Methodology for Undertaking a CRIA of COVID-19 related State Measures

ENOC-UNICEF Project

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List of acronyms

CFR	Common Framework of Reference
CRC	Committee on the Rights of the Child
CRIA	Child Rights Impact Assessment
CRIE	Child Rights Impact Evaluation
ENOC	European Network of Ombudspersons for Children
UNCRC	United Nations Convention on the Rights of the Child

Introduction

Background to the methodology

Child Rights Impact Assessments and Evaluations (CRIAs and CRIEs) are listed among the measures the UN Committee on the Rights of the Child identified in its General Comment No. 5 of 2003 on the General Measures of Implementation of the Convention on the Rights of the Child. The Committee underlines that ensuring that the provisions of the Convention are respected in legislation and policy development and delivery at all levels of government requires a continuous process of impact assessment and evaluation to be built into decision-making at all levels and as early as possible in policy development. It further underlines in this respect that independent monitoring by a range of actors, including independent human rights institutions, is essential.[1]

While CRIAs and CRIEs have received limited attention thus far as tools to advance the implementation of the Convention on the Rights of the Child, the COVID-19 pandemic, and the policy measures taken to contain it, has renewed interest in these instruments. The specific effects on children and their rights brought about by restrictions targeting the entire population for the purpose of containing the virus have become progressively apparent and have called for significant adjustments to the measures taken. It has become clear that better understanding the impact of COVID-19 related measures on children and their rights is critical to minimising negative effects by adapting the measures and ensuring accompanying intervention as needed. In this context, the role of ombudspersons for children, commissioners and other independent child rights institutions as bodies with the mandate to monitor and defend children's rights and best interests at the national level, is crucial.

The European Network of Ombudspersons for Children (ENOC) has therefore engaged in the development of a Common Framework of Reference on Child Rights Impact Assessment issued in 2020, and joined hands with UNICEF for a project aiming to develop a methodology for such CRIAs in the context of COVID-19, piloted with independent institutions in selected countries in Europe and Central Asia. The present methodology is the result of this project and draws on findings and lessons learned from its use by the thirteen institutions that participated in the project.

Objectives of the methodology

The overall objective of the present methodology is to provide guidance to independent child rights institutions, such as children's ombudspersons and commissioners, on how to conduct a CRIA or a CRIE. Specifically, the methodology aims to:

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[1] UN Committee on the Rights of the Child, General Comment No. 5 (2003), General measures of implementation of the Convention on the Rights of the Child (arts. 4, 42 and 44, para. 6), CRC/GC/2003/5, 27 November 2003, paras. 45 and 46.

- Make CRIAs and CRIEs more accessible to independent institutions by providing hands-on advice
- Clarify the different steps involved in conducting a CRIA and CRIE
- Support institutions in planning for a CRIA or CRIE
- Provide a range of practical, ready-to-use tools that can be utilised in the process of conducting a CRIA or CRIE
- Explain how to ensure a child-rights approach to conducting a CRIA or CRIE
- Support independent institutions in advocating for CRIAs and CRIEs in the development of policies by providing guidance material that can be used by other actors at the national level

Presentation of the methodology

The methodology is based on the [ENOC Common Framework of Reference on Child Rights Impact Assessment (CFR)](#) and follows the 8 steps contained therein. It provides guidance to ombudspersons and commissioners for children in conducting CRIAs. It was developed in the context of the COVID-19 pandemic and related state measures, and is therefore framed within this overall context. However, the methodology can valuably be applied to an impact assessment of any measure affecting the rights of children.

The methodology is intended for use as guidance material, paving the way for country-specific impact assessments. It is meant to be adapted to each national, and as relevant local, context and circumstances. As such, it can valuably be adjusted to specific needs and constraints prevailing when the CRIA or CRIE is conducted. It is important, however, to ensure that basic requirements for quality and safeguarding are upheld in order to ensure that the product achieves its objectives and the process does not put children involved at risk. All the steps should be followed; however, for the evidence-gathering step some countries may consider a desk review or a combination of desk review and specific consultations sufficient in the light of limited resources.

The methodology describes in detail each of the steps involved in developing a CRIA or CRIE. For each step it reviews key elements to be taken into account, highlights possible complexities or choices to be made with their implications, and provides indications for practical implementation through ready-to-use tools as relevant. Each section ends with a check-list summarising the main points for consideration when using the methodology.

Scope and definitions

"CRIA is a process, tool and report which supports a systematic assessment and communication of the impact of a proposal or measure on the rights, needs and interests of children and young people. CRIA focuses on how children's rights were or may be affected by the decisions and actions of governments, institutions and others in the areas of law, policy and practice."
> *ENOC Synthesis Report – Child Rights Impact Assessment – November 2020.*

The impact assessment is therefore:
- Both the product (study) and the process that led to its development
- Focused on the way a measure has impacted or could potentially impact children and their rights
- An assessment that can be conducted (1) before the measure is adopted in order to anticipate its possible effects; (2) after the measure has been implemented in order to evaluate its consequences for children's rights; and (3) when measures are being reviewed and/or renewed in order to take stock of the impact of their ongoing implementation, renewal or modification. In the context of COVID-19 the latter has had particular relevance, with certain measures constantly being reviewed, renewed or reassessed as the pandemic progresses.

For easier reference, the present methodology generally refers to CRIAs, regardless of whether the assessment was taken before, after or while a measure was decided upon and action taken. In all cases, the exercise is to be understood as research or as a study rather than as an evaluation. CRIAs do not seek to evaluate policies in line with policy evaluation standards; rather, they focus on the effects of a given policy or measure on children and their rights.

Definitions of CRIA and CRIE in the *ENOC Synthesis Report – Child Rights Impact Assessment*:

Ex ante CRIA provides an opportunity to examine **the potential impacts** on children and young people of laws, policies, programmes and services as they are being developed and, if necessary, suggest ways to avoid or mitigate any negative impacts. This is done *prior* to the decision or action being set in place.

Ex post Child Rights Impact Evaluation (CRIE) is conducted *after* a decision has been made or an action has been taken and provides an opportunity to consider **the intended or unintended effect** those legislative changes, budget decisions, policies, programmes or services have had on children and young people. Where necessary, the CRIE can propose what changes are needed to comply with the UNCRC, improve children's wellbeing, and ensure their rights are respected.

CRIAs may be undertaken with regard to all kinds of measures: strategies, laws already in force, draft laws, policy, regulation, budgets, etc. All of these constitute examples of instruments used to contain the transmission of the virus.

When starting a CRIA, it is important to take an approach that "**assesses the past but looks into the future**" as a colleague from the office of the Greek Deputy Ombudsperson for Children's Rights pointed out at the launch event of the project. It is especially vital to include positive impacts, when ascertained, in order to maximise them, to facilitate communication about the results of your CRIA, and to promote change. The positive impacts can provide anchor points for engaging decision-makers' interest in the results and in the CRIA in general.

Preliminary step: planning the CRIA

This section lays out the preparatory work to be undertaken in order to conduct a CRIA. It sets the stage in terms of project management prior to entering the CRIA process per se. It is critical that institutions involved have a clear vision of what they aim to achieve, how and with whom, and to identify potential risks and ethical issues that may arise.

Setting the goals

In this preparatory phase, as ombudspersons for children you should lay out the rationale for undertaking a CRIA and think through from its inception the change(s) you are hoping to achieve with it. The expected results will inform the overall advocacy strategy of the ombudsperson's office.

The following questions might guide your preparation:

- **Why are you as the ombudsperson for children undertaking a CRIA?** What are the objectives? What do you hope to achieve with it/gain from it? What are the expected results?

Example of short-term objectives
o   Review of the impact of the measure on children's rights in order to identify necessary adaptations

Examples of medium-term objectives
o   Make governments, public bodies and institutions more accountable to children and young people
o   Close data gaps or improve cooperation between stakeholders on data sharing
o   Encourage more research on certain aspects of the impact on children's rights where evidence is lacking

Examples of long-term objectives
o   Improve UNCRC monitoring
o   Promote the institutionalisation of CRIAs within policy-making
o   Support the advancement of other general measures of implementation

- **What is the audience for the CRIA report?** Which actors does the ombudsperson aim to influence?
- **How does the CRIA fit into the ombudsperson's broader agenda/mandate/mid-term strategy?**
- **How will the ombudsperson's office and other addressees use the conclusions and recommendations from that CRIA?**

The goals set for the CRIA will inform its nature and scope.

Planning your work

This section reviews key project management aspects, with a view to assigning responsibilities for various tasks and putting in place a mechanism for monitoring and quality assurance. CRIAs come with resource implications: staff time, funding for commissioning additional research, costs incurred by public or targeted consultations, and costs involved in disseminating the results of the CRIA.

Proper planning of the CRIA process is an essential step that should not be overlooked. CRIAs require significant time and resources, and will most likely rely on the involvement of external stakeholders, including children, in order to access a wealth of diverse views and information. These processes require significant time and effort in order to secure the availability and interest of these stakeholders, prepare the necessary tools for their contribution, and inform them about or sensitise them to the nature and importance of CRIAs.

Before engaging in a CRIA, we recommend ascertaining to what extent other impact assessments are conducted in your country. You might obtain useful tips regarding the process by looking at the way social impact assessments, human rights impact assessments, environmental impact assessments or gender impact assessments are carried out. Child Rights Impact Assessments are a type of human rights impact assessment, and follow the same steps.

Before starting the CRIA, you should therefore address the following questions:

- **What is the timeframe for undertaking the CRIA?** The timeframe will depend on the nature of the measure assessed, the overall context in which the measure was implemented, the resources of the ombudsperson, commissioner or independent institution(s), and the advocacy strategy of the office, including opportunities to influence decision-making.
- **What are the resources available for the CRIA?** This will help determine the timeframe but also the scope of the CRIA and the nature and extent of data collection. Resources need to be identified within the ombudsperson's office, while also considering external support through partnerships with academic institutions and international or regional organisations, for example.
- **How will the ombudsperson's office organise its human resources to conduct the CRIA?** Who will be leading the CRIA within the ombudsperson's office? Who will document the process? What skills and expertise will they require?
- **What mechanisms will provide quality assurance? How will progress be monitored?**
- Which other **staff** support will be required for undertaking a CRIA? Will there be a need for external expertise? The people undertaking the CRIA will require an in-depth understanding of children's rights. Will it be necessary to provide training on children's rights and CRIAs to the team managing the CRIA?
- Who will be the **internal partners**? (e.g., other departments, depending on whether the ombudsperson for children's office is separate from or integrated into a broader human rights institution)
- Who will be the **external partners**? Which stakeholders will the ombudsperson need to reach out to and collaborate with, and at which stage of the process?

- What will be the approval process for the CRIA and its recommendations? As indicated in the CFR, it might be useful to agree on a senior sign-off in order to ensure that the recommendations of the assessment are acted upon or followed-up on.

It can be valuable to set up a working group composed of various stakeholders, including children, who will support the CRIA by advising on the process, mobilising additional stakeholders and explaining the CRIA, reviewing findings and recommendations, and promoting recommendations with decision-makers.

Engaging with children in the CRIA process

Children can be involved in various steps of the CRIA process. They can be consulted on issues but also take an active, even leading, role in conducting the CRIA. In practice this means, for instance:
- Involving children in the screening process by reviewing with them the various measures that may have an impact on children's rights
- Jointly defining the scope of the CRIA by deciding together or consulting with children on issues and groups that should be prioritised
- Engaging children in the collection of information, as researchers themselves or by organising consultations with children through various means
- Assessing the extent of children's involvement in deciding or reviewing the measure, by seeking the views of children who have been involved, if any, and reflecting with them on their possible involvement in the measures to be adopted
- Ensuring that children participate in quality assurance mechanisms for the CRIA, in particular in the analysis of the data and in reviewing conclusions and recommendations
- Ensure that the CRIA report is accessible to children by issuing a child-friendly version and ensuring that it is translated into a sufficient number of languages and produced in accessible formats, including for children with disabilities
- Involving children in the dissemination of CRIA findings by consulting them on channels and approaches and inviting them to contribute to advocacy in a child-sensitive manner and with due respect for safeguarding principles
- Involving children in assessing whether the CRIA recommendations have been implemented and have yielded positive change.

In all these aspects it is important to ensure diverse voices are represented and that different mechanisms are available to support participation by a broad range of children and young people. Agencies with expertise can be consulted and may also have useful resources available to support you in this step.

Risk analysis

The team in charge of the CRIA should anticipate the risks that could arise during the process and affect the ability of the ombudsperson's office to complete and disseminate it, and achieve its goals. Risks focus on project management itself and the broader socio-political environment in which the CRIA is being conducted.

Issues to be addressed before starting the CRIA include:

- **In which context is the CRIA being undertaken?** You might want to look at the political context as well as the public health context as many countries are entering each wave of the pandemic with new restrictions. Measures are sometimes even taken, lifted and adapted on a weekly basis. These constant changes in measures might present certain challenges to the CRIA.
- **What are the risks related to project management that could potentially impact the CRIA process** (e.g.: staff change, lack of cooperation and interest from other departments, lack of resources)?
- **Which other General Measures of Implementation[2] are already in place?** Successful implementation of the CRIA process depends on having other General Measures of Implementation established prior to its initiation.
- **What are the political risks or sensitivities with regard to this specific topic?**
- **What possible resistance to the process and/or the results can be anticipated?**
- What mitigating measures can be proposed?

Any CRIA is likely to have limitations and to be developed within a set of constraints. It is important from the outset to acknowledge these limitations and to be explicit about them with external stakeholders. This will help address possible resistance, anticipate potential criticism, and plan ways to work within these limitations.

Ethical principles and tools

CRIAs can involve accessing sensitive and confidential information, consulting with children and other actors, and reflecting such information in the analysis.

A number of ethical principles should be respected. Principles and tools developed for CRIAs are based in particular on UNICEF's ethical review process for research with human subjects and on the ENOC Child Protection Policy. Each ombudsperson for children's office has its own set of ethical guidelines and child protection policy that also need to be complied with when completing a CRIA.

UNICEF's policy requires that all research involving human subjects and sensitive secondary data commissioned or conducted by UNICEF, in partnership or independently, be subject to ethical review. Each institution conducting a CRIA in the context of this project is responsible for organising the ethical review of their CRIA prior to consulting with children and other persons. Ethical guidance is provided in the tool *Guidance for Consulting with Children and Young People*, which includes ethical principles for consulting with children as well as

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[2] General Measures of Implementation are measures of a legislative, policy-related, institutional, budgetary and statistical nature which countries must undertake for the effective implementation of the Convention on the Rights of the Child. These measures include national plans and strategies for children, education, training and awareness-raising on the Convention on the Rights of the Child, budget allocation for children, etc.

templates for a consent form and an assent form. This guidance should also be used when consulting with other stakeholders.

Confidentiality of individual cases and other confidentiality issues should be properly managed when collecting, analysing and storing data.

Undertaking a CRIA in an emergency context

A CRIA is a process that takes time, often several months, and requires significant consultations with a range of actors. In an emergency context like the COVID-19 pandemic, when measures taken or being decided upon need to be swiftly assessed, and when restrictions make it difficult to reach out to various stakeholders, engaging in such a process can be challenging. The circumstances can compromise opportunities for influencing measures and lead to ongoing rights violations as the CRIA is being developed. While there is no simple answer and each country situation is unique, several considerations apply:
- The level of data collection and extent of research can vary. However, the CRIA must remain evidence-based and the reliability and credibility of information used in the CRIA remain a paramount principle.
- The ombudsperson's office can use internal information, namely data obtained through complaints or questions submitted. Anecdotal evidence, when stemming from official sources such as the ombudsperson's regular activity, can be utilised.
- Core ethical principles should always be upheld, including not putting children at risk as a result of the CRIA – such as at risk of being stigmatised or of contracting a disease – and the benefits should largely overweigh potential risks for the children involved.
- While using the CRIA methodology, the study produced can use a denomination reflecting the process in which it was produced, e.g. "rapid assessment" or "preliminary assessment" if the intention is to confirm findings at a later stage.
- The CRIA methodology can be used to develop position papers and statements that will not be explicitly referred to as CRIAs.

Checklist – CRIA planning

☐ The goals for the CRIA, including the audience and the changes envisaged, are clearly formulated in line with my institution's mandate and strategic plan.
☐ The timeframe for the CRIA is defined.
☐ Available resources, including financial and human resources, are identified.
☐ Key responsibilities for the CRIA are assigned within the office.
☐ Main partners, external and internal, are identified.
☐ Project management risks are identified, and mitigation measures planned, including for quality assurance.
☐ Contextual risks linked to the socio-political environment, including possible resistance and sensitivities, are identified and mitigation measures planned.
☐ Limitations of the CRIA are explicitly identified.

Step 1 – Screening

Screening aims to identify measures for which a full CRIA is unnecessary. It also provides justification for the assessment being undertaken.

In the context of COVID-19, this step invites ombudspersons to list the measures taken to contain the pandemic, providing a range of possible areas to consider. Screening encompasses a broad mapping of the potential measures to be assessed and the specific human rights potentially at risk, as well as the key groups initially assumed to be most affected.

Which measures might be examined by a CRIA?

A CRIA can be undertaken with regard to all types of measures taken to contain the transmission of the virus. These might be national or local measures (for certain issues, responsibility for decision-making related to COVID-19 prevention measures may be or have been with local authorities such as district authorities or municipalities).

Measures to be considered for your screening process:
- Strategy
- Laws
- Draft laws
- Public policy
- Regulations
- Guidelines for professionals (health professionals, care professionals, teachers, etc.)
- Recommendations
- Budgets
- Campaigns (e.g., vaccination campaign)
- Other

Name each measure (include relevant sections) to be assessed and describe its overall aim and purpose. Then consider which articles of the UNCRC and which groups of children are likely to be affected by this measure. The table below gives one country example to show you the level of detail required at this stage. The result of the screening stage should be a table/list of measures that you screened using these guiding questions.

Description of measure	Entity initiating, adopting or implementing measure	Aim and purpose	Which child rights seem to be affected?	Which groups of	(Potential) impact of measure on children's rights?

				children[3] appear or could potentially be affected?	(Positive, negative, neutral)
Portugal *Adopted on 18/3/2020: state of emergency declared in Portugal through Decree of the President of the Republic No. 14-A/2020 ([15]).*	*Initiated by the government* *Adopted by the President* *Implemented by numerous public entities such as public health institutions, police, and workers in education.*	*Extraordinary urgent measures in the form of restrictions over domestic and international movements and the application of social distancing rules.*	*Right to education* *Right to be in contact with family (Art. 9)* *Right not to be discriminated against (Art. 2)*	*Children living in poverty or at risk of living in poverty* *Children in alternative care, etc.*	*Lack of access to computers and internet connection (impossibility to attend online classes)* *Restricted contact with biological family*

Criteria used by ombudspersons when selecting the issues to focus on need to take on a child-rights perspective:
- measures with the most impact on a large number of children;
- measures with the most impact on the most marginalised children;
- impact appears significant and distinct.

A given measure can have a:
- Negative impact, meaning that its implementation has led, may lead or is leading to violations of children's rights or a reduced enjoyment of rights by (some) children;
- Positive impact, in that it enhances the enjoyment of rights by (some) children;
- Neutral impact, in that it neither increases nor reduces the enjoyment of rights by children or by some children, nor does it notably affect them. This includes negligible impacts.

A measure will often have a combination of negative, positive and neutral impacts, depending on the areas and the groups of children concerned. For example, the prohibition of visits for children in care institutions will have a negative impact on children in care, but a neutral impact on children who are not in care. Since all rights in the Convention on the Rights of the Child are indivisible and interrelated, a rights violation in one area will affect the enjoyment

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[3] These groups might include, for instance, children with disabilities, children in alternative care, children in low-income households, children in homeless families, children in migrant families, children impacted by migration, children deprived of liberty, etc.

of other children's rights. For example, lack of access to schooling will have a negative impact on the right to education, but also on the right to protection as opportunities to detect violence will be reduced.

If the impacts of the measure appear to be distinct and significant in the screening, it is recommended to carry out a full CRIA on that particular measure. A full CRIA means completion of all the steps of a CRIA, beyond considering the measure against all the rights of the UN Convention on the Rights of the Child. A CRIA is not a situation analysis of the impact of COVID-19 on children, but rather an assessment of the impact of a specific measure related to COVID-19 (law, policy, regulation, budget line, etc.) on the rights of children.

It is recommended to focus on either one measure or, alternatively, on the impact(s) of a number of measures on a specific group of children or one particular area subject to policy, such as alternative care, education or health, to name only a few examples. For instance, if you decided to focus on children in alternative care, you would look at the impact on their rights of a certain number of measures (e.g., lockdown measures – usually decided in an emergency law – impacted children in residential care institutions in many ways, one of them being that they could not see their families of origin).

Experience has shown that having a narrowly focused CRIA will result in a more targeted and in-depth assessment within a reasonable timeframe. Conversely, a CRIA seeking to encompass all measures for all children is likely to involve an extensive process with a long study and a large set of recommendations, which will then require prioritising for advocacy. The capacities and resources of the ombudsperson's office also need to be considered at the screening stage.

In all cases, it is essential to provide solid justification for the selection based on evidence and relevant considerations, such as the national context, decision-making processes underway, and other factors. Throughout the CRIA, it will then be critical to keep the selected focus, respond to requests by stakeholders involved in the process and avoid expanding the CRIA to related measures or issues.

At this point, the team conducting the CRIA can then move on to the next stage in the process: scoping.

Checklist – Step 1 – Screening

❒ All measures related to a particular issue that could be examined as part of a CRIA have been listed.
❒ Each measure has been screened with a view to determining the stated objective of the measure, which entity decided on the measure, key child rights potentially affected and how (positively, negatively, neutrally), and the groups of children likely to be particularly affected.
❒ The focus of the CRIA has been selected and clearly formulated.
❒ The reasons for selecting this focus have been laid out and backed up by available evidence in light of the national context and circumstances.

Step 2 – Scoping

The main objectives of the scoping stage are to delineate the scope of the CRIA and develop a research plan. To this end you will need to expand on the information provided in the initial screening on the purpose of the measure and which children's rights will be affected. Ideally, a baseline assessment of the existing child rights situation in the country pertaining to that specific aspect is available against which potential effects and actual impacts can be foreseen or measured.

The CRIA uses the Convention on the Rights of the Child and its Optional Protocols as the framework for assessment and evaluation and refers to other human rights treaties where relevant. Where appropriate, you may wish to refer to other United Nations conventions, for example the Convention on the Rights of Persons with Disabilities (CRPD), the Universal Declaration of Human Rights (UDHR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), or the International Convention on the Elimination of All Forms of Racial Discrimination (CERD).

Scoping implies defining a number of possible characteristics of the CRIA, such as:
- The geographic scope of the assessment (if the CRIA does not cover the whole country you will need to specify which regions are covered). You may select a particular region or province, or areas sharing common features (e.g., urban, hard-to-reach, high proportion of children from ethnic minorities or Indigenous children);
- The children concerned (all children or group(s) of children in particular). Marginalised groups of children, whose rights are more likely to be violated and/or whose situation may imply that impacts will be different from the majority of the child population, require specific attention;
- The child rights involved. The CRIA may focus on a specific right for a specific group, such as the right to education for children with disabilities, or the right to be raised by both parents for children whose parents are separated or divorced. In relation to COVID-19, reference to the rights listed by the [Statement of the Committee on the Rights of the Child on COVID-19](#) constitutes a minimum standard (see box below). It is important to bear in mind, however, that all human rights are interrelated and examining how one specific right is impacted will lead to consideration of implications for all children's rights;
- The approach and depth of the CRIA (desk review, extent of consultations). This requires reflecting on the information needed to adequately assess the impact of the measure, while considering the office's capacities;
- The likelihood that the measure, planned or in place, evolves/has evolved over time and adjustments already made based on an analysis of its impact on children's rights.

It is essential to adequately justify choices made in terms of scoping. This will help address possible questioning and resistance by external stakeholders in particular, and is integral to achieving advocacy objectives. For example, if the CRIA focuses on a marginalised group of children with low visibility, a justification could be to give visibility to the impact of the measure on that particular group. If it is expected that some children are or will be negatively affected by a given measure otherwise beneficial to most of the population, a justification

could be to seek strategies to mitigate and reverse negative impacts, adapted to their particular needs.

Eleven recommendations from the UN Committee on the Rights of the Child (CRC)

1. Consider the health, social, educational, economic and recreational impacts of the pandemic on the rights of the child.
2. Explore alternative and creative solutions for children to enjoy their rights to rest, leisure, recreation and cultural and artistic activities.
3. Ensure that online learning does not exacerbate existing inequalities or replace student-teacher interaction.
4. Activate immediate measures to ensure that children are fed nutritious food during the period of emergency, disaster or lockdown.
5. Maintain the provision of basic services for children including healthcare, water, sanitation and birth registration.
6. Define core child protection services as essential and ensure that they remain functioning and available, including home visits when necessary, and provide professional mental health services for children living in lockdown.
7. Protect children whose vulnerability is further increased by the exceptional circumstances caused by the pandemic. These include children with disabilities; children living in poverty; children in street situations; migrant, asylum-seeking, refugee and internally displaced children; minority and indigenous children; children with underlying health conditions including HIV/AIDS; children deprived of their liberty or confined in police lock-up facilities, prisons, secure care centres, migrant detention centres or camps; and children living in institutions.
8. Release children in all forms of detention, whenever possible, and provide children who cannot be released with the means to maintain regular contact with their families.
9. Prevent the arrest or detention of children for violating State guidance and directives relating to COVID-19, and ensure that any child who was arrested or detained is immediately returned to his or her family.
10. Disseminate accurate information about COVID-19 and how to prevent infection in languages and formats that are child-friendly and accessible to all children including children with disabilities, migrant children and children with limited access to the Internet.
11. Provide opportunities for children's views to be heard and taken into account in decision-making processes on the pandemic.

UN Committee on the Rights of the Child, Statement, [The Committee on the Rights of the Child warns of the grave physical, emotional and psychological effect of the COVID-19 pandemic on children and calls on States to protect the rights of children](), 8 April 2020

Similar to the screening process, when scoping it is important to be realistic about the capacities of the ombudsperson's office and to keep in mind the overall objectives of the CRIA. At the scoping stage, you may also wish to refine the stated goals in order to make them more focused on the exact nature of the change envisaged after further delineating the scope of the CRIA:

- When conducting an impact assessment prior to the adoption of the measure, how will the selected scope foster influence over the measure and for which groups of children?
- When conducting an impact evaluation after the measure has been implemented, how will the selected scope be advantageous in advocating for changes in the measure or accompanying measures to mitigate the negative impact(s) for the selected group of children?
- When conducting a hybrid impact assessment, how will the selected scope foster learning from the existing implementation of the measure to foresee further potential impacts and influence renewal or revision of the measure? How can a limited geographic coverage enable us to draw lessons for a wider area (e.g. the whole country or children living in similar areas such as urban or rural, mountain or island), for additional groups in a similar situation (e.g., living in closed settings, on the move), or for all children?

Checklist – Step 2 – Scoping

❐ The geographic scope of the CRIA has been defined and justified.
❐ The group(s) of children for which impact(s) will be assessed have been defined and justified.
❐ The specific rights the CRIA will focus on have been identified, bearing in mind that examining impact(s) will involve considering implications for the enjoyment of all other rights under the Convention and other human rights standards.
❐ The approach and extent of the research, in particular the gathering of information, have been defined.
❐ The scope of the CRIA is commensurate with the capacities of the ombudsperson's office.
❐ The scope of the CRIA will enable the ombudsperson's office to achieve the CRIA's stated goals, which can be reviewed and scaled up or down as part of the scoping process.

Step 3 – Gathering evidence and consultation with stakeholders, in particular with children and young people (see also Step 4)

Meaningful analysis and evaluation requires robust data-gathering processes. The CRIA needs to be evidence-based and any gaps in the evidence must be presented together with recommendations for addressing these gaps. A transparent record of the CRIA process should be kept and published together with the report and recommendations.

The approach to evidence-gathering depends on the level of the CRIA the institution has decided to conduct as part of the scoping exercise (desk review only; a mixed approach with desk review and consultations with stakeholders; or a comprehensive approach including consultation with children and young people). As previously mentioned, the selected

approach needs to be in line with the institution's capacities and resources (human, financial, technical) and the planned timeframe for the CRIA.

The methodology for this step of the CRIA therefore presents key options for collecting information on the impact – potential or observed – of a measure on children's rights. Some countries will stop at the first method (desk review), while other ombudspersons and commissioners for children will decide to go further and use a wider range of methodologies to complete their CRIA.

Nevertheless, the quality of the CRIA will stem from the depth and diversity of information collected, and it is essential that children's views be heard and their experiences reflected as part of the CRIA. Consultations with children and young people are therefore highly encouraged in order to ensure a rights-based approach and increase the legitimacy of the CRIA. Even in the context of COVID-19, the right of children to be heard should not be suspended. If the direct involvement of children cannot be organised for a range of reasons, consideration should be given to relying on secondary sources, such as reports from past consultations with children on a similar topic, press articles and situations of which the ombudsperson's office is aware as a result of its various activities.

'Sometimes participation is as simple as just asking children what they think. It doesn't always have to be very complicated.'
ENYA Young Advisor, ENYA Forum, 4 October 2020

Desk review

Reviewing the documentation is a fundamental step taken by all ombudspersons carrying out a CRIA and needs to come first in the gathering-evidence stage. A CRIA requires both quantitative and qualitative data from a wide range of sources. As noted in the [Independent Children's Rights Impact Assessment on the Response to COVID-19 in Scotland](#), "a challenge with conducting a CRIA soon after or as measures are being introduced is that there is very little evidence concerning implementation or impact to draw on".

Possible sources of information for a CRIA include:
- Complaints to ombudspersons from children or parents (individual cases)
- Inspections or investigations by the ombudsperson's office or other national human rights institutions;
- Data from child helplines;
- Administrative data and official government statistics;
- Case studies;
- Reports from civil society organisations;
- Government briefings;
- Court decisions;
- Journal articles or other academic publications;
- Perception and opinion surveys (UNICEF, civil society organisations or government bodies monitoring children's rights might have undertaken surveys or consultations

with children and young people and their families on issues related to the impact of the measures on children's rights);
- Press reviews and similar documents in the public domain.

It is important to adequately assess the reliability of respective sources and their possible limitations. For example, government statistics may present inconsistencies depending on the authority issuing the data. Child helpline information is only based on reported cases, bearing in mind that many cases of violence against children may go unreported – yet over a period of time they provide interesting information on trends and on the nature of violations. Press articles can provide interesting perspectives from people "on the ground", but may tend to focus on issues already enjoying visibility and of particular interest for the public.

Stakeholder consultation

The objective of the stakeholder consultation process is to collect information, opinions and insights from a wide range of stakeholders to complement the data analysis and secondary research on the impact of that measure on children's rights.

A list of stakeholders should be drawn from the initial desk review. Stakeholders that could be consulted through surveys, interviews or focus group discussions include:
- Children and young people;
- Caregivers;
- Teachers, care and education professionals;
- Members of the official body that took the measure being assessed;
- Members of parliament;
- Ministry officials in charge of the issue at hand;
- Monitoring bodies;
- Representatives of child rights organisations;
- Key service providers (e.g., if the issue is related to education: teachers trade unions);
- Child and youth groups.

Nevertheless, identifying relevant stakeholders will not guarantee that the ombudsperson's office will effectively be able to consult with them. This requires careful planning, based on stakeholders' availability in light of their situation and the time of the year, for example, on the likelihood that they will be willing to participate, possible ways to contact them, and the assessment of risks for people from marginalised groups and/or without an official or professional function.

Consulting with stakeholders in the CRIA process further requires adequately laying the ground for discussion. Various challenges may arise, chiefly due to a limited understanding of children's rights and lack of knowledge of CRIAs. As a result, when consulting with a range of stakeholders it may be useful to:
- Develop a concept note or information sheet to explain the rationale for the consultation process and provide the framework in which the CRIA is carried out;
- Plan for capacity-building sessions or dedicate part of the consultation to providing an overview of children's rights and child rights approaches, explaining what the CRIA is

and what it aims to achieve, and detailing the scope and context for the CRIA you are conducting.

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Consulting with children and young people

Consulting with children and young people in assessing the impact of a measure in the evidence-gathering phase requires careful planning, adequate approaches, and relevant safeguards to ensure that child participation is meaningful. Please consult the relevant Annex to the methodology prior to undertaking any direct consultation with children.

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Surveys with children and their families
(see Annex: "Guidance for consulting with children and young people")

Particular consideration is needed to facilitate the inclusion of children and young people who currently are not easily accessible by digital means. The rights of these children and young people may be at most risk as a result of the COVID-19 measures, and thus their perspectives are urgently required in order to mitigate and remove such risks. Measures such as covering the costs of internet access might support their participation.

Surveys with other stakeholders
Surveys with other stakeholders might be conducted online using similar questions to the ones in the semi-structured interviews or questions adapted to that stakeholder group.

Focus group discussions
The Annex "Guidance for consulting with children and young people" offers tips for organising focus group discussions. If you can only schedule one or two focus groups with children it is important to consider involving the most marginalised children, who are likely to be most affected by the measure or who have not been included in previous studies.

Interviews with key informants
Semi-structured interviews are conducted with *key informants* such as the stakeholders identified above. The Annex "Guidance for consulting with children and young people" provides advice on conducting interviews with children. The guidelines for semi-structured interviews in the Annex offer tips for interviews with other stakeholders and underlines the importance of semi-structured interviews with a common framework.
Additional methods for gathering evidence may be added by the ombudspersons.

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Checklist – Step 3 – Gathering evidence

❑ The level of evidence-gathering has been laid out and properly justified.
❑ A decision has been made as to whether children and young people will be involved in evidence-gathering, and if not, proper justification has been provided, as well as a plan for ensuring that their experiences are reflected.
❑ Key sources of information have been identified for the desk review, including their level of reliability and their strengths and weaknesses in informing the CRIA.
❑ A list of key stakeholders has been established.

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Step 4 – Scrutinising children's involvement in deciding or reviewing the measure(s)

As explained in the ENOC Common Framework of Reference on Child Rights Impact Assessment, the purpose at this stage is to provide a more detailed analysis of the involvement of children and young people in informing or drafting the specific measure you are assessing or evaluating. This step is not about the involvement of children and young people in your CRIA itself but about their participation in the decision-making process that led or is leading to the adoption of the particular measure.

However, in order to fully comprehend how children are or were involved in decision-making and how meaningful their participation has been, it would be valuable to consult with children.

This analysis might include:
- **At which stage of the development of this measure were children and young people involved?** By whom? With which method (surveys, interviews, focus group discussions)?
- **What groups of children[4] were involved?** Are these children those most impacted by this measure?
- **What were their recommendations?**
- **Were they informed about how their input has been taken into consideration?**

Take into consideration in this step that children might have been involved in reviewing or assessing the impact of the measure(s) outside the current CRIA. Your analysis could therefore also answer the following questions:
- Which stakeholders prompted such engagement and sought children's views (government, civil society, ombudspersons, children themselves, youth organisations)?
- What aspect(s) did they look at in particular?
- Were their recommendations taken into account in any way by the body responsible for the measure?

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[4] These groups might include, for instance, children with disabilities, children in alternative care, children in low-income households, children in homeless families, children in migrant families, children impacted by migration, children deprived of liberty, etc.

Step 5 – Data analysis: assessing impact

This step provides indications for conducting and presenting the impact analysis with a view to promoting change. A template questionnaire for the data analysis is included as an Annex. The questionnaire can be adapted to your local context and should be used as a starting point for your analysis.

Most measures will impact some children more than others. It is therefore crucial to differentiate between various groups of children when assessing impacts, and to identify which groups are more affected. Depending on your country context, the analysis should pay particular attention to children with disabilities, children from minority groups, indigenous children, children in detention, children in care, children on the move, children on the street, and children living in poverty, among others. Data should be disaggregated according to a number of factors such as age, gender, disability, etc. A gender-based analysis should also be included.

The analysis should focus on the rights that are impacted by the measure, in line with the rights-based approach. The CRIA needs to analyse both the direct and indirect impacts of the measure on children's rights. Examples of indirect impacts include restrictions on freedom of movement separating families; restrictions on opening of businesses that might lead to unemployment or loss of revenues of the parents, in turn impacting on the stress levels of children with possible food and nutrition issues. The CRIA also needs to look at the actual or foreseen short-term, medium-term and long-term impacts of the measure at hand.

One possibility is to use as a framework the clusters of rights identified by the Committee on the Rights of the Child in its Guidelines for State Parties' Reports. Even if significant overlap can be expected between clusters as all rights are interdependent, this will help ensure that the analysis adequately considers the full set of rights:

Civil Rights and Freedoms: Articles 7, 8, 13, 14, 15, 16, 17, 28, 37, 39.
Family Environment and Alternative Care: 5, 9, 10, 11, 18, 19, 20, 21, 25, 27, 39.
Basic Health and Welfare: 6, 18, 23, 24, 26, 27, 33.

<u>Education, Leisure and Culture</u>: 28, 29, 30, 31.
<u>Culturally specific Articles, including cultural activities</u>: 8, 30, 31.
<u>Special Protection Measures</u>: 22, 30, 32, 33, 34, 35, 36, 37, 38, 39, 40.

A valuable and complementary approach consists in assessing the impact of the measure on the four Guiding Principles of the Convention on the Rights of the Child:

- **Non-discrimination**. Does the data suggest that some groups were or are likely to be more affected than others by the measure?
- **Best interests of the child**. Was/is the principle of the best interests of the child given primary consideration in decision-making for the measure? Were/are children as a group explicitly considered as being affected by the measure? Have the interests of specific groups of children received particular attention?
- **Right to life, survival and development**. Could the measure potentially affect children's lives and survival, or has it already done so and, if so, how? Has the measure, and the decision-making process that precedes it, given consideration to possible long-term impacts on children and on all aspects of their development – physical, mental, psychological, emotional and spiritual?
- **Right to be heard**. Is the measure having – or could it potentially have – an effect on children's ability to express their views and have them taken into account? (see also Step 4)

A common challenge in conducting the CRIA will be to determine the exact contribution of the selected measures to identified child rights outcomes. First, in the case of COVID-19, for example, many measures were put in place at the same time. Second, a given outcome may be the result of a combination of factors and attribution may be difficult. While this does not invalidate per se findings that are rooted in evidence, it does call for caution in establishing strict causality and in formulating findings. A plurality of perspectives will help assess the roles of various factors and highlight complexities that are inherent to the CRIA process.

A CRIA should not be limited to evaluating the potential or actual negative impact on child rights but should also be used to identify steps towards advancing the realisation of child rights within the implementation of the measure. An example of a positive impact of certain measures related to COVID-19 is that lockdowns have resulted in better air quality and many children who suffer from asthma have seen their condition improve.

Checklist – Step 5 – Data analysis: Assessing impact

- ❑ The impact analysis differentiates between various groups of children.
- ❑ Impact is assessed for all rights established in the Convention on the Rights of the Child.
- ❑ Impact is assessed in relation to the four Guiding Principles of the Convention on the Rights of the Child.
- ❑ Attribution of a given outcome to a specific measure is formulated with caution, pointing to other possible contributing factors.
- ❑ The CRIA highlights negative, but also positive and neutral impacts of specific measures on the rights of all children and/or specific groups of children.

Step 6 – Conclusions and recommendations

In light of the analysis conducted in the preceding step, conclusions can be drawn about the key findings of the assessment, and recommendations can be made based on mitigating and compensatory action.

Key findings must be highly focused and backed-up by your analysis. They should also include the positive, neutral and negative impacts of the measure, as well as the direct and indirect effects.

Some key findings can also be related to the limitations of the methodology and would likely include:

- Possible bias (due to the subjectivity of your sources, for example) and how you have mitigated this (e.g., by conducting multiple interviews, verifying the information, etc.);
- Unavailability or low quality of available information (on all or some aspects) and ideally the reason why information is lacking (e.g., information exists but is inaccessible, some issues have not received enough attention, data is too difficult to collect, for example);
- Resistance and/or unwillingness by some actors to participate in the CRIA process;
- Interviews and focus groups taking place in an online format rather than in person; and
- Language, cultural and other barriers to communication with certain groups and how it was handled (e.g., translation, reliance on researchers from that group, accessibility measures for persons with disabilities).

These key findings may be developed into recommendations regarding the CRIA as both a tool and a process. An objective should be the promotion of the institutionalisation of CRIA in the country.

Recommendations should be presented in a way that is actionable and promotes accountability for change. This includes specifying what change or modification is needed, possibly providing various options, detailing accompanying measures (e.g., social policy measures to compensate for the impact of restrictive legislation), and identifying those responsible for making changes. Recommendations should be specific, solution-oriented, proactive and positive. They should build on existing opportunities in the national context.

Key questions to ask yourself at this stage to develop focused conclusions and recommendations:

- **Who is the target audience for the recommendations?** (e.g., government, parliament, other independent institutions, civil society organisations, academic institutions, media).
- **What is the content of the recommendation?** Which change or modification is needed to the current measure for it to have a positive or at least a neutral impact on children's rights? Provide, if possible, various options, detailing accompanying measures (e.g., social policy measures to compensate for the impact ascertained).

You might also focus one of your recommendations on the lessons learned from the impact of this measure for future similar measures with the aim of ensuring better preparedness for similar future challenges.

- **When should the recommendation be implemented? And how?**
- **Is further evidence required?** The lack or scarcity of data or the lack of reliable data can be listed as a key finding or conclusion, and a recommendation can be made on how to remedy this data gap.

The recommendations can, for example, be structured into sections addressing specific decision-makers and other stakeholders (government, parliament, other independent human rights institutions, civil society organisations, academic institutions, media, etc.) so that each can easily find recommendations in the report relevant for that particular group. They can also be organised by topic, setting or group of children concerned.

Checklist – Step 6 – Conclusions and recommendations

- ❐ Key findings are directly drawn from the analysis.
- ❐ Key findings include both findings from the analysis of the data collected and findings in relation to the CRIA process itself.
- ❐ Recommendations are specific, solution-oriented, proactive and positive.
- ❐ Recommendations are actionable.
- ❐ Recommendations clearly identify stakeholders responsible for follow-up.
- ❐ Recommendations address both the measure(s) examined and the CRIA process as a whole.

Step 7 – Publishing and disseminating the CRIA

The UN Committee on the Rights of the Child clearly recommends making the CRIA publicly available. As noted in the ENOC Common Framework of Reference, "publication of the full impact assessment (analysis, recommendations and conclusions) by ENOC members is an important way to evidence the conclusions reached and support the recommendations made". Publishing the summary and key messages or the full CRIA (including the methodology and detailed analysis) might succeed in drawing the necessary external scrutiny to the measure under discussion. **A reporting structure is annexed to this methodology to provide guidance on report writing.**

Should your risk assessment have made you aware of certain sensitivities around the publication of the CRIA, you might consider not publishing it, depending on the purpose and objectives you identified at its inception. "Pressing for the automatic or premature publication of a CRIA can be problematic[5]", notes expert Lisa Payne. If the CRIA is to be used as a tool for policy development, a meeting with the decision-makers in order to present the results of the CRIA might be more efficient.

The next steps to consider when publishing the CRIA are the following:

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[5] Unicef-UK-CRIA-comparative-review_FOR-PUBLICATION.pdf

- **Why are you publishing it?** What are your communication objectives?
- **Who are you targeting?** Which communication channels are the most relevant for your target audience?
- **Will you develop a child-friendly version of the CRIA?** Which groups of children will co-create the child-friendly version with you?
- **What are your key messages?**
- **Is a certain timing for the publication of the CRIA useful to ensure a better visibility of the report?** For instance, consider publication around the planned review of the measure or towards the beginning of the school year.

Once you have prepared the version to be disseminated, first inform the children, young people and other stakeholders consulted of the results of the CRIA and how their views and experience have been considered in the CRIA report. A child-friendly version of the assessment is highly recommended; this version should be prepared together with children and young people (either the same individuals consulted or children and young people from your children and youth advisory boards).

Checklist – Step 7 – Publishing and disseminating the CRIA

- ❒ The CRIA report has been finalised.
- ❒ A decision has been made as to whether the CRIA will be made public, entirely, partially, or not at all, and a justification has been provided.
- ❒ A child-friendly version has been prepared, based on the public document.
- ❒ Feedback has been provided to the children involved in the CRIA process.
- ❒ A communication strategy, including relevant channels and events, has been laid out.
- ❒ The dissemination objectives have been identified in line with the stated goals for the CRIA.
- ❒ The target audience for dissemination has been defined.
- ❒ Key messages have been formulated.

Step 8 – Monitoring and follow-up

The ENOC Common Framework of Reference discusses under this step monitoring and review of the CRIA after the measure has been adopted, with the CRIA taking place beforehand. If your CRIA addressed a measure yet to be adopted, the following set of questions included in the CFR should be answered:
- **Have the recommendations been acted upon?**
- **Should the progress of the proposal be monitored?**
- **Should the proposal be monitored and evaluated post-implementation?**
- **What mechanisms will be used to monitor and evaluate the proposal post-implementation?**

If your CRIA analysed the impact of measures already taken, use this step to address quality assurance processes, to evaluate results achieved in terms of advocacy and policy change, and to reflect on lessons learned from this CRIA process. You could also reflect on the following questions (similar to those above):

- Were the recommendations used to review the measure and either mitigate the negative impact or maximise the positive impact?
- Should the assessment of this measure be repeated in a few months' time to assess the medium- and long-term impacts of this measure?

As part of the follow-up to the CRIA, an **advocacy strategy** can be developed and could include the following points:

- Define the key goal(s), i.e., what needs to change (amendment to legislation, adopting new measures, making arrangements for certain groups who are disproportionately negatively affected) and the decision-makers who will be able to bring about the change;
- Identify stakeholders to reach out to for partnerships;
- Determine how children and young people can be involved;
- Anticipate possible resistance to recommended measures;
- Develop your key messages;
- Set forth the channels and means via which to disseminate your message.[6]

You can reflect at this stage on the **key lessons learned from conducting a CRIA**, such as organisational matters (both unexpected and foreseen), difficulties, points of support, possible resistance by some actors, collaboration or lack thereof, training needs and how the position of the ombudsperson as an independent institution has facilitated or impaired the development of the CRIA. Based on the experience of this CRIA, reflect on the **lessons learned** and the next actions necessary to institutionalise CRIAs in your country (if this was your objective) or promote CRIAs further:

- If there is a lack of clarity about the body responsible for CRIAs in your country, which state body do you think would be the most appropriate to lead on CRIAs? Which role should the ombudsperson play in future CRIAs? Is the answer different for CRIEs?
- Try to answer the following question: if you were to do this CRIA all over again, what would you do differently?

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[6] A useful tool in this respect: Gerison Lansdown, National human rights institutions (NHRIs) Series: Tools to support child-friendly practices. Advocacy with and for children in the work of NHRIs, UNICEF Europe and Central Asia Regional Office, Nov. 2020.

Checklist – Step 8 – Monitoring and follow-up

- ☐ If the CRIA addressed a measure yet to be adopted, the extent to which the measure takes recommendations into account has been assessed.
- ☐ If the CRIA addressed a measure already in place, the influence of the CRIA on the revision of the measure and the adoption of additional mitigating measures has been assessed.
- ☐ An advocacy strategy has been developed to promote CRIA recommendations.
- ☐ Lessons learned from the CRIA process are formulated and reviewed by the ombudsperson's office and relevant stakeholders.

References

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Mukherjee, S., Pothong, K., & Livingstone, S. (2021). Child Rights Impact Assessment: A tool to realise child rights in the digital environment. London: 5Rights Foundation.

UNICEF - Ethical research involving children

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Annexes and tools

Annex I - Guidance for engaging with children and young people

Objectives

An in-depth CRIA requires seeking children's views and taking them into account when assessing the impact of the measure(s). Engaging with children is essential from a child rights perspective. It ensures that the CRIA is informed by children's lived experiences and their own perception of the situation. Children can advise on the focus and scope of the CRIA. They can contribute to evidence-gathering by sharing how they have felt about COVID-19 measures and the impact these have had or could potentially have on their lives, and by participating in data collection. They can also help identify measures that could be adopted to mitigate the impact of the pandemic and the related restrictions.

While the importance of involving children is usually well recognised among child rights advocates such as ombudspersons for children, how to concretely engage with children in a meaningful manner can appear challenging. In the context of the pandemic, additional obstacles stand in the way of meaningfully consulting with children, due to restrictions in face-to-face meetings and the related lack of access to places such as schools, youth organisations, and closed settings where children may live such as care institutions, detention centres, boarding schools, health care facilities, and refugee camps. This makes it more difficult to (1) access children and (2) meaningfully engage with them.

Taking this context into account, **this guidance note aims to provide practical avenues for engaging with children in conducting the CRIA**. It addresses:

- Which children should be involved and how to reach out to them;
- Possible participation channels;
- The specificities of consulting with children through online meetings;
- Safeguarding and ethical issues including the ethical review process;
- Practical tools: model consent form, assent form and checklist.

It should be read as a complementary tool to UNICEF ECARO [National Human Rights Institutions (NHRIs) Series: Tools to support child-friendly practices. Children's participation in the work of NHRIs (2018)](#)

Which children should be consulted?

Depending on the capacity (size and resources) of the ombudsperson for children's office and the scope or topic of the CRIA, the ombudsperson may decide to consult with a smaller or larger number of children. Useful tools in doing so will be examined below.

In all cases, particular attention should be paid to:

- *Involving children in different situations, in particular the most marginalised*. If the CRIA is of concern to all children in the country, it is important to engage with children who are usually invisible in policy-making and have limited opportunities to have their views heard, such as children with disabilities, children from minority groups and Indigenous children, children in care, children deprived of liberty, children on the move and child victims of violence. Groups selected will depend on the country's situation and groups identified as particularly marginalised. The CRIA should also include children from a variety of socio-economic backgrounds, to include both those more privileged, those from poorer families, and those with families around the median income level. If the CRIA concerns a specific group of children, such as children on the move or children of divorced parents, it is important to identify and listen to the views of children in different situations within that group. In addition to the groups mentioned above, this may involve considering the country of origin, whether children are unaccompanied or have migrated with their families, children whose parents live close by and those whose parents live in different areas or countries, and various cultural backgrounds, among other possible criteria.

- *Ensuring the balanced representation of boys and girls, and including children identifying as LGBTIQ.*

- *Involving younger children* to the largest extent possible, in particular children under the age of 6.

How to reach out to children

A number of different channels can be used to reach out to children:

- *Work with schools*. Schools usually have ongoing interactions with students, even if remote learning is currently in place. Depending on the size of the sample, you may decide to reach out to all schools in the country, most likely through a partnership with the Ministry of Education, to seek the views of as many children as possible through a survey, for instance. A downside is that you may not be able to collect views from those with more limited access to schooling, who are also likely to be the most marginalised. Another possibility is to identify selected schools in certain areas or with certain groups of students (e.g., special schools, private schools, schools in underprivileged areas or where minority groups live). You may also ask schools to select some students to participate in the CRIA if you are aiming for a smaller sample. However, it is likely that schools will designate the task to the highest performing students and participation may not be fully voluntary.

- *Work with facilities*. In order to access children in closed settings, such as children in care or children deprived of liberty, you may wish to reach out to the facilities that

host them. Likewise, it will be important to ensure that participation is voluntary and that the children interviewed are not necessarily those viewed more positively by the facility's management. If the facility has a system of children's representatives, they can be called on to participate in the CRIA and be given the opportunity to consult with their peers within the institution.

- *Collaborate with civil society organisations*. Many civil society organisations work with marginalised groups, providing a range of services. They often know their beneficiaries well and are trusted by them. They therefore represent a critical tool to reach out to children from marginalised groups, in particular children on the move who may be living in refugee camps or fear authorities, children from poor families, child victims of violence or living in a family with gender-based violence, children from minority groups, and children identifying as LGBTIQ, among other groups.

- *Make an open call for participation*. You may publicly ask children to participate in the CRIA by making an announcement on the website of the office and publicising it on social media and other media outlets. The announcement needs to specify how children can express interest, whether all can participate or some will be selected, and if so, how the selection will be made (with which criteria and by whom).

- *Involve the members of the child and youth advisory council if your institution has one*. A group of children who are easy to reach out to are the members of the permanent children's council of your office, if you have established one. They are most likely already in regular contact with your office and are used to providing feedback. They can be solicited to express their views on the matter the CRIA addresses. They can also be called on to review the tools you will use to consult with children.

Possible participation channels

There are various ways through which you can consult with children. These include, but are not limited to:

- *Surveys*. Surveys will enable you to reach a large number of children and collect a significant amount of data. However, surveys have limitations in that the quality of the information may be reduced. When questions are closed (yes/no, multiple choice) respondents may not be able to grasp the rationale for the answer and the possible nuances behind it. When questions are open, responses may be richer but more difficult to aggregate and analyse. Surveys require children to be able to read, speak (the survey language should be their main language), and to have internet access if it is online. Alternatively, surveys need to be conducted by an adult, who can influence the answers provided. Nevertheless, surveys can act as a general barometer of children's views and feelings. It is important that survey questions be formulated in a clear and accessible way. Testing the survey with a few children is therefore an

important step. The survey should clearly specify how it should be administered, the role of accompanying adults in the process, and data protection and privacy considerations (e.g., whether answers are anonymous).

- *Focus group discussions*. Focus group discussions bring together a group of 5-12 children. They may be held online or in person. The discussion is guided by a facilitator based on a semi-structured template with themes and questions to be tackled. Focus group discussions provide an opportunity to "unpack" issues by having children interact both among peers and with the facilitator. They are therefore instrumental in gaining a deeper understanding of issues and uncovering aspects of which you may not have been aware. Participants in the same focus group discussion can include children in different situations, but also in similar situations, which may make them more comfortable and willing to open up beyond the constraints of pre-existing power dynamics that prevent children from marginalised groups from expressing themselves freely. In all cases, facilitators need to be trained to interact with children and manage group dynamics and possible issues that may arise (see also the section on "safeguarding" below).

- *One-to-one interviews*. For some children in particularly difficult situations, who may fear sanctions or stigmatisation, individual interviews may provide the safe space they need to openly share their views. Individual interviews should be semi-structured, using a template of key questions or themes to be addressed, and conducted by a trained facilitator. They may be held online or in person.

- *Group activities*. Children's views can be collected through activities that do not involve group discussions per se but invite children to express their opinions through other means, such as theatre, drawing, photography, and videos. In the COVID-19 context, these activities are likely to be restricted, however.

Conducting online consultations

Conducting online consultations with children is usually more challenging than in person, but if managed properly they still allow for meaningful engagement with children. In the COVID-19 context, it is likely that you will need to use online tools to consult with children. The following are some elements and tips to consider.

Online surveys

- Select an adequate online survey tool that will enable you to aggregate and analyse large amounts of data (e.g., Survey Monkey, Google Forms);
- Ensure that questions are clearly formulated in a child-sensitive manner;
- Determine the type of answer you expect (multiple choice, long answer, combination of both with a "please explain" box, for example);

- Explain the objectives of the survey, how the information will be used, and whether it will be anonymised or who will have access to the respondents' identities;
- Provide short guidelines for accompanying adults on their roles and consent issues;
- Adapt the length of the survey to your target group. In all cases it should take no more than 20 minutes to complete, preferably less. For younger children, plan for about 10 minutes;
- Make sure the survey is accessible in several languages and to children with disabilities;
- Make the design appealing;
- Thank children for their time and indicate a contact person should they have questions or concerns;
- Tell children how and when they can expect to receive feedback on their contribution (e.g., an overview of key findings) and make sure that you do provide such feedback.

Focus group discussions

Preparatory steps

- *Select a secure platform*. The first step in moving focus groups to a virtual format is to choose an online platform that is both secure and user-friendly, such as Zoom, GoToWebinar, WebEx, JamBoard or Mural.

- *Pilot the platform*. Piloting the platform is useful for testing sound quality and virtual focus group procedures (i.e., joining the group, obtaining consent, recording the focus group, etc.). Test the platform on both the phone and computer to become familiar with the different interfaces.

- *Choose a secure method to record the virtual focus group*. With the growing need to conduct focus groups virtually, securely recording focus groups is an essential step to protect participant privacy. You can use an encrypted device to record the focus groups and save all recordings on a secure drive immediately after each group has finished their session.

- *Ensure that participants have good internet access, or arrange for it* by soliciting civil society organisations to lend the children their facilities or provide a small stipend to cover internet connection.

- *Ensure that you have obtained consent and assent forms* from the children and their legal guardians or trusted adults to participate.

- *Provide children and legal guardians or trusted adults with clear and simple instructions* for connection, rules for the online discussion, and whether you expect children to be on their own or accompanied by an adult. If it is deemed safe and possible, children should preferably be on their own during the discussion.

- *Ensure that the facilitators are adequately trained* to interact with children.

- *Ensure that relevant steps are taken for all children involved to be able to contribute*, including by anticipating translation needs and accessibility requirements.

Facilitation

- *Ensure that you have at least two facilitators*, one leading the discussion, the other taking notes and addressing technical issues. Depending on the number of child participants you may have three adults supporting the process, but be mindful of not crowding the space with adults. Children must feel that it is their space.

- At the beginning of the session, *recall the objectives of the consultation.* Explain why you are consulting with children, why their views are important, how their views will be used in the assessment, and confidentiality measures. It is also important to clarify that, while it is hoped that their views will contribute to better collective measures, there should not be expectations for individual benefits resulting from the participation.
- Whether it is a newly established or a pre-existing group of young people, it might be useful to dedicate some time at the start of the session to ice-breakers (even in a virtual format), 'warming-up' activities and energisers. This may help young people feel more comfortable and at ease.

- *Also recall the rules for the discussion*. Reiterate that participation is voluntary and children are free to leave the discussion whenever they wish without any consequences. Recall the contact information for the person they should turn to if they have questions or concerns.

- *Use elements you would use in a face-to-face meeting*: paperboard (through screensharing), Mural, introduction of participants and icebreaker, requests for reactions, invitation to ask questions in the chat box or orally, break-out groups (most common tools have this function).

- *Tell participants whether you will be recording the session, ask whether they are ok with it*, and explain how the information they share will be protected.

- *Keep the discussion short* (1h to 1h30) and do not hesitate to take breaks if needed.

- *Make it fun and lively.*

- *Conclude by thanking participants, recall who they can contact if they have questions or concerns, and describe follow-up steps*, including how they will hear about outcomes.

Ethical considerations and safeguarding

Consulting with children implies a number of considerations in terms of ethics and safeguarding. The aim is to ensure that participation is meaningful, and that risks to which children may be exposed through their involvement are minimised and appropriate processes are in place to address issues that may arise.

UNICEF's policy requires that all research involving human subjects and sensitive secondary data commissioned or conducted by UNICEF, in partnership or independently, be subject to ethical review. Each institution conducting a CRIA in the context of this project is responsible for organising the ethical review of their CRIA prior to consulting with children and other persons.

This section provides elements that will help you ensure that consultation with children is ethical and appropriate safeguards are in place. These elements can be integrated into your application to the ethical review board.

UNICEF's ethical review requirements

In each country, institutions, and as relevant their UNICEF counterparts, are responsible for ensuring that ethical review is conducted, and the methodology cleared when consulting with children and other human subjects.

As per UNICEF's policy, Institutional Review Boards (IRBs) or Ethical Review Boards (ERBs) or Committees are a "specifically constituted review body established or designated by an institution to protect the rights and welfare of human subjects recruited to participate in biomedical or behavioural or social science research. IRBs attempt to ensure, both in advance and by periodic review, protection of subjects by reviewing research proposals and related materials. IRB protocols assess the ethics of research, evaluations or data collection and analysis and their methods, promote fully informed and voluntary participation by prospective subjects capable of making such choices (or, if that is not possible, informed permission given by a suitable proxy), and seeks to maximize the safety of subjects."

Ethical review should preferably be performed using review boards in place at the national level, usually in universities and other research institutions. If this solution is not available, UNICEF also has a long-term agreement with HML IRB, an organisation providing ethical reviews of research projects (https://www.healthmedialabirb.com/unicef).

For more information, see UNICEF Procedure for Ethical Standards in Research, Evaluation, Data Collection and Analysis, April 2015

Child participation in the CRIA process must respect the nine basic requirements for child participation articulated in CRC Committee General Comment No. 12 on the child's right to be heard.[7] UNICEF ECARO's tool on child participation in the work of NHRIs has laid out what these principles imply in practice for ombudspersons for children's offices engaging in child participation activities.

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[7] CRC Committee General Comment No. 12 (2009), The right of the child to be heard, CRC/C/GC/12, 1 July 2009.

The nine basic requirements for child participation in practice

1. **Participation is transparent and informative**. Children must be given information about their right to participate in a child-friendly and accessible format. The information should include how they will be able to participate, why they have been given the opportunity to participate, the scope and nature of their participation and the impact that they will be able to have. This means in practice that:
➢ Children's participation has a clear purpose;
➢ Children understand how much impact they are able to have on decision making;
➢ The roles and responsibilities of those involved are clear and well understood; and
➢ Children agree with the goals and targets associated with their participation.

2. **Participation is voluntary**. Children must be able to choose whether or not they would like to participate and must be informed and able to withdraw from activities at any time. Children must not be coerced into participating or expressing their views. This means in practice that:
➢ Children are given time to consider their involvement and are able to provide informed consent;
➢ Children are aware and are able to withdraw at any time they wish; and
➢ Children's other commitments (such as work and school) are respected and accommodated.

3. **Processes of participation are respectful**. Children should be treated with respect and provided with opportunities to express their views freely and to initiate ideas. Staff should also respect and gain an understanding of the family, school and cultural context of children's lives. This means in practice that:
➢ Children are able to freely express their views and are treated with respect;
➢ Where children are selected as representatives, the selection process will be based on principles of democracy and will avoid discrimination;
➢ Children themselves are involved in selection processes;
➢ Children are able to choose how they want to express themselves; and
➢ Ways of working build self-esteem and confidence, and enable children to feel that they have valid experience and views to contribute.

4. **Participation is relevant**. Participation should build on children's own knowledge and should be focused on issues that are relevant to their lives and the local context. This means in practice that:
➢ The activities that children are involved in are of real relevance to their experiences, knowledge and abilities; and
➢ Participation approaches and methods build on local knowledge and practices.

5. **Participation is child-friendly**. Child-friendly approaches should be used to ensure that children are well prepared for their participation and are able to contribute meaningfully to activities. Participation approaches and methods should be designed or adapted based on children's ages, abilities and interests. This in practice means that:
➢ Time and resources are available to support children effectively;
➢ Methods of involvement are developed in partnership with children;
➢ Meeting places and activity locations are child-friendly and accessible to children with disabilities and other minority groups; and
➢ Children are given accessible information in child-friendly formats.

6. **Participation is inclusive**. Children's participation must provide opportunities for marginalized children to be involved and should challenge existing patterns of discrimination. Staff must be sensitive to the cultures of all children participating. This in practice means that:
➢ Children are not discriminated against on any grounds;
➢ Efforts are made to include children from all backgrounds;
➢ Participation is flexible enough to respond to the needs, expectations and situations of different groups of children;
➢ The age range, gender and abilities of children are taken into account; and
➢ Participation challenges and responds to existing patterns of discrimination.

7. **Participation is supported by training for adults**. Staff must have the knowledge and capacity to facilitate meaningful child participation. This may involve training and preparation prior to engaging children in activities, as well as on-going support as required. This means in practice that:

Safeguarding measures are an important element of ethical participation processes that protect children from risk. Any child participation activity will involve a certain level of risk, but it is important to anticipate and take adequate measures to mitigate it. This will involve in particular:

- *Undertaking a risk assessment prior to involving children*. The risk assessment should identify the potential risks that stem from the ways in which children will be consulted, the characteristics of the children to be consulted, including their personal experiences, the environments in which the children to be consulted live, and events or potential disclosure that may occur during the participation activity – both during the activity and in its aftermath.
- *Foreseeing mitigation measures*. This involves steps to ensure the confidentiality of the conversation and privacy settings for group discussions.

- *Ensuring that parents, legal guardians or a trusted adult have provided informed consent* for the child's participation *(a trusted adult if legal guardians are unable to provide consent)*.
- *Ensuring that the child has given their assent* to participation, confirmed their understanding that it is voluntary and that they are free to leave at any time.
- *Establishing clarity about referral and reporting procedures* in line with national legislation should a situation requiring additional attention be disclosed.
- *Identifying a person for children to contact* if they have concerns.
- *Ensuring that facilitators and interviewers receive proper training* on risks and how to react in various situations (power dynamics in the group discussion that may risk stigmatising a child, discriminatory remarks, disclosure of abuse or bullying, to name but a few).
- *Guaranteeing the confidentiality of information collected*, including the names of participants and other personal information that could lead to their identification.
- *Securing the data collected* through safe storage systems, accessible only to the key staff conducting the CRIA.

All consultations with children need to abide by [ENOC's Child Protection Policy](#) and the child protection policy of your office.

Sample consent form based on UNICEF's model (for parents, legal guardians or trusted adults)

Hello, my name is [*data collector's name*], and I work with [*your organisation*]. We are conducting a study to assess the impact of [measure] on [*topic or purpose*].

We would very much appreciate your [*or your child's*] participation in this study. Participation involves [*data collection type, e.g., FGD*] with you [*or your child*] about your [*or your child's*] experiences with [*study topic*].

Your participation will take about [*time commitment*].

The information you provide will be strictly confidential and never presented in connection to you. We will put information from you together with information from other people in this study. No one will be able to tell what information came from you. When we report on this research, we will not use your name, and no one will know what answers you gave. Only a few researchers will have access to this information, and all information will be stored safely under the care of the lead researcher.

Your participation in this study may not benefit you directly, but it may benefit others. Your responses may improve [the ombudsperson's] work and understanding about the impact of the measures and how they can be improved.

Your participation in this study is voluntary. You are under no obligation to take part, and you may agree to participate now and change your mind later. You can decide not to answer any

of the questions and you can stop at any time. Your decision about whether to participate or to answer any questions will not affect any services you receive. If you choose to participate, please answer the questions honestly, so that we can understand your experience.

Before you say yes or no to being in this study, we will answer any questions you have. If you join the study, you can ask me questions at any time. You may also contact [*Name and contact info of Principal Investigator or other staff*] if you have any questions or concerns.

Do you have any questions now?
Do you understand everything I have explained?
Do you agree to participate in this interview/discussion?

Signature of Participant: _____

[*NB: Signature is optional and verbal consent is permissible if investigators feel this is the best option for their study. Likewise, it is preferable but not mandatory to leave a copy of this form with each subject. However, contact information must be left with each subject for later use*.]

Sample assent form for children[8]

Hello! Our names are [...]

We work with [*ombudsperson for children's office name*]. The role of the [*ombudsperson for children*] is to [*promote the rights of all children in... and to look at what is being done so that these rights are protected*].

We are doing a study about the impact [*measure*] has had on children [*topic or group concerned*].

We would like to hear your views about:

- what you feel has changed in your life due to [*measure*];
- what you like and dislike about it;
- what you think can be done to make things better.

We won't tell anyone else what you are telling us today, but we will use it together with what other children are saying. However, if you tell us about something very serious from which

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[8] Adapted from Dr Michelle Templeton, Professor Laura Lundy & Dr Bronagh Byrne, Facilitators' Pack – Rights of children with disabilities and the digital environment, Queen's University Belfast and Council of Europe.

you need to be protected because someone is hurting you, or because another child is being hurt, we will need to tell someone to get you or the other child some help.

Your parent/legal guardian/trusted adult will stay with you at the beginning of the interview/discussion and then go to another room, if this is ok with you. They have agreed to let you tell us what you want to say. You can call them at any time.

The interview/discussion will last for about x minutes.

You don't have to take part, but if you do you can stop talking to us at any time. That is okay.

Do you have any questions?

At any time, now or after the interview/discussion, if you have any questions or concerns, please feel free to contact *[name, function, phone number, email].*

Annex II - Semi-structured interviews

This annex provides guidance for interviews with key informants. These interviews can be conducted in person or online (using Zoom or any other online platform).

Semi-structured interviews are recommended because they allow for flexibility. The format focuses on the information sought, allowing researchers to adapt questions for a particular context or respondent. The interviewer does not have to strictly stick to the questions in the interview guide and may follow 'leads', although all topics contained in the interview guide should be covered for consistency purposes. The exact order and wording of questions may differ from informant to informant and is likely to change as data collection proceeds and its focus shifts.

When conducted online, semi-structured interviews might be slightly more challenging than in person as the interviewer cannot rely on non-verbal cues (e.g. body language).

For the in-depth interviews, the following questions can be asked:

1. Which impact did you observe that this measure had on children's well-being and children's rights? Any right in particular?
2. How has the measure affected the four guiding principles of the UN Convention on the Rights of the Child[9] in relation to that particular right?
3. How did you come to this conclusion? On which basis? Which evidence do you have to prove that impact?
4. If you identified a negative impact, what do you consider are the options to modify the measure or mitigate the impact on children's well-being and children's rights? Which compensatory measures could be taken?
5. If you identified a positive impact, what are the possible options to maximise the impact of this measure on children's well-being and children's rights?
6. Can we anticipate or predict the medium or long-term impact of the measure on children and children's rights? Do you anticipate different impacts on different groups of children?
7. The COVID-19 response is likely to have several phases, with varying degrees of restrictions, and uncertainty about their termination and possible re-imposition. What (if any) additional concerns about the impact of measures on children's rights do you anticipate in the coming phases?

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[9] The four guiding principles of the UN Convention on the Rights of the Child are: non-discrimination, best interests, right to life, survival and development and the right of children to express their views and have them be given due weight in decisions that affect them.

Annex III - Template questionnaire for data analysis

The objective of this template questionnaire is to guide your data analysis. As mentioned in the CFR, there is no single model for CRIAs and this questionnaire needs to be adapted to your local context and to the scope of your CRIA.

1. As all rights in the UNCRC are underpinned by the four general UNCRC principles, assess the impact of the measure against these. For each principle, briefly summarise what impact your policy will have or has already had on implementing the principle, and whether your policy will have or has had a positive, negative or neutral impact on its implementation.

Article	Is the right affected or limited? Yes/No	Describe how	Describe the type of evidence (quantitative or qualitative)
Non-discrimination (Article 2)			
The best interests of the child (Article 3)			
The right to life, survival and development (Article 6)			
The right of children to express their views and have them be given due weight in decisions that affect them (Article 12)			

For each relevant article of the UNCRC, briefly summarise what impact this measure has or will have on implementing it and give evidence as to whether your policy will impact it positively, negatively or neutrally. Are specific groups of children and young people more likely to be affected? If so, are will different groups of children and young people be impacted in different ways? Please provide supporting evidence.

2. For each right, briefly summarise what impact your policy will have on implementing the associated principle and whether your policy will have a positive, negative or neutral impact on implementing that principle?

Which right of the UNCRC is affected or	Describe how	Is a group of children in particular	How has the measure affected the 4 guiding	Describe the type of evidence (quantitative or

limited by this measure?		concerned by this interference? Which group of children?	principles in relation to that particular right?	qualitative)
Education (e.g., from Cyprus[10])	*Children with disabilities were not allowed to go to school even when schools reopened.*	*Children with disabilities*		

If the CRIA examines the impact of one or several measures on children's rights, the structure of the analysis can be organised according to the impact of the measure on respective rights, as per the following clusters, identified by the CRC in its Guidelines for State Parties' Reports:

Civil Rights and Freedoms: Articles 7, 8, 13, 14, 15, 16, 17, 28, 37, 39
Family Environment and Alternative Care: Articles 5, 9, 10, 11, 18, 19, 20, 21, 25, 27, 39
Basic Health and Welfare: Articles 6, 18, 23, 24, 26, 27, 33
Education, Leisure and Culture: Articles 28, 29, 30, 31
Culturally specific articles, including cultural activities: Articles 8, 30, 31
Special Protection Measures: Articles 22, 30, 32, 33, 34, 35, 36, 37, 38, 39, 40

Child rights are indivisible and interdependent so you will likely find it challenging to avoid overlaps. Do not hesitate to make cross-references by mentioning one issue and indicating that it is explored in more depth under another section. For example, when reviewing the right to education, you may find that the fact that children are not going to school at the same time also deprives them of protection offered by the school in detecting maltreatment and abuse. You can add that the issue will be explored further when considering the right to protection.

3. <u>What key evidence would have been beneficial to inform your assessment?</u>

4. <u>Is the measure having a direct or indirect impact on children and their families?</u>

Examples of direct impact: impaired access to education during lockdown measures.
Examples of indirect impact: restrictions on freedom of movement separating families; restrictions on opening of businesses that might lead to unemployment or loss of revenues of the parents, and impact on the stress levels of the children and possible food and nutrition issues.

5. <u>If a negative impact is identified,</u> what are the options to modify the measure or alleviate the impact? Which compensatory measures could be taken or have been taken? Is there another way to achieve the same aims which would have had better outcomes for children, particularly vulnerable children?

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[10] *ENOC document on ombudspersons and commissioners' challenges and responses to COVID-19.*

6. If a positive impact has been identified, what are the possible options to maximise the positive impact of this measure on children? If the measure has already been adopted, what has been done to optimise it?

A CRIA should not be limited to evaluating the potential or actual negative impact on child rights but should also be used to identify steps towards advancing the realisation of child rights within the implementation of the measure. An example of a positive impact related to COVID-19 is that lockdown measures have improved air quality and many children suffering from asthma have seen their conditions improve.

7. If a neutral impact is identified in that the impact on children or on some groups of children is negligible, which modifications could be proposed to create a more positive impact on children's rights? Has the measure already been reviewed to create a positive impact?

8. Are there any competing interests between groups of children, or between children and other groups? The interests of children and young people may conflict with those of parents/carers, or other groups, for example.

9. Has a broad range of relevant stakeholders (including children and young people) been consulted by the body which initiated the measure?

10. The COVID-19 response is likely to have several phases, with varying degrees of restrictions, and uncertainty about their termination and possible re-imposition. What (if any) additional concerns about children's rights do you anticipate in the coming phases?

11. Can we anticipate or predict the medium or long-term impact of the measure on children's rights? Do you anticipate different impacts on different groups of children?

Annex IV - Reporting structure

The following reporting structure was developed as part of the ENOC-UNICEF project in order to harmonise reports from the various countries participating in the initiative for overall consistency and as the basis for regional and/or subregional analysis. However, it can also provide guidance for report writing for any CRIA.

Introduction to the report

Background

- Recall the context in which the CRIA was conducted and what prompted the ombudsperson's office to undertake it.

Scope and objectives

- Indicate the **scope of the CRIA**, namely the measure(s) assessed, the group(s) concerned (all children or specific group(s)), the rights reviewed (all children's rights or specific rights)
- **Explain why you decided to focus on these aspects**, referring to the evidence base (sources)
- List the **objective(s) for your CRIA** (if there are several objectives, which is likely, a bullet point list will provide clarity).

Methodological approach

- **Present how the CRIA was carried out from an organisational perspective**: who conducted it (names need not be given, but explain whether the process involved internal staff or external expert(s)/reviewers and how many); when it was conducted (timeframe); and, as relevant, where it was conducted (national territory or certain area(s) only). As relevant, briefly explain the rationale for the organisational choices made.
- **Give a brief overview of the depth of the CRIA** (desk review only, consultation with adult stakeholders, consultation with children), recalling the common methodology proposed by ENOC. Highlight which sources of information you used, how many stakeholders you interviewed and how, and whether you had prepared semi-structured interview templates.
- **Describe the extent to which children were involved in the CRIA process,** how their views have been heard and reflected, and if not, the reason why.
- **Explain the limitations of the methodology** (using bullet points if relevant). These would likely include: possible bias (due to the subjectivity of your sources, for example) and how you have mitigated this (e.g. by conducting multiple interviews, verifying the information); unavailability of information or low quality of available information (on all or some aspects) and why information may be is lacking (e.g. information exists but is inaccessible, some issues have not received enough attention, data is too difficult to collect, or similar reasons); having online interviews and focus groups vs having them in person; language, cultural and other barriers to

communication with certain groups and how it was handled (e.g. translation, reliance on researchers from that group, accessibility measures for persons with disabilities).

Analysis

- *If the CRIA examines the impact of one or several measures on children's rights*, the structure of the analysis should be organised according to the impact of the measure on respective rights, as per the clusters identified in the methodology. If the impact is only assessed for selected rights, it should be organised according to these, analysing the impact of the measure(s) on each of the selected rights. All children's rights are indivisible and interdependent, so you will likely find it challenging to avoid overlaps. Do not hesitate to make cross references within the document by mentioning an issue and indicating that it is explored in more depth under another section (for example: when reviewing education, you may find that the fact that children were not going to school at the same time rendered maltreatment and abuse more difficult to detect, and add in brackets that this issue is dealt with under child protection).

- *If the CRIA examines the impact of one or several measures on a specific right or topic* (e.g. health), the structure of the analysis should be organised around the various dimensions of that particular right and how it links to other rights. For example, mental health, physical health, access to services, environmental issues, but also the larger impact on the right to education, to rest and leisure, etc.

- *In all cases*, under each right or dimension the analysis should include the following subsections, with all information based on solid evidence and indicating the source (e.g. references in footnotes, or "in numerous interviews/in some interviews... while in others..."):
  o General overview of how the measure(s) has/have impacted the realisation of that right or cluster of rights, highlighting key dimensions.
  o How the measure(s) has/have affected the four guiding principles of the CRC in relation to that particular right or cluster of rights.
  o The different impacts of the measure(s) on various groups of children. The CRIA will consist in identifying which groups of children are disproportionately affected by the measure(s) and/or are affected in a different manner. The analysis should pay particular attention to: gender, children with disabilities, children from minority groups, indigenous children, children in detention, children in care, children on the move, children on the street, and children living in poverty, among others.
  o As underlined in the methodology, the analysis will highlight not only negative aspects but also positive, negative, and if relevant neutral impacts.

Key findings

- Key findings need to be **focused**. Articulate them in a clear and short manner, drawing on the analysis. As statements in the analysis will all have been supported by evidence, there is no

need to repeat references to the evidence base here. Key findings will include positive, negative and neutral effects.

- Key findings **should address the objectives** stated in the introduction.
- Key findings can be presented in the form of bullet points.
- They can be organised under headlines corresponding to the various sections of the analysis (e.g., rights/dimensions).
- Findings resulting from the methodology can also be included, such as the scarcity of data in some areas, for example, or a lack of collaboration on the part of certain stakeholders in the CRIA process.

Recommendations

- Recommendations need to be **focused and actionable**. They should answer the key questions: Who? What? When? How?
- **Have a system in place to organise the recommendations, either by target stakeholder** (e.g. government, parliament, other independent institutions, civil society organisations, academic institutions, media) so that each of them can easily find recommendations relevant to them in the report, **by issue** in order to highlight the possible synergies between various actors, or **any other dimension**.
- Present them as bullet points for easier reference.

Planned follow-up

Report dissemination

- List the various ways in which the ombudsperson for children plans to disseminate the report. For each, the target audience needs to be defined and the key communications messages clear.
- Describe in particular how the ombudsperson plans to disseminate the report to children, including children from marginalised groups.

Advocacy strategy based on the CRIA

- Detail here the follow-up strategy to achieve the envisaged change, mitigating the negative impacts and reinforcing the positive effects.
- The strategy can be presented as follows:
  o Define the key goal(s), i. e. what needs to change (amendment to legislation, adoption of new measures, arrangements for certain groups who are disproportionately negatively affected), and the key messages to be conveyed.
  o Identify the stakeholders to reach out to for partnerships.
  o Determine how children can be involved.
  o Identify the stakeholders who constitute your target group.
  o Set up the channels or other means via which to convey your messages.

Providing feedback to children involved in the CRIA, as relevant

- If children have been consulted for the development of the CRIA, indicate how feedback was or will be provided to children on its findings, how their views have been taken into account and, if the information is already available, any change that has been achieved as a result of the CRIA.

Lessons learned from the CRIA process

- This section may not be published in the national report, but it is an important element for ENOC with regard to its support via the sharing of practices and CRIAs in general.
- List here the key lessons learned from conducting your CRIA, such as organisational matters, difficulties – both unexpected and foreseen, points of support – both unexpected and foreseen, possible resistance by certain actors, collaboration or lack thereof, training needs, and how the position of the ombudsperson as an independent institution has facilitated or impaired the development of the CRIA.
- Make an estimate of the time spent on the CRIA and costs of undertaking it (including human resources costs).
- Try to answer the following question: if you were to do this CRIA all over again, what would you do differently?

Annexes

- List of references
- List of stakeholders consulted (anonymised for children)
- Any other relevant documentation.