

PARTICIPANTS HANDBOOK

MODULE 6 - PARTICIPATION


DESCRIPTION

This module provides information about *why* and *how* the participation of diverse groups of women and children should be ensured at all stages of the treaty monitoring system. It provides guidance on how to ensure that the State party reporting process is inclusive, consultative and participatory.

TIME: 4.0 HOURS

MODULE AIMS

This module aims to provide participants with an understanding of the human rights principle of participation and how it applies to the treaty monitoring system.

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- The first part introduces participants to the concept of participation as a human rights principle and outlines the importance of applying this principle in practice when reporting to the treaty bodies.
 - The second part focuses on the importance of child participation and introduces participants to methods and mechanisms by which States can actively consult children and create spaces for their meaningful participation and representation in the reporting process.
 - The third part focuses on ensuring participation of women in the state party reporting process, including participation of particularly vulnerable groups of women such as rural women, indigenous women and women with disabilities.

KEY LEARNING OUTCOMES

On the completion of this module, participants should:

1. Be familiar with the concept of participation as a human rights principle and as a central principle of both CRC and CEDAW;
2. Understand the importance of promoting participation within the treaty monitoring process;
3. Have a clear grasp of how to ensure the reporting process is fully participatory and the means and methods of achieving this, with a particular focus on promoting participation for children and women.

SECTION HEADINGS

- 6.1 What is Participation?
- 6.2 The Principle of Participation and the CEDAW and CRC
- 6.3 Participation as a Practice in the Treaty Reporting Process
- 6.4 Child participation: Fundamental Principles
- 6.5 Including Children in the Reporting Process: Principles into Practice
- 6.6 Women's Participation: Fundamental Principles
- 6.7 Including Women in the Reporting Process: Principles into Practice

6.1 What is participation?

“No decisions about us – without us”.

The right to “participation” is a fundamental principle of human rights. It provides that all people have the right to be involved in any decision-making process that affects their lives. This principle derives from the recognition that **every individual possesses inherent worth, capacity and autonomy**, and is, therefore, uniquely and most appropriately placed to provide information about, and make decisions and choices related to, their own realities and experiences.

Due to unequal power structures there are some individuals and groups who are particularly likely to be (either directly or indirectly) excluded from decision-making processes. These groups may include women, children, young people, ethnic and religious minorities, indigenous people, people with disabilities, people living with HIV and AIDS, migrant people, and many others. Promoting human rights means taking positive, proactive steps to facilitate the **meaningful** and full participation of these groups within all aspects of social, family, community, cultural and economic life. Where mechanisms to counteract these forms of exclusion do not exist, the result will be the perpetuation of existing, structured forms of oppression, power imbalances and discriminatory social norms.

6.2. The principle of participation and the CEDAW and CRC

The principle of participation is enshrined within both CRC and CEDAW.

The preamble to CEDAW states that: “*the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women on equal terms with men in all fields*”, and defines discrimination against women as a barrier to ensuring participation. Furthermore articles 7 (political life), 11 (employment and public life) and 14 (rural women), all other articles of the Convention implicitly depend on this concept.

The right to participation is also one of the four underpinning principles of the CRC. Article 12 CRC provides that a child shall have the right to express their own views freely in all matters that affect them, and that their views shall be given due weight in accordance with their age and maturity. This principle recognises the potential of children to share important perspectives, to enrich decision-making processes and to act as agents of progress and change.

The CRC Committee’s General Comment No. 12 on “The Right of the Child to be Heard” explores the meaning of Article 12. This comment provides States with practical guidance on the interpretation of this right in a number of spheres and urges States to develop legislation, policy and practice necessary to achieve full implementation of this article. Importantly, General Comment No. 12 calls on States to consult children actively, and create mechanisms and spaces for children’s meaningful participation and representation. In order to implement child participation rights, duty bearers are required to take **proactive** measures to enable **children to express themselves**, taking into account the varying capacity of individual children. It is important to support children to develop their participation skills and to develop the confidence they need to be active citizens.



Characteristics of ‘Meaningful’ participation

For participation to be meaningful, individuals and groups must have the following:

- ✓ access to accurate and comprehensive information
- ✓ the opportunity to **freely** express their views, in a way that takes into account differences in ability and capacity
- ✓ the opportunity to ask questions and request clarifications

Furthermore, decision-makers must ensure that:

- ✓ these views are **listened** to and **taken seriously**
- ✓ these views are fully integrated into decision-making processes
- ✓ these views are translated into action and implemented in practice
- ✓ wherever feasible individuals and groups are involved in the implementation of any actions

6.3. Participation as Practice in the Treaty Reporting Process

In the context of treaty monitoring, the necessity of promoting participation in *principle* cannot be separated from the value of promoting it in practice. That is to say, the relevance and authenticity of the treaty monitoring system and reporting process absolutely depend on the availability of relevant information from a range of actors and sources, which can provide crucial insights and perspectives on the human rights situation in the State.



The CEDAW and CRC Committees both welcome (and indeed encourage) the submission of women and children’s views. This section focuses on providing information on how to ensure that children and women’s voices are included in the **State Party report**.

Collecting evidence from diverse groups of women and children is critical for determining whether rights are being upheld in a State Party. Such information can help the Committees to identify where a gulf has developed between rights that are available in *theory* and those that are enjoyed in *practice*. (This is especially important in the light of the CEDAW principle of *substantive* equality). This is important because, the Government may pass laws or create institutions which are *designed* and intended to uphold and protect rights, but for various reasons are failing to do so *functionally* in practice. Perceiving such discrepancies is likely to be difficult without involving those who are directly and indirectly affected by Government policies in the collection of evidence. Women and children can provide a view of their rights “from the ground” in a way that other sources might fail to do so. **Whilst “official” sources can provide vital information on the legal and administrative situation in a State party; involving women and children themselves in the collection of evidence can enrich the state report with a more accurate representation of the realities of people’s lived experiences.**

Meaningful participation of women and children within the reporting process, therefore, has a **triple benefit**: it can improve the accuracy and validity of the reporting process and its results, whilst simultaneously increasing women and children’s access to their fundamental right to participation as set out by the Conventions. Finally, through participation it is possible for women and children to gain increased knowledge and skills, expanding their ability to claim and exercise a broader spectrum of rights. By engaging in participation, women and children’s capacity to make constructive contributions can become more visible in areas where their input has previously been under-valued.

Although NGOs may be more accustomed to working with women, children or other vulnerable groups, and may have more experience in participatory activities, it is important for States to use participation activities when developing their own reports. Limiting the collection of evidence to governmental or other more formal sources can provide an incomplete picture of the human rights situation in a State party **and is unlikely to satisfy the Committee**. The CRC Committee has indicated, for example, that it “encourages States parties...to support children to present their views to the Committee”.

6.4 Child Participation: fundamental principles

Child participation: the challenge

While child participation is one of the guiding principles of the CRC, it is often quite a challenge for Governments and others to achieve.²⁴⁸ There is a need to address the barriers, structures and practices that restrict and interfere with children’s ability to be included in social and political processes in an active manner. Ensuring meaningful participation of children often involves challenging traditional cultural norms about children’s value and role in society, and

²⁴⁸ UNICEF “the right to participation fact sheet”

transforming social and household power dynamics that define relationships between adults and children.

Child participation: the benefits

If effective child participation can be achieved, however, the benefits are clear. Providing children with the opportunity to participate in political processes provides crucial insights and fresh perspectives on how to implement rights in practice. Furthermore, the process is beneficial to children themselves in terms of their development: it fosters learning, builds life skills and confidence, and enables self-protection; it teaches children principles of democracy and public engagement, and helps them to grow into active, integrated and socially responsible citizens.



States benefit from promoting child participation within the Reporting Process. They will receive accurate and direct information from children themselves on how policies and programmes are affecting children and fulfilling their intended goals. These perspectives will assist States Parties to develop relevant and effective programmes to ensure the progressive implementation of the provisions in the Convention.

Alongside its practical value for States, it is important to remember that State parties have a obligation under the CRC to promote participation as an end in itself.



The following are quotes from Children, taken from the UNICEF Report: “Every Child’s Right to be Heard”

“It was my first experience of hearing a document based on the voices of children including my own voice. After listening to it, I thought, ‘Children can change the world if they are given a chance. We have to fight for that chance.’” Jehanzeb Khan, 12 years old, Pakistan, on his experience at the UN Special Session on Children, 2002.

“If you had a problem in the Black community, and you brought in a group of White people to discuss how to solve it, almost nobody would take that panel seriously. In fact, there’d probably be a public outcry. It would be the same for women’s issues or gay issues. But every day, in local arenas all the way to the White House, adults sit around and decide what problems youth have and what youth need, without ever consulting us.” Jason, 17, Youth Force Member, New York.

“The police shouldn’t stop and harass us... they should learn to talk to us properly. If we want to ask them for information then we should have the right to do so... We are children and even we have a lot of rights.” Boy rag-picker, 12 years old.

“The best was when we had written on the bad condition of our village road and the road connecting our village with the block headquarters. It had come to our mind when one of our friends fell and injured himself on the muddy road. We all wrote the same report and wished it could be repaired. The chief administrative officer read the news and we also spoke to him

when he visited our village. He was nice and repaired the road. We felt happy, as everyone in the village has said ‘hail the Child Reporters!’” Eleven-year-old boy.

Children’s evolving capacities

The principle of child participation must be understood in conjunction with the concept of the “evolving capacities” of the child. The concept of “evolving capacities” first emerged in international law through CRC and provides an alternative to the concept of “child development”.²⁴⁹

The principle of “evolving capacities” recognises that children are independent rights-holders that possess a degree of competency and autonomy right from the beginning of life. Article 5 CRC provides that whilst adults must protect children from experiences and decisions that they have not yet acquired the capacity to take responsibility for, they must do so in a way that accounts for the competencies children already have, and those that they are continuing to acquire.²⁵⁰ This will happen at different rates for different children in different contexts.²⁵¹ As a child gains skills, experience, judgement and other competencies, (s)he will rely less of parental direction and take greater responsibility for his/her life. Therefore, according to the Convention, it is the responsibility of all people who work with children to not only respect, but also actively foster this process through which a child acquires increasing independence and autonomy.

The principle of “evolving capacities” has implications for the principle of child participation. At the heart of the principle of “evolving capacities” is the recognition that children are active agents in the fulfilment and realisation of their own rights.²⁵² Supporting children to participate in decisions and actions that affect their lives is fundamental to respecting and promoting a child’s emerging capacity and autonomy; through participation children are empowered to take greater responsibility for their own rights as they gain confidence and competence to make informed choices.

Furthermore the principle of “evolving capacities” informs the appropriate scope and boundaries of the principle of participation, and defines how it must be applied for different children in different contexts. Article 12 CRC makes this link between the principle of participation to the principle of evolving capacities, requiring that States:

*“Shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, **the views of the child being given due weight in accordance with the age and maturity of the child**”.*²⁵³

²⁴⁹ Lansdown, G, *Understanding the implications of human rights treaty: evolving capacities of the child*, UNICEF Innocenti Research Centre, 2005.

²⁵⁰ Canadian International Development Agency, *Evolving Capacities and Participation*.

²⁵¹ UNICEF Office of Research, *Working Group 4: Evolving Capacities as an enabling principle in practice*, available at www.unicef-irc.org/publications/384, last accessed 26 April 2013.

²⁵² Lansdown, S, *Evolving Capacities and Participation*, The Canadian International Development Agency (CIDA) Child Protection Unit.

²⁵³

CRC General Comments 7 and 12 make it clear that this provision should be interpreted **broadly** and **generously**, to allow as many children as possible to express their views in a wide range of ways. There is **no minimum age** at which children should begin to be consulted on their views. As recognised in CRC General Comment No.7, early childhood (defined by the committee as any age below 8 years) is a critical period of human life that affects the whole trajectory of a person’s development. Babies and very small children are acutely sensitive to their surroundings and are able to form preferences, make choices, and communicate these in numerous ways long before they are able to express themselves verbally. The Committee has stressed that understanding and respecting the *distinctive* evolving capacity of *each* child at the earliest stages of life is, therefore, crucial for the fulfilment of their rights; not only whilst they are young, but also at every stage of their lives.

In CRC General Comment No. 12 on the “right of the child to be heard”, the Committee note that “age alone” cannot determine the significance of a child’s view: “research has shown that information, experience, environment, social and cultural expectations, and levels of support all contribute to the development of a child’s capacities to form a view”. Furthermore, the Committee makes clear that States parties should **start with the presumption that a child possesses capacity** to form and express their views, and use all means, and enable the child to use any mode of communication necessary, to facilitate this in practice.

Participation for the most vulnerable children

The context in which a child feels free, comfortable and able to express his or her views will vary, not only according to the child’s age and maturity, but also according to their social background, education level and level of confidence.

To promote child participation in the reporting processes, facilitators must be attentive to evolving capacities and needs of the most disadvantaged children, including: girls, children living in poverty, children from remote rural areas, children belonging to minority and indigenous groups, street children, children in conflict with the law, displaced children, children living with HIV/AIDS and children with disabilities, especially where the disability affects the child’s ability to communicate.

The Committee has urged that special attention should be paid to ensuring these children are able to exercise their rights to be heard on matters that affect them (as provided by CRC General Comment 12), and without discrimination (as provided by Article 2 of the Convention).

A range of appropriate support measures, including appropriate interpretation, transportation and financial support (amongst many others), should be used to allow for children of all ages, backgrounds and ability to be involved in all procedures that affect their lives, including the reporting process to the CRC Committee.

Access to information

Effective child participation requires that children are provided with the information they need to make informed choices about their lives. This means it is important for facilitators to be honest with children and to explain things in a way that they can understand, even in cases where this feels uncomfortable, difficult or challenging.

Avoiding “tokenistic” participation

The process of child participation must not just be a formality or tokenistic. In order for participation to be meaningful, children must have ownership over the process. In practice this means that children should be involved in all stages of the process, from designing and developing the participation action, to engaging in the action, to being involved in designing and carrying out monitoring and follow up. As the CRC Committee note in General Comment No. 12:

“Including children should not only be a momentary act, but the starting point for an intense exchange between children and adults on the development of policies, programmes and measures in all relevant contexts of children lives.”²⁵⁴

One indicator that can be used to distinguish genuine from tokenistic participation is the extent to which there is practical progress towards addressing the recommendations and concerns children express during the process.



Facilitating meaningful child protection activities can be **time** and **resource intensive**. The government could consider engaging specific trained staff or consultants, potentially from NGOs with experience in working with children, to help ensure that it is as effective and efficient as possible.

To avoid the process of participation becoming “tokenistic”, it is also important to remember that the CRC Committee has emphasised that the right to express their views is a **choice** for the child, not an obligation on them to do so. Children should not be pressured or forced into any process of participation ‘for the sake of it’ against their interests or consent.

6.5. Including Children in the Reporting Process: Principles into Practice

Developing children’s skills

In order to participate meaningfully in the reporting process, children need to have access to education and information about children’s rights, the treaty monitoring body system, and the Reporting Process. They also require support to develop their confidence and capacity to be involved meaningfully. In order to achieve this, the State could consider producing and disseminating or implementing the following (in partnership with UN agencies and civil society actors):

- ✓ Child-friendly information on CRC, CEDAW and the reporting processes;
- ✓ A child-friendly version of the State Reports and Concluding Observations;
- ✓ Materials for children explaining national laws affecting children's or women’s rights;

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- ✓ Research tools that could be used by children to gather their own evidence on children's and women's rights, to help them to feed into the reporting process;
- ✓ Use of internet, video, theatre and other forms of media accessible to children to develop materials that explore children's rights and women's rights issues and help build children's campaigning skills; and
- ✓ Workshops and trainings to support children to develop public speaking, debating, campaigning and advocacy skills.

Involving children in data collection

Involving children in the research and production of a State Report can be a very valuable, rewarding and fruitful process. Discussions around children's or women's rights often represent *de jure* commitments rather than *de facto* change. In order to evaluate why this is the case, it can be highly useful to involve children within the data collection and production of the Report so that their voices can be heard and the real issues they face can be addressed.

Involving children as **participants in interviews**, and **focus group discussions** is a must. Very young children (even those under six) can participate in focus groups and interviews. However, it is important to be aware of appropriate methods for conducting interviews and discussions with children.

The welfare of child participants is more important than the research objectives. Participating in research should never have a negative impact on children. It is vital that child protection procedures are in place to guide the research process before it starts. All staff engaged in the research must be appropriately trained in these procedures and child-friendly methods for interviewing children. It is a good idea to engage child development and protection specialists in the development of questionnaires, surveys and other research tools to ensure that they are appropriate for children.

Key tips and pointers

- ✓ Young children (typically those under the age of 10 years) may need frequent breaks during focus groups or interviews, as their attention span is often shorter than that of older children.
- ✓ Children will respond differently depending upon the environment in which they are interviewed. Having a “natural” versus an “artificial” setting for data collection can have a significant impact on the quality of the data. For example, conducting an interview in a child's everyday environment such as a playground, a school or home often produces much higher quality data than if the interview is conducted in an artificial setting such as an interview room. The child also needs to be comfortable and feel secure about giving his or her views. For example, interviewing a child about violence in school at the school itself could make the child nervous or uncomfortable.

- ✓ Informed consent must be obtained before children can participate. Children should understand the purposes of the research; they should understand that participation is voluntary, and that there will be no negative consequences if they choose not to participate or to answer any or all of the questions.
- ✓ Children must participate in a **confidential** and **safe** space. If you are asking the children sensitive questions, particularly regarding relationships with adults, make sure that adults who are in positions of authority are not able to overhear children's responses.
- ✓ Make sure that children understand that the participation is not a "test"; they are not being evaluated and there are no right or wrong answers. Explain that you are interested in hearing their opinions and views, which may be different and varied.
- ✓ Never express shock, or judgement about anything a child says, this could have a negative effect on the child emotionally. Express empathy where appropriate. If the participation appears to be distressing the child, stop the process, and seek help.
- ✓ Participate in **active listening**: make sure that you are on the same level as children (e.g. sit or crouch on the floor if children are), remove any physical barriers such as desks (which may exist to designate authority); repeat what the children tell you to demonstrate that you are listening and as a way of expressing encouragement.
- ✓ Make sure that you always end the participation exercise on a positive note.

Children over the age of nine are often capable of completing written surveys, as well as participating in discussions and interviews. When conducting written surveys, a variety of factors should be taken into account:

- ✓ Children may view written surveys similarly to schoolwork and consider it an arduous task. Using pictures to break up written surveys can make them more appealing to children.
- ✓ Children may view the survey as a test (this is even more the case with written surveys compared to oral interviews). Make sure children understand that there are no "correct" or "incorrect" answers to the questions.

Depending on a child's age, background and particular circumstances, traditional models of research and data collection (such as interviews and surveys) may not always be appropriate or effective. Try different participatory actions like drawing, role-play, games, group activities, using visual aids etc.

There are other ways of ensuring that children's perspectives are included in State Reports.

These could include:

- ✓ Hosting **discussion days** and **consultation events**, bringing together children from different geographical areas and social backgrounds, and of different ages and ability.

- ✓ Launching a **national call for evidence** to obtain case studies from children about their rights.
- ✓ Conducting a “**literature review**” of existing information to see where children’s views are being represented and where there are gaps in evidence.
- ✓ Collecting videos, drawings, photos, poems, articles, through competitions, media activity, and workshops, to feed into a State Report.

Children should be involved at **all stages of** the research process, from **designing** the research, **developing the questions, conducting focus groups discussions** and **interviews** themselves with other children, and **undertaking analysis** and **drafting** of the report.

Whilst it is important to include children as much as possible in the research, there are times where it may be inappropriate both from a practical and an ethical perspective. All decisions to involve children in research must be made on the basis of a risk assessment that balances the desire to maximise participation carefully against other considerations.

Taking children to meet the CRC Committee

Taking children to meet the CRC Committee in Geneva can provide them with the opportunity to experience the heart of the Committee’s work from a first hand perspective. It is possible to:

- ✓ Arrange children’s meeting with the CRC Committee during the pre-sessional working group;
- ✓ Facilitate children to observe the pre-session working group (where the “list of issues” will be developed);
- ✓ Facilitate children to observe the constructive dialogue between the CRC Committee and the State.

Due to time constraints, the pre-session and children’s meetings are never more than three hours (pre-session) and one hour (children’s meeting) respectively. If a children’s meeting is set up with the CRC Committee, they will be expected to prepare a short brief of approximately **5 minutes** in length to explain the issues they wish to present to the CRC Committee.

There is no rule about the size and composition of children’s delegations. It is recommended, though, that more than one child delegate attends, to avoid children feeling isolated and under pressure. On the other hand, it has been found in the past that large delegations of children have become frustrated by the time constraints.

It is important to take into account issues such as age, gender, ethnicity and background (for example, including indigenous, minority, disabled or vulnerable groups) to ensure that the

delegation is as representative as possible. It is also important to consider the capacities of the children attending and their knowledge and understanding of the different issues that will be discussed during the review process, to ensure the process is valuable and meaningful. Children must have a well thought out, practical and clear understanding of the issues that they wish to present to the CRC Committee.

It is important to ensure that the process of taking children to Geneva does not become merely tokenistic or even exploitative. It is crucial to manage children's expectations about the process. It should be explained to the children that meetings in Geneva are part of a wider process that (it is hoped) will improve the general implementation of children's rights within their country over time. Children should understand that there are no direct, personal benefits to participating in the meetings, and that they may, at times, be long and boring.

Case study: The "Get Ready for Geneva project" (UK)



A group of children managed the campaign. They ran a competition called Get Yourself To Geneva. Children were asked to write a story, article, letter, or draw a picture, make a film, compose a song etc. about what Article 12 "the right to be heard" meant to them. They also had to come up with an ending to the sentence: "*I want to visit the UN Committee so that I can.....*" The competition was judged by children and the 12 who won were sponsored to go to Geneva to participate in person in the UK's Reporting Sessions.

In preparation to meet the Committee, children participated in a weekend residential training together with ten adult members of the State delegation. They learned about child rights in a UK context, were provided coaching in public speaking and were taught about the different laws and policies the Committee would be looking at. During the trip to Geneva, ten children met with the Committee in a children-only meeting. Two others, a boy aged 12 and a girl aged 17, took part in a pre-session NGO delegation meeting where they made presentations to the Committee.

The Committee's Concluding Observations to the UK were published in 2008. An NGO called the Children's Rights Alliance for England produced a "child friendly" version. This document was disseminated via email and mail and through NGOs, local councils, and schools, and was posted online for children to access.

The Children who participated in the Committee Sessions as part of the "Get Ready for Geneva Project", were able to see that the 14 recommendations they had made to the Committee were all included in the Committee's Concluding Observations.

Developing a Children’s Report

Some NGOs may support children to develop their own report to CRC. Children who have sent reports to the CRC Committee in the past have taken lots of different approaches. Some reports focus on the general state of children’s rights in the country, while others focus on specific issues (rights at home, at school etc.) or rights of specific groups (e.g. children with disabilities).

- ✓ There are no rules about what children should include in their reports, and what the reports should look like. Children may even submit videos if they wish.
- ✓ The text of the report may be no longer than 30 pages, but extra pages may be used for pictures and photos etc.
- ✓ Children should be supported to express their own views and perspectives in the report, and should not be put under pressure or influenced by adults.
- ✓ Children’s reports should make recommendations to the committee about how they think the situation of children could be improved.
- ✓ Children should also be encouraged to propose specific questions that they would like the CRC Committee to ask of the State party during the constructive dialogue.



Research has shown that children who have engaged in the reporting process and NGOs who have supported them have felt that children’s voices, experiences, views and perspectives *have* been taken seriously by the Committee and incorporated into the Concluding Observations.

Exercise 6.5.1 At this point, the facilitator will conduct Exercise “Including Children in the Reporting Process: Principles into Practice”

6.6 Women’s Participation: Fundamental principles

In the same way that ensuring participation of children is an essential part of State reporting to CRC, **women** and **girls must** be involved in the reporting process to the CEDAW Committee.



Women’s participation activities should avoid becoming “tokenistic”. Activities, which simply **inform** or **consult** with participants **are not fully participative**. Often, women’s participation can be seen as a ‘checklist’ activity whereby the design and content of the interaction is pre-decided and women are asked to play a minimal role, perhaps answering a small number of set questions. This type of activity is not genuinely participative and it is unlikely to provide for a proper understanding of their situations and views.

The below sections contain information about barriers to women’s participation, and provide some general advice and suggestions for how these could be addressed to ensure *meaningful* participation of women in the treaty monitoring process.

Barriers to women's participation

Gendered power Structures

Participative activities which do not account for or address power imbalances between men and women can often lead to results which do not represent women's views. Do to structural inequalities between men and women, women's presence may be limited or non-existent within governance structures and decision making groups at the national, local and community levels. Where women are present they may be actively discouraged or inhibited from meaningfully participating.

The processes of exclusion are enhanced for women who live in families, communities, or cultures where women have a traditional, subordinate role, may be reticent to put themselves forward, and may fear that there will be negative consequences to contributing to discussions, particularly in cases where they may hold a view that deviates from the dominant position.

Knowledge and Skill Level

Women's participation can be inhibited by the fact that in many contexts around the world women, and particularly the most marginalised amongst them, are systematically denied their rights, which impede their ability to access social benefits including formal education opportunities. It is estimated that globally women represent approximately 70% of the global poor.²⁵⁵ As a result of this, women often experience lower literacy rates than their male counterparts, and may lack confidence when articulating themselves on different subjects. Furthermore, women may have difficulties acquiring knowledge around the workings of political, social and economic structures that they are so often systematically excluded from. These barriers can prohibit and deter women from engaging in participative activities.

Women's "Triple Role"

Women often have what has been characterised as a "triple role" which "reproductive, productive and community responsibilities"²⁵⁶, leaving them with little spare time for participation in other activities. In other words, women who have child care responsibilities, whilst at the same time are engaged in livelihood activities outside the home, and helping care for other members of the communities, may not have time to attend meetings or take part in meetings or focus groups. This may lead to under-representation of women, or certain groups of women, such as younger women, or women from lower-income households, in participatory processes.

Meetings, which are organised at times or in locations, which are unsuitable for women due to conflicting responsibilities, will exclude them. For example, organising a meeting at the time when most local women are cooking the family evening meal, or holding the meeting in the

²⁵⁵ ESCR-Net & IWRAP, 'Guidelines for Writing on Women's Economic, Social and Cultural Rights in Shadow/ Alternative Reports', Participation in the ICESCR and CEDAW reporting processes, 010.

²⁵⁶ <https://dl->

[web.dropbox.com/get/Own%20work%20CCLC/women%27s%20participation/Gender%20Toolkit.pdf?w=AAAFk8iZ-s0miQJ4le1YRWjOkxHfBUkiDrX1gggRsV5MWQ](https://dl-web.dropbox.com/get/Own%20work%20CCLC/women%27s%20participation/Gender%20Toolkit.pdf?w=AAAFk8iZ-s0miQJ4le1YRWjOkxHfBUkiDrX1gggRsV5MWQ)

middle of the day in the city centre, when most women will be working from home, will preclude their attendance.

Women may be the primary caregivers in their families and could be busy throughout the day; participation activities should be flexible and should not interfere with women's daily activities. There should be compensation for any financial burden incurred on individuals or families as a result of the participatory activity.

Addressing Barriers: taking a gender-sensitive approach

Organisers and facilitators must take a gender-sensitive approach to designing and implementing participative activities. This involves considering what barriers to participation may exist, and the potential impact of the activity on individual women. Participatory elements of the reporting process should be planned with input from the specific groups they intend to involve. This could be done through involving NGOs who work on women's issues, particularly those that address specific and/or marginalised groups of women, such as indigenous groups.

During participative meetings, discussion and activities, facilitators should make sure that they are aware of power dynamics that inhibit women from contributing fully in discussions. For example, women may not feel comfortable talking publically in front of men, or it may be culturally normal amongst particular groups for women to sit apart from or behind men at public events or meetings.

Women should not be put at risk by participating in any research or other participation challenging cultural norms, which may prescribe that they do not speak out. The best way to deal with this is to ensure that women leaders from the relevant communities, perhaps from civil society organisations, are involved in designing and implementing participation from the outset, so that they are able to guide the process and ensure that women feel comfortable and confident enough to participate in a secure environment.

In many cases it may be better for women and men's groups to be split up, or to arrange completely separate meetings for women and men in different locations and at different times. Whilst (in a particular context) men might feel comfortable holding discussion in public spaces, women may be reticent in putting forward opinions in the same space due to concerns of being overheard.

Furthermore, it is not only the impact of men's presence, which may hinder women's full participation. Different groups of women may find it difficult to participate in the presence of others. Indigenous women for example may have experienced negative attitudes towards their communities and so may feel discriminated against and deterred from contributing to discussions in the presence of other women.

Facilitators should separate groups they feel will restrict or dominate each other. In any group setting facilitators should remain conscious of potential power divisions and take all measures to ensure that every individual feels able to contribute.

However, participants should never be *forced* to give their opinions. If people do not feel comfortable participating, the facilitator should try to understand why they are being excluded and look to address this barrier, without putting any pressure on the individuals concerned.

Language

It may seem obvious to hold participative activities in the appropriate language. However, often the language used in the formal State environment is not the same as that used by indigenous, rural, or even urban groups. Holding a session or conducting questioning in an unfamiliar or more formal language can immediately exclude certain groups of women, or can make them less likely to answer freely. Those who are communicating in a second language may find it difficult to fully understand and keep up with the discussion. Even in cases where they are able to do so, they may find it difficult to respond and express their views. Furthermore, it is worth bearing in mind that indigenous groups may not wish to take part in discussion using the country's official language, for politically sensitive reasons.

Other forms of communication

It is good practice to use a range of participative activities, which involve drawing, mapping, physical demonstrations and discussions rather than writing. These activities may not only be more accessible for certain groups compared to more formal methods, but they may also have the added benefit of being more enjoyable and encourage more active participation from all members of the group regardless of background and level of education.

Recognising diversity

Women are a non-homogenous group, with multiple and intersecting identities that vary along lines of class, ethnicity, age, religion, disability, sexuality and so forth. Forms of discrimination against women are compounded when they overlap and intersect with other forms of social exclusion imposed on particular groups. For example, a middle-aged, highly educated woman employed in the formal sector may find it much easier to express her views in a range of different contexts, compared to a young, less economically advantaged woman, engaged in domestic work in the home.

Participatory activities with women and girls in the reporting process, must seek to overcome the specific and varying barriers to inclusion experienced by different women from a diversity of groups. At every stage of the participative process (design, implementation, monitoring and evaluation) the needs and impacts upon different groups of women should be considered.

Women with Disabilities

Buildings and venues should be accessible for women with disabilities. For example, venues with steps should ensure that ramps are in place for visitors who are less able or unable to walk; venues should be well lit for women who are partially sighted, etc. Furthermore, education, information and communication materials should be accessible to women with all levels of ability; for example, they should be made available in Braille or in large print for different channels so that disabled women are notified and able to access information about activities

right from the start. Carers for those with disabilities should also be invited, and travel expenses made available for them.



One of the best ways to ensure that disabled women's access needs are met is by consulting with disabled women's groups or NGOs. They can give advice to the State on how to ensure participation of women with disabilities, and can also use their own contacts and networks to disseminate information to disabled women regarding meetings and events.

Indigenous Women

Meetings should be held in suitable and accessible locations so that women living in remote and rural areas are able to access them. Means of travel and expenses should be provided for participants from more hard to reach locations.

Organisers should be aware that indigenous women, whilst still having a variety of responsibilities, may not have the same “schedules” as other groups of women. Their commitments will differ and so advice should be sought from community leaders or NGOs working with indigenous groups to ensure that meetings are held in a time and place that is **convenient** and **appropriate** for them, and that fits around their other commitments and daily activities.

Language and methods should be culturally sensitive, and chosen so as not to exclude or deter people from indigenous groups from participating. Facilitators should take care to inform themselves fully about local contexts and politics, so that activities are selected and delivered with sensitivity to indigenous groups, and their relationships with others, so as to avoid exacerbating any existing points of conflict. Similarly, advice should be sought prior to engagement with indigenous groups so as to avoid causing offence or creating barriers to participation through ignorance of indigenous customs and cultural practices.

Survivors of violence

It is estimated that around the world as many as **one in every three** women has been beaten, coerced into sex, or abused in some other way²⁵⁷. Participation activities should be responsive to the experiences of women who are survivors of violence. The barriers to participation faced by women who have been affected by violence will vary according to their particular and personal circumstances, and the nature of the violence that they have been exposed to. Nevertheless, it is possible, and indeed necessary, to create a set of minimum standards for inclusion of the (estimated) third of women around the world who have experienced violence.

Minimum standards for each State party should be developed in all consultation with expert individuals, women's groups or NGOs already working with victims of violence. They may include the following principles:


²⁵⁷ See, e.g. UNFPA, “*Gender Equality*”, available at www.unfpa.org/gender/violence.htm (last accessed May 13th 2013).

- ✓ Women should be fully aware of the level of confidentiality and anonymity of the participative process;
- ✓ Participants should never be pressed into contributing;
- ✓ Participants should be informed of all potential uses of their evidence, ideas and recommendations;
- ✓ Information, support and reliable links to support services (addressing violence against women) should be made available to participants, should they wish to access them;
- ✓ Protocols should be established beforehand to determine action that will be taken in the case that girls under the age of majority reveal information that suggests that they are at risk of on-going violence.
- ✓ Facilitators should be fully trained on issues relating to gender and violence, so that they behave in a respectful and sensitive manner at all stages of the process.

6.7 Women's Participation: Principles into Practice

There are many ways in which women should be invited to participate in the reporting process. The following are some suggestions for how this might work:

- ✓ Women could participate through **meetings** and **consultation sessions** with children at the local, regional and national levels. The information gathered from these sessions can feed into the drafting of the State party report.
- ✓ Women's organisations should be encouraged to produce **Alternative Reports** to the State Report.
- ✓ Women could be involved in data collection and research to gather evidence of children's rights.
- ✓ A visit by the CEDAW Country Rapporteur to meet with women's groups in order to discuss the State Report could be facilitated.
- ✓ Women could be involved in the dissemination of the Concluding Observations, including, for example, through leading community sessions or through developing communications that are directed towards other women.
- ✓ Women could be invited to participate in supporting the implementation of Concluding Observations, for example by having an advisory board to the development of a National Plan of Action.
- ✓ Women should be involved in the design of indicators and monitoring/ evaluation techniques so that the state knows it is measuring the information, which is most relevant to its target group.



Exercise 6.7.2: At this point, the facilitator will conduct Exercise Including Women in the Reporting Process: Principles into Practice

Exercise 6.7.3: At this point, the facilitator will conduct the exercise Practicing Participation



FURTHER READING

NGO Group for the Convention on the Rights of the Child, *Together with children – for children, A Guide for non-governmental organisations accompanying children in CRC reporting*, Geneva, 2011, available at www.childrightsnet.org [accessed 15 May 2013]

World Vision, *Children as change agents: Guidelines for child participation in periodic reporting on the Convention on the Rights of the Child*, Canada, available at http://rightsofchildren.ca/wp-content/uploads/Guidelines_for_Child_Participation_in_CRC_Reporting.pdf [accessed 15 May 2013]

Min Bdr Gurung & Brigitte Leduc, *Guidelines for a Gender Sensitive Participatory Approach*, ICIMOD, November 2009.

Save the Children, *It's all About Children, Seven Good Examples and Ten Steps to Meaningful Children's Participation in Reporting to the Committee on the Rights of the Child*, available at <http://resourcecentre.savethechildren.se/sites/default/files/documents/3961.pdf> [accessed 15 May 2013]

Canadian International Development Agency, *Participation and Equality Between Women and Men*, available at <http://www4.worldbank.org/afr/ssatp/Resources/HTML/Gender-RG/Source%20%20documents/Tool%20Kits%20&%20Guides/Gender%20Mainstreaming/TLGEN14%20CIDA%20participation%20and%20equality%20checklist.pdf> [accessed 15 May 2013]

Gender Action, *Gender Toolkit for International Finance Watchers*, Washington DC, 2013.