

Regional Consultation on the Elimination of Violence against Children and Improved Public Investment on Children

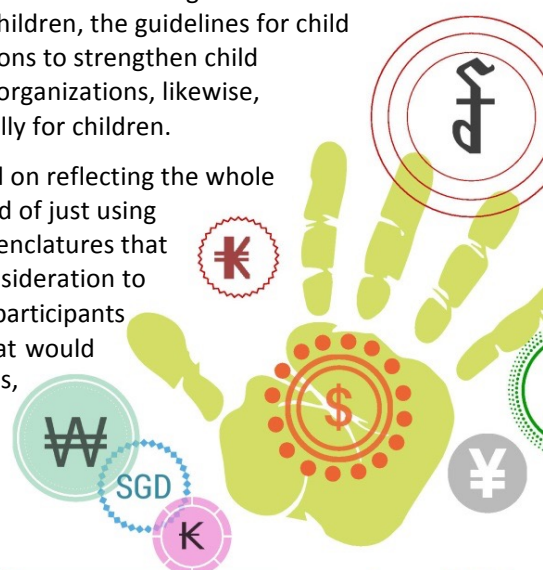


Organized by Child Rights Coalition Asia (CRC Asia,) in cooperation with NGO Coalition CRC, and through the support of Plan International, Save the Children, and the United Nations Children's Fund, participants gathered together on the 15th to 16th of October 2015 to share insights and experiences on eliminating violence against children and improving public investment of children. Child rights advocates from Latin America, Europe, South Africa, and Asia, which includes the countries Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, South Korea, Thailand, Vietnam, Myanmar, Sri Lanka, Nepal, India, and the Philippines, also commented on the Draft General Comment Number 19: Public Spending to Realize Children's Rights. Children's groups from the Philippines, likewise, presented their comments on the Draft General Comment No. 19.

KEY CONCLUSIONS

Invited speakers from the ASEAN Commission for the Promotion and Protection of the Rights of Women and Children (ACWC) shared regional level initiatives to eliminate violence against children through the Regional Plan of Action on Eliminate Violence Against Children, the guidelines for child protection in early childhood care in the ASEAN, and recommendations to strengthen child protection systems in the region. Representatives from civil society organizations, likewise, presented strategies for accessing and mobilizing resources, especially for children.

For the Draft General Comment No. 19, the participants emphasized on reflecting the whole public finance management cycle explicitly on the document, instead of just using public spending. The workshop groups also highlighted several nomenclatures that needed to be clarified or further elaborated in the document, in consideration to both economist and child rights advocates' languages. In addition, participants recommended revisions and addition of concepts and principles that would ascertain state parties to fulfill children's rights by making resources, especially budgets, available for children.



DISCUSSION HIGHLIGHTS

Day 1: 15 October 2015

Welcome Message

- *Ms. Elizabeth de Castro, President of the Child Rights Coalition-Asia (CRC-Asia)*, expressed her gratitude to the participants for taking the time to participate in the “Regional Consultation on the Elimination of Violence against Children and Improved Public Investment of Children.” She emphasized that violence against children requires immediate action, as everyday, children suffer from neglect, violence, and child rights violations. Its negative effects can be prevented through scaling up investments that help protect children from violence. Increasing public spending should help ensure that basic, preventive, and rehabilitative services are available to all children everywhere.
- With this, CRC Asia, the NGO Coalition CRC, Plan International, Save the Children, and UNICEF are working together to connect violence against children and public spending through this Consultation. This is the venue for everyone to present updates, learn, and share experiences on advocating for children’s rights and initiatives on budget allocation for children. Here, the participants would also partake in developing the United Nations Convention on the Rights of the Child (UN CRC) General Comment No. 19, which focuses on Public Spending to Realize Children’s Rights. Hopefully, this initiative would promote collaboration among different sectors to make sure that children get what they deserve and that action is taken on this regard right now.

Opening Remarks

- *Atty. Gemma Parojinog from the Child Rights Center of the Philippine Commission on Human Rights (CHR)* expressed that this is a very timely event. Both the government and civil society are working together and giving more attention to violence against children and to the improved public investment on children in the Philippines. She highlighted that it is important that these steps are taken at all levels of government to ensure that economic and social planning, decision-making, and budgetary decisions are made, with the best interest of the child as a primary consideration.
- In relation to these initiatives, the role of the CHR is to independently monitor the Philippine government’s compliance and progress towards the implementation of these rights and to do all it can to ensure full respect of the children’s rights. With this, Atty. Parojinog affirmed that CHR is one in ensuring that the government’s resources are used purposely for these. The Commission steps up to its role to ensure that it becomes child-ombud capable, both in structure and in substance.

Messages

Lotta Sylwander

Country Representative | United Nations Children’s Fund (UNICEF) Philippines

- There are many countries in this region that have children’s rights as their priority agenda, with solid legislations and policies. But, different forms of violence are still committed on children around the region. The ASEAN region is the fastest growing region in the world, in

terms of economy; hence, there is a lot of resources in this region. Considering the availability of resources and policies, this Regional Consultation's participants should reflect on the readiness of state parties to invest and promote against violence against children. She added that the most horrific crimes against children are still in their homes.

- Ms. Sylwander asked the participants to rethink on who the real perpetrators are and emphasized that the perpetrators are those people who are supposed to keep children safe in their own homes. She also highlighted a study that BBC conducted, which featured that the worst country for children were not the countries that spent the least for children and the best countries were not those that spent the most for children. The measurement boiled down to the attitude of parents toward their own children. It was not all about public spending.
- Public spending is needed, but it has to be clever and effective. Ms. Sylwander explained this by sharing that violence against children costs countries 2 percent of their gross domestic product (GDP). To further elaborate, she added that, in the Philippines, Typhoon Haiyan had cost the country 3 percent of its GDP. This catastrophe surfaced the lesson that the Philippines has to be prepared the next time around. However, violence against children is a silent catastrophe that should be given attention and be prepared for, as well. In conclusion, Ms. Sylwander quoted Nelson Mandela on, "The best measure of a state's performance is to look at the way it treats its children."

Raša Sekulović

Regional Adviser for Child Rights and Protection | Plan International in Asia

- The obligations stated in the UN CRC can only be accomplished with a well-coordinated, well-planned, and decisive action by all key actors involved. With this, Mr. Sekulović expressed that it is encouraging to see that a plan of action to eliminate violence against children is emerging in the ASEAN region and its neighboring countries. Development initiatives, for the longest time, have been focused on the economy and this is comparable to focusing on a child's physical development, but ignoring his/her other needs. Mr. Sekulović asserted that now is the time to strike a balance between development on economic aspects and investments in children that will result into stability, progress, and growth of society.
- Child protection is one of Plan International's key priorities, manifested in their organizational strategies at the global and international levels. Concretely, they are working on a clearly defined focus on developing child protection systems at the community level. Collectively, Plan International is working with community members, both adults and children, government, civil society, and other stakeholders to ensure that these child protection systems are active in protecting children from any form of violence.
- Mr. Sekulović saluted this initiative, which would increase learning and strengthen partnerships at the regional level. He also called on governments to renew their commitment to further prioritize increased investment in child protection. He invited other actors to participate in the process of making the Sustainable Development Agenda a reality.

- Current budget allocations, policies, and laws for children are mostly ineffective and insufficient. Funds are also subject to corruption, which further prevents interventions and programmes from reaching children and their families. As a concrete manifestation of these obstacles, 29,000 children under five (5) years old die due to malnutrition every year. Ms. Cordero also presented additional facts and figures on health, education, and even birth registration that impact children negatively during childhood and carries on into their adulthood.
- The rights of children will never be fully realized without the resources and good governance to ensure that funds are well-allocated and spent in an effective, efficient, and equitable way. With this, Save the Children challenges the government to prioritize public spending for children. Save the Children and partner civil society organizations have been working on the formulation of the General Comment on Public Spending to realize children's rights. In fact, one of the key milestones achieved last March 2015 is the Human Rights Council's adoption of a resolution on investment in children. This resolution calls upon all states to ensure the fulfilment of children's rights.
- Save the Children commends this initiative to call together relevant government bodies and the civil society to work on the General Comment No.19. The organization is in solidarity with CRC Asia and the participating countries and organizations in this endeavor to further push for prioritization of children in the realm of public spending.

Keynote Address

- In her keynote address, *Ms. Parisya Taradji, Undersecretary of the Operations and Program of the Department of Social Welfare and Development (DSWD)*, stressed that investing on children has to be acted on now, as this is part of the Sustainable Development Goals. It is, likewise, pressing, as violence against children happens everywhere and it is one of the hindrances for children to reach their full potential. With this, Usec. Taradji shared the different national laws, policies, and existing government structures and programmes in the Philippines that are in line with the UN CRC. She also highlighted that the Pantawid Pamilyang Pilipino Program already covers 4.4 million households, benefitting more than 10 million children on health, education, and family development sessions. In addition, the Council for the Welfare of Children (CWC) recently embarked on a national baseline study on violence against children (VAC) – a government commitment to the Regional Initiative on VAC to allow for evidence-based programming to end violence against children.
- Usec. Taradji emphasized that eliminating violence against children can happen if the culture of peace and harmony is created. This could be done by improving cooperation among children, adults, communities, and other stakeholders and raising awareness that violence against children is not inevitable. Peace, as a basic human right, should be promoted.

ASEAN Regional Plan of Action on the Elimination of Violence against Children

- In her presentation, *Ms. Datin Intan, Chair of ASEAN Commission for the Promotion and Protection of the Rights of Women and Children (ACWC) and Brunei Representative on*

Children's Rights to ACWC, highlighted that the Regional Plan of Action (RPA) on the Elimination of Violence against Children (EVAC) was based on the Declaration on the Elimination of Violence against Women and the Elimination of Violence against Children in ASEAN (DEVAWC) that was ratified in 2013.

- The Senior Officials Meeting Social Welfare and Development (SOMSWD) and the ACWC agreed to work together on the developing the RPA on EVAC. The process initially involved ACWC Representatives on Children's Rights and SOMSWD focal points from Malaysia, the Philippines, and Vietnam that formed an ad hoc drafting group or the ACWC-SOMSWD Working Group (AWG).
 - o They were able to get financial and technical support from the UNICEF Regional Office for East Asia and the Pacific (UNICEF EAPRO), Save the Children, and the Thailand government. The process also involved a working group from Thailand, which prepared a zero-draft by reviewing 70 available documents relevant to the RPA on EVAC.
 - o Consultation sessions were conducted to review the first draft earlier this year. Later on, ASEAN member states were asked to hold national consultations to review the first draft, involving both the government and other stakeholders, specifically, civil society organizations (CSOs). The document was also sent to relevant ASEAN bodies, such as the ASEAN Intergovernmental Commission on Human Rights (AICHR) for their feedback. The final draft was submitted to ACWC in 28 August 2015 for endorsement.
 - o Ms. Datin Intan also shared the list of organizations and countries that sent in their responses to the drafted RPA.
- The RPA on EVAC has a 10-year timeframe, but the first half would be focused on ASEAN's priority areas, which are under [1] - prevention; [2] - protection, responses, and support services; and [3] - legal framework, prosecution, and justice system. Other action points in the RPA include: capacity building; research and data collection; management, coordination, monitoring and evaluation, partnership and collaboration; and review and communication of RPA on EVAC.
- ACWC's five-year work plan (2016 to 2020) will be aligned with the RPA as far as violence against women and violence against children are concerned. All CSOs present in this consultation should feel free to initiate collaboration with ACWC, as they welcome all kinds of collaboration. Ms. Datin Intan will bring this up in their next meeting, should anyone approach her with collaboration initiatives.

Child Protection in Early Childhood Care in the ASEAN

- For this presentation, *Prof. Datuk Chiam Heng Keng, PhD, Malaysia's Representative to the ACWC*, shared that she will highlight why early childhood care, development, and education (ECCDE) is an important means of protecting children from violence. This initiative was developed from the ACWC's RPA on EVAC.
 - o Under protection, one of their targets is to develop an ASEAN guideline on the non-violent approach to nurturing, care, and development of children in all settings.
 - o On the other hand, training programmes for teachers, child care workers, and law enforcement personnel, including medical personnel and social workers, would include

child rights and the necessary skills, materials, and resources, to build their capacity in applying the said guideline.

- o The ASEAN Guideline on non-violent approach to nurturing, care, and development of children in all settings is a recommended project in the priority areas in the first five years of the RPA on EVAC and ECCD centers are one of the settings specified in this guideline. Schools and educational settings are, likewise, included.
- The guideline's chapters consist of: [1] – understanding the rights of the child; [2] – understanding child development; [3] – understanding self; [4] – communication; [5] – positive discipline; and [6] a chapter on each of the seven (7) settings describing the types of violence on children and how these should be managed. This chapter incorporates the home environment, schools and educational settings, community, workplace, children's centers, ECCD centers, and juvenile centers.
- At the end of her talk, Prof. Heng Keng emphasized that in children's early years, the brain is highly sensitive to environmental influences, especially in regions involving emotions and learning. If children are exposed to frequent and prolonged stress and negative experiences and were not given a comforting and loving response, this changes their brain architecture and creates a great impact on their well-being, behavior, attitudes, and character. It can affect their memory and learning ability, and could result to behavioral disorder, psychopathology, and physical health disorder.

Strengthening Child Protection Systems in the ASEAN

- This presentation from *Mr. Ahmad Taufan Damanik, Indonesia's Representative for Child Rights to ACWC*, highlighted that though all ASEAN member states (AMS) ratified the UN CRC and have even established laws and policies to implement the Convention, there still are barriers that prevent these countries from fully realizing children's rights. Mr. Damanik identified three fundamental flaws in the existing laws and policies: [1] – laws and policies do not fully incorporate the CRC; [2] – other civil and religious laws in the country conflict with the laws and policies on children; and [3] – corruption, armed conflict, and absence of political will are present among all AMS, thus affecting availability of funds and the quality of program implementation.
- He also specified concrete barriers in terms of child definition, implementing laws, policies, and programmes for children against corporal punishment, abuse, and violence. Barriers in addressing issues on education, children with disability, trafficking of children, statelessness of children, refugee children, child labor, and juvenile justice were also discussed.
- To conclude, Mr. Damanik emphasized that AMS ratified its existing laws and policies for children in an attempt to conform to the UN CRC. However, a great number of these laws, policies, and programmes are not backed by concrete and current data, which greatly affects the quality of analysis of the children's situation; and consequently, the design and implementation of child protection programmes and interventions. Thus, Mr. Damanik recommended that there is need for the AMS to harmonize its standards on handling issues that affect children and the barriers that prevent them from addressing children's needs.

Draft General Comments on Children in Street Situations and on the Rights of Adolescents

- In her presentation, *Atty. Yasmeen Shariff, Vice-Chairperson of the UN Committee on the Rights of the Child*, explained what a General Comment is and why it matters. Regarding the drafted General Comment on children in street situations, she presented case stories of street-connected children to show examples on how the approval of the General Comment would create an impact in their lives. According to Atty. Shariff, the General Comment will focus on key rights that street-connected children would need to reach their potential. These are non-discrimination, the right to be in the street, and governments' responsibility to provide for street-connected children. Once the General Comment is approved, street-connected children would have access to tailored services at drop-in centers. This means that street-connected children could have facilities enabling them to connect with their families and avail of health and education services. The General Comment will also pressure governments to enforce laws and policies to stop abuse and exploitation of children.
- On the other hand, the draft General Comment on the rights of adolescents was formulated in light of the recognition that teenagers are usually neglected by the government and that they have different needs from younger children. It aims to provide guidance on laws, policies, and services that are suitable for teenagers. It also targets to raise awareness on young people's abilities and on the importance of involving them in decisions that affect their lives. In addition, the General Comment intends to make the case for more investment in young people to promote their rights now and in the future. Concretely, the General Comment recommends general measures that governments must take. These include: [1] – broad strategies for young people; [2] – budgets; [3] – monitoring progress; [4] – disaggregated information; [5] – training; and [6] – birth registration. Furthermore, the General Comment obligates government to cooperate at the international level. It also stipulates that the General Comment must be circulated widely and written in adolescent-friendly language.

Draft ASEAN Convention to Combat Human Trafficking

- The speaker invited for this topic, *Atty. Ricardo Paras III, Chief State Council of the Philippine Department of Justice*, could not make it, because he is out of the country for another commitment. However, he did send a message indicating that the draft ASEAN Convention to Combat Human Trafficking of Persons, especially of Women and Children, and its corresponding Regional Plan of Action are already completed in February this year.
- It is expected that both instruments would be approved and signed during the ASEAN Summit to be held in November of this year. The copies of the ASEAN Convention are not available for circulation as of this time. The information from Atty. Paras mentioned that the draft Convention will follow the 4 Ps in trafficking of persons – prevention, protection prosecution and law enforcement, and partnership. It also includes an evaluation and monitoring mechanism for the implementation of both instruments.

- On the Regional Plan of Action on EVAC:
 - o There was a follow-up regarding the incorporation of gender issues, especially gender issues in the context of disasters and emergencies, in the RPA on EVAC. In response, Prof. Heng Keng and Ms. Datin Intan said that they will take note of this comment. However, this could not be incorporated immediately, as the RPA was already finalized and approved; furthermore, it will also focus on the priority areas for the next five (5) years. A review on the RPA will take place in five years and this recommendation may be considered during that time.
 - o How can the civil society support the development of the national plans of action? For this, Ms. Datin Intan explained that CSOs could freely communicate with them to recommend activities that they want to incorporate in the RPA.
 - o The RPA does not have a budget and this should be translated into national plans of action; however, it is not legally binding. How can this be spelled out more, considering that this event is primarily about public spending on children? To address this concern, Ms. Datin Intan agreed that the ACWC does not have funds of its own. But, she also gave emphasis to the fact that member states could collaborate with each other, because there are member states that have available resources that could be used to realize the RPA.
- On strengthening child protection systems:
 - o The inter-agency group led by UNICEF East Asia and the Pacific completed their reviews of all the child protection mapping system in 14 countries in Asia and the Pacific. The ACWC was requested to have a look at the recommendations.
 - o There was a clarification if the mentioned age of 16 years old referred to the minimum age of criminal responsibility or the minimum age of juvenility. Mr. Damanik explained that the minimum age of criminal responsibility and the minimum age of juvenility differs from every country. That is why they have a recommendation to harmonize the standards across ASEAN member states.
- On the draft General Comment on Children in Street Situations:

There is a need to proceed cautiously in terms of pushing for the draft General Comment's approval, because the contents appear to potentially further stigmatize, even legitimize, children working and/or living in the streets. The streets, as an environment for children to grow up in, should never be promoted. In her response, Atty. Shariff explained that there are differing views about this and she will carry this comment back to the Committee's consultant. In addition, she shared that the Committee would be conducting a series of consultations in Latin America, Africa, and Asia in early 2016. This would be a good opportunity for the participants to raise their comments/observations.
- On child protection in early childhood care:
 - o How are children with disability and other groups of children (e.g., indigenous peoples) considered in the seven (7) settings mentioned in the guidelines? Are they included in all the settings or should there be a specific setting for them, as they have unique and specific needs compared to other children? Prof. Heng Keng's response to these questions emphasized that they did not intend to make a specific setting for children

with disability and other groups of children. This is because non-violence should be consistent wherever they go, but the service providers should be able to recognize the uniqueness of every child. What is very important here is the application of non-discrimination. There is no need to treat specific groups of children special, because they need to feel that they are accepted and to not isolate them; they should be able to participate along with other children.

- o How can the irreversible effects of violence against children be addressed in their adulthood? The effects of violence in childhood could be addressed in an adult if he/she is able to accept, explain, and express those past experiences. He/She should have willingness to address the effects, with a good counsel that could draw those experiences out.
- On stateless children or children living in different countries:
 - o The issue was raised along with a very strong recommendation to address this issue. The question on how many stateless children was also raised. Prof. Heng Keng responded that the ACWC is welcoming all recommendations and proposals to address the issues that the participants brought up. In addition, the countries involved should discuss this issue. There have been attempts to determine the number of stateless children, but the real number could not be established, because they keep moving.
 - o On-going issues on the access to education for refugee children in Bangkok, Thailand was raised. Occurrence of mass arrests of refugees in Bangkok, including the arrest of entire families, even the children was also another issue. There are children in detention centers and over-crowded prisons. The question is, how can child rights agenda be pushed in countries like Thailand and Malaysia? Prof. Heng Keng responded that the law for refugees has not been ratified yet, but they are trying their best to have it ratified. For now, they are encouraging civil society organizations to provide education services to the children.

Country-Sharing of Experiences on Budgeting for Children

Analyzing the National Budget for Children

- In her presentation, *Ms. Enakshi Ganguly Thur, Co-Director of the HAQ for Child Rights*, highlighted that budgeting for children was drawn from child rights governance. HAQ Center for Child Rights works on budgeting for children through budget tracking of government expenses and executive decisions, performance monitoring, monitoring and analyzing parliament questions, and looking into availability, accessibility, and quality of child protection services. HAQ, likewise, stresses on the examination of how much the share is for children within the whole budget and looking into the actual expenditures for children.
- Ms. Ganguly shared that budgeting for children is now part of the national advocacy in India. This has contributed to their international advocacy, which includes submission of alternative report to the UN CRC Committee and the concluding observations. At this point, HAQ now has developed a tool kit for beginners in budgeting for children and they have conducted several training sessions on how to undertake budgeting for children analysis in India and other countries. They have also developed a budget software, which is part of their recent accomplishments.

- So far the challenges that they see include accessing and unpacking the data; aggregating expenditures for children, as several programmes and schemes are directed to both women and children; finding research partners with the same dedication and uses the same terminologies for budgeting for children advocacy; convincing the government to undertake budgeting for children; and the acceptance of children's citizenship and their place in the larger governance and human rights discourse.

Alternative Budget Initiative and Utilization of Sin Tax Revenues for Children's Health

- *Ms. May-i Fabros, Young Women Collective Coordinator of Women Health*, looked back on how CSOs' engagements with the government has changed over the years in terms of advocacy. This major change included the CSOs' now directly working with policy-makers to ensure that ratified laws and policies are responsive to the needs and interests of the citizens. However, realizations over time revealed that even if laws and policies have been ratified, these could not be enacted, as the most common reason was the lack of budget. With this, CSOs took on alternative budget as a next point of advocacy.
- Through the Alternative Budget Initiative (ABI), a consortium of more than a hundred CSOs and individuals, a focus on alternative budgeting for the sin tax was initiated. This advocacy was immediately successful, as most of the collected taxes were allocated to the Department of Health (DOH). However, this is not a good sign, as the DOH funds are not coming from the general fund and are relying solely on sin taxes. Hence, Ms. Fabros, stressed that funds from sin taxes and other possible sources could be used to fund children's needs. She gave emphasis that however, these should be used as additional funds and not as the sole funds for children.

Bottom-up Budgeting: Citizen's Participation in the National Budget Allocation

- In his presentation, *Mr. Sixto Donato Macasaet, Executive Director of the Caucus of Development NGO Networks (CODE-NGO)*, shared that bottom-up budgeting (BUB) is translated as the people's power in the government's budget process and that it involves a total of 20.9 billion pesos for the fiscal year of 2015. Its objectives and goals include: [1] – budget reform by making the national budget more responsive to local needs; [2] – local governance reform through providing incentives for local good governance; and [3] – democratic and empowerment project by creating a conducive environment for people's participation and a general demand for good governance at the local level.
- Engaging in BUB is intended to empower both the CSOs and the local governments, promote decentralization, and focus on poverty reduction. These are the same reasons why CSOs participate in the process, alongside the fact that funding is made available. However, its implementation is not without challenges. Some local governments resort to tokenism, not allowing for CSOs to genuinely participate in the process. Another challenge for the government is fast-tracking implementation of BUB projects and improving monitoring and citizen's participation in this process. On the other hand, Mr. Macasaet also presented that CSOs need to unite and build a clear local CSO agenda. As a whole, there is still a need to improve BUB by focusing investments on one or a few strategic anti-poverty projects for the poorest areas or sectors.

Open Forum

- Sharing of experiences:
 - o A representative from Indonesia shared that their advocacy for children involved not only the Ministry for Child Welfare, but they also engaged other sectoral ministries (e.g., health, education, police, etc.). They do this to ensure that other ministries have budget allocation for children.
- The first batch of questions raised in this Open Forum were focused on the Philippines' context, particularly on ensuring genuine people's participation, sustainability of budget advocacy, and guaranteeing that advocacy initiatives result into medium- to long-term programmes, especially at the local level. Another question directed to both India and the Philippines referred to their experiences on influencing the political processes in the government to allocate budget for children.
 - o For this, Ms. Ganguly gave emphasis on the importance of making the government recognize that they need to allocate resources of children. She added that this could be done by understanding the government's language and helping them understand the civil society and child rights advocates' language, as well.
 - o Mr. Macasaet confirmed that a lot of CSOs in the Philippines have reached a point where they have given up in terms of participation and sustaining their advocacy initiatives. However, with the introduction of BUB, CSOs were given a recognized venue to genuinely participate in the local governance processes and this helped in revitalizing their interest to participate. Of course, with the changes congruent to the results of the national and local elections, local development councils have to be reconstituted and CSOs need to get reaccredited by the local government. This is where work is needed, in terms of encouraging CSOs to continue participating and engaging local chief executives, especially during the formulation of medium- to long-term development plans and investments.
 - o Ms. Fabros added that when looking at budgets for children, there is a need to break it down based on what is the most urgent at a certain phase of an advocacy initiative. This is coming from the premise that current advocacies tend to look at a standard menu— education, health, etc. By not breaking down targets vis-à-vis children's needs and children's groups, the danger of excluding may be happening. One concrete example is on health, where advocacy initiatives are focused on children five years old and below, while other groups of children and their needs are not included or prioritized.
- The second batch of reactions from the participants were recommendations on the following:
 - o The terminology of budgeting should be taken to a more holistic level, incorporating resourcing and linking financial and human resources to the concept.
 - o Develop a children's index and add child-friendliness to budgets in the ASEAN countries. This would serve as a baseline, even for the Regional Plan of Action, comparing how countries are doing in terms of investing in children over time.
 - o Leverage the funds for BUB by tapping the private sector to give their counterpart.

- Mr. Sekulović pointed out that the cost of participation is actually low-cost and it should be demystified. They were able to determine this through an exercise that they conducted in the past.
- Ms. Ganguly, reminded the participants that the private sector funding should be understood and demystified, as well. She explained that based on studies she conducted in different countries, the private sector will put their money where they can put their name on it. In addition, when tapping private sector funds, it has to be clear that it should not substitute government funds, but instead, augment it, as this abdicates the state responsibility. Ms. Ganguly, likewise, pointed out that child protection systems are actually low-cost. Instead of putting every child into an institution, looking at community members and focusing on capacity building for teachers, health workers, etc. who are already there is an effective strategy.
- Regarding BUB, Mr. Macasaet shared that the process should also be conducted at the provincial level. This approach could put inter-municipal/city projects into perspective and prevent the BUB's processes to result into a very long list of local projects. BUB at the provincial level would also put a balance to strategic and short-term programming.

[[End of Day 1]]

Video Message

- In this message, *Benyam Dawit Mezmur, Chairperson of the UN Committee on the Rights of the Child*, expressed his gratitude to the participants for gathering for the General Comment No. 19 to share their insights on the document. The General Comment was a result of thorough research conducted by experts in the areas of child protection and public finance. It would serve as guidance to the state parties and other stakeholders working on children's rights to fulfil their commitments.
- General Comment No. 19 is focused on Article 4 of the Convention on the Rights of the Child, which requires state parties to undertake legislative, administrative, and other measures in a child rights-focused manner, including ascertaining resources to fulfil children's rights. It also highlights the importance of the expenditures made for children.
- It is composed of a number of substantive elements. Firstly, the General Comment links the four core principles of the child rights to public spending. Second, the document provides guidance in terms of planning, enacting, executing, and reporting, evaluating, and auditing resources made available to realize children's rights. The last element is dissemination of the document, which entails awareness raising and capacity building to ensure that the guidance from the General Comment is observed. As a final word, Mr. Mezmur emphasized that the Committee on the Rights of the Child takes all the inputs from this consultation very seriously. With this, he wished everyone to have a productive meeting.

Message

- In her presentation, Atty. Yasmeen Shariff shared what they do at the UN Committee on the Rights of the Child. She highlighted that the Committee was organized to monitor state parties' implementation of the Convention on the Rights of the Child (CRC). Atty. Shariff also mentioned that the United States is the only country that has not signed the Convention.
- The Committee has a total of 18 members who meet in Geneva three (3) times a year, for a month, to review reports from state parties and conduct dialogues with CSOs and children. In these activities, they ask questions to state parties regarding their CRC implementation. The dialogues with CSOs and children, on the other hand, becomes an opportunity for these groups to express their specific demands regarding children's rights from their governments through the Committee. The Committee, likewise, focuses on the implementation of the two (2) optional protocols in the Convention—the involvement of children in armed conflict and sale of children, child prostitution, and child pornography.

Draft General Comment No. 19: Public Spending to Realize Children's Rights

- According to *Anna Schnell, Consultant to the UN Committee on the Rights of the Child*, The General Comment No. 19 has undergone consultations with children and CSOs in Latin America, Europe, the Middle East, and North Africa. They have also been working with finance ministries in the said countries for this General Comment. The document version that everyone has been commenting on was formulated in June. Ms. Schell presented the different sections of the document, along with a brief description of its contents.

- She also shared some of the challenges that they encountered during the past consultations they conducted and should be considered during the workshop. This includes participants suggesting to include specific clauses on issues, such as breastfeeding. Another feedback suggested that a glossary or a dictionary should be included. However, General Comments are allowed only a certain number of words, so there were a lot of relevant inputs that could not be fully incorporated into the document. The language was also one of the challenges in preparing the General Comments, as there is a big difference between the language of economists and children's rights. The balance is not there yet, but the document should be understandable for finance ministries and state economists, as well.

Inputs from the Children

- A parallel session with children was conducted to gather their comments and recommendations on the General Comment No. 19. Through a creative presentation, they shared their recommendations that include: [1] - information regarding the General Comment and the child's rights should be accessible through the tri-media and social media platforms; [2] - emphasized that there should be no corruption; and [3] - children should be included in governance, both at the national and local levels.
- The children also requested an open discussion with Atty. Shariff and Ms. Schnell. Here, they asked very specific questions, which include availability and accessibility of allowances for children with disability; how to verify the government's level of understanding of children's needs; reasons of governments for not having enough funds; and if the Philippine government has been reporting accurate information in terms of fulfilling children's rights. In response to this, Atty. Shariff and Ms. Schnell gave emphasis on the importance of people working on budgets from planning to enactment and reporting on it. They also stressed on the importance of giving the children information on the budget process so they know about it and they can speak to the government and economists about it.
- The two speakers also had an opportunity to ask children on how they can participate in the budget process and what should be in place. The children responded that all of them should be included, as well as children with disability. They are the ones who know their problems and needs and they have an opinion about how budgets should be allocated. This process should be done in a child-friendly manner and should undergo a child rights impact assessment, where children genuinely participated, as well.

Workshops 1 and 2

- Participants were divided into six (6) groups, with two (2) groups working on the same section of the draft General Comment. Each group had their own facilitator and documenter and are distributed, as follows:
 - o Workshop 1
 - Section II and IV (with Merci and Sheic; Ani and Hazel)
 - Section III-A (with Bi and Bijo; May-i and Dennis)
 - Section III-B (with Tito and Joy; Hope and Lui)
 - o Workshop 2

- Section V. 1-A and B (with Tito and Joy; Hope and Lui)
- Section V. 1-C and D (with Bi and Bijoy; Merci and Sheic)
- Section V. 2, 3, and 4 (with May-i and Dennis; Ani and Hazel)
- The participants would comment on the document, based on the following questions:
 - o What should be kept and why?
 - o What should be erased and why?
 - o What should be added and why?
 - o What should be revised and why?
 - o Other comments (pertaining to the other sections in the Draft General Comment, its structure, and/or language used)
- All groups were asked to work on both sets, Workshops 1 and 2, to allow for sufficient time for discussions. Presentation of results for both sets and the open forum would be conducted during the afternoon session.

Presentation of Workshop Results and Open Forum

- One of main comments that were common among all the groups was to change “boys and girls” to “children” to make it more inclusive, in consideration to groups of children, such as lesbians, gays, bisexuals, and transgendered (LGBT).
- The participants also proposed to include a number of terms, such as “equitable”, “accessible”, and “contestability” to strengthen provisions describing principles of public spending, budgets, corresponding information, and its dissemination.
- Some of the terms that the groups wanted clarification or further elaboration were “sufficient”, “sustainable”, “core minimum obligations”, and terms that are more of finance and economy jargons (e.g., sustainable debt management) that the civil society is not familiar with.
- The groups also pointed out that “public spending” was somewhat limiting. The document should refer to “public investment” or “public finance management”, to make it more comprehensive. In addition, resource generation should be made part of the process.
- The participants proposed to include the private sector and non-government agencies, especially in assessments/audits. However, they also emphasized that engagement with the private sector should be done with precaution, considering commercial products’ impact on children and other short-term and long-term implications.
- Other comments were focused on the formulation, referring to sentence construction, organization of ideas, and the use of terms that more enforcing/obligating to state parties, rather than suggesting.

Anna Schnell’s Response to the Comments

- In response to the comments from the workshop groups, Ms. Schnell expressed her gratitude to the Workshop participants for their hard work and inputs to the draft General Comment.

- With regards to particular inputs, she presented on the following points:
 - o For the comment on “all children”, the regions of Middle East and North Africa emphasized that it should be “boys and girls” to ensure that the girl child’s needs and concerns are recognized as separate and different from the boy child’s. A definition of “all children” could be incorporated in the document.
 - o There are a lot of points that the groups requested for clarification that could be referred back to other child rights documents. That was one of the intentions in the General Comment—to refer back to other documents and avoid repeating their contents.
 - o The title right now is “public spending” and this is used because it is the closest to children—when things are spent, things actually happen for children. However, that is not the intention, as public spending is about the cycle as a whole. Considering that it is not the idea that it conveys, some of the participants suggested “budgeting for children” or “budgeting and spending for children” could be used instead. Ms. Schnell requested title suggestions to be forwarded to the documenters.
 - o Ms. Schnell acknowledged the need to unpack “sub-national” and “sufficiency”.
 - o She also acknowledged that “minimum required” should be “maximum extent”.
- Online consultations are still on-going through the High Commission on Human Rights website.

Closing Remarks

Maxine Tanya Hamada

Assistant Secretary | Philippine Department of Budget and Management (DBM)

- In terms of budgeting, Ms. Hamada shared that the Philippines has been observing key pillars in its processes—spending within the means, spending on the right priorities, and spending with measurable results. Through UNICEF’s assistance, the country has now come up with and released its national evaluation framework this year. This framework led to the creation of the Philippines’ directions in terms of budgeting.
- These directions are focused on: [1] – performance-based budgeting; [2] – the bottom-up budgeting process; and [3] – monitoring and evaluation.
 - o Ms. Hamada highlighted that the bottom-up budgeting process was institutionalized for two reasons. The first is that the good governance and anti-corruption efforts were able to plot a lot of leaks in terms of the fiscal situation. Because of this, the Philippine budget doubled in four years, from 1.5 trillion to 3 trillion pesos. The second reason is to look into the performance of the local government units (LGUs), as they partake in developing programmes and projects for the basic sectors.
 - o Alongside the increased amount for public spending, the national government demands seals of good housekeeping, fiscal transparency, bottom-up budgeting, and engagement with the basic sectors and civil society organizations in an identification of a plan, the projects, the monitoring and evaluation, and audit from the LGUs and national agencies. It is a whole package that intends to send the signal to LGUs that the national government is serious about reaching certain performance outcomes and in providing

funds to upgrade facilities and improve governance systems to become better partners in service delivery.

- The DBM and the National Economic Development Authority (NEDA), together with UNICEF, have decided to pilot the rollout of the evaluation framework and results-based monitoring and evaluation and reporting handbook for the first 1,000 days of children.

Amihan Abueva

Regional Executive Director | CRC Asia

- To formally close the Regional Consultation Workshop, Ms. Abueva emphasized that what has taken place in the last two days is just embarking on a journey together. The challenges in making public spending for children, especially in terms of ending the violence that children are facing, are different for all the countries. However, everyone still has to open the spaces to engage the government, not just for the civil society, but most importantly, for the children. Hopefully, everyone was able to meet new people and look for possibilities to work together, as this was also a venue to strengthen networks and help disseminate information to end violence against children in the Asia.
- Ms. Abueva also extended her thanks to Plan International, Save the Children, and UNICEF for trusting CRC Asia to put things together. She also expressed her gratitude to their colleagues from the International NGO Committee and the Philippine NGO Coalition who took charge in facilitating the children's processes.

[[END of DOCUMENTATION]]