

GOOD PRACTICES ON CHILDREN'S RIGHT TO PARTICIPATE IN GOVERNMENT BUDGETING

A Plan International Inc. contribution to the OHCHR follow-up report on Investment in the Rights of the Child

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1. Plan International, Inc. is a non-governmental organization in consultative status with the Economic and Social Council since 1981 and in special consultative status with the ECOSOC since 2011. This paper has been developed to inform the OHCHR follow-up report on investment in the rights of the child based on good practices and lessons learned pursuant to the HRC resolution 28/19.
2. In this submission Plan International discusses good practice examples of child-sensitive participatory budget planning, allocation and monitoring processes. These illustrate how child participation cuts across critical aspects of investment in children, particularly:
 - **Child rights-based budgeting**
 - **Non-discrimination**
 - **Accountability**
 - **Participation**
3. Children's and young people's engagement in developing and monitoring budgets is of intrinsic value; it helps put their civil rights into practice. It is also of instrumental and practical value and can make budgets more equitable and responsive to their rights and their families' needs. Children and young people's participation can help ensure their interests are a primary consideration, a right which "extends also to the approval of budgets, the preparation and development of which require the adoption of a best-interests-of-the-child perspective for it to be child-rights sensitive."¹
4. Children can also make significant contributions to monitoring the way in which budgets are spent and thus to the adoption of more transparent and efficient administrative practices. In order for this to happen, the entire budgeting process must be open, transparent and accountable. It must provide child-friendly opportunities for children to participate in all aspects and steps of the cycle, with an understanding of when and how they can best participate, according to their evolving capacities.²
5. Plan International suggests four interconnected and interrelated criteria as important considerations when assessing the quality of child-sensitive participatory budget planning, allocation and expenditure monitoring processes: they should be *meaningful, inclusive, collaborative and enabling*.³

¹ CRC Committee, General comment No. 14 on the right of the child to have his or her best interests taken as a primary consideration (art. 3, para. 1) (2013), para. 31.

² Plan International, *Putting children's right to participate into practice in Government budgeting*, (2014).

³ The criteria are elaborated upon in Plan International's submission to OHCHR informing the first report on investment in children's rights, <http://www.ohchr.org/Documents/Issues/Children/TowardsInvestment/Plan3.pdf>

Child rights-based budgeting and spending

6. These two examples from Central America illustrate how different forms and levels of child and youth participation contributed to strengthen decentralized budget planning and resource allocation in children's best interest.
7. In **Honduras**, municipal youth committees became critical actors in negotiating better investments in children with politicians and municipal decision-makers: In the municipality of Jesús de Otoro (department of Intibucá), the Municipal Committee of Youth, supported by Plan International and *La Red de Instituciones por los Derechos de la Niñez* (COIPRODEN – a network of child rights organizations), succeeded in increasing the budget allocation in favour of children and youth. The Municipal Youth Committee offers an *enabling space* for children and youth living in the municipality to contribute to the establishment of sustainable development policies at municipal, regional and national level, and to participate in critical decision-making processes.
8. In March 2012, youth representatives from various communities⁴ held their first assembly and established a board representing the Municipal Youth Committee towards the municipality. The youth board held sessions with young people from the various communities and developed proposals they then presented to candidates running for Mayor in the October 2012 municipal elections.
9. Mayoral candidates and representatives of the various political parties came together with the young people in a formal event during which they signed pledges declaring their commitment to invest in children, adolescents and youth.
10. In February 2013, the Municipal Youth Committee held the elected candidates to their promises and submitted a final proposal on investment in children, adolescents and youth to the Municipal Corporation of Jesús de Otoro for approval and adoption.
11. Following further advocacy efforts on the side of the youth, the Municipal Corporation discussed, approved and signed the document on investment in children, adolescents and youth in August 2013 and made it public policy. 1% of the central public fund transfers to the municipality was earmarked for investment in children, adolescents and youth, through programs and projects.⁵
12. In **Guatemala**, Plan International developed an approach to ensure children's *meaningful* participation collaboratively with adults in the formulation of municipal public policies and budgets on children and adolescents. This initiative was part of its project "*Building Democracy in Central America*" (implemented between 2012 and 2014 in the municipalities of Santa Catalina La Tinta, San Pablo Tamahu and San Miguel Tucuru in the department of Alta Verapaz). The process of formulating municipal public policies for and with children and youth involved different steps illustrated by the example from the municipality of Santa Catalina La Tinta:
13. Plan International, together with CHILDHOPE Guatemala, supported children and adolescents to work in *collaboration* with civil society in the municipality to analyze existing barriers for young people to enjoy their rights and entitlements for health, nutrition, water and sanitation, education, protection, recreation, and participation. Following the diagnostic, they conjointly prioritised issues and developed a policy draft and a related action plan to address them. The policy draft and its action plan and estimated budget were presented by children and adolescents at a public event, to the Municipal Council for approval and endorsement in their Operational Plan.

⁴ Maye, La Angostura, San Francisco, East Crucita, San Jerónimo, San Marcos, Barrio Nuevo, San Rafael, Santa Cruz Llanos, Ojo de Agua, Cedral, Macuelizo, and Jesús de Otoro

⁵ Plan International Honduras, Briefing note, *Comisión Municipal de la Juventud de Jesús de Otoro, Departamento de Intibucá, Honduras*, (2015).

14. Using the above approach, three municipalities adopted their municipal public policy on children and adolescents, totalling at US \$ 12, 662,620.12 in a four year budget.
15. The *meaningful* involvement of children, adolescence and youth was instrumental in the development of the budget proposal.⁶ Children and adolescents were informed and consulted in the entire budget process and their voices taken into account equally to those of adults.⁷

Non-discrimination

16. To fulfil their obligations under the UNCRC⁸, States must give full consideration to the conventions general principles of non-discrimination, the best interests of the child, the right to life, survival and development and the right of the child to express his or her views, when designing and implementing national policies, including budgetary and fiscal policies. Whether and how state obligations are fulfilled can be measured at the level of access of particularly marginalized groups to state services and their perception of their quality. This example below highlights the principle of non-discrimination through programs focusing on marginalized girls.
17. As part of Plan International’s “*Because I am a Girl Urban Programme*” aimed at building safe, accountable, and inclusive cities with and for adolescent girls (ages 13-18), Plan International works in **India, Egypt, Vietnam, Uganda and Peru**, with adolescent girls using a gender-sensitive, child-centred and inclusive community scorecard approach. The scorecard approach, piloted in Kampala/Uganda and Delhi/India so far, helped marginalized and excluded girls and young women to assess the availability and quality of city services that guarantee children (and particularly adolescent girls) free and safe circulation in the city; and to negotiate improvements with responsible city authorities. Girls are amongst the most vulnerable and excluded population group in these cities.
18. 170 adolescent girls, 173 adolescent boys, and 131 service providers, community members, partners, and staff in India and Uganda participated in the community scorecard exercises. Following the scoring of services and an interface meeting between community members and service providers – facilitated by adolescent girls - improvements were made by city services in both countries. These included adding street lights and replacing broken lights, making parks safe and inclusive for girls by cleaning them up and minimizing loitering of boys, and improving maintenance of public toilets in girls’ communities.
19. The scorecard exercises helped to review city investments in safety and protection for adolescent girls while redirecting budget allocations to priorities raised by marginalized girls.⁹ Girls from marginalized households face substantial barriers that hold them back from participating in social and public accountability initiatives. Plan International’s child sensitive and gender equitable community scorecard approach addresses these and provides them with the information, capacity development and space to voice and negotiate their (budgetary) priorities with service providers and authorities.

Accountability

20. Internal and external financial oversight mechanisms provide essential safeguards in ensuring that public funds are spent as intended and in holding States actors accountable. States should strengthen the role of parliament, independent human rights institutions, ombudspersons for children as well as the wider public, including children, to keep government accountable for their investment in children. This example from **Kenya** illustrates how the decentralized government, in collaboration with non-state actors, implements these provisions:

⁶ Plan Intemational Guatemala, Briefing note, *Desarrollo de metodología para la construcción de políticas públicas municipales y participación de NNA en la definición de presupuestos públicos*, (2015).

⁷ UN Convention on the Right of the Child, Article 12.

⁸ UNCRC; United Nations Convention on the Rights of the Child

⁹ UN Convention on the Right of the Child, Article 2.

21. Building up on a previous project experience that brought young people together with decision-makers in social audit exercises, Plan International supports county authorities in Kwale and Tharaka Nithi to enhance participation and engagement of young people in county budgeting to address the needs of vulnerable youth and children. The initiative uses information and communication technology and the media as critical enablers for young people's participation and supports local authorities and non-state actors to improve transparent and participatory decision-making at county level.
22. The project, running from 2014-2017, builds the capacity of young citizens as well as county authorities to work more effectively together. Representatives from the youth organizations take part in training on county budgeting and service delivery procedures. They learn how to use social accountability tools as an effective means to negotiate priorities with service providers. County authorities' capacities are strengthened on budget analysis, gender responsive budgeting, and youth and child rights programming and how to debate sector specific implications of budget allocations with citizens. In addition, the government is supported to develop an interactive online budget portal to increase accessibility of information and budget transparency.
23. While this second phase of the Kenya budgeting project is still at the beginning, it illustrates that effective participation of children and young people is an important motivator for authorities to institutionalize children and young people's participation in budgeting work. It illustrates further that access to information in child and youth friendly formats is an important *enabling* factor for participation that contributes to transparency and accountability for broader population groups.

Participation

24. Children often remain invisible in the debates and decisions on budget allocation and spending. Children's participation in developing and monitoring budgets is a legal obligation under article 12 of the United Nations Convention on the Rights of the Child. Here below an example of a worldwide consultation.
25. **Worldwide** children participated in a consultation process on what they thought governments should invest in for their rights; and how to associate them to the public budgeting process. During 2014, 2700 children took part in the survey, which was conducted as part of the UN process to develop a CRC General Comment on investment in children. A research team from Queen's University Belfast (Centre for Children's Rights), in collaboration with the Child Rights Connect Working Group on Investment in Children¹⁰, developed methods and research instruments to facilitate girls' and boys' engagement in this UN process. Consultations were carried out online and face-to-face in 71 countries around the world.
26. The report, published in 2015, demonstrates that children have clear views about how governments should spend money in ways that will realize children's rights and that they are able and willing to share these views.¹¹ On the question of how and why to involve children, the children consulted responded that a) Children want to be included in decision-making about government expenditure, and they consider that their insight will help governments to make better decisions about investment; b) Children need support from respectful adults who will help them to understand public spending processes and to express their views; c) Governments should work hard to ensure that children's views are taken into account in decision-making processes.
27. A child friendly version of the report was also developed for children to use.¹² Furthermore, based on the consultations with 2700 children from all over the world the film "Invest in us" was produced in

¹⁰ <http://www.childrightsconnect.org/child-rights-issues/investmentinchildren/>

¹¹ Lundy, L, Orr, K, Marshall, C, *Towards better investment in the rights of the child: The views of children*, Centre for Children's Rights, Queen's University Belfast, (2015). <http://www.qub.ac.uk/research-centres/CentreforChildrensRights/filestore/Fileupload,496273,en.pdf>

¹² Lundy, L, Orr, K, Marshall, C, *How should governments spend money for children's rights? What do children think?*, Queen's University Belfast, (2015). <http://www.childrightsconnect.org/wp-content/uploads/2015/10/Young-Peoples-Report-FINAL.pdf>

three different languages, which provides a snapshot of what children would like their governments to include in the budgets.¹³

Recommendations

28. State Parties have the obligation to realize the general principles of the Convention on the Rights of the Child, including article 12. Children’s right to participate is therefore not dependent on available resources¹⁴. What practical steps are needed to achieve progress, while ensuring that children’s participation in budgetary processes are meaningful, inclusive, collaborative, and enabling, depends on a variety of contextual factors that State Parties must carefully assess to inform their plans. The following recommendations outline key considerations to inform these plans:

- a) **Identifying and using existing structures for children’s participation in budgeting processes:** Existing structures and organizations like children and youth groups, student councils, or youth parliaments are valuable but often overlooked partners to inform budgeting processes. Involving them will provide children with information including budget literacy and democratic practices while at the same time engaging potentially large numbers of girls and boys in consultation processes that help to inform government budgets. Ongoing participatory budget initiatives or other processes for citizen participation – facilitated by government or by civil society actors – can provide important platforms for enabling children’s participation in budgeting.
- b) **Remove barriers that hold children back from effectively participating:** There are many societal factors that impede effective and inclusive participation of girls and boys especially those belonging to the most vulnerable and marginalized groups. Analysing those structural and social barriers and ensuring that the most marginalized groups have their say in the budgeting process are critical to ensure that budgets leave no one behind. Information and approaches used for and with children and young people must be accessible child-friendly, age-appropriate, and culturally- and gender-sensitive. Barriers impeding the realisation of the child’s right to be heard should be removed. In order to ensure that due weight is given to children’s views in a manner that is systematic and realistic, rather than tokenistic, real change is required.¹⁵
- c) **Strengthening the overall enabling environment for child participatory budgeting:** this involves first and foremost the development of adequate legal framework that protect children’s participation at all levels and promote children as active citizens. It should also include the establishment of formal processes and mechanisms for institutions that reach important numbers of children such as schools or social services.
- d) **Establish partnerships with civil society organisations including child and youth organisations:** to build collaborative platforms that can contribute to budgeting and expenditure monitoring processes and enable the voices of children and young people, particularly of those otherwise difficult to reach. For instance formal spaces such as children and youth committees with the mandate to negotiate budgets with adult decision makers in the budgeting process are critical.

¹³ English, <https://www.youtube.com/watch?v=Llu0epnQmzE>, French: <https://www.youtube.com/watch?v=6OuyRADvIU8>, Spanish: <https://www.youtube.com/watch?v=BfrmB8u4XW0>

¹⁴ http://www.unicef.org/publications/files/Implementation_Handbook_for_the_Convention_on_the_Rights_of_the_Child.pdf,

page 160-170

¹⁵ idem