

Systematization of Child Rights Information

Inter-American Children's Institute
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**Organization of
American States**



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PROLOGUE

The Inter-American Children's Institute, a specialized organization of the OAS, has developed a regional project on the preparation of reports to the UN Committee on the Rights of the Child in accordance with Article 44 of the Convention on the Rights of the Child.

As part of this project, an agreement was signed with Save the Children Sweden's Regional Office for Latin America and the Caribbean, to create a Guide for governments as well as civil society, with the objective of facilitating the preparation of reports, allowing for the proper measurement of the progress made and the difficulties faced by the Member States in their implementation of the Convention on the Rights of the Child.

Following the same methodology, the Inter-American Children's Institute has developed an information technology support tool – the Supporting Software for Monitoring Right Enforcement (SMD) – intended for use by government and civil society, as well as the Committee on the Rights of the Child itself. This tool provides computerized instruments for storing and systematizing data and performing data searches, thereby improving the quality of the information on which the reports to the Committee are based.

The SMD was created as a supplement to the Guide, to improve the systematization of the information available to the countries of the region.

We are confident that the two technical instruments contained in this publication will be useful to those involved in the process of following up on the Convention on the Rights of the Child.

We would like to thank those who participated in the various activities carried out during the development of the Guide and the SMD, which have been analyzed and enriched by representatives and coalitions of NGOs, international organizations and governments – in other words, those who are involved in the preparation of reports to the Committee on the Rights of the Child.

We are especially grateful to the Members of the Committee on the Rights of the Child for South America – Norberto Liwski of Argentina, Marilia Sardenberg of Brazil, and Rosa María Ortiz of Paraguay – for the continuous support they provided during the development of these tools, designed to provide technical support for the work of the Committee.



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1

The Inter-American Children's Institute

The Inter-American Children's Institute (IIN) is a specialized organization of the Organization of American States (OAS) for issues relative to children, adolescents and the family. It is headquartered in Montevideo, Uruguay.

The IIN's mandate is both technical and political: it promotes, researches and prepares technical, political and legal tools that assist in effectively and efficiently addressing the real problems faced by children and adolescents in the Americas, and then proposes said tools to governments.

In October 1924, at the 4th Pan American Child Congress (held in Santiago, Chile), an International American Institute for the Protection of Children was formally created, with headquarters in Montevideo, Uruguay. On June 9, 1927, ten countries of the Americas signed the founding charter of the Institute. All of the countries of the Americas gradually joined.

In 1949, the Organization of American States (OAS) invited the Institute to join it as a Specialized Organization. In 1962, it was incorporated fiscally and administratively into the OAS as the Inter-American Children's Institute, while retaining its full technical autonomy.

The Inter-American Children's Institute is structured around three main programs:

a. Program for the Integral Promotion of Children's Rights (PRODER)

Based on the development of Prototypes of Targeted Child Policies, PRODER is involved in several areas of action and intervention projects on issues and needs affecting children and adolescents in circumstances of vulnerability, risk and social exclusion.

PRODER has developed a Prototype of Targeted Child Policies to address the issues mentioned in Articles 23 (Disability), 32 (Child Labor), 33 (Drug Abuse) and 34 (Sexual Exploitation) of the Convention on the Rights of the Child.

b. Inter-American Child and Family Information Program (PIINFA)

PIINFA's central objective is the production and promotion of information systems, fundamentally intended for persons and institutions working in fields relative to children and adolescents, to generate spaces of comprehensive information assisting in the management of processes of change in the living conditions of children and adolescents in the Americas.

The common feature in all of PIINFA's projects is the mission of providing first-rate, needs-based services to institutions, decision-makers, planners and others involved in child and family issues. The program has also developed flexible information-processing tools capable of generating data on the system itself, which facilitates continuous evolution, adaptation and changes. All of the projects adapt to the specific characteristics of different national realities, avoiding the rigidity of computer systems that would seek to homogenize wide-ranging, diverse realities.

c. Legal Program (PROJUR)

PROJUR's objective is to provide the OAS Member States with training, information, monitoring, research and specialized technical assistance, with the fundamental aim of strengthening national systems of protection and guarantees for children in the Americas.

PROJUR also provides governing bodies on child affairs with key information systems in the legal field and references to studies and modern doctrine; trains legal system staff in areas of importance for institutional development and respect for rights; and provides technical assistance in the still-ongoing process of legislative development for the harmonization of national legislation with the principles of international law.

2

The Experience of the Inter-American Children's Institute in the Processing of Information on Children and Adolescents

As early as 1927, the Statutes of the International American Institute for the Protection of Children (the original name of the IIN) included the following objectives:

...”a) To gather and publish laws, regulations and other documents related to child protection; official reports concerning the interpretation and execution of these legislative and regulatory provisions (...) b) To document all of the public and private organizations related to children (...), their types of work and organization.”

In 1987, the Inter-American Children's Institute made the commitment to develop the information area based on the creation of a Computerized Information Center, which would be the foundation of the Document Information project. This was later extended with the development of the projects that today make up the Inter-American Child and Family Information Program (PIINFA).

The development of the Program was based on the need to foster conditions for qualitative change in the region regarding what had historically been the method of producing information on children. The IIN recognized the importance of having timely, reliable information for the purposes of decision-making, as well as the proper analysis and diagnosis of the various realities experienced by children. And the “computer revolution” provided better and quicker-working tools for accessing, handling, processing and storing data.

The IIN also saw that the region did not have information systems tailored to the different needs of children and adolescents. As a result, the Child and Family Information Program was created in 1987,

positioning the IIN as a promoter of the development of child-related information systems.

PIINFA currently promotes the use of instruments for identifying experiences and research studies carried out in the region, to contribute to their dissemination in the various areas of child-related activity. Its main objective is to produce and promote information systems, fundamentally intended for use by persons and institutions working in fields relative to children and adolescents.

Through PIINFA, the Inter-American Children's Institute seeks to:

- Recover the region's own identity regarding children's issues;
- Democratize access to and use of information;
- Promote the horizontal transfer of experiences;
- Decentralize access to information.

PIINFA's action is based on three ideas about information processing: information is useful for solving problems, providing a basis for decision-making; information is not an end in itself but rather a tool to be used in an endeavor; and users should know that information exists, and interpret and analyze it.

PIINFA's products include:

The Inter-American Child Information Network (RIIN):

Over the last 17 years, the Inter-American Children's Institute has developed a Child and Family Information Network (RIIN) of 18 countries in South America, Central America and the Caribbean. In addition, it has created national sub-networks, comprised of: a Coordinating Center acting as a National Child and Family Information Center; Focal Subcenters (local intermediaries between the general public, professionals working with children and families, and the National Information Network); and User Centers (centers responsible for consulting and disseminating all of the information contained in the database). The network has a total of 110 information centers.

The system includes a database containing references to 81,000 documents, 2,000 projects and 12,500 institutions, as well as 7,000 full-text documents.

The Network also publishes periodical Information Journals (series and specialized issues), directories, the Yellow Pages for Children, and the Green Pages containing information on projects being run, available on the IIN's website.

The Child Information System (SIPI):

Since 1989, the IIN has been running **SIPI**, a system aimed at generating information to be used as the basis for decision-making, to improve the quality of life of children covered by public or private care systems.

SIPI's general objective is to provide child protection institutions with information that will allow them to monitor and evaluate the care received by children, and to provide information for follow-up on Children's Rights and the creation of social policies for children.

There have been four versions of SIPI since 1989, all of which are currently installed and operating in countries in Central and South America.



The IIN's Website:

The IIN has been running an institutional website since March 2000. Its objectives are:

- To publicize the resolutions and activities of the IIN's political bodies;
- To provide information about the activities carried out by the IIN's Programs;
- To publicize information on national and international laws through its Legal Database (BADAJ);
- To provide a press portal (*periódico de periódicos*) with information from the region's digital newspapers, updated weekly;
- To provide a distance-training model as part of the IIN's academic activities.

Several virtual activities have been carried out using this website:

- XII Regional Network of the Inter-American Child Information Network (RIIN), with the participation of all the Information Centers in the network;
- Virtual IIN Executive Committee meetings, with the participation of the Delegates making up the IIN's Executive Committee.

The IIN's website receives an average of 800,000 hits per month, from some 70,000 different users.

The Legal Database (BADAJ):

The IIN has developed a Legal Database to collect, analyze and update legislation relative to children and the family in the region. This information includes:

- International laws;
- Child codes;
- Family codes;
- Legislation on children in conflict with the law;

- Legislation on drug abuse prevention;
- Legislation on disability;
- Legislation on adoption; and more.

This full-text database also includes bills of law as well as laws that have been repealed. It is also related to the document database, which contains part of the doctrine generated in the region on the above-mentioned subjects.

This database is updated in coordination with the IIN's Legal Program.



The Site for the Coordination of Actions for Children and Adolescents (CA Site):

With the support of the Canadian International Development Agency (CIDA), the IIN has created a “Site for the Coordination of Actions for Children and Adolescents” in Central America, the Dominican Republic and Belize. The objective of this site is to contribute to the resolution of cases of child and adolescent rights violations involving more than one country.

This Site allows different countries to coordinate and work together to solve problems (specific cases) concerning children and adolescents which originate in a specific country and can involve other countries in the region. Some of these cases may be:

- Illicit international transfer of children by one of their parents;

- Support obligations of parents residing in a country other than that of their children;
- Intercountry adoptions;
- Disappearance of children and adolescents;
- Traffic and trade of children and adolescents;
- Commercial and non-commercial sexual exploitation of children and adolescents living outside the country;
- All types of situations in which the basic rights of children and adolescents are violated and they are in a country other than that of their parents.

Through this site, the IIN seeks to build a space that uses technological working tools to achieve greater efficiency in the exchange of information, coordination and follow-up of regional policies and situations concerning children.

Access to the site is restricted due to the nature of the subjects addressed. Through the site, members can access legal tools, news, discussion forums, and exchanges of information among countries, and can track pending cases involving children and adolescents.



The Convention on the Rights of the Child and the Committee in Geneva

3.1 A Brief Outline of the History of the Convention on the Rights of the Child

The Convention on the Rights of the Child was the first specific legal instrument on child-related issues in which children began to be treated as subjects in the eyes of the law. But what is the history of children's rights in the 20th century? What were the events that led up to the adoption of the CRC on November 20, 1989?

There is a long history of activities united towards a shared objective: the promotion and defense of the rights of all children.

It is important to recall the milestones along the road of children's rights.

One of the first events in the history of children's rights was the creation in 1919 of the Child Protection Committee by the League of Nations. From that moment, states were no longer the only sovereigns in child-related matters.

During this period, essential work was carried out by Eglantyne Jebb, the founder of the Save the Children Fund (London, 1919), who was one of the first to identify children as subjects of rights, and not objects of compassion.

In 1923, the Save the Children Fund and the Save the Children International Union had the idea of creating the Declaration of the Rights of the Child, also known as the "Declaration of Geneva." This declaration was made up of five principles seeking to ensure that all children could enjoy the essential conditions for their full development as persons. On September 26, 1924, the League of Nations adopted this declaration with no modifications to the original text. There, for the first time, children were conceptualized as a group for whom special protection measures were necessary, to guarantee their proper material and spiritual development.

The adoption of this declaration must be placed in its context: a climate of increased sensitivity to human rights in the wake of the destruction caused by World War I and concern for the situation of children left orphaned by the conflict.

Following in this area of work for children, the Inter-American Children's Institute was founded in 1927 by Prof. Dr. Luis Morquio, who would also be its first Director. Ten countries of the Americas signed the IIN's founding charter: Argentina, Bolivia, Brazil, Chile, Cuba, Ecuador, Peru, the USA, Uruguay and Venezuela.

Another seminal event was proclamation by the UN General Assembly of the Universal Declaration of Human Rights on December 10, 1948. This declaration implicitly included the rights and freedoms of children: "Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection" (Article 25.2).

Almost eleven years after the proclamation of the Universal Declaration of Human Rights, the UN General Assembly unanimously adopted the Declaration of the Rights of the Child on November 20, 1959. This declaration was comprised of 10 major principles, and its preamble urged national governments to recognize these rights and take legislative measures to ensure them.

Although the Declaration was not legally binding, it did act as an incentive and example that gave way to numerous subsequent declarations and treaties.

The UN General Assembly declared 1979 the "International Year of the Child." During this period, the UN Commission on Human Rights began to consider the Polish government's proposal of creating a Convention on the Rights of the Child which would be based on the text of the 1959 Declaration. A working group was formed to begin drafting this Convention.

Although the core of the drafting committee was made up of government delegates, participants in the deliberations also included representatives of specialized UN agencies and bodies, and various non-governmental organizations. The original draft submitted by the Polish government was amended and supplemented during these proceedings. After ten years of rigorous study and periodical negotiations, the definitive text emerged. The prolonged drafting process was partly due to the social and legal differences between the countries.

The important work carried out during this period by Adam Lopatka, the Polish government's representative to the Commission on Human Rights, should be noted. Between 1979 and 1989, he chaired the drafting committee preparing the Convention on the Rights of the Child. Thanks to his tireless work, he is remembered by many as the "father of the Convention."

The text of the Convention emphasized three major ideas¹:

- It took human rights that were already recognized in general by other treaties, and applied them to children.
- It adapted certain fundamental human rights to take into account the specific needs and vulnerability of children.
- It established regulations in areas solely and specifically pertaining to children.

The Convention on the Rights of the Child was a landmark achievement in the history of humanity, as it opened the doors to a new law, a new reformulation of the social pact in which children and adolescents are viewed as active subjects. "It transforms needs into rights, placing at the forefront the issue of the legal as well as the political-social enforceability of rights."² It takes into account the different cultural, social, economic and political realities of each state, so that each country may choose its own means of applying the rights that are common to all.

The text of the Convention enshrines four general principles, which figure particularly in Articles 2, 3, 6 and 12:

- Non-discrimination (Article 2);
- Best interests of the child (Article 3);
- Right to life, survival and development (Article 6);
- The child's views (Article 12).

1 Cantwell, N: "¿Contentos con el contenido? Un examen del contenido y de los objetivos de la futura Convención." *Revista La Infancia en el Mundo* No. 3, 1989, p. 18.

2 García Méndez, E: "La Convención Internacional sobre los Derechos del Niño y las políticas públicas", *Derecho de la Infancia – Adolescencia en América Latina*, p. 272.

Its unanimous adoption by the UN General Assembly paved the way for the next step: ratification by the countries and the establishment of a monitoring committee.

By late 1990, the Convention on the Rights of the Child had been ratified by 57 countries, which became States Parties to the Convention.

3.2 The Committee on the Rights of the Child in Geneva³

The Committee on the Rights of the Child is the body that monitors the manner in which States Parties to the Convention on the Rights of the Child comply with the obligations derived therefrom. Since 2003, the Committee has been comprised of 18 experts from UN member countries who are elected but who act independently.

Of these 18 members, four correspond to the region of Latin America and the Caribbean.

When a country ratifies the Convention, it accepts the legal obligation of enforcing the rights recognized by the treaty. But signature is only the first step, since the recognition of rights on paper is not enough to guarantee that they will be enjoyed in practice. Consequently, the country assumes the supplementary obligation of submitting periodic reports to the Committee on how the exercise of these rights is being facilitated. This rights monitoring system is common to all UN human rights treaties.

In order to comply with their reporting obligation, States Parties must submit their first report two years after they have ratified the Convention, and then once every five years after that. In addition to the governmental report, the Committee receives information on the human rights situation in the countries from other sources, such as non-governmental organizations, UN bodies, other intergovernmental organizations, academic institutions, and the press. Taking into consideration all of the information available, the Committee examines the report along with the official representatives of the State Party. Based on this dialogue, the Committee states its concerns and recommendations, known as concluding observations, which are made public.

Delays by countries in submitting their reports, budgetary concerns, the membership and the dynamic of the Committee in

3 Part of this information comes from the website of the Committee on the Rights of the Child in Geneva (<http://www.ohchr.org/english/bodies/crc/index.htm>)

addressing the reports all lead to a gap between the submission of information, the Committee's issuance of its observations and recommendations, and the prevailing reality of the country.

By June 4, 2004, the Committee on the Rights of the Child had received a total of 270 reports: 181 initial reports, 79 second periodic reports, and 10 third periodic reports. Of these, 215 have already been considered by the Committee (172 initial reports and 43 second periodic reports). There is an extensive delay in the Committee's analysis of reports: there are 54 country reports on the waiting list (8 initial reports, 36 second periodic reports and 10 third periodic reports).

The Committee has received approximately 220 non-governmental reports.⁴ In general, it receives more than one alternative report per country, from various NGOs or coalitions of NGOs.

The Committee also makes public its interpretation of the contents of the provisions of the Convention, known as general comments. The Committee also makes general recommendations on thematic issues or on working methods. It holds public discussions or general debates on certain issues, such as violence against children.

4 Source: CRIN website (www.crin.org).

The Systematization of Information on Children's Rights: Why is it Necessary?

4.1 Advantages and Difficulties of the Systematization of Information

Information is a key element for guaranteeing the full effectiveness of the rights of all children and adolescents. However, even though major changes have been observed in the area of communications (influence of the mass media, increase in cable television, the Internet, etc.), the production and use of information are still not specifically acknowledged as key factors in the process of informing, or perhaps their dimension is not properly recognized.

The Convention on the Rights of the Child, adopted in 1989, recognizes the importance of the production and processing of information in the promotion of social, spiritual and moral well-being of children, as well as their physical and mental health. Its text clearly states the need to use information as a basic, fundamental tool for solving the various problems faced by children.

Simply mentioning some of the problems affecting the children of our region – disappearance of children and adolescents, abduction of children and adolescents by one of their parents, trafficking and trade of children and adolescents – makes us realize just to what extent access to information is the key to responding and providing solutions to such serious issues.

This is why the Inter-American Children's Institute seeks to encourage the building of reliable data systems that generate updated information and cover the various areas of the Convention on the Rights of the Child, constituting key tools for the development of the countries in the region.

Through these systems, we seek to open spaces within the countries themselves and within the region as a whole to continuously

monitor and oversee progress as regards respect for the rights enshrined by the Convention. This allows us to more closely follow the changes that take place in our countries, which generate an almost immediate impact on the situation of children.

With more solid, professionalized governmental structures, with more consolidated civil society organizations, and with more reliable qualitative and quantitative data, we will be able to prepare reports that constitute more faithful representations of the situation in the region and consequently provide the Committee with a more complete and in-depth look at the situation of children's rights.

Since information is the basis for the planning of policies, the measurement of their impact and the evaluation of their results, it must be quickly incorporated into the various child systems in order to allow for timely and appropriate responses to the needs of children and adolescents.

4.2 Building a Diagnosis

In early 2002, the Inter-American Children's Institute carried out a diagnosis and evaluation of the governmental and alternative reports submitted to the Committee by four Latin American countries. We analyzed their characteristics in depth, evaluating and comparing the information presented and determining to what extent they complied with the objectives of the Committee.

At this preliminary stage, we found that most States Parties in the region had submitted at least one governmental report as well as an alternative report by civil society, which showed their willingness to comply with Article 44 of the Convention on the Rights of the Child. The reports themselves, as well as interaction with the Committee, led to local actions with political, technical and communicational impacts.

In our analysis, we also found certain weaknesses in the preparation and follow-up of the reports:

- *Lack of follow-up on Comments and Recommendations by the Committee on the Rights of the Child on the reports submitted by the States Parties.*

- *Lack of systematization of the information contained in the reports, which would allow for a comparative analysis between reports and an analysis of the reports over time.*
- *Considerable variation in the length of the reports.*
- *Excessive emphasis on legal aspects.*
- *Lack of consistency in data, due to the fact that they came from different sources, they referred to different spheres, they were measured using different methods, they were not de-aggregated with the same criteria, etc.*
- *Lack of a set of indicators that would faithfully reflect the current situation of children in the countries.*
- *Total absence of certain issues (chiefly those issues relative to child protection).*
- *Lack of unification of the criteria used by the countries for defining indicators to measure the progress made and difficulties encountered in complying with the Convention on the Rights of the Child.*

In this preliminary diagnosis, we concluded that the countries in general did not have an integrated information system that would allow them to monitor the situation of children at the local level. The information received by the institutions was diffuse and varied, and at times did not come from reliable sources.

Thus it became clear that there was a real need to build a tool for facilitating and supporting the work of those who produce and read these reports: a tool for facilitating the preparation of reports to the Committee, allowing for the proper measurement of the progress made and difficulties encountered by the States Parties in their implementation of the Convention.

Building a Methodology for the Systematization of Information on the Application of the Convention

5.1 Background

Save the Children Sweden's Regional Office for Latin America and the Caribbean and the IIN (a specialized organization of the OAS) developed a joint regional project entitled "Towards the Systematization of Reports to the Committee on the Rights of the Child."

This project was the result of a Cooperation Agreement signed in April 2002 by the two institutions, intended to "exchange and cooperate in development of policies and actions in defense and promotion of the rights of children" and "develop instruments of data collection and analysis that would allow governments and civil society organizations to improve their reports, as per article 44 of the Convention on the Rights of the Child."

The framework for this project is found in the resolutions adopted by the Directing Council of the IIN in 2002 and 2003:

"To request the IIN to coordinate reporting of children's issues with other relevant international and regional actors in order to promote effective and efficient reporting."

(CD/RES. 17 (77-R/02) 77th Meeting of the Directing Council of the Inter-American Children's Institute. May 13-15, 2002. Washington, D.C., USA)

"2. To entrust the Office of the Director General of this OAS specialized organization to make available – as a supplement to its support to member states on the systematization of national reports – its valuable technical advice to the members from the Americas as a contribution to their best performance.

3. To also request the Office of the Director General to forward, through the corresponding channels, the text of this Resolution to the OAS General Assembly and to the General Secretariat, as well as to the United Nations and, in particular, to the Committee on the Rights of the Child.”

(CD/RES. 15 (78-R/03) 78th Meeting of the Directing Council of the Inter-American Children’s Institute. June 4-6, 2003. Santiago, Chile)

This project was aimed at ***designing, promoting and supporting the implementation of a methodology to systematize information on progress made in the implementation of the Convention on the Rights of the Child, for the preparation of reports to the Committee on the Rights of the Child.***

From 2002 to 2004, we carried out a series of activities to consolidate the work proposal, analyzed and enriched by the regional actors involved in the preparation of reports to the Committee (coalitions of NGOs and governmental representatives), as well as the NGOs and international organizations involved.

Activities carried out as part of this project included:

- Three regional workshops with the participation of representatives of civil society and governments from more than 20 countries of South America, Central America, the Caribbean and Mexico, involved in the process of follow-up on the Convention and/or responsible for the preparation of reports to the submitted to the Committee. (September 2002 and December 2003, Lima, Peru; July 2004, Santo Domingo, Dominican Republic.)
- Presentation of the methodology and the SMD information system (Supporting Software for Monitoring Right Enforcement) to the Members of the UN Committee on the Rights of the Child, Americas Region: Dr. Marilia Sardenberg (Brazil), Dr. Rosa María Ortiz (Paraguay), and Dr. Norberto Liwski (Argentina). (September 2003, IIN Headquarters, Montevideo, Uruguay.)
- Presentation of the methodology and the SMD information system to the Members of the UN Committee on the Rights of the Child in Geneva. (May 2004, Geneva, Switzerland.)

5.2 Actors Involved

Key actors in the field of children's rights were involved in the preparation of the Guide and the SMD, to ensure validation of the tool on a regional scale. These actors included:

- Representatives of civil society through NGOs and coalitions of NGOs from more than 20 countries in the region;
- Representatives of governments from more than 20 countries in the region;
- Members of the Committee on the Rights of the Child in Geneva;
- International organizations (OAS, IDB, UNICEF).

Ensuring the regional validation of the tool, this laid the foundations for a space of dialogue and cooperative building, through which to promote respect for the rights of children and adolescents.

5.3 Description of the Methodology

The development of an information system for the monitoring of child and adolescent rights must stem from a theoretical proposal based on the general lines and principles of the Convention on the Rights of the Child. We have followed this principle in creating tools ***that systematize information on progress made and difficulties encountered in the country in implementing the Convention.***

The system for the monitoring of rights is made up of two mutually complementary products:

- a. The Regional Guide for Latin America and the Caribbean for the Presentation of Reports to the Committee on the Rights of the Child (*see Chapter 6 of the present document, as well as Appendix 1*);
- b. Computerized Tool – Supporting Software for Monitoring Right Enforcement (SMD) (*see Chapter 7 of the present document*).

The fundamental aims of the system are:

1. To create appropriate structures for obtaining information, permitting:

- The proper monitoring and management of all information relative to children's rights violations and the progress made in terms of the Convention;
- The collection of basic necessary information for a truthful analysis of the implementation of the Convention in each of the States Parties, within the framework of the preparation of reports.

The structure of the system for the monitoring of rights includes a set of indicators with definitions and scope notes, which can be collected, to familiarize us with the situation of each right enshrined by the Convention on the Rights of the Child and the response to its implementation.

2. To act as a *Guide for the preparation of reports* (by government and civil society) to the Committee on the Rights of the Child.

The structure of the system for the monitoring of rights provides a roadmap for the preparation and drafting of the reports. It covers the various steps of the planning process, with an introduction, the formation of the working team and the identification of the actors involved, the search for information as well as its collection and analysis, and the drafting of the report itself.

6

Presentation of the Regional Guide for Latin America and the Caribbean for the Preparation of Reports to the Committee on the Rights of the Child

6.1 Introduction to the Guide

From 2002 to 2004, in order to consolidate the proposal, we carried out a series of activities to analyze and enrich the tool through the participation of key actors in the region. It is in this context, and taking into account the many contributions, that we present the Guide, to assist government and civil society in the preparation of reports. With this Guide, we seek to guarantee an appropriate and truthful collection of data, in a process that can be carried out in a simple manner, facilitating qualitative analysis without losing the richness and specificity of each individual country when analyzing the implementation and progress in terms of the Convention on the Rights of the Child.

General Objective

To facilitate the preparation of reports to the Committee, permitting the proper measurement of the progress made and difficulties encountered by the States Parties in their implementation of the Convention on the Rights of the Child.

Features of the Guide

The Guide provides a roadmap for the preparation and drafting of reports to the Committee. It includes a minimum set of indicators that are viable and can be collected, and which act as a basis for measuring progress and violations of children's rights within the framework of Article 44 of the CRC, thus supplementing existing guidelines.

We seek to make this Guide the basic tool used by governments and civil society in the preparation of both reports separately, although based on data from common sources. Each of the parties involved may include in the Guide the specific indicators and research that they consider important for describing and evaluating the real situation of children in the country.

The Guide includes suggestions for joint work between civil society and government (collection of information, discussion and primary analysis of certain issues, etc.) as well as spaces for separate work (interpretation of the information and drafting of the reports).

The format and dynamic structure of the Guide allow users to include new indicators and expand on information according to the reality of the country. The Guide is made up of two major sections:

1. Guide for the Preparation of Reports:

This is the main document that presents the steps in the planning process, with an introduction, the formation of the working team and the identification of actors involved, the search for information as well as its collection and analysis, and the drafting of the report itself.

2. Information-Gathering Forms:

In our diagnosis, where we analyzed and evaluated various reports submitted to the Committee, we observed that the reports did not cover all of the rights enshrined in the Convention on the Rights of the Child. There was a total absence of certain issues (fundamentally those relative to child protection). As a way of solving this problem, the methodology suggests approaching the information from the standpoint of **RIGHTS**.

The choice of this work methodology stems from the need for **RIGHTS** to be the first text that the actors preparing the report come into contact with, and at the same time, in order to be sure that all progress and possible violations of each right are considered.

Having read the Articles of the Convention, respecting its framework and striving to ensure that none of its elements were omitted, we created a **List of Rights** contained on each of the forms comprising the Guide.

These forms are the documents that will be used to collect the basic information necessary for the preparation of the reports. They contain simple diagrams that facilitate and organize the process of information collection and analysis. Once all the forms have been filled out, the actors will have all of the basic information necessary for carrying out an analysis and preparing the final report.

These information-gathering forms are very useful, as they can be updated to ensure that they always provide current information about the situation of children's rights, as well as progress made and breaches in the implementation of the Convention.

The full version of the Regional Guide for Latin America and the Caribbean for the Preparation of Reports to the Committee on the Rights of the Child can be found in the APPENDIX to the present document.

6.2 The General Framework

The first chapter of the Guide, "The General Framework," is divided into three major sub-themes:

1. Basic General Information

The Guide indicates the basic information (documents) that must be available in order to begin the preparation of a report reflecting the situation of children and the progress made in the implementation of the Convention on the Rights of the Child in the country. These documents provide the general guidelines and framework for the reports to be submitted to the Committee.

2. Review of Previous Reports Submitted to the Committee on the Rights of the Child

The Guide recommends collecting previously-submitted reports (both governmental and alternative reports) and making contact with the persons who were involved in the preparation of these reports, to exchange ideas and views on the process and work stages.

3. Analysis of the Comments and Recommendations of the Committee on the Rights of the Child on the Latest Report Submitted by the Country

As a point of departure, the Guide suggests analyzing the comments and recommendations made by the Committee on the Rights of the Child on the latest report submitted by the country. To this end it provides a guideline with questions to be asked in the analysis.

It is important for the Committee's comments and recommendations on the latest report to be used as a basis and to be incorporated into the entire process of preparation of the current report.

6.3 Forming the Working Team and Identifying the Actors Involved

The second chapter of the Guide describes the establishment of the definitive coordination team and provides the guidelines for choosing the actors to be involved in the process of finding and collecting information.

In order to begin the process of collecting and analyzing data for the preparation of the report, the persons involved must be chosen and their responsibilities defined. According to the Guide, the working team is a group of persons with a background in the field of children's rights, belonging to governmental organizations, civil society and academia, who are responsible for participating in the process of follow-up on the Convention on the Rights of the Child and the preparation of the reports to the Committee, as well as children and adolescents themselves.

In order for the work stages to be followed properly, the Guide suggests the designation of a Coordinator to manage and monitor the entire process and act as a source of support and liaison between the different actors involved.

At every stage of this process, and from a wide-ranging, integration-oriented perspective, the Guide advises that this group of experts, institutions, and children and adolescents should be coordinated in order to ensure the successful implementation of the tool. It suggests including children and adolescents in the working team and ensuring that their participation cuts across the entire process: finding and analyzing information, preparing and drafting the report, submitting the report, and subsequent stages of overseeing

and following up on the concluding observations made by the Committee.

A series of relevant characteristics should be prioritized when choosing the persons to be on the coordination team:

Governmental and/or NGO representatives should be:

- a. Professionals in the social field associated with child-related issues, human rights, protection mechanisms, public policy, political science or international relations;
- b. Very familiar with the Convention on the Rights of the Child, with a recognized background in addressing issues related to children's rights;
- c. Able to systematize and collect information;
- d. Able to carry out research;
- e. Able to perform management tasks and interact with government, civil society, academia, etc.;
- f. Experienced and familiar with team work.

For finding and collecting information on the situation of children's rights and the progress made in the implementation of the CRC, the Guide suggests considering the involvement of many actors. This may include governmental, civil society, academic, community, international and child/adolescent-run organizations and institutions.

To ensure wide-ranging participation, a set of public and private organizations and institutions working at the national level could be convened.

Actors participating in this work could be persons involved in:

- | | |
|----------------------|-----------------------|
| - Social Protection | - National Statistics |
| - Health | - Citizen Security |
| - Labor | - Social Security |
| - Education | - Food |
| - Recreation | - Social Development |
| - Environment | - Culture |
| - Sports | - Law/Justice |
| - Children and Youth | - International Law |
| - Family | - Communications |
| - Women | - Foreign Affairs |

6.4 Finding, Collecting and Analyzing the Information (Data and Sources)

This chapter of the Guide describes the steps to follow for collecting and analyzing information. These include:

a. Comprehensive Children's Rights Framework in the Country:

This consists of finding and analyzing information on the general situation of children's rights in the country, and the steps taken by the State Party to enforce the rights recognized by the CRC in a comprehensive manner, considering the general principles.

In order to obtain a comprehensive, overall view, the Guide suggests approaching the information in a way that takes the following into account: children as subjects of rights; the general principles of the CRC (participation, best interests of the child, non-discrimination, survival and development); and the Convention as a whole.

These central points must be analyzed, establishing the following for each one:

- *The national legal framework, including international treaties ratified;*
- *The bodies responsible for guaranteeing them;*
- *Related public policies, programs and plans;*
- *National coverage;*
- *Allotted resources and infrastructure.*

b. Approaching and Adapting the Tool to the Reality of the Country:

The Guide suggests a detailed reading of this section in order to begin planning and to adapt the tool for its specific use. During the review, the aspects that are priorities for adapting the tool to the specific reality of the country must be selected.

This section includes:

GENERAL APPLICATION MEASURES:

- Contextual Framework of the Country

This consists of finding data on the contextual framework, including a general description of the country, and national and general information on issues directly or indirectly related to children. Here, Articles 1 and 4 of the CRC (definition of the child, adjustment of national legislation to the CRC, general budget allotted to children's issues, etc.) are considered.

- Dissemination and Training Activities

This consists of finding data on the activities for dissemination and training on the Convention, as regards:

- Dissemination through executing bodies;
- Training and instruction.

INFORMATION ON EACH RIGHT:

For the collection of information and the detailed analysis of compliance with each of the rights enshrined in the Convention on the Rights of the Child, the Guide includes a list of rights in line with the spirit of the Convention, including all of its articles, and in accordance with the general comments made by the Committee.

The information to be collected is divided according to the ***general framework of each right, the data explaining its situation, and the indicators that provide a clear picture of the situation.***

The form for indicators on each right may be found in the attached Guide (Appendix 1). The structure of the form includes a set of indicators that can be collected, with definitions and scope notes, showing the situation of each right enshrined in the Convention.

In order to fully encompass the diversity and extensiveness of the realities in the region, an infinite number of indicators would be necessary; this would make the instrument's application unviable and ineffective. Thus it was necessary to specify a minimum set of indicators that are viable and can be collected, and which represent as much as possible the variety of situations and realities facing children in the region. The tool also allows each country to add indicators deemed relevant to its specific reality.

For each of the indicators included on the information-gathering forms, the Guide suggests that, whenever possible, ***the information should cut across several different themes*** such as: geographic area, gender and ethnic minorities. This allows for a more complete view of the reality of the indicator in the country.

c. Identifying the Sources

Once the information has been adapted to the local reality, the sources should be identified, indicator by indicator.

The identification of sources of information necessary for collecting the data on each right is part of the work that should be done by the team during the first stage. The Guide includes guidelines for the identification of information sources.

d. Requesting and Following Up on Information from Identified Sources

Once the source-identification stage is complete, the Guide suggests proceeding to fill out the “information request” form that will be used for following up on the data collected.

e. Receiving and Entering the Information

In order to obtain high standards of quality, the Guide suggests performing a preliminary check on the information, to ensure that the request form has been correctly filled out and the piece of information corresponds to the required indicator, as well as to analyze any inconsistencies in the information.

At the end of this stage, all of the data will be on the form – in other words, all of the information collected on the national reality will be integrated into an overall systematized logic, within a common framework.

6.5 Expanding and Analyzing the Information

This chapter of the Guide proposes an analysis of the data to identify issues that require more extensive information, either because a piece of data was not obtained, or because a more in-depth analysis is required for the report.

It recommends that workshops, discussion meetings and/or consultations be held, involving a wide range of actors in the process. This is intended to delve deeper into the issues of interest, due to the magnitude of the problem, the lack of minimum necessary information, the fact that there are only quantitative data available which do not reflect the totality of the situation, etc.

The chapter also includes guidelines for the qualitative analysis of the information, in order to be able to analyze and evaluate the data collected.

6.6 Preparing, Submitting and Disseminating the Report and the Comments Made by the Committee on the Rights of the Child

The Guide also includes a chapter describing the steps to be taken to prepare the report, integrating all of the information that has been collected and analyzed in the previous stages.

There is a GUIDELINE to follow for the preparation of the report, in accordance with the logic of analysis presented in the Guide. It describes each of the chapters of the report, based on the General Guidelines Regarding the Form and Content of Reports approved by the Committee on the Rights of the Child at its 22nd meeting (first session) on October 15, 1991.

Guideline for the preparation of the REPORT in accordance with the logic of analysis found in the GUIDE:

1. Introduction

- a. Current general situation of the country.
- b. Background and follow-up of reports to the Committee.
- c. Comprehensive analysis of the implementation of the CRC at the national level.

2. General Application Measures

- a. Contextual framework, articles 1, 4.
- b. Dissemination of and training on the CRC, articles 42, 44.

3. General Principles

- a. Right to life, article 6.
- b. Right to equality, article 2.
- c. Right to participation, freedom of expression and information, articles 12, 13, 15, 17.

4. Civil Rights and Freedoms

- a. Right to an identity, articles 7, 8.
- b. Right to freedom of thought, conscience, religion and to practice their own culture and use their own language, articles 14, 30.
- c. Right of children and adolescents to protection of privacy, articles 16, 40.
- d. Right of children and adolescents to protection against torture and cruel treatment or punishment, articles 37, 39.

5. Family or Guardianship Environment

- a. Right to a family, articles 5, 8, 10, 18.
- b. Right of comprehensive protection for children and adolescents deprived of their parents, articles 3, 9, 20, 21, 39.
- c. Right of children and adolescents to comprehensive protection against illicit transfer and non-return, article 11.

6. Basic Health and Welfare

- a. Right to health, articles 24, 25, 26, 27.
- b. Right of children and adolescents with disabilities to receive special care, articles 23, 26.
- c. Right of children and adolescents to live in a healthy environment, articles 24, 27, 29.

7. Education, Leisure and Cultural Activities

- a. Right to education, articles 28, 29.
- b. Right to play and recreation, article 31.

8. Special Protection Measures

- a. Right of refugee or displaced children and adolescents to receive comprehensive protection, article 22.
- b. Right to comprehensive protection against economic exploitation and against dangerous labor, articles 32, 39.
- c. Right to comprehensive protection against drug use and drug-related exploitation, articles 33, 39.
- d. Right to comprehensive protection against the sale and traffic of children and adolescents, article 35.
- e. Right to comprehensive protection against sexual abuse and commercial sexual exploitation, articles 34, 39.
- f. Right to comprehensive protection against maltreatment, abuse and all forms of exploitation, articles 19, 36, 39.
- g. Right to comprehensive protection against the participation of children and adolescents in armed conflicts, articles 38, 39.
- h. Right to comprehensive protection in situations of deprivation of liberty, articles 3, 37, 40.

The Guide also includes guidelines for presenting and disseminating the report and the Comments made by the Committee on the Rights of the Child.

The Supporting Software for Monitoring Right Enforcement (SMD)

For the application of the Guide, and to provide continuous monitoring of the rights of children and adolescents, **the IIN has developed a computerized support tool: the Supporting Software for Monitoring Right Enforcement (SMD)**. Intended for actors in government and civil society as well as the Committee on the Rights of the Child itself, it provides the necessary computerized tools for finding, storing and systematizing data, and improving the quality of the information used to prepare the reports. It acts as a desktop, allowing users to have, in a compacted format on their computers, all of the information they require for performing a full analysis of the situation of children and adolescents in a specific country.

This tool was created as a supplement to the Guide, seeking to improve the processes of systemization of the information available to the countries of the region.

Below are some of the advantages of the Supporting Software for Monitoring Right Enforcement (SMD):

- It facilitates and permits continuous monitoring of the situation of children's rights in the countries of the region.

The SMD increases knowledge about the progress of CRC implementation, as it permits the use and continuous monitoring of information, thus fostering the search for solutions and responses to the various issues.

- It makes information management transparent, as it allows various actors (government, civil society, the Committee itself, among others) to access the SMD database.

The methodology suggests that the country’s governing body on child affairs should be the actor in charge of managing and monitoring the data contained in the SMD. This body will be responsible for guaranteeing that the data are updated and made accessible to all of the actors involved in child affairs. National public and private institutions will have a copy of the SMD on which to base their work, thus increasing the mechanisms for control of information and enforcement of rights.

The governing body on child affairs will be responsible for the periodical updating of the database using the information provided by the actors involved in the process.

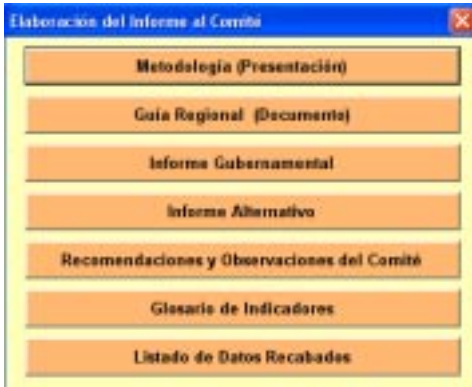
- It facilitates the monitoring of the comments and recommendations made by the Committee on the Rights of the Child on the country reports.

It is fundamental to ensure that the Committee’s comments and recommendations on the reports are not “left in an office drawer”; they must always be present when evaluating and monitoring progress or regression in the implementation of the Convention. This is why the SMD allows users to access these documents whenever necessary, guaranteeing their proper follow-up and application.

- It can be used to analyze the evolution of indicators through the comparison of data over time.

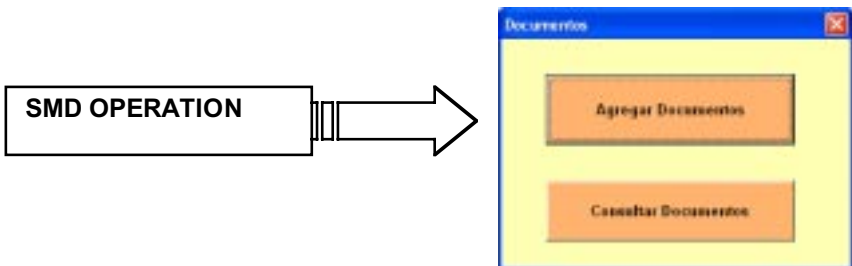


1. Preparation of the Report to the Committee on the Rights of the Child



This is one of the buttons on the menu providing access to the basic documentation for following up on the CRC in a specific country. This includes:

- Introduction to the methodology, highlighting the most important aspects and suggesting a working process to be followed.
- A copy of the Regional Guide for Latin America and the Caribbean for the Preparation of Reports to the Committee on the Rights of the Child, for consultation by users.
- The SMD allows users to “CONSULT” governmental and alternative reports issued by the country or the Committee’s comments and recommendations on the reports. Users can also ENTER new documents into the system.



- In order to establish a common language that will permit comparison of the data, the SMD includes a *Glossary for each*

of the indicators on the forms. This Glossary should be kept in mind when incorporating new indicators into the SMD system, as they must be properly defined.

- A list containing all of the data gathered for the preparation of the country report. With this function, users can generate a Word document that contains all of the information according to the indicators on the forms. This provides a printed, compact version of the information contained in the SMD, which will be very useful when preparing the country report.

2. Supplementary Information for the Preparation of the Report to the Committee



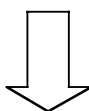
In addition to the Basic General Information that every country must have in order to prepare the report, the following supplementary information is also included:

- The Convention on the Rights of the Child.
- The characteristics of the reports to be submitted to the Committee on the Rights of the Child: Basic Document that is part of the Reports of the States Parties.
- The document prepared by the Committee on the Rights of the Child in Geneva: General Guidelines Regarding the Form and Content of Reports Submitted by States Parties.
- The Guide for NGOs presenting reports to the Committee on the Rights of the Child.
- Information on the Committee on the Rights of the Child: general introduction to the Committee, its functions and membership, general framework of the Report, NGO group(s) supporting the Committee in Geneva, and more.

3. Information Entry and Consultation



This section includes the list of rights with their respective indicators organized on an Excel spreadsheet in order to facilitate the collection, entry and analysis of information.



SMD SOPORTE PARA EL MONITOREO DE DERECHOS 

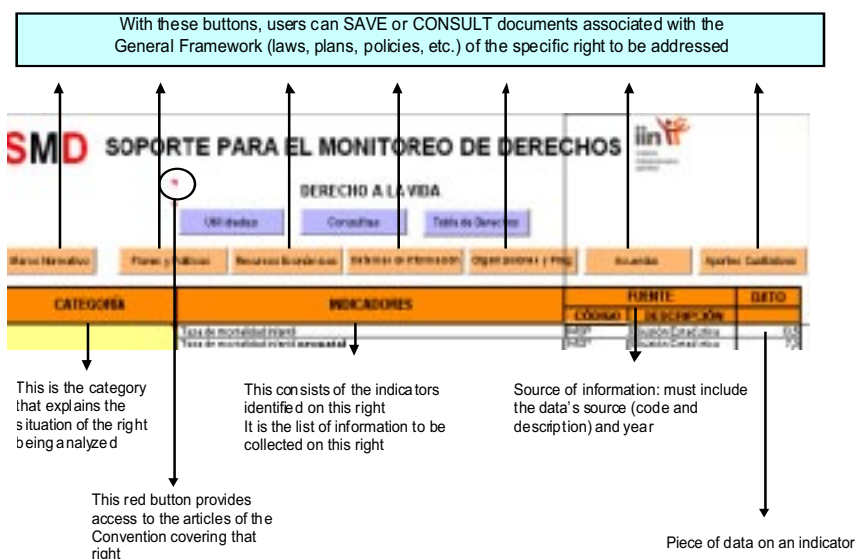
TABLA DE DERECHOS
Derecho a la Vida
Derecho a la Igualdad
Derecho a la participación, libertad de expresión e información
Derecho a la Identidad
Derecho a la libertad de pensamiento, conciencia, religión y de profesar su propia cultura y lengua
Derecho de los niños/as y adolescentes a la protección de su vida privada
Derecho a la Familia
Derecho a la protección integral de los niños/as y adolescentes en caso de estar privados de sus padres
Derecho a la protección integral contra el trabajo ilícito e ingresos ilícitos de niños/as y adolescentes
Derecho a la Salud
Derecho de los niños/as y adolescentes a vivir en un medio ambiente saludable
Derecho de los niños/as y adolescentes de recibir atención especial por discapacidad
Derecho a la Educación
Derecho al Juego y la recreación
Derecho a la protección integral en caso de ser refugiados o desplazados
Derecho a la protección integral contra la explotación económica y contra el desempeño de cualquier trabajo que pueda ser peligroso
Derecho a la protección integral contra el uso y explotación relacionada con estupefacientes
Derecho a la protección integral contra la venta y tráfico de niños/as y adolescentes
Derecho a la protección integral contra el abuso y la explotación sexual
Derecho a la protección integral contra el maltrato, abuso y todas las formas de explotación
Derecho de los niños/as y adolescentes a la protección contra los malos tratos y malos tratos
Derecho a la protección integral contra la participación de niños/as y adolescentes en conflictos armados
Derecho a la protección integral ante situaciones de privación de libertad

For the gathering of information and the detailed analysis of the enforcement of each of the rights enshrined in the Convention on the Rights of the Child, the tool includes a list of rights, in the spirit of the Convention, covering all of the articles and complying with the General Guidelines of the Committee on the Rights of the Child.

Using this list, users can either select a single right to work on, or monitor enforcement of all of the rights.

Below is an example of the basic format of the screens corresponding to each of the rights covered by the SMD:

Screen for each of the rights



In this section, users can also access national and overall general information on issues linked directly or indirectly to children: “General Country Information.”

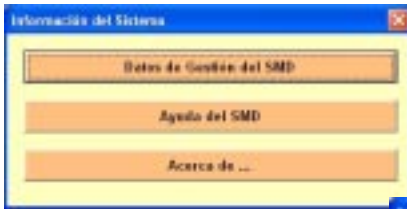
The identification of the sources of information for each indicator is one of the fundamental stages of the work of the Coordination team in charge of gathering the information. In the first stage of work with the SMD, users should identify the source for each indicator on the forms.

Once this is complete, users can proceed to the automatic generation of the information-gathering forms through the **“Sources of Information and Generation of Forms”** button. Here, users can:

- Access a database with the personal details (name, telephone number, organization, email address) of those responsible for providing the information on each right, so that they may make direct contact with the SOURCE if they need to ask questions or follow up on a piece of data.

- Automatic generation of the information-gathering forms for each source of information entered.
- These will then be distributed among the governmental and civil society bodies, to ensure collection of all the information on each right.

4. System Information



The “SMD Management Information” button allows users to access information on the system’s statistics.

This submenu allows users to organize and monitor the level of completion of their work. It provides control over the information that has not yet been entered into the system (percentage of empty fields). It also shows the percentage of indicators whose sources have not yet been identified.



Finally, users can find out percentages on rights using the indicator information that has already been entered.

Here, users can also access the SMD’s “Help” function, which is a document explaining the different system functions.

8 Bibliography

List of References: Publications

a. International Laws Relative to Children's Rights

Inter-American Human Rights Protection System:

- Inter-American Convention on Support Obligations.
- Inter-American Convention on the Elimination of All Forms of Discrimination Against Persons With Disabilities.
- Inter-American Convention on Conflict of Laws Concerning the Adoption of Minors.
- Inter-American Convention on the International Return of Children.
- Inter-American Convention on International Traffic in Minors.

United Nations System:

- Universal Declaration of Human Rights. Proclaimed by the General Assembly through Resolution 217 A (III) of December 10, 1948.
- Declaration of the Rights of the Child. Proclaimed by the General Assembly through Resolution 1386 (XIV) of November 20, 1959.
- Convention on the Rights of the Child. Adopted by the General Assembly through Resolution 44/25 of November 20, 1989.
- Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules).

- United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines).
- United Nations Rules for the Protection of Juveniles Deprived of Their Liberty (1990).
- Declaration on Social and Legal Principles Relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally (1986).
- Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. Adopted by the General Assembly through Resolution 54/263 of May 25, 2000.
- Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict. Adopted by the General Assembly through Resolution 54/263 of May 25, 2000.
- Hague Convention on Protection of Children and Co-operation in Respect of Inter-country Adoption. The Hague Conference on Private International Law. The Hague, May 29, 1993.
- Minimum Age Convention (Convention 138). Adopted by the General Conference of the ILO on June 26, 1973.
- Worst Forms of Child Labour Convention (Convention 182). Adopted by the General Conference of the ILO on June 17, 1999.
- International Conference on Population and Development, Cairo, 1994.
- Third Ibero-American Conference of Ministers and Senior Officials Responsible for Children and Youth Affairs. Plan of Action of the Ibero-American Agenda. Lima, October 29 and 30, 2001.
- World Education Forum. Dakar, Senegal, April 26-28, 2000.
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- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Optional Protocol to the Convention

on the Elimination of All Forms of Discrimination Against Women. Entry into force: December 1999.

b. Other References

- *De Menor a Ciudadano. Implementación de la Convención Internacional de los Derechos del Niño en América Latina y el Caribe. Resumen de los Informes Gubernamentales, No-gubernamentales y observaciones del Comité de los Derechos del Niño.* (From Minor to Citizen: Implementing the Convention on the Rights of the Child in Latin America and the Caribbean. Summary of Governmental and Non-Governmental Reports and Observations of the Committee on the Rights of the Child.) UNICEF. Regional Office for Latin America and the Caribbean. Bogotá, 1996.
- *Operativizando la Convención sobre los Derechos del Niño en Nicaragua. Propuesta de indicadores para el seguimiento a la implementación de la Convención sobre los Derechos del Niño.* (Enforcing the Convention on the Rights of the Child in Nicaragua: Proposed Indicators for Monitoring the Implementation of the Convention on the Rights of the Child.) Managua, June 1999.
- UNICEF Manual for Application of the Convention on the Rights of the Child. UNICEF, 1998.
- Guide for Non-Governmental Organizations Reporting to the Committee on the Rights of the Child. NGO Group for the Convention on the Rights of the Child, 1998.
- General Guidelines for Periodic Reports. General Guidelines Regarding the Form and Content of Reports Submitted by States Parties, in accordance with section b) of paragraph 1 of article 44 of the Convention. Approved by the Committee at its 343rd meeting (13th session), held on October 11, 1996.

List of References: Links of Interest

Inter-American Children's Institute

<http://www.iin.oea.org>

Save the Children – International Alliance

<http://www.savethechildren.net>

Save the Children Sweden – Regional Program for Latin America and the Caribbean

<http://www.scslat.org/>

United Nations

<http://www.un.org>

Office of the United Nations High Commissioner for Human Rights

<http://www.unhchr.ch>

UN Human Rights Organizational Structure:

<http://www.unhchr.ch/hrostr.htm>

Information on Governmental Reports Submitted to the Committee on the Rights of the Child:

<http://www.unhchr.ch/tbs/doc.nsf>

Information on the Committee on the Rights of the Child:

<http://www.unhchr.ch/html/menu2/6/crc/>

Information on Governmental Reports Submitted to the Committee on the Rights of the Child:

<http://www.unhchr.ch/tbs/doc.nsf>

UNICEF Regional Office for Latin America and the Caribbean, TACRO

<http://www.uniceflac.org>

UNICEF

<http://www.unicef.org>

NGO Committee on UNICEF

<http://www.ngosatunicef.org>

Child Rights Information Network (CRIN) – Information on Alternative Reports Submitted to the Committee on the Rights of the Child

www.crin.org

**Latin American and Caribbean Children's Rights Network
(RED LAMyC)**

www.redlamyc.web.com.uy

Organization of American States

www.oas.org

**Inter-American Treaties Adopted Within the OAS System
Pertaining to Children's Issues:**

<http://www.oas.org/juridico/english/treasub.html>

Inter-American Commission of Human Rights

www.cidh.oas.org/Default.htm

**Non-Governmental Organizations Section of the Department
of Economic and Social Affairs (DESA NGO Section)**

<http://www.un.org/esa/coordination/ngo/>

APPENDIX 1

Regional Guide for Latin America and the Caribbean for the Preparation of Reports to the Committee on the Rights of the Child

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Introduction to the Guide

Over the course of 2002-2004, in order to consolidate the proposal, we carried out a series of activities to analyze and enrich the tool with the participation of key actors in the region. In this context, and taking into account the multiple contributions, we present the Guide, which is intended to assist state and civil society actors in the preparation of their reports to the Committee, to guarantee a true and proper process of data collection that can be carried out in a simple manner, facilitating qualitative analysis without losing the richness and specificity of each country when evaluating implementation and progress relative to the CRC.

The following instruments were used as a basis for the preparation of the Guide:

- General Guidelines Regarding the Form and Content of Reports Submitted by States Parties, in accordance with section b) of paragraph 1 of article 44 of the Convention on the Rights of the Child, approved by the Committee on the Rights of the Child at its 22nd meeting. October 1991.
- Guide for Non-Governmental Organizations Reporting to the Committee on the Rights of the Child. NGO Group for the Convention on the Rights of the Child. Revised version, 1998.

General Objective

To facilitate the preparation of reports to the Committee, allowing for the proper measurement of progress and difficulties encountered by Member States in the implementation of the Convention on the Rights of the Child.

Characteristics of the Guide

The Guide presents a roadmap for the preparation and drafting of the reports. It includes a minimum set of viable, collectible indicators that serve as a basis for measuring progress and violations of children's rights in the framework of CRC article 44, thus supplementing already-existing guidelines.

The Guide is intended to be a basic tool for use by governments and civil society in the preparation of both reports separately, though based on data from shared sources. Each party involved could include in the Guide the specific indicators and research studies it deems important for describing and evaluating the real situation of children in the country (see Part 3.2 of the present Guide).

The Guide includes suggestions for joint work between government and civil society (information-gathering, discussion and preliminary analysis of certain issues, etc.) as well as spaces for separate work (interpretation of the information and preparation of the reports).

Its format and dynamic structure allow users the option of including new indicators and expanding the information in accordance with the reality of the country. The Guide is divided into two major sections:

1. Guide for the Preparation of Reports:

This is the main document, covering the various steps of the planning process, with an introduction, the formation of the working team and the identification of the actors involved, the search for information as well as its collection and analysis, and the drafting of the report itself.

2. Information-Gathering Forms:

These forms are the documents that will be used to collect the basic information necessary for the preparation of the reports. They contain simple diagrams with space for each part described in the Guide. Once all the forms have been filled out, the actors will have all of the basic information necessary for carrying out an analysis and preparing the final report.

These information-gathering forms are very useful, as they can be updated to ensure that they always provide current information about the situation of children's rights, as well as progress made and breaches in the implementation of the Convention.

Aspects to be Considered During the Process

There are certain central aspects of the methodology that should be kept in mind during the process of preparation and drafting of the report:

- *To promote extensive participation of the various actors, including children, thus achieving a high level of assimilation of the methodology and a basis for its dissemination and follow-up.*
- *To ensure that the tool can be used continuously and thus to analyze the children's rights situation with greater periodicity and not just once every five years.*
- *To improve the quality of the children's rights information and data available to the country.*
- *To take into account existing instruments in the countries as input, in order to pool efforts and logic.*
- *To take into account the current rhythms, dynamics and sociopolitical contexts of the different countries of the region.*
- *To promote proper coordination and exchange between government and organized civil society to support the various stages of the preparation of reports to the Committee on the Rights of the Child.*

Part 1: The General Framework

1.1 Basic General Information

To begin the preparation of a report that faithfully reflects the situation of children and the progress made in the implementation of the Convention in the country, several basic documents must be made available and the information therein must be analyzed. These documents provide the general guidelines and framework for the reports to be submitted to the Committee. These documents are:

- The Convention on the Rights of the Child
- Information on the Committee on the Rights of the Child: general introduction of the Committee, its functions and membership, general framework of the Report, NGO group(s) supporting the Committee in Geneva.
- The characteristics of the reports to be submitted to the Committee on the Rights of the Child: Basic Document that is part of the Reports of the States Parties.
- The General Guidelines Regarding the Form and Content of Reports Submitted by States Parties.
- The Guide for NGOs presenting reports to the Committee on the Rights of the Child.

1.2 Review of Previous Reports Submitted to the Committee on the Rights of the Child

Previously-submitted reports (both governmental and alternative reports) should be collected. The report must include the progress made since the submission of the last report. The persons who were involved in the preparation of these reports should be contacted, to exchange ideas and views on the process and work stages.

To access the official country reports on the website of the Committee on the Rights of the Child:

1. Go to www.unhchr.ch
2. Click on “Human Rights Bodies” and then on “Search the Treaty Body Database”
3. Click on “CRC – Committee on the Rights of the Child”
4. Click on “State Party Report”
5. Select country (click on “E” for documents in English)

To access the Committee’s comments:

1. Go to www.unhchr.ch
2. Click on “Human Rights Bodies” and then on “Search the Treaty Body Database”
3. Click on “CRC – Committee on the Rights of the Child”
4. Click on “Concluding Observations/Comments”
5. Select country (click on “E” for documents in English)

To access the alternative reports on the website of the CRIN (Child Rights Information Network):

1. Go to <http://www.crin.org>
2. Click on “NGO Alternative Reports”
3. Select country

1.3 Analysis of the Comments and Recommendations of the Committee on the Rights of the Child on the Latest Report Submitted by the Country

As a point of departure, the comments and recommendations of the Committee on the Rights of the Child on the latest report submitted by the country should be analyzed, to ascertain the following:

What specific actions were carried out by the state in response to the recommendations?

To what extent were the Committee’s comments and recommendations disseminated?

Were they translated into the country’s official language(s)?

What political and legal reforms were made as a result of the comments and recommendations?

What other follow-up has there been on the recommendations?
How is this step monitored to guarantee that permanent change has been achieved as a result?

What continuous supervision and monitoring activities are the state and civil society carrying out to follow up on the CRC?

It is important that the Committee's comments and recommendations on the latest report be used as a basis, and be incorporated into the entire process of preparation of the current report.

Part 2: Forming the Working Team and Identifying the Actors Involved in the Process

2.1 Definition and Identification of the Guarantors of Enforcement of the Rights of the Child⁵

Guarantors are the actors who hold the collective responsibility for enforcing and creating the conditions for the respect and exercise of child and adolescent rights.

Prior to the information-gathering stage, it is important for the country to clearly identify the institutions responsible for enforcing or creating the conditions for respect and exercise of the rights of all children and adolescents. This means visualizing who is responsible for ensuring that a specific right is not violated. It is advisable to identify those actors responsible for preventing existing violations, and support them in the full performance of their duties.

The state and its different branches fulfill the role of principal guarantors, and have legal obligations to create conditions, enforce, defend, advocate and protect the rights of children and adolescents.

Below is a list of some actors responsible for guaranteeing child and adolescent rights:

- ***Child Rights Attorneys***
- ***Child Rights Advocates***
- ***Ombudsmen***
- ***Governmental bodies***

⁵ Manual for the Members of Save the Children. *Child Rights Programming: How to Apply Rights-Based Approaches in Programming*. International Save the Children Alliance, 2002.

- ***Religious institutions***
- ***The education system***
- ***NGOs and grassroots organizations***
- ***International organizations in the field of child and adolescent affairs***

2.2 Formation of the Working Team and Coordination

To begin the process of data gathering and analysis for the preparation of reports, the members of the working team must be chosen and their respective responsibilities defined. The working team is understood as a group of persons with a background in the field of children's rights, belonging to governmental organizations, civil society and academia, who are responsible for participating in the process of follow-up on the Convention on the Rights of the Child and the preparation of the reports to the Committee, as well as children and adolescents themselves.

In order for the work stages to be followed properly, the team should have a Coordinator to manage and monitor the entire process and act as a source of support and liaison between the different actors involved.

At every stage of this process, and from a wide-ranging, integration-oriented perspective, this group of experts, institutions, and children and adolescents should be coordinated in order to ensure the successful implementation of the tool.

Representing the government, the actors involved in the preparation of the report are the governing body or ministry on child affairs and the ministry of foreign affairs. Representing civil society, the actors involved in the preparation of the report are the national coalition of NGOs for follow-up on the Convention on the Rights of the Child or other general or specific human rights networks.

Common spaces should be set up for the above actors, to facilitate and guarantee exchange of ideas and analysis involving all of them.

It is important to include children and adolescents in the working team, and to ensure that their participation cuts across the entire process: finding and analyzing information, preparing and drafting

the report, submitting the report, and subsequent stages of overseeing and following up on the concluding observations made by the Committee.

Mechanisms should also be created to facilitate the process of communication between actors possessing information (data to be gathered) and actors requiring this information.

A series of relevant characteristics should be prioritized when choosing the persons to be on the coordination team:

Governmental and/or NGO representatives should be:

- a. Professionals in the social field associated with child-related issues, human rights, protection mechanisms, public policy, political science or international relations;
- b. Very familiar with the Convention on the Rights of the Child, with a recognized background in addressing issues related to children's rights;
- c. Able to systematize and collect information;
- d. Able to carry out research;
- e. Able to perform management tasks and interact with government, civil society, academia, etc.;
- f. Experienced and familiar with team work.

How can the participation of children and adolescents be guaranteed?

- The purpose of children's participation must be clearly defined, with honest parameters. Children understand how much impact they can have on decision-making and who will make the definitive decision.
- The roles and responsibilities of all participants (children as well as adults) should be clearly defined, understood and agreed.
- Clear goals and objectives should be agreed with the children.
- The children should have access to pertinent information about their participation.
- The children should preferably be involved in the first stages of the process and be able to influence the design and content of participatory processes.
- The children should have the necessary time to reflect and become informed about their participation and give their personal consent.
- The "external" adults involved in any participatory process must be sensitized about working with children, have a clear understanding of their roles, and be willing to listen and learn.
- All of the children should have an equal opportunity to participate, free from discrimination on the basis of age, gender, language, social background, social class, ethnicity, geographical location, etc.
- Participatory practices involving children must be flexible enough to meet the needs, expectations and situations of the different groups of children and adolescents, and these concerns should be re-addressed on a regular basis.
- Whenever possible, children and adolescents should be able to choose, from among their peers, those who will represent them in participatory activities.
- A permanent group should be created to represent children and adolescents, maintaining continuous contact with the process of preparation of the reports to the Committee on the Rights of the Child.
- Children and adolescents should be encouraged to work in their own organizations and with other community or national organizations to review and monitor implementation at various different levels.
- Children and adolescents should be given information and feedback about progress in the preparation of the report.

For more information on child participation, we recommend visiting the following websites:

- Save the Children Sweden, Regional Program for Latin America and the Caribbean: www.scslat.org
 - Inter-American Children's Institute: www.iin.oea.org
- Latin American and Caribbean Children's Rights Network (RED LAMyC): www.redlamyc.web.com.uy

2.3 Identification of the Actors to be Involved in Finding and Collecting Information

Here, the actors who will be involved in finding, collecting and analyzing information, preparing the reports, and following up after submission of the report to the Committee are identified, and each actor's level of involvement and responsibility is defined.

For finding and collecting information on the situation of children's rights and the progress made in the implementation of the CRC, many actors should be involved. This may include governmental, civil society, academic, community, international and child/adolescent-run organizations and institutions.

To ensure wide-ranging participation, a set of public and private organizations and institutions working at the national level could be convened.

Actors participating in this work could be persons involved in:

- Social Protection
- Health
- Labor
- Education
- Recreation
- Environment
- Sports
- Children and Youth
- Family
- Women
- National Statistics
- Citizen Security
- Social Security
- Food
- Social Development
- Culture
- Law/Justice
- International Law
- Communications
- Foreign Affairs

The participation of a diverse range of actors should be sought. In this process, the level of institutional (not just personal) commitment should be clarified to ensure follow-up on the phases of the methodology and the work timeline, and to acquire a permanent commitment to the rights of children and adolescents.

2.4 Consideration of the Steps and Responsibilities in the Preparation of the Report

In the planning stage, after the comments and recommendations on the latest report have been examined, the deadline for submission of the report to the Committee must be considered. These comments and recommendations will form the basis for the information on progress and regression on issues that the Committee considers of primary importance.

It is important for States Parties to commit to the deadlines established for the submission and finalization of reports. The government should be encouraged to make public the preparation process, to show the seriousness that should be given to the subject of children and the Convention on the Rights of the Child.

The Guide should be used not only for the submission of reports to the Committee, but also on a continuous basis for analyzing the situation of children's rights with more frequency than once every five years. Thus it is recommended that one of the institutions on the coordination team should be in charge of managing and monitoring the data contained in the tool. This institution would also be responsible for the tool's updating and accessibility.

Part 3: Finding, Collecting and Analyzing the Information (Data and Sources)

This section should be read closely, as it covers the collection and analysis of information. During review, a selection is made from among the priority elements to adapt the tool to the reality of the country. This includes:

- Comprehensive Children's Rights Framework in the Country.
- Approaching and Adapting the Tool to the Reality of the Country:
 - a. Contextual Framework;
 - b. Dissemination and Training Activities;
 - c. Information on Each Right.
- Identifying the Sources.
- Requesting and Following Up on Information from Identified Sources.
- Receiving and Entering the Information.

3.1 Comprehensive Children's Rights Framework in the Country

This consists of finding and analyzing information on the general situation of children's rights in the country, and the steps taken by the State Party to enforce the rights recognized by the CRC in a comprehensive manner, considering the general principles.

In order to obtain a comprehensive, overall view, the information should be approached in a way that takes the following into account:

- Children as subjects of rights.
- The general principles of the CRC:

- ***Participation;***
 - ***The best interests of the child;***
 - ***Non-discrimination;***
 - ***Survival and development.***
- The Convention as a whole.

These central points must be analyzed, establishing the following for each one:

- *The national legal framework, including international treaties ratified;*
- *The bodies responsible for guaranteeing them;*
- *Related public policies, programs and plans;*
- *National coverage;*
- *Allotted resources and infrastructure.*

The following diagram proposes a preliminary approach to a general analysis:

	National and international legal framework (1)	Actors (2)	Policies, programs and plans (3)	Coverage (4)	Resources / infrastructure (5)
a. Children as subjects of rights					
b. Participation					
c. Best interests of the child					
d. Non-discrimination					
e. Survival and development					

- (1) Are there laws guaranteeing **that children are subjects of rights**, with regulations at the national level? What are they? **(Perform the same analysis for points a., b., c., d. and e.)** Are there other laws that consider children as objects and not as subjects? What are they and how do they perceive children?

What nationally-ratified international treaties are related to **children as subjects of rights? (Perform the same analysis for points a., b., c., d. and e.)**

- (2) Does the state have governmental authorities guaranteeing **the participation of children and adolescents?** What are they? **(Perform the same analysis for points a., b., c., d. and e.)**

Are there (protection) control mechanisms guaranteeing **the best interests of the child in state decisions?** What are they? **(Perform the same analysis for points a., b., c., d. and e.)**

- (3) What policies, programs, plans and activities are used to guarantee the full incorporation of **non-discrimination against children and adolescents** at the national level? **(Perform the same analysis for points a., b., c., d. and e.)**

Is there a National Plan of Action for Children providing comprehensive protection to children as subjects of rights? What mechanisms are in place to guarantee follow-up on the National Plan?

Are there training programs for the staff of state organizations on the subject of the Convention on the Rights of the Child and its principles? What are they, and how do they provide this training?

- (4) Are all children and adolescents included in the defense of the **principles of survival and development** at the national level? **(Perform the same analysis for points a., b., c., d. and e.)**

What groups are excluded?

- (5) What is the national and/or municipal budget allotted to the **principles of survival and development?** What is the political/

administrative structure devoted to the **principles of survival and development?** (Perform the same analysis for points **a., b., c., d. and e.**)

This form provides a preliminary approach to the country's reality within a **comprehensive framework**.

3.2 Approaching and Adapting the Tool to the Reality of the Country

This section should be read closely, to begin planning and thus be able to adapt the tool for its specific use.

During the review, the aspects that are priorities for adapting the tool to the specific reality of the country are selected.

This section includes:

a. GENERAL APPLICATION MEASURES:

- Contextual Framework of the Country;
- Dissemination and Training Activities.

b. INFORMATION ON EACH RIGHT.

a. GENERAL APPLICATION MEASURES

Contextual Framework of the Country

This consists of finding data on the contextual framework, including a general description of the country, and national and general information on issues directly or indirectly related to children. Here, Articles 1 and 4 of the CRC (definition of a child, adjustment of national legislation to the CRC, general budget allotted to children's issues, etc.) are considered.

Article 1

For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.

Article 4

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

(For details on the indicators to be gathered in this section, see Part 6.1a: Information-Gathering Form 1: General Application Measures: Indicators on the Contextual Framework.)

Dissemination and Training Activities

This section includes aspects relative to CRC article 42.

Article 42

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

This consists of finding data on the activities for dissemination and training on the Convention, as regards:

- Dissemination through executing bodies;
- Training and instruction.

A description of the information to be collected at this point is attached to the present document, in **Part 6.1b**: Information-Gathering Form 1: General Application Measures: Indicators on Dissemination and Training Activities.

Once this section has been completed, the actors will have obtained information on the Comprehensive Children's Rights Framework and

General Application Measures: *data on the contextual framework in the country and dissemination and training activities.*

The next step is the search for detailed information on each right enshrined in the CRC.

b. INFORMATION ON EACH RIGHT

For the collection of information and the detailed analysis of compliance with each of the rights enshrined in the Convention on the Rights of the Child, this Guide includes a list of rights in line with the spirit of the Convention, including all of its articles, and in accordance with the general comments made by the Committee. ***See Part 5.1.***

The information to be collected is divided according to the ***general framework of each right, the data explaining its situation, and the indicators that provide a clear picture of the situation.***

The form for indicators in each right may be found at the end of the Guide (**Part 6.2:** Information-Gathering Form 2: Information on Each Right). The structure of the form includes a set of indicators that can be collected, with definitions and scope notes, showing the situation of each right enshrined in the Convention.

In order to fully encompass the diversity and extensiveness of the realities in the region, an infinite number of indicators would be needed, which would make the instrument's application unviable and ineffective. Thus we specified a minimum set of indicators that are viable and can be collected, and which represent as much as possible the variety of situations and realities facing children in the region. The tool also allows each country to add indicators deemed relevant to its specific reality.

We defined indicators that refer to the entirety of the information, both qualitative and quantitative, fundamentally concerning the infrastructure and structure of the state and civil society relative to each of the rights and their coverage. This will ensure that all existing information is obtained and is easy to collect, and will indirectly allow the actors to find the piece of data sought.

For each of the indicators included on the information-gathering forms, whenever possible, ***the information should cut across several different themes*** such as: geographic area, gender and ethnic minorities. This allows for a more complete view of the reality of the indicator in the country.

The principle of the best interests of the child (article 3 of the Convention on the Rights of the Child) must always be a primary concern of all child-related institutions (public and private), and enjoy preferential consideration in all measures and decisions concerning children and adolescents. All actors associated in one way or another with children's issues should base their decisions on the solution that best suits the children and adolescents, always safeguarding their best interests. This approach must prevail during the collection and analysis of the information contained on the forms, in order to ensure the comprehensive protection of children's rights.

Article 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.
2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.
3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

3.3 Identifying the Sources

Once the information has been adapted to the local reality, the sources should be identified, indicator by indicator.

The identification of sources of information necessary for collecting the data on each right is part of the work that should be done by the team during the first stage.

The steps to be followed in order to arrive at the necessary piece of data will depend on whether the source is being sought based on the Right or directly through the Indicator. These two methods are complementary.

Based on the Right:

- a. Define the central body involved in the field related to the right being analyzed. Example: Ministry of Education in the case of the right to education.
- b. Within the central body, define the branches that are directly linked to information on the right. (Each country should define, according to its own reality, the offices and departments involved in primary education, secondary education, special education, etc.)
- c. Identify, within the office or department, the division or area that should be directly contacted to request information on the right being analyzed. The information provided by each area or division should be analyzed in depth and a direct contact (liaison person) should be designated. Example: In the case of the right to education, the Statistics Department of the primary education system would be contacted for the piece of data on the indicator “Repetition rate according to school year.”
- d. Identify national and international organizations with information on these rights in the country.

Through the Indicator:

Based on the coordination team’s knowledge and direct areas of work, they will identify, indicator by indicator, the organizations, commissions, bodies and other organizations with a background in the subject related to the piece of data being sought.

In all cases, it is important to use the following criteria in the selection of information sources: reliability, background, recognition, technical rigor, data accessibility, etc.

3.4 Requesting and Following Up on Information from Identified Sources

Once the source-identification stage is complete, the “information request” form should be filled out. This form will be used for following up on the data collected.

The forms will self-generate (SMD system required) according to the sources identified, unifying all of the related indicators.

3.5 Receiving and Entering the Information

In order to obtain high standards of quality, a preliminary check should be made on the information, to ensure that the request form has been correctly filled out and the piece of information corresponds to the required indicator, as well as to analyze any inconsistencies in the information.

At the end of this stage, all of the data will be on the form – in other words, all of the information collected on the national reality will be integrated into an overall systematized logic, within a common framework.

Part 4: Expanding and Analyzing the Information

4.1 Preliminary Examination of the Information Gathered

Information has now been gathered on the following aspects:

- Comprehensive children's rights framework in the country (Part 3.1);
- General Application Measures: contextual framework of the country, dissemination and training activities (Parts 3.2a and 6.1);
- Information on each right (Parts 3.2b and 6.2).

Once all of the information contained on the forms has been compiled in the database, a preliminary analysis should be performed, to identify issues that require more extensive information, either because a piece of data was not obtained, or because a more in-depth analysis is required for the report.

To this end, workshops, discussion meetings and/or consultations should be held, involving a wide range of actors in the process. This is intended to delve deeper into the issues of interest, due to the magnitude of the problem, the lack of minimum necessary information, the fact that there are only quantitative data which do not reflect the totality of the situation, etc.

As necessary, this step should involve the actors who are points of reference for guaranteeing the enforcement of children's rights (see Part 2.1).

At this stage, the participation of a significant number of children and adolescents should be guaranteed. They will receive the information beforehand, so that it may be analyzed and discussed openly. This activity may be carried out through interdisciplinary workshops with the voluntary participation of children and adolescents.

Using the results, the information will be extended and systematized, for the preparation of an outline that incorporates all of the sections of the proposed report.

4.2 Qualitative Analysis of the Information Gathered

This Guide includes a minimum set of indicators that are viable and can be collected, to measure progress and violations of children's rights within the framework of Article 44 of the CRC. Its format and dynamic structure allow users to include new indicators and expand on information according to the reality of the country.

In order to complete the information gathered on the forms, working groups should be formed to analyze and evaluate the data from a qualitative perspective.

For this purpose, the following points should be analyzed in depth:

- Coverage: Is the target population being reached? In what way?
- Quality: Use and availability of resources. Quality of services provided.
- Results: Do the results correspond to the objectives?
- Impact: What economic, social, health, environmental, technical or other impacts on the target population (planned and not planned) have been achieved?

Part 5: Preparing, Submitting and Disseminating the Report and the Comments Made by the Committee on the Rights of the Child

5.1 Preparation of the Report: General Guidelines Regarding Form and Content

This is the final stage of preparation of the report, where the information that has been collected and analyzed at previous stages is now integrated.

Below is the guideline for the preparation of the report, based on the General Guidelines Regarding the Form and Content of Reports, approved by the Committee on the Rights of the Child at its 22nd meeting (first session) on October 15, 1991.

As explained in the General Guidelines approved by the Committee, the provisions of the Convention on the Rights of the Child have been grouped into different sections, and each of the rights enshrined therein have been accorded *the same degree of importance*.

Guideline for the preparation of the REPORT in accordance with the logic of analysis found in the GUIDE:

1. Introduction

- a. Current general situation of the country.
- b. Background and follow-up of reports to the Committee.
- c. Comprehensive analysis of the implementation of the CRC at the national level.

2. General Application Measures

- a. Contextual framework, articles 1, 4.
- b. Dissemination and training on the CRC, articles 42, 44.
3. General Principles
 - a. Right to life, article 6.
 - b. Right to equality, article 2.
 - c. Right to participation, freedom of expression and information, articles 12, 13, 15, 17.

4. Civil Rights and Freedoms

- a. Right to an identity, articles 7, 8.

- b. Right to freedom of thought, conscience, religion and to practice their own culture and use their own language, articles 14, 30.
- c. Right of children and adolescents to protection of privacy, articles 16, 40.
- d. Right of children and adolescents to protection against torture and cruel treatment or punishment, articles 37, 39.

5. Family or Guardianship Environment

- a. Right to a family, articles 5, 8, 10, 18.
- b. Right of comprehensive protection for children and adolescents deprived of their parents, articles 3, 9, 20, 21, 39.
- c. Right of children and adolescents to comprehensive protection against illicit transfer and non-return, article 11.

6. Basic Health and Welfare

- a. Right to health, articles 24, 25, 26, 27.
- b. Right of children and adolescents with disabilities to receive special care, articles 23, 26.
- c. Right of children and adolescents to live in a healthy environment, articles 24, 27, 29.

7. Education, Leisure and Cultural Activities

- a. Right to education, articles 28, 29.
- b. Right to play and recreation, article 31.

8. Special Protection Measures

- a. Right of refugee or displaced children and adolescents to receive comprehensive protection, article 22.
- b. Right to comprehensive protection against economic exploitation and against dangerous labor, articles 32, 39.
- c. Right to comprehensive protection against drug use and drug-related exploitation, articles 33, 39.
- d. Right to comprehensive protection against sale and traffic of children and adolescents, article 35.
- e. Right to comprehensive protection against sexual abuse and commercial sexual exploitation, articles 34, 39.
- f. Right to comprehensive protection against maltreatment, abuse and all forms of exploitation, articles 19, 36, 39.
- g. Right to comprehensive protection against the participation of children and adolescents in armed conflicts, articles 38, 39.
- h. Right to comprehensive protection in situations of deprivation of liberty, articles 3, 37, 40.

Up to this stage, there has been cooperation and coordination between the state and civil society actors. However, they should carry out this stage separately – the governmental body preparing the governmental report, and the coalition of NGOs preparing the alternative report. This will allow them to further probe and/or position themselves on the issues they consider the most relevant based on their own perspectives.

5.2 Submission and Dissemination of the Report and the Comments of the Committee on the Rights of the Child

The final report must present an analysis of the information that has been gathered, and not simply a description of it. The information-gathering forms are attached to the report as appendices.

The Committee on the Rights of the Child requests States Parties to submit reports that are concise, analytical and focused on key issues; it also advises that the reports should not exceed 120 pages.

The alternative report, which is normally sent to the Committee's secretariat six months after the governmental report has been submitted, should include an analysis of the governmental report. It should not exceed 30 pages, and should be translated into English, Spanish and French, with an executive summary of key points in English. This executive summary, which will mention the issues highlighted in the report, may be submitted to the Committee for special consideration, including the sources of the information (so that they may be accessed) and the supporting documentation, adding suggestions for measures to be taken to ensure compliance with children's rights. This will allow the Committee to perform a deeper analysis of some specific issues that are of special importance to the country, and obtain a more comprehensive view of the most severe rights violations.

Both reports should offer specific recommendations for improving the situation of children's rights in the country, and mention civil society's role and possibilities for influencing the state in the implementation of the CRC.

The final stage, following the submission of the report to the Committee on the Rights of the Child, is to publicize the report as well as the comments and recommendations made by the Committee.