



# Child Rights Impact Assessment Tool

The United Nations Convention on the Rights of the Child is an important agreement by countries who have promised to protect children's rights.

The Convention on the Rights of the Child explains who children are, all their rights, and the responsibilities of governments. All the rights are connected, they are all equally important and they cannot be taken away from children.

An infographic titled 'The UN Convention on the Rights of the Child' showing 21 articles. Each article is represented by a numbered icon, a title, and a description. The icons are: 1. Definition of a child (yellow circle with 18 and a person), 2. No discrimination (orange square with two people), 3. Best interests of the child (purple square with a person and a box), 4. Making rights real (purple square with a document and a heart), 5. Family guidance as children develop (blue square with a family in a house), 6. Life, survival and development (green square with a heart and a person), 7. Name and nationality (green square with a flag), 8. Identity (yellow square with a person and a document), 9. Keeping families together (red square with two people), 10. Contact with parents across countries (pink square with two people and a globe), 11. Protection from kidnapping (purple square with a person and a box), 12. Respect for children's views (blue square with two people), 13. Sharing thoughts freely (blue square with a person and a megaphone), 14. Freedom of thought and religion (green square with a person and a thought bubble), 15. Setting up or joining groups (yellow square with two people and a speech bubble), 16. Protection of privacy (red square with a person and a shield), 17. Access to information (red square with a person and a satellite dish), 18. Responsibility of parents (blue square with two hands holding a person), 19. Protection from violence (blue square with a person and a shield), 20. Children without families (dark blue square with a person and a globe), 21. Children who are adopted (green square with a person and a heart). The text for each article is provided to the right of the icon.

**1**  
DEFINITION OF A CHILD

A child is any person under the age of 18.

**2**  
NO DISCRIMINATION

All children have all these rights, no matter who they are, where they live, what language they speak, what their religion is, what they think, what they look like, if they are a boy or girl, if they have a disability, if they are rich or poor, and no matter who their parents or families are or what their parents or families believe or do. No child should be treated unfairly for any reason.

**3**  
BEST INTERESTS OF THE CHILD

When adults make decisions, they should think about how their decisions will affect children. All adults should do what is best for children. Governments should make sure children are protected and looked after by their parents, or by other people when this is needed. Governments should make sure that people and places responsible for looking after children are doing a good job.

**4**  
MAKING RIGHTS REAL

Governments must do all they can to make sure that every child in their countries can enjoy all the rights in this Convention.

**5**  
FAMILY GUIDANCE AS CHILDREN DEVELOP

Governments should let families and communities guide their children so that, as they grow up, they learn to use their rights in the best way. The more children grow, the less guidance they will need.

**6**  
LIFE, SURVIVAL AND DEVELOPMENT

Every child has the right to be alive. Governments must make sure that children survive and develop in the best possible way.

**7**  
NAME AND NATIONALITY

Children must be registered when they are born and given a name which is officially recognized by the government. Children must have a nationality (belong to a country). Whenever possible, children should know their parents and be looked after by them.

**8**  
IDENTITY

Children have the right to their own identity – an official record of who they are which includes their name, nationality and family relations. No one should take this away from them, but if this happens, governments must help children to quickly get their identity back.

**9**  
KEEPING FAMILIES TOGETHER

Children should not be separated from their parents unless they are not being properly looked after – for example, if a parent hurts or does not take care of a child. Children whose parents don't live together should stay in contact with both parents unless this might harm the child.

**10**  
CONTACT WITH PARENTS ACROSS COUNTRIES

If a child lives in a different country than their parents, governments must let the child and parents travel so that they can stay in contact and be together.

**11**  
PROTECTION FROM KIDNAPPING

Governments must stop children being taken out of the country when this is against the law – for example, being kidnapped by someone or held abroad by a parent when the other parent does not agree.

**12**  
RESPECT FOR CHILDREN'S VIEWS

Children have the right to give their opinions freely on issues that affect them. Adults should listen and take children seriously.

**13**  
SHARING THOUGHTS FREELY

Children have the right to share freely with others what they learn, think and feel, by talking, drawing, writing or in any other way unless it harms other people.

**14**  
FREEDOM OF THOUGHT AND RELIGION

Children can choose their own thoughts, opinions and religion, but this should not stop other people from enjoying their rights. Parents can guide children so that as they grow up, they learn to properly use this right.

**15**  
SETTING UP OR JOINING GROUPS

Children can join or set up groups or organisations, and they can meet with others, as long as this does not harm other people.

**16**  
PROTECTION OF PRIVACY

Every child has the right to privacy. The law must protect children's privacy, family, home, communications and reputation (or good name) from any attack.

**17**  
ACCESS TO INFORMATION

Children have the right to get information from the Internet, radio, television, newspapers, books and other sources. Adults should make sure the information they are getting is not harmful. Governments should encourage the media to share information from lots of different sources, in languages that all children can understand.

**18**  
RESPONSIBILITY OF PARENTS

Parents are the main people responsible for bringing up a child. When the child does not have any parents, another adult will have this responsibility and they are called a "guardian". Parents and guardians should always consider what is best for that child. Governments should help them. Where a child has both parents, both of them should be responsible for bringing up the child.

**19**  
PROTECTION FROM VIOLENCE

Governments must protect children from violence, abuse and being neglected by anyone who looks after them.

**20**  
CHILDREN WITHOUT FAMILIES

Every child who cannot be looked after by their own family has the right to be looked after properly by people who respect the child's religion, culture, language and other aspects of their life.

**21**  
CHILDREN WHO ARE ADOPTED

When children are adopted, the most important thing is to do what is best for them. If a child cannot be properly looked after in their own country – for example by living with another family – then they might be adopted in another country.





**22**  
REFUGEES CHILDREN

Children who move from their home country to another country as refugees (because it was not safe for them to stay there) should get help and protection and have the same rights as children born in that country.



**23**  
CHILDREN WITH DISABILITIES

Every child with a disability should enjoy the best possible life in society. Governments should remove all obstacles for children with disabilities to become independent and to participate actively in the community.



**24**  
HEALTH, WATER, FOOD, ENVIRONMENT

Children have the right to the best health care possible, clean water to drink, healthy food and a clean and safe environment to live in. All adults and children should have information about how to stay safe and healthy.



**25**  
REVIEW OF A CHILD'S PLACEMENT

Every child who has been placed somewhere away from home - for their care, protection or health - should have their situation checked regularly to see if everything is going well and if this is still the best place for the child to be.



**26**  
SOCIAL AND ECONOMIC HELP

Governments should provide money or other support to help children from poor families.



**27**  
FOOD, CLOTHING, A SAFE HOME

Children have the right to food, clothing and a safe place to live so they can develop in the best possible way. The government should help families and children who cannot afford this.



**28**  
ACCESS TO EDUCATION

Every child has the right to an education. Primary education should be free. Secondary and higher education should be available to every child. Children should be encouraged to go to school to the highest level possible. Discipline in schools should respect children's rights and never use violence.



**29**  
RIGHT OF EDUCATION

Children's education should help them fully develop their personalities, talents and abilities. It should teach them to understand their own rights, and to respect other people's rights, cultures and differences. It should help them to live peacefully and protect the environment.



**30**  
MINORITY CULTURE, LANGUAGE AND RELIGION

Children have the right to use their own language, culture and religion - even if these are not shared by most people in the country where they live.



**31**  
REST, PLAY, CULTURE, ARTS

Every child has the right to rest, relax, play and to take part in cultural and creative activities.



**32**  
PROTECTION FROM HARMFUL WORK

Children have the right to be protected from doing work that is dangerous or bad for their education, health or development. If children work, they have the right to be safe and paid fairly.



**33**  
PROTECTION FROM HARMFUL DRUGS

Governments must protect children from taking, making, carrying or selling harmful drugs.



**34**  
PROTECTION FROM SEXUAL ABUSE

The government should protect children from sexual exploitation (being taken advantage of) and sexual abuse, including by people forcing children to have sex for money, or making sexual pictures or films of them.



**35**  
PREVENTION OF SALE AND TRAFFICKING

Governments must make sure that children are not kidnapped or sold, or taken to other countries or places to be exploited (taken advantage of).



**36**  
PROTECTION FROM EXPLOITATION

Children have the right to be protected from all other kinds of exploitation (being taken advantage of), even if these are not specifically mentioned in this Convention.



**37**  
CHILDREN IN DETENTION

Children who are accused of breaking the law should not be killed, tortured, treated cruelly, put in prison forever, or put in prison with adults. Prison should always be the last choice and only for the shortest possible time. Children in prison should have legal help and be able to stay in contact with their family.



**38**  
PROTECTION IN WAR

Children have the right to be protected during war. No child under 15 can join the army or take part in war.



**39**  
RECOVERY AND REINTEGRATION

Children have the right to get help if they have been hurt, neglected, treated badly or affected by war, so they can get back their health and dignity.



**40**  
CHILDREN WHO BREAK THE LAW

Children accused of breaking the law have the right to legal help and fair treatment. There should be lots of solutions to help these children become good members of their communities. Prison should only be the last choice.



**41**  
BEST LAW FOR CHILDREN APPLIES

If the laws of a country protect children's rights better than this Convention, then those laws should be used.



**42**  
EVERYONE MUST KNOW CHILDREN'S RIGHTS

Governments should actively tell children and adults about this Convention so that everyone knows about children's rights.



**43-54**  
HOW THE CONVENTION WORKS

These articles explain how governments, the United Nations - including the Committee on the Rights of the Child and UNICEF - and other organisations work to make sure all children enjoy all their rights.

## CHILD RIGHTS IMPACT ASSESSMENT (CRIA)

**Article 4 (implementation of the Convention) Governments must do all they can to make sure every child can enjoy their rights by creating systems and passing laws that promote and protect children's rights.**

**Apply the analysis to children under age 18, except when government services indicate an older age of eligibility to receive service.**

[illegible]

<sup>1</sup> Some articles may be supported in some ways and negatively affected in others.

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| 3. Which groups of children may be affected? Consider the following identity factors gender/gender identity, age, location, ethnicity, First Nations status, migrant status, disability (types of disabilities), socioeconomic status, family structure, whether they reside outside of Canada, children living in institutions, children in care, children of incarcerated parents, etc. <sup>2</sup> |  |   |  |
| Groups of children positively affected (explain)   | Groups of children negatively affected (explain) | Groups of children for which there may be mixed impacts (explain) |  |
|  |  |   |  |
| 4. What impacts might there be on future generations of children?  |  |   |  |
|  |  |   |  |
| 5. General Human Rights Principles   |  |   |  |
| 5(a): Progressive Realization/Non-retrogression  |  |   |  |
| Does the proposal advance children's rights or is it regressive (e.g., repeals or diminishes an established right, reduces investment that affects fulfillment,...)?   |  |   |  |
|  |  |   |  |
| 5(b): Universality   |  |   |  |
| Does the proposal include all children, even with targeted or differentiated inclusion of some groups of children who need special measures for equity? If not, is this justifiable?   |  |   |  |
|  |  |   |  |
| 5(c): Accountability/Transparency  |  |   |  |
| Does the proposal include mechanisms to support accountability and transparency, such as independent, child-focused monitoring, regular public reporting and an appeal process?  |  |   |  |
|  |  |   |  |

<sup>2</sup> Please note that there may be different benefits or impacts for different groups of children, such as by gender/ gender identity, age, location, ethnicity, First Nations status, migrant status, disability (types of disabilities), socioeconomic status, family structure, whether they reside outside of Canada, children living in institutions, children in care, children of incarcerated parents, and so on.

**5(d): Proper roles**

Does the proposal support the proper roles of:

DUTY-BEARERS (Government and public authorities): primary duty/obligation to respect, protect and fulfil children's rights?

RIGHTS-HOLDERS (Children and youth): support children to claim their rights, participate and be protected from undue risk in doing so?

RESPONSIBILITY-HOLDERS (e.g., parents, NGOs): support the capacity of rights-holders and duty-bearers?

**6. What adaptations or measures could avoid, minimize or mitigate any negative impacts/for which groups of children?**

**7. What adaptations or measures could maximize any positive impacts/for which groups of children?**

**8. What remedies exist or should be provided if this policy results in rights violations?**

|   |   |  |
|---|---|--|
| <b>9. What other evidence and data do you have? What do you need to know?</b>   |   |  |
| <b>10. Has there been any consultation in the development of the proposal? (Note the groups consulted/affected). If so, what have they said?</b>  | Children<br><br>Stakeholders<br><br>Government departments/<br>ministries |  |
| <b>11. What recommendations should be made?</b> (Is the proposal the best way of achieving its aims? Should other alternatives, including the do-nothing option, be considered? If so, what are those alternatives? What mitigating or optimizing recommendations can be made? What additional documentation <sup>3</sup> or evidence, if any, is needed?)          |   |  |
| <b>12. Youth Voice:</b>   |   |  |
| <b>13. Useful Links:</b><br><a href="#">UNCRC General Comments</a><br><a href="#">3 Ps of Children's Rights</a><br><a href="#">United Nations Declaration on the Rights of Indigenous Peoples</a><br><a href="#">Truth and Reconciliation Commission's Calls to Action</a><br><a href="#">National Inquiry into Missing and Murdered Indigenous Women and Girls</a> |   |  |

<sup>3</sup> If this were a more comprehensive CRIA process, UNCRC Committee guidance documents – such as the Committee's General Comments and Concluding Observations to Canada - would be considered. Other human rights instruments including UNDRIP, CERD and CRPD would also support consideration of differential and potentially inequitable impacts on children.