

The Convention's impact on public and private institutions

The Convention's impact on public and private institutions, including all three branches of government – executive, parliamentary and judicial – has been profound. Its influence is evident in legislative reform initiatives, child-focused budget initiatives and social protection measures, in human rights-based approaches to programming for women and children, and in the adoption of regional child rights charters.

In the private sphere, the Convention is helping encourage greater awareness of child rights in business, schools, families and communities, with the strong support of non-governmental organizations in particular. In the media, too, its effects are seen in the greater use of child rights language and a better understanding of critical issues, in the development of codes of conduct for reporting on children, and especially in the greater focus on child protection issues and violations. And although there is no systematic way to quantify this impact, there is ample evidence that it is taking place.

Legislative reform initiatives

Over the past two decades, around 70 States parties to the Convention have enacted consolidated children's statutes as part of law reform efforts to support child rights. Moreover, 12 States parties to the Convention have implemented these codes in response to an express recommendation by the Committee on the Rights of the Child. Most of these codes are based on frameworks for child protection that encompass a broad range of legal traditions, including civil law, common law, Islamic law and plural law.

In Latin America in particular, frameworks have been introduced that recognize the civil and political rights of

children, as well as their economic, social and cultural rights – which tend to cover a substantial portion, if not all, of the Convention. In Eastern Europe, especially the countries of the former Soviet Union, the tendency is for child rights statutes that are more general in scope, citing an express or implied intention to undergo further reforms in the future.

A number of these States parties have one or more dimensions of human rights-based approaches in the design of their statutes. This implies that they have an explicit reference to international frameworks, present children as the subject of rights with the capacity to claim their rights, and identify duty bearers to implement child rights legislation. Other countries make an express reference to the Convention as a principal aim of their legislation.

Child-focused budget initiatives

Implementing the provisions of the Convention on the Rights of the Child has financial implications for States parties. Prioritizing children's rights in public expenditure requires political will and progressive financial commitment from the government. Budget analysis of how policy goals are being realized is an important step towards designing public financing mechanism that prioritized children's rights.

One example of this type of analysis is in South Africa, where child rights budgetary efforts have been led by the non-governmental organization Institute for Democracy in South Africa (IDASA). This independent organization monitors the public finances, and through its Children's Budget Project assesses whether government expenditure is helping the Government meet its obligations to children's rights and alleviate poverty.

Another example is provided by Ecuador, where a deep economic crisis in 1999 threatened social spending. UNICEF Ecuador partnered with the Government to analyse the impact of budgetary decisions on children, and make recommendations on social-sector allocations. The results have led to a regular framework for linking social and economic decision-making.

Human rights-based approach to cooperation

The human rights-based approach to programming is championed by UNICEF and others as a paradigm to ensure that children's rights are enacted in policy and practice. It has been highly influential in both industrialized and developing countries since its introduction in 1999. For more on this framework, see panel, pages 12–13.

Regional child rights charters

Regional bodies have also codified child rights into legislation. The African Charter on the Rights and Welfare of the Child was adopted in 1990. The European Union has a convention on the exercise of child rights, adopted by the Council of Europe in 1996. Although regional bodies such as the African Union and the European Union cannot ratify the Convention, the strong support they have shown for its provisions can be seen in their programmes and policies. For example, the EU is currently adopting a stronger framework of child rights based on the Convention to ensure that children are protected against abuses perpetrated through the Internet.

The private sector

The private sector has become an increasingly important stakeholder in international development through global partnerships for health, education and HIV and AIDS in particular. This growing

participation has been recognized by the Committee on the Rights of the Child, which devoted its 2002 day of general discussion to the theme of 'The private sector as service provider and its role in implementing child rights'.

Like regional organizations, private sector entities cannot sign or ratify the Convention. But they are also demonstrating strong support for the treaty by their actions, whether as partners in building a protective environment or in direct supply of essential services. A noteworthy achievement is the Code of Conduct for the Protection of Children from Sexual Exploitation in Tourism. This resulted from collaboration between private tourism operators and the global End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes network. The Code commits the tourism industry to proactively seek ways of protecting children rights, and most of all to ensure that children are not exploited for commercial sexual purposes.

The media

By bringing attention to issues affecting children, the media have a unique role in realizing child rights. Greater awareness of child rights deprivations and violations is in part due to increased media focus on these issues. For example, the British Broadcasting Corporation, the world's largest public broadcaster, has a dedicated portal on children's rights and issues on its website.

As the global media industry has expanded, advocates for child rights have taken a strong lead in encouraging corporations to follow ethical standards in their reporting. UNICEF's Principles for Ethical Reporting on Children and other guidelines have promoted such codes to ensure that media reporting on children does not stereotype them as victims of abuse and poverty, per-

petrators of crimes or objects of charity. It is also critical that the best interests of children are respected in reporting on them. In Brazil, the Agency for Child Rights monitors how children are portrayed in the media, and issues league tables on negative portrayal. It also endows awards to create incentives for sensitive and ethical coverage.

Religious leaders

Religious leaders can have an important role in ensuring greater realization of children's rights. As respected and influential members of societies and communities, they can galvanize actions in favour of children's survival and development, protection and participation, and challenge practices, customs and norms that discriminate against or undermine these rights. Throughout history, and across religions and cultures, compassion and care for children have been strong ethical, moral and spiritual values that denote a common understanding of the importance of protecting individuals at their youngest and most vulnerable age.

Across the world, religious leaders are working as advocates for child rights. One such example is found in Afghanistan, where since late 2001, UNICEF and its partners have worked closely with religious leaders to expand access to education for girls and foster improved child survival and health. Another example is provided by Ethiopia, where Muslim, Protestant and Orthodox leaders agreed to devote a 'religious week' to the issue of HIV and AIDS, using their extensive networks, influence and goodwill to address the stigma and discrimination associated with HIV.

Non-governmental organizations

Non-governmental organizations are among the primary agents engaged in actively promoting and realizing children's

rights. Their numerous efforts spurred and sustained the process that resulted in the drafting and finalization of the Convention in the late 1970s and the 1980s. The NGO Group for the Convention on the Rights of the Child, a network of 80 international and national organizations, was formed in 1983 to promote and actively participate in the drafting of the treaty.

Article 45 of the Convention provides a designated role for NGOs in monitoring its implementation by States parties. The NGO Group's liaison unit, supports the participation of non-governmental organizations, particularly national coalitions, in the reporting process to the Committee on the Rights of the Child. One important area of work that the unit facilitates is the compilation and submission of alternative reports on national implementation of the Convention to the Committee.

Advocates and individuals

The Convention has inspired individuals, both adults and children, to dedicate themselves tirelessly to promoting and defending children's rights. These advocates, who range from child activists to international celebrities, are instrumental in raising awareness of critical concerns and vulnerabilities and making direct representations to those in power to seek and effect change.

See References, pages 90–92.