

Annex VIII: Implementing Child Participation

1. Examples of participation activities from MRM countries
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1. EXAMPLES OF PARTICIPATION ACTIVITIES FROM MRM COUNTRIES

Many agencies in country programmes are or have facilitated a range of participation activities in different locations. In the Democratic Republic of the Congo, Save the Children has worked principally in some areas on the facilitation of participation:

Participation of children and young people in the MRM in the Democratic Republic of the Congo

Children and young people were involved in developing community-level, child-friendly awareness raising material. Drawings of the six grave violations in picture books and leaflets were distributed to children's clubs, the Children's Parliament, community child protection committees and *animators* from partner organizations. These were used in door-to-door campaigns, at the market, in churches and at special events days as talking points on the six grave violations.

A child-led, child-focused awareness raising campaign focused on the grave violation of recruitment and use of children in armed forces and groups. Extensive work was done with children's clubs as well as with the Children's Parliament of Ituri to support children, identify key messages that focused on preventing their peers (in particular children they perceived to be the most vulnerable) from joining armed groups, and to transmit positive messages around the acceptance of children who have been demobilized. The messages were transmitted through a variety of community-based activities, including at special events, sports matches, messages passed in churches and mosques, banners at markets, door-to-door campaigns and radio spots. Further training was then carried out in children's clubs and the Children's Parliament of Ituri specifically on the content of Security Council Resolution 1612, the six grave violations and what they mean in real terms (breaking down the six grave violations into real-life examples), and how to report cases.

Activities to embed 1612 case reporting in wider child protection reporting and case management have also been put in place. Instead of developing separate reporting and referral pathways for grave violations, the children's club, Children's Parliament, child protection committee members, local authorities and NGO partners were trained on how to report a variety of child protection violations. The report format is disaggregated so that 1612 cases can be easily picked out, but are listed alongside other abuses such as neglect, emotional abuse, physical abuse, etc. The type of perpetrator is also listed – family member, neighbour, teacher, armed actor. Children also participated in the development of referral systems that respond to all cases, where cases involving grave violations are treated as same as other cases.

Establishing 'listening posts' for reporting cases and active listing in conflict-affected areas allows a concrete and visible focal point in the community for reporting and seeking help for child protection cases. Children can access these listening posts

and report cases to trained *animators* who take steps to report cases upwards and provide the appropriate response to children's needs.

Children and young people have also fed into global advocacy, through the use of participatory methodology for action research. This approach has been used successfully in the Democratic Republic of the Congo, the Ivory Coast and Nepal.¹ Using a participatory methodology enabled discussions where children were asked to list violations, which they considered to be grave occurring in their context, and to rank them by frequency and severity. Other exercises elicited children's assessment of levels of impunity, changes in the patterns of violations during the application period of the MRM in their country, and suggested improvements in the application of the MRM following a brief pictorial presentation of the information flows and responses that make up the mechanism. This approach is invaluable to assist the OSRSG and the SCWG-CAAC to make informed decisions in relation to the functioning of the MRM – directly from the people on the ground that it is meant to represent.

Young people can also assist in the development of awareness of these resolutions within the general population. One of the major difficulties with the MRM is the lack of knowledge of it outside humanitarian agency circles. An increased awareness opens possibilities for higher levels of reporting by schools and other social services.

2. ENSURING THE SAFETY OF CHILDREN AND YOUNG PEOPLE WHO PARTICIPATE IN THE MRM

Key principles²

Ensuring the safety of children who participate in any form of the MRM is absolutely essential before carrying out activities. A number of key principles must be followed:

- **Do no harm:** The involvement of children in the MRM process must not put children or their families in harm's way. Risk analysis and ways in which to overcome risk must be developed with children and their families in order to help them effectively participate.
- **Best interests:** As one of the four core principles of the CRC, acting in the best interests of the children must override all actions and activities that involve children in the MRM. This includes respect for a child's privacy and awareness of possible social, physical and political consequences of reporting to themselves and their families.
- **Child protection:** The protection of children should be paramount in any participation that is planned and organized for children's involvement. Children should be aware of their rights, and safeguards to prevent abuse and minimize risk must be implemented. Child protection procedures, including policies and codes of conduct, should be known, understood and implemented by staff.
- **Confidentiality:** It is crucial to protect the identities of children and groups of children who participate in the MRM. Due to the sensitive nature of the mechanism and vulnerability of children in conflict situations, confidentiality must be maintained at all times. However, confidentiality must never replace the need to protect children – action must be taken if disclosures relating to abuse suffered occur.
- **Informed consent:** When involving children in MRM activities, informed consent (dependant on factors such as age and development) is necessary both for

¹ <www.savethechildren.org.uk/en/docs/Full_of_Promise_full_report_final.pdf>.

² Adapted from *Ethical Guidelines: For ethical, meaningful and inclusive child participation practice*, Save the Children, 2008.

children's actual participation and for sharing information that has arisen from the activities. Children must have access to adequate, appropriate and child-friendly information about the process of their participation, and the outcome in terms of how and with whom their information might be shared. Information should not be shared if children or their guardians refuse to follow a process of informed consent.

Risk assessment

Conducting a risk assessment before asking children to participate in activities relating to the MRM is essential. There are a number of questions² you can initially use to assess the risk to children. Children and young people must be involved in both identifying and reducing the risks they might face.

Questions for children:

- Are there people who might want to harm you or your family as a result of public acknowledgement of your participation/contribution?
- How would your family or friends react?
- Who needs to be protected?

Questions for an MRM Task Force, agencies or children who are involved in planning and preparing for participation

- What concerns are likely to exist amongst the immediate community about bringing children together for MRM/protection-focused activities?
- How might such concerns relate to specific groups of children?
- Are local political/military actors likely to take an interest in these activities? Do relationships need to be built and assurances given?
- What resources (including psychosocial support) exist should the activities cause upset for individual children, or adverse reactions from others?
- What spaces exist where it might be possible to conduct activities with children and young people in a safe and private location without raising suspicion
- Which areas need to be avoided during activities to avoid risk of danger to children?
- What protection structures exist for children who need protection as a result of their participation?

A risk assessment should cover the following:³

- 1) Identify the 'hazards' – something or someone that could cause potential harm to children.
- 2) Who can be harmed? – Consider who might be involved during the different levels of engagement of child participation in the MRM.
- 3) Consider existing controls – thinking about the degree of risk that the identified hazards currently pose by taking into account effective control measures that already exist, e.g., confidentiality procedures to safeguard the identities of children who have reported information to the MRM Task Force.
- 4) Calculate the level of risk – Consider the likelihood of an incident happening; is this high, medium or low? Then, estimate how severe the outcome of the incident would be, enquiring about previous incidents to assist you. Considering the severity of the possible incident, then determine the primary risks using the matrix below. The risk assessment should not be calculated by one person. It should be

³ Adapted from *Guidelines for Ensuring the Safe Participation of Children and Young People in Events, Residential and Other Group Activities*, Save the Children UK, 2005.

a group exercise or complied with the assistance of a number of protection actors or the protection cluster to prevent bias.

		Likelihood		
		H	M	L
Severity	H	3	3	2
	M	3	2	1
	L	2	1	1

Risk rating: 3 = High risk, 2 = Medium risk, 1 = Low risk

If the risk is calculated as being medium or high with the original controls in place, you will need to consider additional safety controls that can be put in place to eliminate, isolate or further minimize the risk.

For all risk assessments, however, **if the risk rating is still calculated as high risk, then the activity must not be undertaken.** This should be the rule of thumb for any activity you wish to undertake.

- 5) Having recorded your findings and actions, you must ensure that you communicate the risks and control measures to all appropriate people, i.e., all those involved in each aspect of the activity. Risk assessments should be written down and filed in a safe place. The process of communicating the risks and control measures should also be documented.

Remain flexible – If there are any significant changes to the activity, reconsider and review your assessment. You may need to re-evaluate the risk. Once these steps have all been taken, the benefits of participation can begin to shape the MRM process and enhance its effectiveness.

3. BASIC REQUIREMENTS FOR THE IMPLEMENTATION OF THE RIGHT OF THE CHILD TO BE HEARD⁴

The UN CRC Committee urges States Parties to avoid tokenistic approaches, which limit children’s expression of views, or which allow children to be heard but fail to give their views due weight. It emphasizes that adult manipulation of children, placing children in situations where they are told what they can say, or exposing children to risk of harm through participation are not ethical practices and cannot be understood as implementing Article 12.

If participation is to be effective and meaningful, it needs to be understood as a process, not as an individual one-off event. Experience since the CRC was adopted in 1989 has led to a broad consensus on the basic requirements, which have to be reached for effective, ethical and meaningful implementation of Article 12. The Committee recommends that States Parties integrate these requirements into all legislative and other measures for the implementation of Article 12.

All processes, in which a child or children are heard and participate, must be:

⁴ Committee for the Rights of the Child General Comment No. 12, The Right of the Child to be Heard, 2009, www.unhcr.org/refworld/type,GENERAL,,4ae562c52,0.html.

- a. **Transparent and informative** – Children must be provided with full, accessible, diversity-sensitive and age-appropriate information about their right to express their views freely and their views to be given due weight, and how this participation will take place, as well as its scope, purpose and potential impact.
- b. **Voluntary** – Children should never be coerced into expressing views against their wishes and they should be informed that they can cease involvement at any stage.
- c. **Respectful** – Children’s views have to be treated with respect and they should be provided with opportunities to initiate ideas and activities. Adults working with children should acknowledge, respect and build on good examples of children’s participation, for instance, in their contributions to the family, school, culture and the work environment. They also need an understanding of the socio-economic, environmental and cultural context of children’s lives. Persons and organizations working for and with children should also respect children’s views with regard to participation in public events.
- d. **Relevant** – The issues on which children have the right to express their views must be of real relevance to their lives and enable them to draw on their knowledge, skills and abilities. In addition, space needs to be created to enable children to highlight and address the issues they themselves identify as relevant and important.
- e. **Child-friendly** – Environments and working methods should be adapted to children’s capacities. Adequate time and resources should be made available to ensure that children are adequately prepared and have the confidence and opportunity to contribute their views. Consideration needs to be given to the fact that children will need differing levels of support and forms of involvement, according to their age and evolving capacities.
- f. **Inclusive** – Participation must be inclusive, avoid existing patterns of discrimination and encourage opportunities for marginalized children, including both girls and boys, to be involved. Children are not a homogenous group and participation needs to provide for equality of opportunity for all, without discrimination on any grounds. Programmes also need to ensure that they are culturally sensitive to children from all communities.
- g. **Supported by training** – Adults need preparation, skills and support to facilitate children’s participation effectively, to provide them, for example, with skills in listening, working jointly with children and engaging children effectively in accordance with their evolving capacities. Children themselves can be involved as trainers and facilitators on how to promote effective participation; they require capacity-building to strengthen their skills in, for example, effective participation, awareness of their rights, and training in organizing meetings, raising funds, dealing with the media, public speaking and advocacy.
- h. **Safe and sensitive to risk** – In certain situations, expression of views may involve risks. Adults have a responsibility towards the children with whom they work and must take every precaution to minimize the risk to children of violence, exploitation or any other negative consequence of their participation. Action necessary to provide appropriate protection will include the development of a clear child-protection strategy that recognizes the particular risks faced by some groups of children, and the extra barriers they face in obtaining help. Children must be aware of their right to be protected from harm and know where to go for

help if needed. Investment in working with families and communities is important in order to build understanding of the value and implications of participation, and to minimize the risks to which children may otherwise be exposed.

- i. **Accountable** – A commitment to follow-up and evaluation is essential. For example, in any research or consultative process, children must be informed as to how their views have been interpreted and used and, where necessary, provided with the opportunity to challenge and influence the analysis of the findings. Children are also entitled to be provided with clear feedback on how their participation has influenced any outcomes. Wherever appropriate, children should be given the opportunity to participate in follow-up processes or activities. Monitoring and evaluation of children’s participation needs to be undertaken, where possible, with children themselves.