

# General Comment About Business



# A. Welcome and Introductions



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## B. Expectations

1. What do you **personally** hope to gain from this meeting/experience?
2. What is something you hope to see happen during this meeting?
3. What do you want to see happen after this meeting?



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# Agenda

- **Introductions, expectations and overview of the agenda**
- **Break**
- **Discussion about Children's Rights**
- **Introducing the Committee on the Rights of the Child and General Comments**
- **Break/Lunch**
- **Discussion about Business**
- **Introduce the General Comment about Business**
- **Break**
- **Group Discussion**
- **Wrap up**



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# C. Children's Rights



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# Children's Rights

Every child has the same human rights...

Some of your human rights have to do with the basic physical needs to stay alive.

For example: You have the right to food, water, shelter and basic health care.

Some of your human rights have to do with how other people treat you.

For example: You have the right to be treated with dignity and respect.

Some of your rights have to do with your need to be cared for, to develop and to grow and be part of your communities.

You have the right to an education, to be protected, to express your own ideas and opinions, to information, and to participate in making decisions about issues that affect you. You also have the right to not be discriminated against because of who you are or where you come from.

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# Convention on the Rights of the Child

- All of your rights can be found in a document called the: **Convention on the Rights of the Child (CRC)**.
- Almost every government in the world agrees with the CRC (every one except the United States of America and Somalia). This means that they have made promises to protect your rights and take steps to ensure your rights are supported and respected.



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# Children's Right

## Group Activity



*Rights vs. Needs*



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# Children's Right

## Group Discussion



*Convention on the Rights of the Child*



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# Children's Right

## Group Activity



*Revisiting - Rights vs. Needs*



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## D. Committee on the Rights of the Child and General Comments



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# Committee on the Rights of the Child



When a government agrees with (or ‘ratifies’) the CRC, it becomes a legal duty for that country.

There is a special group known as the ‘**Committee on the Rights of the Child**’ that reviews progress and makes sure governments are keeping their promises, as outlined in the Convention on the Rights of the Child.



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# Committee on the Rights of the Child

All governments that have ratified the Convention on the Rights of the Child have to submit regular reports to the Committee on how the rights are being put into action at the country level.

After a government ratifies the CRC, the first report to the Committee is due after two years and then they have to submit a report every five years.

The Committee looks at each Government report and then outline its concerns and recommendations in a document called “**Concluding Observations**”. Concluding Observations are like a report card for governments, they outline some of the strengths but also areas that need to be improved upon.



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# Alternative Reports

Non Governmental Organizations, National Children's Commissioners and children themselves can submit an '**Alternative Report**' for the CRC Committee's consideration.



In many countries, children and young people are directly involved in preparing these reports. These reports can be a valuable way for the Committee to see different perspectives and realities.



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# General Comments

The Committee also takes special steps to help governments understand the Convention on the Rights of the Child, one way they do this is by creating 'General Comments'...

General Comments are created to help governments better understand specific parts of the CRC and to support its full implementation. They can also be used by judges and lawyers during court cases to make decisions about children and their rights.



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# General Comments

General Comments will take a part of the CRC that might only be a few paragraphs in length and go into great detail to further define and explain the issue – General Comments are often 15-20 pages in length.



A few examples of General Comments include:

- 2009 Right of the child to be heard
- 2009 Indigenous children and their rights under the Convention
- 2006 The rights of children with disabilities



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# Group Discussion



*CRC Committee and General Comments*



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# E. What is Business?



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# What is Business?

Different words/terms can be used when referring to 'business', some of these include:

- Company
- Private sector
- Business sector
- Corporate
- Commerce
- Commercial



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# Business is...

- **About buying and selling things** (for example: food, computers, clothes, toys, machines, and much more)
- **Providing 'services'** (for example: paying someone to fix something that is broken, or to build a home or building)
- **About making things** (for example: creating the paper for books, the metal needed for buildings, the fabric needed for clothing)



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# Business

We understand that business is a part of every child's life. For example:

- sometimes young people work for businesses
- children and families buy things from business
- family members work for businesses
- business can impact the environment where children live and grow
- the things business make (for example: food and toys) are eaten and used by children
- business is in the magazines and newspapers we read, when we watch television and when we see advertisements and posters on the streets.
- in some countries businesses provide health care and education for children
- sometimes very big companies can influence decisions that governments make, for example how much tax companies should pay.



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# Group Discussion



*What Business Is*



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# Group Activity



*Business and my Community*



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# F. Business and Children's Rights



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# Business and Children's Rights

Even though governments/states have the main responsibility for respecting, protecting and fulfilling children's rights, there are many other groups and parts of our society that also have a role to play, including business.

Businesses are important for countries. They help build the economy. A strong economy can mean more jobs and a better overall life for young people. Sometimes though, businesses can also violate children's rights. That is why it is important for governments to set rules for business and to help ensure they respect children's rights.



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# Business and Children's Rights

Business has its own responsibility to respect and protect children's rights, for example:



Business has to make sure it follows the local/national laws set up by governments to help children, for example: laws relating to **health and safety** in the workplace, laws about **product safety**, laws about the **minimum age to work**; laws about **environmental impact**; laws about paying **taxes**; and more...



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# Group Discussion



*Business and my Rights*



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# Business and Children's Rights

The Committee has defined certain articles in the **CRC** that are really important because they discuss the connection between children and business:

- Article 3: the best interests of the child
- Article 17: the role of mass media
- Article 18: the provision of child care for working parents
- Article 19: the protection of children in the care of others
- Article 21: about adopting children from other countries
- Article 23: the rights of the disabled child
- Article 24: the right to health
- Article 28: the right to education
- Article 32: economic exploitation
- Article 34: sexual exploitation and sexual abuse



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# G. General Comment about Business



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# General Comment about Business

The Committee on the Rights of the Child is currently preparing a 'General Comment' about what governments should do to ensure businesses respect children's rights.

The Committee has a 'draft' of the General Comment, but they would like to know what you and other young people have to say and what you feel is important to include.

The questions you will explore in this section will be summarized in a report and sent to the Committee on the Rights of the Child. The Committee will consider your recommendations in the next and final draft of the General Comment.



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# General Comment about Business

Remember, General Comments are a sort of 'guide' for governments to help them understand and implement the Convention on the Rights of the Child.



In this case, the General Comment is being prepared so that governments can make sure that all the businesses that operate within their country follow and respect the *Convention on the Rights of the Child*.



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# General Comment about Business

In total, the draft ***General Comment*** is twenty pages and has five different sections:

1. Introduction
2. Objectives of the General Comment
3. General Obligations
4. State Obligations and the General Principles of the Convention in the Context of Business Activities and Operations
5. Framework for Measures of Implementation



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# General Comment about Business

We have already explored the details of sections 1 and 2:

1. Introduction
2. Objectives of the General Comment

So, let's look at the other three sections in more detail...



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# Section 3

There are five different parts in **Section 3 General Obligations**, these are:

## ***A. Obligations under the Convention***

This means that governments should respect and ensure the rights of the child are protected in their country

## ***B. The obligation to respect, protect and fulfil children's rights in the context of business activities and operations***

This means that governments should do everything they can to make sure business respects, protects and fulfils children's rights in whatever they do



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# Section 3

## ***C. Obligations in the context of business' global operations***

Many businesses operate in more than one country. And while they may be following the rules/laws in one country, children's rights may be violated by the same business in another country (for example: a company may use exploitative forms of child labour to manufacture their goods and products in one country and then sell them in another)

## ***D. Obligations in the context of business operations in conflict situations***

Businesses operating in a place where there is war, need to ensure they are not causing or supporting children's rights violations (e.g., funding groups that use child soldiers)

## ***E. Obligations in the context of international organizations***

To create and build stronger economic and trade opportunities, sometimes governments become members of large international economic organizations. Sometimes these international organizations are involved in providing money to private businesses to build large projects such as dams or roads. Governments should ensure their involvement in these organizations will help to respect and protect children's rights and not cause violations

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# Group Discussion



## *Section 3 - Rules/laws for business*



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# Section 4

There are four different parts in Section 4 ***State Obligations and the General Principles of the Convention in the Context of Business Activities and Operations***. These are actually the four general principles of the **CRC** that governments should follow at all times when it comes to child rights:

- A. The right to non-discrimination
- B. Principle of the best interests of the child
- C. The right to life, survival and development
- D. The right to be heard



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# Group Discussion



## *Section 4 – Business and the CRC Principles*



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# Section 5

There are five different parts in **Section 5 Framework for Measures of Implementation**. This section describes ways to prevent abuses of child rights by businesses. It also describes ways to help fix abuses that may have already happened. The parts are:

## ***A. Legislative and regulatory measures***

Governments should make laws and rules for businesses to follow to protect children's rights

## ***B. Remedial measures***

Governments need to investigate and punish those businesses that have violated children's rights



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# Section 5

## ***C. Policy measures***

Governments should make the rules clear for businesses to follow. Governments should also show how these rules will be good for everyone involved

## ***D. Administrative measures***

Governments should collect information about how businesses in their country are affecting children's rights

## ***E. Collaborative and awareness-raising measures***

Governments, businesses, children and other organizations should work together to help raise awareness about how children's rights and business are connected



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# Group Discussion



## *Section 5 – Awareness and Working Together*



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# H. Evaluation and Team Wrap Up



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# Group Activity



## *Evaluation*



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# Group Activity



*Wrap Up and Goodbye*



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# Thank you

*“What we want is a mutual benefit; as far as you want to make money, we want development, we want you to be aware of our humanity, do not pollute our environment, do not exploit us, listen to us, accept our opinion, we want an equal treatment.”*

Message to business from young people in Peru



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