

Putting People at the Heart of Human Rights

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UNCRC Implementation: Issues and Challenges

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The Northern Ireland Commissioner for Children and Young people: our role

Established in response to a 'Putting Children First' campaign – campaigning on structures for children

Our aim:

'To safeguard and promote the rights and best interests of children and young persons.'

Required to have regard to:

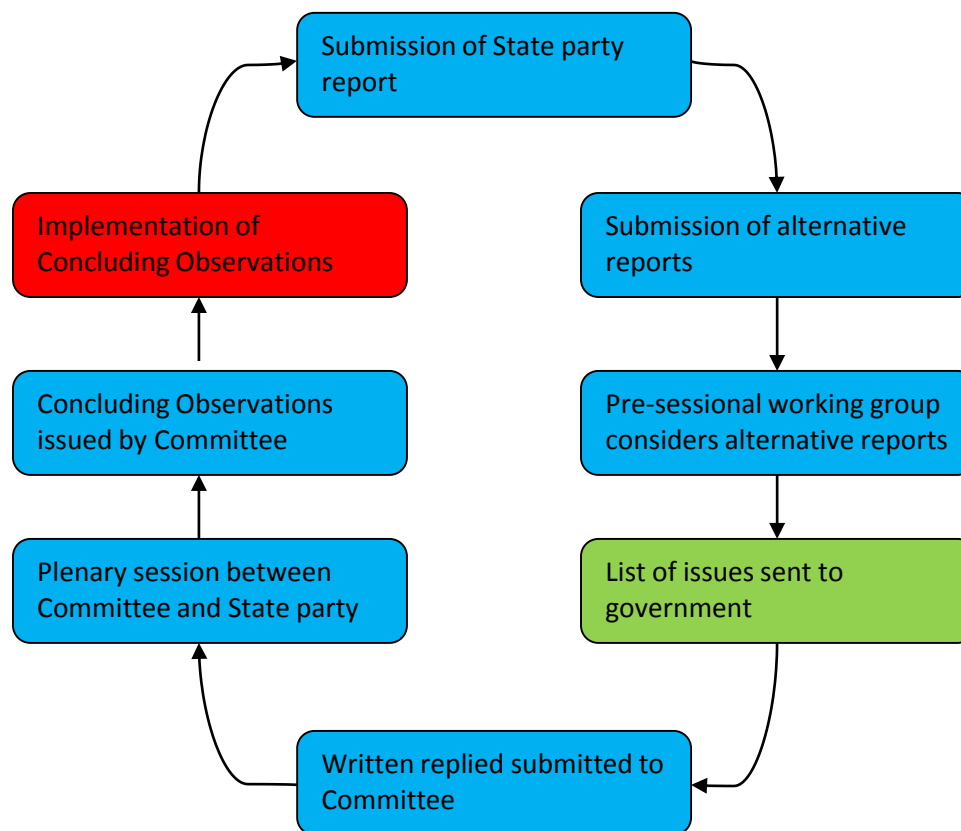
- The importance of the role of parents; and
- Relevant provisions of the UNCRC

Engage – Scrutinise – Advise – Challenge

What difference does a rights approach make?

1. A reference – a set of internationally agreed minimum standards
2. Scrutiny and advice from a Committee of international experts
3. Moving beyond a charitable approach
 - Children as rights holders
 - Obligations on governments as duty bearers
4. A legal requirement
5. ALL rights for ALL children
6. A focus on getting processes right – measures for implementation
7. Making children's best interests a priority
8. Progressive realisation

UNCRC reporting cycle



Reporting to CommRC Summer-Autumn 2015

UK-wide focus

- Impact of austerity on children
- Child Poverty
- Human rights settlement (HRA)
- Mental health
- Child Sexual Exploitation

Reporting to CommRC Summer-Autumn 2015

Northern Ireland specific issues included:

- Impact of conflict
- Segregated education system
- Exclusion of children from Age Discrimination (GFS) legislation
- Detention of children and young people on remand
- Delays in implementing child death review process
- Concerns re secure care

Working towards implementation of UNCRC

Applying international rights standards in advice to government:

- UNCRC articles (also UNCRPD, ICESCR etc)
- General Comments
- Concluding Observations
- other standards.

Focus on guiding principles

- Non-discrimination (2)
- Best interests (3)
- Life, survival and development (6)
- Participation (12)

Working towards implementation of UNCRC

Focus on general measures of implementation (GC 5)

- Incorporation of UNCRC into domestic legislation
- Comprehensive national strategy
- Coordination of implementation
- Monitoring / Child Rights Impact Assessment
- Data collection / indicators
- Making children visible in budgets
- Training and capacity building re childrens rights
- Independent Human Rights Institutions
- Raising awareness of UNCRC

Some of NICCY's 'General Measures' work

Advising on Children's Strategy design and implementation

Advice on participation mechanisms

Children's rights indicators

Review of 'Barriers to government delivery for children'

Paper on legislative requirements in relation to children's rights

Review of NICCY legislation

Advice on Children's Services Cooperation Bill

Scrutiny of spending on children

Opportunities and challenges

Challenges:

- Deepening austerity
- Rights remain optional – dependent on personalities
- Full incorporation of UNCRC into domestic legislation
- Third optional protocol re individual complaints not signed up to
- Need more focus on measures of implementation
- No central mechanism for supporting participation
- Lack of training and awareness of children's rights
- CRIAs rarely carried out
- No developments in relation to strengthening NICCY legislation

Opportunities and challenges

Opportunities:

- Development of new C&YP Strategy
- Development of CR indicators
- Focus on 'outcomes'
- Children's Services Cooperation Bill
- Forthcoming concluding observations
- Mechanism for scrutinising budgets for children

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