all programmes refer in their plans to commitments to work on activities to bring legislation into line with the CRC, primarily in relation to child protection issues. Many are also engaged in enforcement of legislation through capacity building of professionals responsible for children, including judges, teachers, social workers, police and parents. Raising public awareness is another strategy adopted by many programmes, as is research into child legislation. The review cites the scope of this work as impressive, although with significant variations across regions. All country plans identify an intention to work on child policies to promote the rights of children, with a focus on issues including integrated early childhood development, girls' education, public health, child labour and birth registration. The strategies adopted in this work include research projects to influence the policy agenda, technical and financial assistance for policy review and drafting, and capacity building. However, despite these significant inputs, progress in achieving impact on policy is relatively limited, and where changes do occur, it is often difficult to identify exactly what role UNICEF had in contributing to the change.
- **Budgets and resource allocation** – overall, little substantive or analytical work was found in respect of public resource allocation for children in the context of a human rights framework. The only country offices which were doing so were in Latin America, despite the important of adequate resources being made available if governments are to fulfil their obligations to children under the CRC.
- **Work with IFIs** – a significant number of country programmes have been involved in work to influence the development of PRSPs to ensure they reflect a child rights perspective. They adopted a range of strategies including child participation, drafting some chapters, working groups to develop the programme
- **Non-discrimination** – UNICEF has always worked with marginalised groups of children. The distinctive dimension that has changed as a consequence of HRBAP is the focus on exclusion of a wider range of groups of children in its more recent work For example, many programmes address the rights of indigenous children and girls to education. Refugees, internally displaced children, and those orphaned by HIV/AIDs are increasingly the focus of UNICEF's work, as are marginalised groups such as those in detention, and victims of child labour and trafficking. Overall, all programmes are working to reach vulnerable and excluded children, but it is not clear, and there appears to be no analysis of, whether they are reaching the most marginalised.
- **Participation and the views of the child** – both EXDIR and the Common Statement make explicit reference to the principle of participation as a fundamental instruments through which people, including children can claim their rights. The language of participation has rapidly become popularised throughout UNICEF, with all programmes reporting some activity to involve children in local, national, regional and global initiatives. The Special Session obviously provided a major focus for this work. But beyond this, programmes vary considerably in both the extent and nature of approaches to child participation. Approaches include creating opportunities for young people to take part in democratic processes, involving children to improve project goals, consulting with children in situation analyses and programme development to improve sustainability, involving children in community

development. However, little rigorous analysis of these initiatives has been undertaken and many programmes cite significant barriers in implementing child participation effectively including lack of understanding of the concept, government resistance, the need for profound cultural change to achieve acceptance, and lack of tools for measurement of impact.

- **Accountability** - Only a minority of country programmes apply the language of duty bearers and obligations in their documentation. However, of those that did so, their starting point was often to undertake a capacity analysis of duty bearers and rights holders in order to identify capacity gaps and the roles of different levels of duty bearers.

Overall, the analysis appears to show that very few country offices had really adopted a HRBAP, according to the criteria defined in the Common Understanding. Rather, human rights principles are used widely and effectively in country programme preparation and implementation. In other words, a large number of country offices are applying "good programming practices" essential for a HRBAP but not actually shifting to a rights-based approach. In preparing their 2003 Annual Reports, country offices were given an option to report on the implementation of HRBAP over the five-year period since 1998. Sixty-eight out of a total of 122 opted to do so[84]. Of these, 13 reported that they had just started or were about to start; 17 had used human rights principles to guide their programming or had supported legal/institutional reforms; and only 20 had adopted a HRBAP in line with the criteria in the Common Understanding.

Nevertheless, despite this relatively slow implementation, UNICEF is still ahead of most other UN agencies when it comes to mainstreaming human rights in programming at the country level. The early introduction of the 1996 Mission Statement and EXDIR 1998 played a key role in legitimising human rights as the core strategy in UNICEF's work, a commitment not replicated in other UN agencies. This progress is recognised by many of those agencies, as evidenced in a recent consultancy report to the OHCHR which states that: '*UNICEF, of any UN agency, has done the most thinking, strategising and experimenting on a HRBAP. They have a lot to offer the OHCHR, UNDP and others, which are struggling to understand and engage in rights programming*'[85].

Monitoring and evaluation

Having introduced HRBAP, UNICEF recognised the need to evaluate the extent to which policies, programmes and projects in countries result in maximum achievement of specific human rights standards through processes adequately meeting human rights principles. In other words, it needs to assess both the outcomes and the processes through which those outcomes were achieved. Some indicators do already exist – for example, access to education and infant mortality. However, the scope of the CRC requires the

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[84] Urban Jonsson, "A Human Rights-Based Approach to Programming (HRBAP)", Draft report submitted to Evaluation, Policy and Planning Division, Unicef, New York, 25 June 2004.
[85] William O'Neill and Vegard Bye, "From High Principles to Operational Practice: Strengthening OHCHR Capacity to Support UN Country Teams to Integrate Human Rights in Development Programming," Consultants' Report, March 2002.

development of a far wider range of indicators across the span of children's rights. More work is also needed on indicators relating to process, advocacy and participation.

UNICEF has undertaken some work to progress thinking on the development of a model for evaluation, which has begun to explore the following questions[86].

1   What to evaluate
In order to evaluate HRBAP, it is necessary first to be clear about its unique characteristics. UNICEF endorses the characteristics embodied in the UNDG Common Statement of Understanding (see page ?) which can provide the framework for the development of indicators against which to monitor implementation.   There are five trends that are expected at the country level as a result of the adoption of these characteristics:

- Country programme strategies which identify the pre-dominant level (national, regional, community) and the key factors (immediate, underlying or basic) which impede on the realization of rights which are to be addressed by UNICEF support actions.
- Country strategies and programmes which identify priorities in terms of which of the rights of children and women are to be realized by programme actions.
- Increased engagement by UNICEF in dialogue and advocacy around issues of protection from rights violations, engagement of non-state actors in public policy, efforts to monitor and report to CRC and CEDAW Committees and the share of national resources allocated to realizing the rights of children and women.
- Definition of programme results in terms of changes in social processes and in outcomes that affect the lives of children and women.
- A continuous increase in emphasis on capacity development of both claim-holders and duty-bearers.

Most of these expected trends refer to the quality of the process. It is important to remember that it is equally necessary to monitor and evaluate the achievement of outcomes. UNICEF and most governments have decades of experience in monitoring outcomes, although with a HRBAP some new areas will be addressed, for which currently no indicators exist. As far as process is concerned the work to develop and test appropriate indicators has just started.

2   How to evaluate
A HRBAP will require additional questions in an evaluation, for example
- Is there evidence that UNICEF programming at country level since the baseline year 1998 is evolving towards realization of a HRBAP?
- As HRBAP has been adopted, has it been accompanied by an improvement in quality of UNICEF's programming practices, especially those relating to the five unique characteristics of HRBAP?

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[86] Ted Freeman, *The Human Rights Based Approach at Unicef and its Implication for Evaluation*, Discussion Paper, 2004

- Has the move to HRBAP been accompanied by improvements in quality of UNICEF's programming assessed against the essential characteristics of HRBAP?
- Are processes established and outcome achieved through the application of HRBAP sustainable?
- Has the emphasis on capacity development resulted in verifiable improvement in capacity with short, medium or long term outcomes for children and women?

3   How to monitor and evaluate the duties of duty-bearers

Duty-bearers have four different types of duties or obligations – to respect, protect, facilitate and fulfil. This can be used as a basis for monitoring and evaluation. For example, good nutritional status of young children requires the simultaneous achievement of household food security, access to basic health services and adequate caring practices. The rights of children to food, health and care are enshrined in the Convention on the Rights of the Child. Indicators can be developed in respect of each of these rights addressing the four different types of government duties.

4   How to monitor and evaluate capacity gaps

A HRBAP implies that the realization of human rights requires the strengthening of capacities of claim-holders to claim their rights and of duty-bearers to meet their duties. This can be monitored. An example of monitoring capacity gaps of the Government to meet its obligations might address gaps in relation to responsibility, authority, economic or human resources, organisational systems, capacity to communicate and decision-making.

Emerging issues

A wide range of obstacles to HRBAP implementation have been reported through the various reviews and evaluations undertaken over the past few years[87]. Some relate to internal aspects of UNICEF's role in supporting the process, while others address the external environment. They include:

- highly centralised government structures and opposing notions of accountability
- lack of consensus among UNICEF's partners
- countries just recovering from conflict or with strong ethnic divisions
- resistance to human rights
- donor resistance
- inadequate guidance and support from HQ and regional offices
- HRBAP processes are slow and time-consuming.
- lack of understanding of and consensus on HRBAP within the UNICEF country offices
- lack of training on HRBAP for staff, with the majority of field staff still not having received training
- lack of adequate indicators against which to monitor impact
- lack of shared stories about what constituted HRBAP, what it looks like, and how to do it

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[87] For example, Alison Raphael, *HRBAP Progress Review 2003. Implementation of Human Rights Approach to Programming in UNICEF Country Offices (1998-2003).*

- failure of EXDIR 1998 to address key implementation issues, including the interpretation of 'progressive realisation', and to take account of many developments that have taken place since it was drafted
- disregard by some country representatives of EXDIR, with inadequate quality control and to much variability in implementation approaches
- introduction of human rights through a perceived dogmatic approach, focusing on the legalistic aspects of international human rights law, and leading to a sense of current practice being undermined and undervalued.

Interestingly, one analysis concludes that there exists a generation gap among country offices and regional offices in the adoption of HRBAP[88]. Country offices just beginning with HRBAP experience difficulties such as lack of understanding among UNICEF staff and counterparts. However, countries that have used HRBAP for some time struggle with challenges of another kind, including agreements on accountabilities. It is recommended that UNICEF Guidelines and other documents be revised to take this into consideration.

3 Plan International

During the mid 1990s, Plan began to explore the need to re-examine its approach to programming to take account of the implication of the Convention on the Rights of the Child for its work. In 2001, it was acknowledged that although the Convention had been agreed in principle as the underpinning framework for the organisation, this had not been formally adopted. In consequence, it was agreed to appoint a consultant to explore the implications of formally committing to a rights-based agenda and develop the strategy for doing so. Following a year's consultation, a global conference was held in 2003 at which Plan formally committed itself to rights-based approach to programming. The aim was to seek to build a more coherence and consistency across country programmes and, thereby to be more effective in advocacy at the global level.

The value base and mission

Plan states that '*Children are out future. They carry our hopes and dreams for the world. But to realise these dreams – to truly fulfil their potential – children must be allowed to live in a world that protects them, listens to their needs and respects their rights and dignity. Plan is a humanitarian organisation working with families and their communities to meet the needs of children around the world. Non-political, and with no religious affiliation, we aim to build a better world for children, now and in the future*'[89].

Although this statement emphasises a humanitarian rather than a human rights focus, its description of how these goals are achieved are more explicit in their commitment to rights. It stresses that children's rights are placed first in its projects, philosophy and campaigns, and goes on to clarify that this means not only supporting the Convention on

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[88] Alison Raphael, *HRBAP Progress Review 2003. Implementation of Human Rights Approach to Programming in UNICEF Country Offices (1998-2003).*
[89] www.plan-international.org

the Rights of the Child but integrating its philosophy into everything it does. And in most of its core documents, the language of rights is now incorporated[90].

The model for rights-based programming adopted by Plan has been characterised as Child Centre Community Development (CCCD). The key elements of this concept are:
- Rights and principles
- Civil society
- Scaling up

Strategies for introducing rights based approaches
Organisational systems
The consultative process and subsequent global conference were aimed not only at building an effective model for moving forward with rights-based approaches, but also to build support and engagement across the organisation. A global action plan was introduced for each function to explore how the changes would impact on their work and to try and entrench the new approach throughout all layers of the organisation. However, to date, there have been no organisational changes to reflect the changing needs of staff in the field, and there is an emerging need to draw together what has been learned over the past two years and apply that learning to create the necessary support systems to build capacity in the field.

A post of child rights and participation adviser was created to support the work of country programmes, but it is increasingly recognised that one post to work with 40 plus programmes is inadequate. The regional offices are now also looking at the need to create comparable posts. One of the important lessons that has emerged from the experience of the post to date is that it needs to be able to work across sectors within the organisation and that child rights and participation are issues that must be owned by all sectors.

Development of tools and guidance
Prior to the introduction of CCCD, Plan did have a well established monitoring and evaluation system which was corporate, clear and accessible. However, it found that once it began to change its programming framework, the tools were no longer helpful. For example, the former tools did not incorporate indicators to monitor child participation. Accordingly, it has now developed a new framework, the CCCD Baseline, to assist the field in benchmarking their progress in implementing CCCD. It was developed through a consultative process over a period of a year, involving input from country programmes. It enables them to undertake an assessment of their progress in implementing CCCD along a continuum, using a series of indicators to benchmark whether they are the stage of start-up, aware, defined, managed, or enabled in respect of key elements of the approach – for example child protection policies, engagement in advocacy, capacity building in key competencies for staff etc. The aim is not to try and provide right or wrong answers but to facilitate a process of embedding the work within the culture and practice necessitated by CCCD. Plan has also committed to research into the development of indicators for

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[90] Rights-Based Approaches to Development: An Overview of the Field, C Jochnick and P Garzon, Care/Oxfam America, 2002

child participation, and to work in collaboration with other child rights development agencies to strengthen capacity in this field. In 2004, it published the findings which were launched at a conference attended by a wide range of other agencies.

Institutional ownership of RBA

All staff recruited to the organisation are expected to have a commitment to child rights. However, although there is an overall acceptance of the new approach to programming, which has been helped by its participative and gradual introduction, there is a residual resistance to change. A number of factors account for this. Change is often frightening and demands that people move out from their 'comfort zones'. There are some examples of staff configuring rights-based approaches to perpetuate what they were doing before rather than tackling the challenges necessitated by the new framework. Some staff are intimidated by the overly legalistic language of rights, and the apparent complexity of rights-based approaches to programming. Others are concerned about the lack of evidence that such approaches 'work' and are reluctant to jettison familiar practices for the unknown and unevaluated human rights agenda. And finally, there is a lack of understanding about what rights-based programming actually looks like. There is, to date, too little documentation of good practice to facilitate shared learning.

Impact on programming

CCCD is concerned both with outcome – the realisation of children's rights and the capacity to scale up from programme interventions in order to achieve sustainability, and process – the necessity of children's participation in all aspects of work as well as the involvement of the families and communities in which children live.

Child Centred Community Development
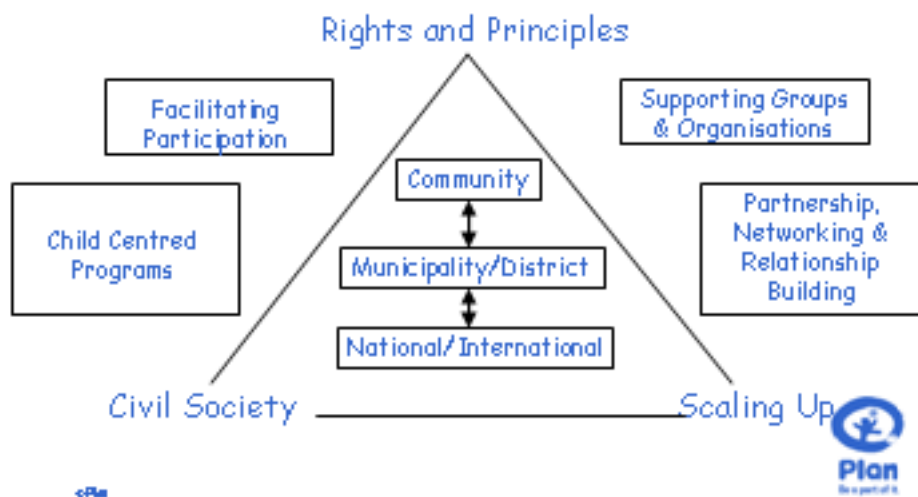
Central to the ethos of the organisation is its commitment to making long term commitments to communities, usually over a period of 10-12 years. This offers them the

opportunity to work with children at different ages and at different stages of their lives. It is also recognised that in order to promote the rights of children, it is imperative to work with the adults who are important in their lives. It is not possible to isolate children from the context in which they live.

One of the challenges faced in adopting CCCD has been to address the extent to which the organisation moves from service provision to advocacy. Overall, it has taken the view that it needs to strike a balance between the two, and that CCCD does require a continuing engagement with services. However, it has resulted in some innovative practice involving children and adults determining what they want for their own communities with Plan acting as the facilitator rather than the provider. Another change precipitated by CCCD has been a recognition that in the past in its community involvement, it has tended to work with the power elites within those communities. It is now seeking to shift the emphasis towards involving a wider range of community members in its work, in order to help shift some of those power imbalances. Although this is not articulated in the more conventional rights-based language, it reflects an implicit recognition of the need to support rights holders in their claims against duty bearers.

Emerging issues

The move towards a more right-based approach to programming has only been fully operational for a very short time and it is still too early to undertake any meaningful analysis of its implications for the work of the organisation. However, some initial impact can be identified:

- **Donors** – a significant proportion of Plan's income derives from sponsorship. It has found that in general sponsors are positive about the changes in direction that it has taken. Indeed, it is pursuing opportunities for involving sponsors in future advocacy. With 1.2 million sponsors, there is significant potential for increasing the impact of the organisation. However, it is also engaged in building up a more substantial grants side to its funding and anticipates that these donors may be less attracted by a rights-based approach to programming.
- **Governments** - the relationship with governments is changing. In the past, Plan has worked closely in collaboration with governments. Inevitably, as it engages with a human right agenda, it is beginning to ask questions of governments. To date, it has not reached any real confrontations as the process of engaging in human rights has been happening incrementally. However, it is an issue with which the organisation will have to engage in the near future.
- **Risk assessment** – one of the difficulties involved in helping children both understand and claim their rights is that is has the potential for exposing them to increased risks both at home and within the wider communities. This is one of the key reasons why Plan has committed to always working with communities as well as children. The involvement of parents is a primary strategy for engaging their support for the realisation of their children's rights. However, the implications of potential challenges to the power dynamics within families is an issue which needs further research and debate.

- **Accountability** – Plan is beginning to explore the implications of a rights-based approach for its In some country programmes, there are examples of children and other members of local communities being involved in recruitment of local managers

4 Oxfam International
The value base and vision of Oxfam

Oxfam is a confederation of 12 organisations working in over 100 countries to address poverty. During 1997/98, it undertook a major review of the way it works, its aims, and how it fits into the world around it. Through both external and internal research, the process helped the organisation to focus on its core beliefs, and to develop a strategy to enable it to respond and make a major impact on poverty and suffering. In so doing, Oxfam made a more explicit commitment to human rights as the value base through which that strategy would be constructed. Although the process has been led from the top at the international level, some members, for example, Oxfam GB, report that the pressure for change came through the regional offices.

Oxfam's overall aim is to overcome poverty through the achievement of universal human rights. Its focus is on economic, social and cultural rights within the wider human rights context, rights being central to human dignity, and meaning that the organisation[91]:
- Sees the poor not as passive aid recipients, but as active citizens with agency to exert.
- Recognises the indivisible continuum of human rights.
- Establishes the indivisible link between human rights, economic development and social justice.
- Places equity and inequality and the right to an opportunity at the centre of the debate.
- Makes states and international organisations accountable.
- Contrasts with narrower views of wellbeing based purely on economic foundations.

Following this analysis, it has constructed five key aims which form both the value system members subscribe to as well as the nature of its engagement with rights[92]. The aims are:
- The right to a sustainable livelihood (economic and environmental equity and sustainable livelihoods for future generations)
- The right to basic social services (equitable access to basic health care and education)
- The right to life and security (equitable provision of protection, relief and rehabilitation)
- The right to be heard (equitable participation in political, economic and social policy-making and decisions)
- The right to an identity (equity in gender and diversity)

Oxfam believes that by working through a co-ordinated group of NGOs, it can make a greater impact on poverty, and that the values, vision, objectives and analysis it seeks can

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[91] De la Varga, O. (2001) *The Oxfam International Rights Based Approach*. Paper presented at the Novib Workshop, June. Unpublished. Oxford: Oxfam International.
[92] Oxfam International (2001) *Towards Global Equity – Strategic Plan 2001-2004*. Oxford: Oxfam International.

only become a reality through partnership with all of its stakeholders and members. Oxfam believes that a sharper focus is necessary on economic and social rights which have traditionally been the poor relation to civil and political rights.

Strategies for introducing RBA

Organisational structure

In 2001-2004, Oxfam developed a Strategic Plan, which for the first time, adopted a rights-based framework which identified nine long term Strategic Change Objectives to translate the value system into practical goals. The adoption of these values and strategic objectives are seen within the organisation to represent a major change of approach. Old programmes cannot be made to fit this new value system and it was therefore necessary to introduce change at all levels of the member organisations. It was also recognized that this new approach would impact on which organisations Oxfam engaged with as partners. However, the means through which that is achieved will vary considerably according to the individual member. In Novib, for example, it has led to a review of their policy of not having offices in the South, with partners increasingly complaining that lack of consistent contact alienates them from what is happening in the organisation[93]. Oxfam GB have set up two working group to support the rights-based approach. One works with the longer term programme and policy reviews, the other deals with campaign work that requires a quick response.

Development of tools and guidance

Each of the Oxfam members have developed their own tools and guidance for implementing rights-based approaches to programming, and there is considerable variation between them. Oxfam Netherlands (Novib), for example, undertook a consultation in 1999-2000 called 'linking and learning in the field of economic, social and cultural rights'. It brought together over 120 partners to provide an opportunity to share each others experiences. It has also developed a toolkit on participation in local decision-making, which provides insights into how it works with partners, how rights are put into practice, lessons learned and an analysis of the programming process and impact analysis[94]. However, in Oxfam GB, according to INTRAC, while there is some training being done, it is insufficient, with numerous examples of a rights-based approach being utilized by people who do not really understand the relationship between development and human rights[95].

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[93] The Implications of Adopting Rights Based Approaches for Northern NGOs: A Preliminary Exploration, E Harries Curtis, INTRAC, 2003.
[94] www.toolkitparticipation.com
[95]The Implications of Adopting Rights Based Approaches for Northern NGOs: A Preliminary Exploration, E Harries Curtis, INTRAC, 2003.

Impact on programming

The Strategic Change Objectives in the 2001-4 strategic plan are designed to provide the framework for action to guide the work of all members of Oxfam in pursuit of a rights-based approach to overcoming poverty. They are[96]:

- People living in poverty will achieve food and income security as well as greater protection of and control over the natural resources on which they depend.
- People living in poverty will have access to secure paid employment, dignified working conditions, labour rights and be empowered to participate in and benefit from markets.
- People living in poverty will achieve tangible improvements in their health, through increased access to affordable and adequate basic health services, clean water and sanitation and public health services.
- All children living in poverty will achieve their right to a good quality basic education and adults living in poverty will have educational opportunities to help them overcome their poverty.
- A significant reduction in the number of people who die, fall sick, or suffer deprivation as a direct result of armed conflict or natural disasters.
- A significant reduction in the number of people who suffer personal or communal violence, forced displacement, or armed conflict.
- Marginalised people will achieve their civil and political rights; will have an effective voice in influencing decisions affecting their lives and will gain the moral support and skills they need to exercise these rights.
- Women, ethnic and cultural minorities and other groups oppressed or marginalised because of their identity will enjoy equal rights and status.

In pursuing these objectives, Oxfam works at several levels[97]:

- With individuals and groups to strengthen ability to self organise and express their voice
- With governments and international institutions through lobbying and advocacy to change policies that violate rights
- In promoting public awareness and means of redress through development education, public information and campaigning
- With the emerging movement for global citizenship to place economic and social rights at the top of the agenda.

Individual members then establish their own medium term objectives and develop their own guidance. For example, Oxfam GB has prioritized issues including increasing access to basic medicines, and ending violence against women. Novib priorities include income and trade, basic education for girls, and civil participation.

In order to operationalise its rights-based approach, Oxfam has undertaken a number of practical planning steps based on:

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[96] Oxfam International (2000) *Executive Directors/Board Meeting Committee Brief* (unpublished). Oxford: Oxfam International

[97] OHCHR Asia Pacific Human Rights Roundtable No 1 A Rights Based Approach to Development: A Discussion Paper, 4 Oct 2002,

- A clearer identification of groups whose rights are denied or violated
- A better exploration of the mechanisms by which those rights are denied or violated
- Clearer identification of the institutions at different levels which are key in perpetuating the denial or violation of rights, and the arrangements, policies and practices by which they do so
- Identifying the strengths and weaknesses of actors at different levels in bringing about change in those arrangements, policies and practices, including the changes in ideas and beliefs which perpetuate them

Monitoring and evaluation

Oxfam encourages collaboration amongst its members in sharing resources to develop and implement a joint approach to constructing a system for monitoring, evaluation and learning. The aim of this shared approach is to '*support internal and external accountability, further strategic planning, policy development, advocacy and learning to enhance our capacity*'[98]. In its strategic plan, it identifies five aspects to this process:

- Learning from practice to improve both accountability and future policy.
- Better integration of programming, advocacy and marketing together.
- Building up a knowledge base of using the strategic change objectives to cut down on staff time, bureaucracy and paperwork.
- Tracking progress on the impact of the strategic change objectives for learning, accountability and strategy.
- To generate learning results during 2001-2002 to contribute to a mid-term review of 'Towards Global Equity'.

Some difficulties remain in the establishment of effective systems for monitoring and evaluation, for example, the indicators which have been developed are not adequately understood in the South, there is not always effective analysis of information that has been collected, tools for impact assessment are not widely used or tested and there is insufficient training on the monitoring and evaluation of rights[99].

Emerging issues[100]

- Oxfam has found that it is best able to contribute to the realisation of human rights by focusing on economic, social and humanitarian rights.
- A rights-based approach leads to a greater need for a cross sectoral or multidisciplinary focus, drawing together staff with different skills and expertise to strengthen programming. It also requires organisational change in order to align the planning process, programme agendas, advocacy and marketing departments of member organisations with the strategic objectives

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[98] Oxfam International (2000) *Executive Directors/Board Meeting Committee Brief* (unpublished). Oxford: Oxfam International

[99] The Implications of Adopting Rights Based Approaches for Northern NGOs: A Preliminary Exploration, E Harries Curtis, INTRAC, 2003.

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- The pursuit of the five strategic change objectives necessitates a wide range of strategic interventions in many sectors and at different levels. This cannot be achieved by any one organisation. Oxfam therefore needs to strengthen and broaden its alliances with other agencies if it is to be successful.
- The strategic change objectives have been valuable in both setting standards for impact through the international human rights framework, but also providing a measure for monitoring and evaluation.
- The concept of human rights and rights-based approaches is new to many staff, and necessitates investment in strengthening capacity amongst members and developing and sharing a body of good practice.
- Rights based approaches raise challenges in prioritising work. For example should Oxfam focus on those rights which are easier to protect, promote and fulfil? What are the implications of prioritising when all rights are equal and indivisible?
- A continuing tension exists in balancing advocacy and service delivery work, with implications for funding. For example, in 2002, Novib had some of its funding withdrawn for being too involved in advocacy.

Conclusion

As the Convention on the Rights of the Child became embedded as the principled framework for Save the Children during the course of the 1990s, it became increasingly apparent that working towards the realisation of children's rights entails a fundamentally different approach to programming. At a principled level, working within a human rights framework requires a commitment to equity, participation and accountability. At a practical level, it necessitates analysis of children's situation from a human rights perspective with a consequent emphasis on empowering children to claim their rights from duty bearers with accountability for the fulfilment of those rights. This has resulted in a profound shift in the focus and nature of the work across the organisation. Traditional development approaches to programming were no longer viable. A rights-based approach has had to be developed which takes on board a strengthened commitment to working with the most marginalised children; a shift from working for to working with children; a focus on advocacy rather than service provision; a holistic approach to understanding children's lives and addressing the protection of their rights; and a commitment to greater accountability to children.

One of the challenges for Save the Children, in responding to these emerging demands, has been to need to build a new conceptual framework for rights-based programming when working with children. It is important to acknowledge that the other agencies interviewed for the study have faced very similar challenges in adopting rights-based approaches – the need to build new skills, lack of capacity amongst staff, inadequate organisational systems to support field staff, lack of understanding about the new vision and mandate, and its implications, resistance to adopting new ways of working, and lack of familiarity with the concept of human rights both amongst staff and partners. It seems evident, then, that the barriers that have been faced derive, in part at least, from the challenges associated with such a major organisational and cultural change, rather than inherent weaknesses in the approach adopted by Save the Children. Nevertheless, there are a number of lessons that can be learned from the analysis.

The study has identified the key organisational inputs that are needed to implement, consolidate and strengthen CRP. Two dimensions stand out as demanding particular attention. **First,** high level and explicit endorsement from senior management is vital if the organisation is to 'buy in' to adopting rights-based approaches. This endorsement must be reinforced by the introduction of systems, structures, training and budgets which reflect and facilitate the work at the field level. Without such a commitment, progress will inevitably be slower, and more erratic and ineffectual.

Second, the Alliance needs to evolve a clear and unified approach to child rights programming, backed up by the development of common tools and guidance. The example of the UN Common Understanding on Rights Based Approaches to Development Co-operation provides a strong illustration of the value of such an integrated approach. This statement, outlining the agreed principles underpinning development co-operation throughout the UN, not only affirms the shared commitment to human rights, but establishes a common basis for understanding the implications of that commitment. Both the process of its development, and its status as a common tool will

facilitate and strengthen capacity for improved collaboration at all levels of the UN's operations. The Alliance needs a comparable framework. The drive within the Alliance towards unified programmes at country level only serves to underscore the importance of such an approach. At present, the smaller members are clear that they would benefit from a more coherent message from the Alliance. They lack the resources to develop the necessary tools themselves and want an Alliance-wide commitment to their provision. The emergence of different conceptualisations of CRP, different training materials, different approaches to measuring its impact is serving to confuse rather than facilitate progress. There is a strong case for more collaboration on all aspects of CRP development.

Achieving such a commitment does inevitably pose problems. There is a perception that the larger members, such as SCUS and SCUK are able to use their size and consequent resources to pursue their own path without sufficient reference to others, with compromise and accommodation having to be made by the smaller members. One commentator likened the relationships with the Alliance to the UN, with the US and UK bulldozing through their own agendas! These are clearly issues which need to be addressed if the Alliance is to fulfil a role of strengthening members' capacities to implement CRP as effectively as possible.

In addition to the challenges faced in developing and implementing CRP, Save the Children also has to address a number of consequential challenges in its relationships with children associated with this new approach to its work. Although children, like adults, are subjects of rights and equally entitled to have those rights respected, children are not adults. They have a different legal status, they are entitled to additional protections deriving from recognition of their vulnerability and youth, and they have differing levels of capacity for exercising rights, depending on their context, experience, cultural environment and age. The implications that flow from these differences in respect of CRP are complex and require further elaboration. Closely connected are the issues arising from the commitment to promoting children's active participation in decisions that affect their daily lives, and creating opportunities for them to claim their rights. Much of the work undertaken by Save the Children in this field has charted new territory and forced a radical review of many adult assumptions about both children's capacities for participation and the relevance and importance of their contribution. However, there is now a growing need to build on the learning from those experiences. For example, what is the role of parents and communities in supporting children's participation? What measures need to be taken to avoid placing children at undue risk as a consequence of their participation and potential challenges to established power bases within their communities? How can the concept of participation be extended more effectively to younger children? How can the emphasis of personal empowerment be understood in cultures where a child's sense of identity and belonging are achieved through responsibilities to and membership of a social group? What action is needed to ensure that opportunities for children to participate challenge rather than replicate unaccountable and unrepresentative adult power structures? And what is the nature of Save the Children's accountability to children?

CRP also has implications for Save the Children's relationships with external agencies. For example, as an organisation committed to the realisation of the human rights of children, Save the Children has clear role to play in holding governments to account in their obligations towards children. Because human rights address issues of power, they are inevitably political. On the one hand, rights-based approaches require building a dialogue with governments in order to support them in fulfilling their duties towards children. On the other, a commitment to the human rights of children will at times necessitate challenging the actions or inactions of governments which may, in turn, serve to jeopardize continued dialogue. Most members observed that they had to operate differently according to the political climate in which they were working, and were sensitive to the need to tread carefully in order to sustain relationships with governments. This is an area of work requiring more clarification and guidance, as, for many programmes, this will involve them in very different relationships than those they have previously developed with governments.

Different relationships are also necessary with donors. Although some donors, such as DfID and CIDA are leading the way in demanding that development agencies demonstrate a commitment to rights-based programming, a recurring theme throughout the study is the concern that, overall, human rights play less well to funders than more traditional development approaches. It is an issue raised by all members of the Alliance as well as the external agencies. Most members cited examples of needing to adapt their language in dealing with some audiences. Furthermore, the goals associated with human rights are rarely realised within the traditional 1-3 year funding time-frames, and the impact of advocacy is harder to evaluate, with process in CRP as important as the outcome. Donors will often need to be persuaded of that view. Accordingly, investment is needed with them to explore both the efficacy and principled case for CRP, as well as the need to adopt rather different approaches to evaluation and assessment of impact.

CRP has been a catalyst for these, and many other changes in the work of the organisation. It is almost certainly the case that, when Save the Children first adopted its commitment to the Convention on the Rights of the Child, it had little idea of the profound and far-reaching impact it would have on its future work. The ramifications filter through to every layer of the organisation, to every aspect of its work, and to all the children whose rights it seeks to promote. A great deal of progress has been made, but this study reveals that a need for continuing investment in structural change, support for staff, critical review and broader collaboration if the promise to '*Make children rights a reality'* is to be fulfilled.

Recommendations

The recommendations that follow are designed to support, strengthen and accelerate the on-going process of CRP implementation in the member organisations of the International Save the Children Alliance. They seek to address many of the issues highlighted above and to define solutions for them. They also aim to ensure that Save the Children continues to respond successfully to the challenges facing children in the coming years.

- **For the International Save the Children Alliance**

1. A clear and relatively simple **'common understanding'** of CRP across the Alliance should be developed, incorporating shared guiding principles.
2. An Alliance-wide **programming manua**l on CRP should be developed as a companion resource to the Alliance CRP Handbook.
3. Any programme 'best practice' guidance developed by the Alliance should be explicitly located within the CRP framework and draw upon existing CRP tools and resources.
4. More **collaboration** is needed in the **development of tools** for measuring and monitoring CRP, building on some of the frameworks already produced. A continuing **process of review** of the lessons learned and the impact of CRP is needed.
5. Greater investment should be made in **cross-fertilising** ideas and practice in CRP within regions, between regions, and with partners.
6. Systematic programmes of **capacity building** in CRP and associated competencies need to be developed.
7. Consideration needs to be given to the need to do more to **promote an organisational culture** conducive to respect for children's rights and CRP, using the benchmarks elaborated in this study.
8. Resources providing **guidance on working in emergencies** need to address humanitarian law, human rights standards, and the application of child rights programming in situations of emergency.
9. Members need a common understanding of who they define as **partners**. Consideration should be given to whether it would be helpful to develop a formal code of principles and practice to underpin relationships with partners from a CRP perspective.
10. Consideration should be given to **recognition of children as stakeholders**, sharing existing materials produced by some of the members (e.g. SC UK's policy, discussion paper and guidelines).

- **For individual members of Save the Children**

1) All members should be encouraged to undertake a **self-assessment**, using the benchmarks, to identify progress in implementing CRP and where additional work is needed to strengthen its implementation
2) All members need to adopt **planning and programming guidance** which incorporates, endorses and supports CRP as the primary approach to programming, both at country and regional levels.

3) All policies, reports and public documents produced by members of the Alliance need to be **explicit in their commitment** to children's rights.

4) A commitment **to work within the principles** underpinning Save the Children's mission and value base needs to be requested of prospective employees, especially those working in programming or policy areas.

5) All staff, and Board members, should be provided with **induction** into children's rights and CRP when starting work in Save the Children

6) Staff working in programming and policy need an **understanding** the concept of the human rights of children and familiarity with the CRC.

7) Human resources departments need to facilitate integration of CRP into all aspects and functions of the organisation.

8) Marketing staff should reflect the principles and practice of CRP in **fund-raising and external communications activities**.

9) Mechanisms and systems for providing organisational support for country programmes in key aspects of CRP – child participation, non-discrimination, advocacy, approaches to CRP etc - need to be explored

10) Senior staff must provide visible and consistent **endorsement** of the principles and practice of CRP

11) More consideration needs to be given to the status and implications of **children as stakeholders** within Save the Children, and the need for consistency between the external expectations of duty bearers and the internal practices of the organisation.

12) Recognition needs to be given to the fact that CRP is a new and evolving process. There is a continuing need for dialogue, practice exchange, and support in addressing the changes it brings to programming.

13) As CRP is an evolving process, on-going debate and analysis will be needed on a range of issues raised by CRP, including:

a) the potential tensions arising between CRP with its commitment to empowering children to claim their rights, and the establishment of global priorities and plans by member organisations

b) the application of rights-based approaches to programming when applied to children rather than adults

c) the challenges associated with child participation, including the need for culturally relevant models, the need for more effective risk assessment, the importance of participation for younger children, the need for improved tools for measurement, and the lack of adequate skills amongst many staff and partner organisations

d) the potential for CRP in emergency situations

e) the implications for relationships with governments

f) strategies for addressing the implications for donors of both the longer time scales involved and the more complex demands of measuring impact and outcomes in CRP.

This report examines the progress made by members of the International Save the Children Alliance in adopting and implementing its distinctive approach to rights-based programming with children. An innovative element of the study is the development of 'benchmarks' that highlight the most significant organisational changes that are required by the adoption of a rights-based approach to programming.