GLOBAL CHILD FORUM IS INITIATED BY
H.M. KING CARL XVI GUSTAF AND H.M. QUEEN SILVIA OF SWEDEN

NOVEMBER 2019

CHILDREN’S PARTICIPATION IN BUSINESS
— A HUMAN RIGHTS-BASED APPROACH

Introducing principles, rights and opportunities
CHILDREN’S PARTICIPATION IN BUSINESS — A HUMAN RIGHTS-BASED APPROACH

Businesses have responsibilities to respect and support human rights. This applies equally to children’s human rights as it applies to adults. Children encounter businesses as young workers, family members of employees, consumers and members of communities. Children thus need to be recognised now as key stakeholders by businesses, as well as future employees and business leaders.

For these reasons, 10 children’s rights principles have been articulated for business by UNICEF, Save the Children, and The Global Compact (2012). These complement the more general UN Guiding Principles on Business and Human Rights and the UN Convention on the Rights of the Child (UNCRC). The UNCRC is the most ratified human treaty in the world, and outlines children’s civil, political, economic, social and cultural rights. The UNCRC has four general principles, which underpin the 10 Children’s Rights and Business Principles. These four principles are: non-discrimination; the best interests of the child; survival and development; and children’s participation.

This briefing focuses on children’s rights to participate. The Global Child Forum has identified the rights to participation as a priority for action and research because it is included in its Pledge for action to on advance children’s rights in business operations, supply chains and in communities. As a general principle, the right to participate is a right in itself as well as relevant to the implementation of all other child rights. Thus, this briefing introduces key definitions and requirements from the UNCRC, potential opportunities for businesses to involve children, and questions businesses can ask themselves when thinking about whether and how to involve children. The briefing emphasises that at all times the ethics and rights-based approach to children’s participation must remain central, to ensure that the 10 Children’s Rights and Business Principles are met.

What is children’s participation?
The UN Committee on the Rights of the Child describes participation as

... ongoing processes, which include information-sharing and dialogue between children and adults based on mutual respect, and in which children can learn how their views and those of adults are taken into account and shape the outcome of such processes. (2009, p. 3)

Broadly, children refers to those under the age of 18, following Article 1 of the UN Convention on the Rights of the Child.

What are children’s participation rights?
Article 12 is recognised as a General Principle of the UNCRC. It states:

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.
2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.
Other rights are grouped together as participation rights in the UNCRC. These are: Article 13 (freedom of expression), Article 14 (freedom of thought, conscience and religion), Article 15 (freedom of association and peaceful assembly) and Article 17 (access to information).

**Why are the rights to participation important?**

- Children are involved in business in multiple ways. They are “rights-holders and stakeholders in business as consumers, legally engaged employees, future employees and business leaders and members of communities and environments in which business operates” (UNCRC, 2013, p. 3).
- Children have right to participate in matters of concern with them.
- The rights require recognition and support.
- UNICEF (2014) outlines that consultation with child rights groups and individuals is critical to:
  - “Hear, understand and respond to children’s unique opinions, views, experiences and information that can be useful to business in conducting human rights due diligence.
  - Obtain information about child rights impacts that can also serve as an early indicator or ‘red flag’ to a company of its broader human rights risk.
  - Provide insight on how companies can mitigate risks or how to address opportunities to advance children’s rights.
  - Build trust and long-lasting relationships among wider communities and avoid unnecessary grievances and reduce potential for community conflict.
  - Ensure that children are regarded as equal stakeholders and demonstrate commitment to taking children’s views and welfare seriously” (p. 7).

Lundy’s model of participation is a useful way to understand children’s participation. Its key components are found in Figure 1:

![Figure 1: Lundy's Model of Participation](image)

*Figure 1: Lundy’s Model of Participation as presented in Ireland’s National Strategy on Children and Young People’s Participation in Decision-Making 2015-2020.*
As explained in the Strategy, **Space** requires that children be given safe, inclusive opportunities to form and express their views. **Voice** ensures that children are facilitated to express their views. **Audience** requires that children’s views be listened to. Children’s views then should have **influence**, being acted upon as appropriate.

A rights-based approach requires that all rights must be considered holistically: so that participation rights need to be considered with other rights within the UNCRC, and with other human rights treaties. Children’s rights to participation, for example, need to be considered alongside their rights to provision and their rights to protection.

**What are the basic requirements for children’s participation?**

The basic requirements for children’s participation for are part of the UNCRC’s General Comment on Article 12. The requirements are that children’s participation is:

1. Transparent and informative: clear and necessary details provided, potential learning
2. Voluntary: choose to participate due to interest, and are not forced or coerced
3. Respectful: feel that you are treated with dignity, valued in the process and not belittled
4. Relevant: see connection between activity and you, and what you know and understand
5. Child-friendly: can understand language, processes, activities and they are accessible
6. Inclusive: diversity is valued, and the process is not exclusionary
7. Supported by training for adults: efforts & processes do not happen in isolation
8. Safe and sensitive to risk: do not feel uncomfortable or unsafe due to e.g. gender or race discrimination
9. Accountable: responsive, and due weight given to your contributions

**Opportunities for ethical and rights-based children’s participation in businesses**

- Advisory Committees on specific aspects of your business (e.g. corporate social responsibility)
- Young people as board members
- Agenda setting days, to help set action priorities for your business in relation to children’s rights
- Resulting projects, on issues important to children, that children can co-produce with your business
- Involving children in monitoring and evaluation, on issues of importance to them
- Assessing impacts of products and services
- Feedback, complaints and accountability mechanisms that are child-friendly and inclusive for children
- When business changes are being proposed, undertaking a children’s rights impact assessment with children.
Challenges include:

→ Tokenism; Difficulty of doing it well
→ Who to involve in participatory processes?

Useful questions to ask

✓ For what purpose(s) is your business involving children and young people?

✓ What is already known about children’s views? If children are to be involved, what will their participation add to what is already known?

✓ Is your business committed to respond to children’s views and perspectives? Who will be responsible in your business? How and when will children know what your businesses’ response is?

✓ If your business is inviting children to participate, which children are invited and why? Are you unnecessarily excluding children, by such factors as language and communication needs, age, geography or gender? What are cultural practices, beliefs, and norms should you consider? Who are you working with local partners?

✓ Are the spaces for children’s participation safe and comfortable for the children? Have you considered the potential risks to the children — before, during and after their participation — and how you will address them?

✓ Have children had the information and opportunity to develop their views?

✓ Do children know that their participation is voluntary and that they can withdraw if they wish? Do you have the appropriate consents from the children (and from guardians, as needed) to participate? Have you agreed with children about how their data will be used, anonymity and confidentiality?

✓ What costs are there for children and their families, of children participating? How will your business recompense such costs and recognise children’s contribution?

✓ Is your business ensuring all children participating have the opportunity to participate and to have their views given due weight?

✓ How will your business monitor and evaluate children’s participation? Has your business committed the time, financial and other resources to ensure that children’s rights are upheld through the participation activities?

Next Steps

This webinar will be recorded. At least one more webinar is planned in 2020.

To support development of a practical resource, you will soon be invited to contribute to an online survey to explore children’s participation in business. Research will also identify cases studies of successful participation in business to support future efforts.
Resources:

Core documents


Useful documents on business and children’s participation
Save the Children. Business and Children’s Participation: How Businesses can create opportunities for children’s participation.


This guide carefully articulates how companies consider engaging stakeholders on children’s rights. It recommends beginning with adult stakeholders on children’s rights, and very carefully consider whether and how children should participate.

Examples of children’s participation in relation to business

Over 400 young people from 9 different countries contributed their views, to inform the Children’s Rights and Business Principles. They provide their views on what businesses should do to protect children’s rights.


Over 150 young people were consulted in South Asia and Latin America, on their views of corporate social responsibility.
Useful documents on children’s participation rights

This can be found in the Ireland’s National Strategy on Children and Young People’s Participation in Decision-Making 2015-2020 on page 22. It lists questions to be asked, to ensure that children’s participation rights are met, such as: Do children know they do not have to take part? Were the children’s views considered by those with the power to effect change?

A Toolkit for Monitoring and Evaluating Children’s Participation.

The toolkit consists of 6 booklets, to provide a framework for measuring children’s participation. It provides monitoring and evaluation tools in order to do so. It is intended for organisations working directly with children by child or youth led organisations and by governments.

This briefing has been authored by
Tara M. Collins, Associate Professor, School of Child and Youth Care, Ryerson University, https://www.ryerson.ca/cyc/people/faculty/tara-collins/

E. Kay M. Tisdall, Professor of Childhood Policy Childhood and Youth Studies Research Group, MhSes University of Edinburgh, https://www.ed.ac.uk/profile/kay-tisdall