



# Child Rights Impact Assessment

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## Analytical 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.



**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.

 <p><b>22</b> 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.</p>	 <p><b>23</b> 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.</p>	 <p><b>24</b> 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.</p>
 <p><b>25</b> 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.</p>	 <p><b>26</b> Governments should provide money or other support to help children from poor families.</p>	 <p><b>27</b> 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.</p>
 <p><b>28</b> 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.</p>	 <p><b>29</b> 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.</p>	
 <p><b>30</b> 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.</p>	 <p><b>31</b> Every child has the right to rest, relax, play and to take part in cultural and creative activities.</p>	 <p><b>32</b> 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.</p>
 <p><b>33</b> Governments must protect children from taking, making, carrying or selling harmful drugs.</p>	 <p><b>34</b> 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.</p>	 <p><b>35</b> Governments must make sure that children are not kidnapped or sold, or taken to other countries or places to be exploited (taken advantage of).</p>
 <p><b>36</b> 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.</p>	 <p><b>37</b> 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.</p>	
 <p><b>38</b> Children have the right to be protected during war. No child under 15 can join the army or take part in war.</p>	 <p><b>39</b> 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.</p>	 <p><b>40</b> 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.</p>
 <p><b>41</b> If the laws of a country protect children's rights better than this Convention, then those laws should be used.</p>	 <p><b>42</b> Governments should actively tell children and adults about this Convention so that everyone knows about children's rights.</p>	 <p><b>43-54</b> 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.</p>

## CHILD RIGHTS IMPACT ASSESSMENT (CRIA) Analytical Tool

**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.**

**1. Summarize the objective of the proposal.** Who is intended to benefit? What rights will be secured or advanced? What outcomes are intended?

**2. Which articles of the Convention on the Rights of the Child are most relevant?** List articles that are upheld (+), not upheld (-) or unsure (?). Attach UNCRC Summary<sup>1</sup>

UNCRC Articles	Upheld (+)	Not Upheld (-)	Unsure (?)
Article 1 (Definition of the Child) ?			
Article 2 (Non-Discrimination) ?			
Article 3 (Best interests of the child) ?			
Article 4 (Protection of rights) ?			
Article 5 (Parental guidance) ?			
Article 6 (Survival and development) ?			
Article 7 (Registration, name, nationality, care) ?			
Article 8 (Preservation of identity) ?			
Article 9 (Keeping families together) ?			
Article 10 (Family reunification) ?			
Article 11 (Protection from kidnapping) ?			
Article 12 (Respect for the views of the child) ?			
Article 13 (Freedom of expression) ?			
Article 14 (Freedom of thought, conscience and religion) ?			
Article 15 (Freedom of association) ?			
Article 16 (Right to privacy) ?			

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

Article 17 (Access to information; mass media)				
Article 18 (Parental responsibilities; state assistance)				
Article 19 (Protection from all forms of violence)				
Article 20 (Children deprived of family environment)				
Article 21 (Adoption)				
Article 22 (Refugee children)				
Article 23 (Children with disabilities)				
Article 24 (Health and health services)				
Article 25 (Review of treatment in care)				
Article 26 (Social security)				
Article 27 (Adequate standard of living)				
Article 28 (Right to education)				
Article 29 (Goals of education)				
Article 30 (Children of minorities/Indigenous groups)				
Article 31 (Leisure, play and culture)				
Article 32 (Protection from harmful work)				
Article 33 (Protection from harmful drugs)				
Article 34 (Protection from sexual abuse)				
Article 35 (Abduction, sale and trafficking)				
Article 36 (Other forms of exploitation)				
Article 37 (Detention and punishment)				
Article 38 (War and armed conflicts)				
Article 39 (Rehabilitation of child victims)				
Article 40 (Juvenile justice)				
Article 41 (Respect for superior national standards)				
Article 42 (Knowledge of rights) (See also article 4)				
Articles 43-54 (Convention's implementation measures)				

<p><b>3. Which groups of children may be affected?</b> Consider the following identity factors: Age, Indigeneity, Language, Ethnicity, Socioeconomic status, Education, Ability, Sexual Orientation, Migration status, Faith, Gender identity, Geography, Sex, Family structure, Children living in institutions, Children in care, Children of incarcerated parents, and so on.<sup>2</sup></p>		
<p><b>Groups of children positively impacted (explain)</b></p>	<p><b>Groups of children negatively impacted (explain)</b></p>	<p><b>Groups of children for which there may be mixed impacts (explain)</b></p>
<p><b>4. Youth Voice:</b></p>		
<p><b>5. What impacts might there be on future generations of children?</b></p>		
<p><b>6. General Human Rights Principles</b></p> <p><b>6(a): Progressive Realization/Non-retrogression</b> Does the proposal advance children’s rights or is it regressive (e.g., revoke or diminishes an established right, reduces investment that affects fulfillment, ...)?</p>		
<p><b>6(b): Universality</b> 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?</p>		

<sup>2</sup> Please note that there may be different benefits or impacts for different groups of children, such as by age, indigeneity, language, ethnicity, socioeconomic status, education, ability, sexual orientation, migration status, faith, gender identity, geography, sex, family structure, children living in institutions, children in care, children of incarcerated parents, and so on.

**6(c): Substantive Equality**

How does the proposal consider equity? Note that achieving substantive equality may require treating different groups of children differently, and treating all children the same may exacerbate inequalities.

**6(d): Accountability/Transparency**

How does the proposal include mechanisms to support accountability and transparency, such as independent, child-focused monitoring, regular public reporting and an appeal process?

**6(e): Proper roles**

How 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?

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

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

<b>9. What remedies exist or should be provided if this policy results in rights violations?</b>	
<b>10. What other evidence and data do you have? What do you need to know?</b>	
<b>11. How have you involved the following groups in the development of the proposal? What did they said?</b>	<b>11(a): Which groups have been consulted?</b>
	Children/Youth
	Stakeholders
	Yukon First Nations
Government departments	
<b>12. 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 recommendations can be made? What additional documentation <sup>3</sup> or evidence, if any, is needed?	
<b>13. Useful Links:</b>	
<b>UNCRC General Comments</b> <b>3 Ps of Children's Rights</b> <b>United Nations Declaration on the Rights of Indigenous Peoples</b> <b>Truth and Reconciliation Commission's Calls to Action</b> <b>National Inquiry into Missing and Murdered Indigenous Women and Girls</b>	

<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.