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# A Rights-Based Approach to Monitoring Children and Young People's Well-Being

## Briefing Paper

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Ireland and Northern Ireland are societies facing issues of common concern in relation to the rights and well-being of children and young people. The purpose of this Foundation Report is to contribute to a shared understanding of a human rights-based approach to monitoring children and young people's well-being.

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Main objectives of the report.

- to clarify the connection between child rights obligations and children and young people's well-being;
- to examine existing approaches to monitoring the rights and well-being of children and young people in Ireland and Northern Ireland;
- to review the national and international literature on adopting a human rights-based approach to monitoring well-being; and
- to outline steps to achieve a human rights-based approach to monitoring children and young people's well-being in Ireland and Northern Ireland.

## The Connection between Rights and Well-Being

The United Nations Convention on the Rights of the Child (UNCRC) is the leading international instrument on children's rights and has been ratified by Ireland and Northern Ireland although it is not incorporated into domestic law in either jurisdiction. However, **the Governments are bound under international law to deliver on their obligations arising from the UNCRC.** The notion of well-being is increasingly recognised within government policy although it is a contested concept open to various interpretations. A 'whole child' approach and a focus on positive outcomes underpin well-being at policy level in Ireland and Northern Ireland.

**Despite increased understanding of the inter-relationship between rights and well-being, there is no explicit link between rights obligations and well-being in the national children strategies in either jurisdiction.**

Nevertheless, compatibility between both concepts is evident in current efforts to monitor and improve outcomes for children and young people.

## Monitoring the Rights and the Well-Being of Children and Young People

There is no monitoring activity presently in Ireland or Northern Ireland, which explicitly adopts a human rights-based approach to monitoring children and young people's well-being. Monitoring well-being in recent years has been almost exclusively focused on developing well-being indicators with little attention being focused on a rights-based approach.

Ireland and Northern Ireland (United Kingdom) are both required to periodically report to the United Nations Committee on the Rights of the Child, regarding progress on the implementation of children's rights. However, there have been considerable delays in the reporting process. In Ireland, a national set of indicators form the basis of the biennial State of the Nation Children's Reports. In Northern Ireland, indicator development is ongoing through the work of the Office of the First Minister and Deputy First Minister (OFMDFM) and the Children and Young People's Strategic Partnership (CYPSP). Monitoring also occurs among other statutory and non-governmental organisations. The Northern Ireland Commissioner for Children and Young People and the Office of the Ombudsman for Children in Ireland play an important role as watchdogs of children's rights in both jurisdictions.

### **Adopting a Human Rights-Based Approach to Monitoring Child and Youth Well-Being in Ireland and Northern Ireland**

Adopting a human rights-based approach requires adherence to human rights principles. Foremost among these principles are the accountability of duty bearers, the participation of rights holders and that all human beings are equally entitled to their rights without discrimination.

Key messages from the report.

1. Human rights and the well-being of children and young people are interconnected concepts and should not be considered in isolation.
2. A human-rights based monitoring programme on the well-being of children and young people can add value in the following ways: legitimacy through an internationally accepted child rights framework; greater accountability by a joint focus on duty bearers and rights holders; the voice of children and young people on their well-being and enjoyment of their rights; and universality through a focus on marginalised children and young people.
3. Adopting a rights-based approach to monitoring the well-being of children and young people should be systematic in its approach and can include the following steps:
  - i. identification of what is to be monitored;
  - ii. specification of the relevant rights;
  - iii. connection of the rights to stated government outcomes;
  - iv. identification of government actions to implement these rights;
  - v. measurement of progress to track improvements.

The Children and Youth Programme (CYP) through the UNESCO Chairs will work collaboratively to promote a rights-based approach to monitoring activity in Ireland and Northern Ireland. This knowledge will enhance efforts in both jurisdictions to realise the rights and promote the well-being of children and young people. The CYP will adopt this approach in its Special Report Series focusing on education, mental health, youth justice and civic participation. The Special Report Series will illustrate how a rights-based approach to monitoring well-being can be operationalised in practice.



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### The Children and Youth Programme

The Children and Youth Programme is an independent collaboration between the two UNESCO Chairs in Ireland at the University of Ulster and NUI Galway.

