

## Module 6: Action-Training Identifying Laws & Policies related to Child Protection

Child-friendly Accountability Pillar: Pillar 1 - Assessment

Objective of the workshop: Participants identify and understand laws and policies related to child protection in their 'setting'.

### Where does this fit in the CFA methodology?

This workshop should directly follow the workshop introducing Violence against Children, Protection, Participation, and Child Rights (Module 4).

### What are you trying to achieve?

To be able to identify gaps and bottlenecks in the child protection system, it is essential that children and youth engage in activities to understand the normative and legal framework. This activity is the first step towards achieving this goal. Specifically, this workshop will allow children and youth to identify and understand laws and policies related to child protection at the international, national and local levels.

### How are you going to achieve this?

This workshop should be held with engaged youth. The workshop should be broken into two or three afternoon sessions and spread out over at least two weeks. In between the sessions, youth will collect laws and policies, either online or by visiting the offices of stakeholders (government officials, school administrators, etc.).

## Ideas for Facilitating the Workshop

Prior to this workshop, you should spend some time collecting international, national, and local laws and policies related to child protection in the setting addressed by the project. If possible, print out relevant documents and compile them into a binder. Read and summarize the most relevant laws and policies before the workshop to make sure that you are prepared.

**Duration of the Workshop:** 2-3 afternoon sessions spread over at least a 2-week period

### A. Suggested Workshop Activities

**Introduction:** Begin this activity by explaining to the youth that many people are concerned with their protection. They have developed laws and policies to ensure that children and youth are protected and that if they are not, they have access to recourse. However, children and youth still experience violence. Sometimes it is because these laws and policies are not sufficient to protect children, and other times it is because the laws and policies are not applied in practice. Before we can monitor the child protection system, we need to understand what exists and where the gaps are.

## Session 1: What are laws and policies?

### Activity 1: What is international law?

**Objective:** To introduce participants to international human rights law and how it is developed (*knowledge building*).

**Duration:** 1 hour

**Materials:** Flip chart and markers

**Description:** Begin this activity by explaining to the participants how international human rights laws come into being. Emphasize that they are developed by interstate bodies (like the UN General Assembly) and thus represent a global consensus. Draw the diagram below on flipchart paper to illustrate the process:<sup>1</sup>



To illustrate how international laws and policies are made, assign each participant in the room to a country. Ask the participants to work in groups of three to draft a mock-resolution about a children's issue. In the plenary, one spokesperson from each group should present their resolution. The 'General Assembly' should vote on the resolution.

### Activity 2: What are national laws? Who makes them and why?

**Objective:** To introduce participants to national laws and how they are made (*knowledge-building*).

**Duration:** 1 hour

**Materials:** Flipchart and markers

**Description:** Begin this activity by asking the participants: What is a law? Who makes the law? Why? Ask the students to select an example of a law (fictional or real). Organize the students into a mock-Parliament and guide them through the process of how a law is drafted and passed.

Ask the participants if they can list some laws that are directly relevant to child protection. Make sure that by the end of the activity, they know the names of the most important laws. For example, this could include the Constitution, the Human Rights Act, Criminal Code, the Child Protection Law, etc.

### Activity 3: What is the difference between a law, a decree, and a national policy?

**Objective:** To ensure that participants recognize the difference between various types of law and policy (*knowledge building*).

**Duration:** 30 minutes

**Materials:** Flip chart paper and markers

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<sup>1</sup> [https://www.una.org.uk/sites/default/files/Lesson%20%20factsheet%20-%20Convention%20on%20the%20Rights%20of%20the%20Child\\_0.pdf](https://www.una.org.uk/sites/default/files/Lesson%20%20factsheet%20-%20Convention%20on%20the%20Rights%20of%20the%20Child_0.pdf)

**Description:** Begin this activity by asking the participants if they know the difference between a law, a decree and a policy. With input from the participants, draw a map of the different branches of government and who is responsible for the development of each. Make sure that participants understand how these can be used in a national court of law.

**Activity 4: What about local laws and policies?**

**Objective:** To ensure that participants understand how law and policy is made at the local level, relevant to the protection ‘setting’ (*knowledge-building*).

**Duration:** 1 hour

**Materials:** Flip chart and markers

**Description:** As a group, brain storm different ‘duty-bearers’ at the community level that are relevant to the targeted protection setting. These might include the school, religious institutions, youth centers, NGOs, formal and informal governance actors, detention centers, alternative care centers, police, medical personnel/hospitals, etc. List these actors on flipchart paper. Discuss whether these actors might have developed policies that are relevant to child protection or whether they are able to contribute to local law. List any known laws and policies and circle actors who should be approached to find out if there are other policies or laws.

**Activity 5: Preparing for the collection of laws and policies**

**Objective:** To prepare participants for the collection of laws and policies related to their child protection setting (*realization*).

**Duration:** 2 hours

**Materials:** Flip chart paper and markers, notebook paper and pens

**Description:** Divide the participants into two groups. One group will be responsible for collecting national laws and policies and the other group will be responsible for collecting local laws and policies related to child protection in their setting. Pulling from previous activities, ask the participants to work in their groups to develop a list of actors/ institutions who may have developed relevant laws and policies. For each, identify any known laws and policies (e.g. Parliament - Constitution and Child protection law, Ministry of Education - Decree on Corporal Punishment, School administration - Protection policy, etc.).

In the plenary, review each of the group’s work. For known laws and policies, identify which actors or institutions should be approached to collect documents and how they can be approached. In many cases, it may be possible to find the documents online. In other cases, one of the students will need to go in person and ask if they can obtain a hard copy of a law or policy. Complete the chart below to organize the collection of relevant documents:

Actor/Institution	Law or Policy	Where can we get this document?	Who will be responsible for follow up?	When will they follow up?

The participants may not know if relevant laws or policies exist. In such cases, they may need to interview adult stakeholders who can help them. As a group, identify interviewees. These could include NGOs, knowledgeable parents, school administration personnel, teachers, local journalists, local governmental leaders, etc. Complete the chart below to organize interviews:

Target Actor/Institution	Contact person or person who may have information about the existence of a law or policy	Questions to be asked to this person	Who will follow up?	When will they follow up?

Explain to the participants that they will have 1-2 weeks to interview stakeholders and identify relevant documents. The facilitator should closely follow and support youth in their collection of documents. Once all documents have been collected, Session 2 should be organized to assist youth in reading and analyzing the laws and policies.

### Session 2: Understanding the laws and policies

Participants should be provided with a binder at the beginning of this session. All the collected laws and policies should be printed and distributed to each participant. Participants should keep all their documents in their binders.

#### Activity 6: Reading and understanding law

**Objective:** To ensure that the participants have read and understood relevant international, national and local law and policy (*learning and realization*).

**Duration:** Dependent on quantity of laws collected

**Materials:** Printouts or soft copies of relevant international, national, and local laws and policies, printouts or soft copies of Summary Sheets

**Description:** Provide participants with 10-15 copies of the Summary Sheet below. Explain to the participants that this form should be completed for each of the collected documents. It will not only help participants to understand the laws and policies, but will also make it easier to use these documents in later activities, including during the development of child-friendly materials, identifying gaps in the protection system, and advocacy. As such, it is critical that participants each have a copy of the Summary Sheet for each law and that they keep it in their binder.

### Summary Sheet

Type of document	
Passed by which institution	
Year	
Main subject of the document	

*Complete the chart below by listing the relevant text that deals with child protection, summarizing their content in a few short phrases, and summarizing any sanction (or punishment) that is mentioned.*

Article	Summary	Sanction

**Describe how children can access this right:**

**Describe what happens if this law or policy is not followed:**

**Comments or questions:**

*List any thoughts, comments or questions that you have after reading this document*

Each group should present the national and local laws and policies that they have gathered to the plenary. In the plenary, read through each of the documents, discuss, and complete the Summary Sheet. All participants should be given a copy of the completed Summary Sheets to keep in their binder.

Hand out relevant international laws (pre-collected by the facilitator). If possible, distribute child-friendly versions of these laws. Relevant international law and policy might include the SDGs, UNCRC,<sup>2</sup> the Optional Protocol to the UNCRC regarding the Sale of Children, Optional Protocol to the UNCRC regarding children in situation of armed conflict, the International Covenant on Civil and Political Rights, the UDHR, and the UNCAT. Read through the documents and complete a Summary Sheet for each as a group. All participants should be given a copy of the completed Summary Sheet to keep in their binder.

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<sup>2</sup> Be aware that the linked Child-friendly version of the CRC has a section in the back, which describes all the protection rights for children. For the purposes of this activity, prevent them from looking at the back of this document.

## Information Sheet: What you need to know...

### What is the United Nations General Assembly?

The UN General Assembly is a global forum in which all member states have equal representation and voting rights. Any of the member states can propose a resolution. The core human rights declarations, conventions and protocols were voted on and passed by the UN General Assembly. The United Nations system has several organs and mechanisms focused on developing and monitoring member states' adherence to human rights law. In addition to human rights treaties, the UN General Assembly issues resolutions on important issues, such as the Alternative Care of Children, juvenile justice, treatment of children in detention, and bullying. The Sustainable Development Goals were adopted by the UN General Assembly in 2015.

### What is international human rights law?

After World War II, the international community decided to put in place systems and laws to prevent the atrocities like those seen during the war. International human rights law describes universal, inalienable, and indivisible civil and political rights, as well as economic, social and cultural rights. Special human rights treaties have been developed for groups that are understood to be particularly vulnerable, including women, children, refugees, indigenous people, and people with disabilities.

International human rights law governs the relationship between the population within state borders and the government of that state. International human rights law requires that state parties respect the rights of individuals (not to violate human rights), protect individuals against abuse (prevent other people from violating human rights), and fulfill human rights (take positive steps to realize human rights).

International treaties are a primary source of international human rights law. International treaties are essentially agreements between states. Treaties are signed (demonstrating the intention to abide by the treaty) and subsequently ratified (making the treaty legally binding) by governments. Once a treaty has been passed, governments are obligated to abide by its provisions and to integrate it into national law.

Core human rights treaties have been passed by the UN General Assembly as well as regional interstate bodies, such as the African Union, the European Union, and the Organization of American States.

### What is national law and how is it made?

National laws are a system of rules that regulate behavior. They are developed and enforced through social or governmental institutions. National law is created by a collective legislature (such as a parliament), a single legislator, the executive branch of government (such as decrees passed by the Ministry of Education), or by judges (during court cases). National laws are usually shaped by the Constitution. National law is generally divided into two categories: 1) criminal law, which is addressed to behavior that is detrimental to the social order and where guilty persons can be put in prison or fined, and 2) civil law, which is addressed to disputes between individuals or organizations.

### What are local laws and policies?

Local governing bodies can also develop law and policies. These laws usually need to be in line with national law. Organizations may adapt specific policies for their constituency and staff. This may include child protection policies, anti-bully guidelines, policies on gender and discrimination, etc.