

# Children’s Rights Impact Assessment (CRIA)

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This tool has been developed to assist decision makers to understand how their policies, decisions and actions could impact children. For the purposes of this exercise, a child is defined as being under 19 years of age.

UPDATED – APRIL 2013

Section 1: CRIA Preliminary Screening		
<i>Completing this section will result in determining if a full Children’s Rights Impact Assessment(CRIA) is required.</i>		
1. Title of Project:		
2. Department:		
3. <a href="#">Project Owner</a> :	Name:	
	Phone:	
4. <a href="#">CRIA Writer</a> :	Name:	
	Phone:	
5. Proposed <a href="#">Implementation</a> Date:		
6. What is being proposed? <i>(Description and purpose of the project)</i>	Policy	<input type="checkbox"/>
	Program	<input type="checkbox"/>
	Regulation	<input type="checkbox"/>
	Legislation	<input type="checkbox"/>
	Existing	<input type="checkbox"/>
	New	<input type="checkbox"/>

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<p>7. Will the project impact different groups of children?  <i>Provide explanation of positive or negative impacts in the boxes below and note the groups affected by the project. Add extra rows as required.</i></p>		
Group affected	Positive Impacts	Negative Impacts
<p>8. If you have not identified impacts in question 7, provide information (rationale, reasons, research) to confirm how you have reached that conclusion. Please take into account any feedback or stakeholder position of which you are aware.</p>		
<p>9. <b>If you have identified impacts on children in question 7, then a full Children’s Rights Impact Assessment (CRIA) will be required.</b> Please Proceed to Section 2.</p> <p><i>If you have not identified impacts on children in question 7, then this would conclude your assessment. Please sign below and <u>maintain this form in your records</u> in the event that it would be required by Executive Council Office.</i></p>	<p><u>Full CRIA Required</u></p> <p>Yes</p> <p>No</p>	<p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p>
10. CRIA Writer Signature:	Date:	
11. Project Owner Signature:	Date:	

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## Section 2: Full Children’s Rights Impact Assessment (CRIA)

Complete if you answered **yes** to question 9 of the CRIA Preliminary Screening Form.

As a full CRIA is required, the following questions will provide key information that will serve to inform decision makers of the potential impacts of the proposal on children’s rights. **It is to be an objective assessment that is evidence based and presents all of the facts.**

The basis for the CRIA is the [United Nations Convention on the Rights of the Child](#) (UNCRC). To facilitate your analysis, you can refer to the above link for the full and original language of the Convention or follow the specific links provided next to each Article below for an abbreviated interpretation of the Articles. A complete abbreviated version is appended to the end of this form.

12. Which Articles of the *United Nations Convention on the Rights of the Child* (UNCRC) are relevant?

	Indicate in the right hand column if an Article is negatively (-) and / or positively (+) impacted. Then, expand the box and add a brief explanation directly in the space below the relevant Article for why you indicated (-) and / or (+).	Check all that apply.	
		-	+
Guiding Principles	Non-discrimination ( <a href="#">Art-2</a> ) <i>ex: place your brief explanation here as to why you indicated (-) and / or (+).</i>		
	Best interests of the child ( <a href="#">Art-3</a> )		
	Survival and maximum development ( <a href="#">Art-6</a> )		
	Respect for the child’s opinion ( <a href="#">Art-12</a> )		
Provision	Definition of the Child ( <a href="#">Art-1</a> )		
	Implementation of rights ( <a href="#">Art-4</a> )		
	Respect for parental guidance to child in exercise of rights ( <a href="#">Art-5</a> )		
	Name and nationality ( <a href="#">Art-7</a> )		
	Preservation of identity ( <a href="#">Art-8</a> )		
	Non-separation from parents and parental contact ( <a href="#">Art-9</a> )		
	Family reunification ( <a href="#">Art-10</a> )		
	Freedom of thought, conscience and religion ( <a href="#">Art-14</a> )		
	Parental responsibilities and government support ( <a href="#">Art-18</a> )		
	Special protection of refugee children ( <a href="#">Art-22</a> )		
	Special care of disabled children ( <a href="#">Art-23</a> )		
	Health and health services ( <a href="#">Art-24</a> )		
	Periodic review of placement in care ( <a href="#">Art-25</a> )		
	Social security ( <a href="#">Art-26</a> )		
	Adequate standard of living ( <a href="#">Art-27</a> )		
	Education ( <a href="#">Art-28</a> )		
Aims of education ( <a href="#">Art-29</a> )			
Minority and indigenous culture and religion ( <a href="#">Art-30</a> )			
Play, recreation, rest, leisure, cultural life and the arts ( <a href="#">Art-31</a> )			

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Protection	Illicit transfer and non-return ( <a href="#">Art-11</a> )		
	Protection from abuse, neglect and violence ( <a href="#">Art-19</a> )		
	Protection of a child without family ( <a href="#">Art-20</a> )		
	Adoption in the best interest of the child ( <a href="#">Art-21</a> )		
	Economic exploitation and harmful work ( <a href="#">Art-32</a> )		
	Protection from drug use, production and trafficking ( <a href="#">Art-33</a> )		
	Protection from sexual exploitation ( <a href="#">Art-34</a> )		
	Protection from sale, trafficking and abduction ( <a href="#">Art-35</a> )		
	Protection from other forms of exploitation ( <a href="#">Art-36</a> )		
	Rights of child deprived of liberty ( <a href="#">Art-37</a> )		
	Protection from armed conflicts (war) ( <a href="#">Art-38</a> )		
	Recovery and reintegration of child victims ( <a href="#">Art-39</a> )		
	Administration of juvenile justice ( <a href="#">Art-40</a> )		
	Respect for higher legal standards ( <a href="#">Art-41</a> )		
Participation	Freedom of expression ( <a href="#">Art-13</a> )		
	Freedom of association and assembly ( <a href="#">Art-15</a> )		
	Protection of privacy and reputation ( <a href="#">Art-16</a> )		
	Access to information and role of the media ( <a href="#">Art 17</a> )		
	Convention widely known ( <a href="#">Art 42</a> )		

13. Given the impacts on children’s rights identified above, what other [legislation, regulation](#) and policies need to be considered in this CRIA? Please explain why.

14. What information or evidence, internal and external to government, informs your CRIA? *(Links to some source examples: [NB Health Council](#), [Education and Early Childhood Development](#), [Office of the Child and Youth Advocate](#).)*

15. Does the CRIA have gaps in information, data collection or expertise? What missing information or evidence would have been beneficial to your analysis?

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<p>16. Has there been any consultation in the development of the project? What are the results of these discussions?  <i>Note the groups (children/stakeholders/departments) consulted and the results of the consultation. Add extra rows as required.</i></p>		
Group consulted	Results of discussions <i>(What did they say?)</i>	
<p>17. Based on the information you have collected in the above sections, what are the positive and negative impacts of the proposal on children’s <u>rights</u>?  <i>Provide explanation of positive or negative impacts in the boxes below and note the groups affected by the project. Add extra rows as required.</i></p>		
Groups of children affected	Positive Impacts on rights	Negative Impacts on rights
<p>18. What measure(s) may be needed to avoid/mitigate any negative impacts on children’s rights or improve/enhance children’s rights?</p>		
<p>19. Are there any other relevant issues that need to be taken into account?</p>		
20. CRIA Writer Signature:		Date:
21. Project Owner Signature:		Date:

Once completed, this form is considered **confidential** and should be attached as an appendix to the Memorandum to Executive Council.

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## The United Nations (UN) Convention on the Rights of the Child

The UN *Convention on the Rights of the Child* lists rights that every child has. All the rights are connected to each other, and all are equally important. Sometimes, we have to think about rights in terms of what is best for children in a situation, taking into account the child's evolving capacities.

What follows is an abbreviated version of the Convention. For a full version of the Convention, please follow this link to the: [United Nations Convention on the Rights of the Child \(UNCRC\)](#).

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### Summary of the UN Convention on the Rights of the Child

**Article 1: Definition of a child.** A child is recognized as a person under 18, unless national laws recognize a different age of majority.

**Article 2: Non-discrimination.** Convention rights apply to all children, and children shall be protected from all forms of discrimination.

**Article 3: Best interests of the child.** All actions concerning the child shall take full account of his or her best interests.

**Article 4: Implementation of rights.** The government must do all it can to implement the rights contained in the Convention.

**Article 5: Respect for parental guidance to child in exercise of rights.** The government must respect the rights and responsibilities of parents to provide guidance for the child, in exercising her or his rights, as appropriate to her or his evolving capacities.

**Article 6: Survival and maximum development.** Every child has the right to life, and the government has an obligation to ensure the child's survival and development to the maximum extent possible.

**Article 7: Name and nationality.** Each child has the right to a name and nationality, and, as far as possible, to know his or her parents and be cared for by them.

**Article 8: Preservation of identity.** The government has an obligation to protect, and if necessary, to re-establish the child's identity. This includes name, nationality and family ties.

**Article 9: Non-separation from parents, and parental contact.** The child has a right to live with his or her parents unless this is not in the child's best interests. The child has the right to maintain contact with both parents if separated from one or both unless this is not in the child's best interests.

**Article 10: Family reunification.** Children and their parents have the right to leave any country or enter their own to be reunited and maintain the parent-child relationship.

**Article 11: Illicit transfer and non-return.** The government has an obligation to prevent and remedy the illicit transfer or holding of children abroad by a parent or third party.

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**Article 12: Respect for the child's opinion.** Children have the right to express their opinions freely, and have their opinions taken into account in matters that affect them.

**Article 13: Freedom of expression.** Children have the right to express their views, obtain information, and make ideas or information known, regardless of frontiers, subject only to restrictions necessary to protect others' reputations and public order.

**Article 14: Freedom of thought, conscience and religion.** Children have the right to freedom of thought, conscience and religion.

**Article 15: Freedom of association and assembly.** Children have a right to meet with others, and to join or form associations.

**Article 16: Protection of privacy and reputation.** Children have the right to protection from interference with privacy, family, home and correspondence, and from attacks on their character or reputation.

**Article 17: Access to information and role of media.** Children shall have access to information from national and international sources. Government shall encourage the media to disseminate materials that are beneficial, and discourage those which are harmful to children.

**Article 18: Parental responsibilities and government support.** Parents have joint responsibility for raising the child, and the government shall provide appropriate assistance.

**Article 19: Protection from abuse, neglect and violence.** Children shall be protected from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation. States shall provide programs for the prevention and treatment of child maltreatment.

**Article 20: Protection of a child without family.** Children without a family are entitled to special protection, and appropriate alternative family or institutional care, with regard for the child's ethnic, religious and cultural background.

**Article 21: Adoption in the best interests of the child.** Where adoption is allowed, it shall be carried out in the best interests of the child, under the supervision of competent authorities, with safeguards for the child.

**Article 22: Special protection of refugee children.** Children, who are refugees, or seeking refugee status, are entitled to special protection.

**Article 23: Special care of disabled children.** Disabled children have the right to special care, education and training that will help them to enjoy a full and decent life with the greatest degree of self-reliance and social integration possible.

**Article 24: Health and health services.** Children have the right to the highest possible standard of health and access to health and medical services.

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**Article 25: Periodic review of placement in care.** A child who is placed by the government for reasons of care, protection or treatment of his or her physical or mental health is entitled to have that placement evaluated regularly.

**Article 26: Social security.** Children have the right to benefit from social security including social insurance.

**Article 27: Adequate standard of living.** Children have the right to a standard of living adequate for their physical, mental, spiritual, moral and social development. Parents have the primary responsibility to ensure that the child has an adequate standard of living. The government's duty is to assist parents to ensure that this responsibility is fulfilled.

**Article 28: Education.** Children have the right to education. Primary education should be free and compulsory. Secondary education should be accessible to every child, and attendance encouraged. Higher education should be available to all on the basis of capacity. School discipline shall be consistent with the child's rights and dignity.

**Article 29: Aims of education.** Education should develop the child's personality, talents, and both mental and physical abilities. Children should be prepared for active participation in a free society, and learn to respect their own culture and rights, as well as those of others.

**Article 30: Minority and Indigenous culture and religion.** Children have a right, if members of a minority or Indigenous group, to practice their own culture, religion and language.

**Article 31: Play, recreation, rest, leisure, and cultural life and the arts.** Children have the right to rest, leisure, play, recreation, and participation in cultural and artistic activities.

**Article 32: Economic exploitation and harmful work.** Children have the right to be protected from economic exploitation, and from having to participate in work that threatens their health, education or development. The State shall set minimum age for employment and regulate working conditions.

**Article 33: Protection from drug use, production and trafficking.** Children have the right to protection from the use of drugs, and from being involved in their production or distribution.

**Article 34: Protection from sexual exploitation.** Children shall be protected from sexual exploitation and abuse, including prostitution and involvement in pornography.

**Article 35: Protection from sale, trafficking and abduction.** The State shall take all appropriate measures to prevent the sale, trafficking and abduction of children.

**Article 36: Protection from other forms of exploitation.** The child has the right to protection from all forms of exploitation that can harm any aspects of the child's welfare not covered in articles 32, 33, 34 and 35.



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**Article 37: Rights of child deprived of liberty.** No child shall be subjected to torture, cruel treatment or punishment, nor to unlawful arrest or deprivation of liberty. Arrest and detention should be used only as a last resort and only for the shortest appropriate period of time. A child who is detained has the right to legal assistance and contact with the family.

**Article 38: Protection from armed conflict (war).** Children under age 15 shall have no direct part in armed conflict. Children who are affected by armed conflict are entitled to special protection and care.

**Article 39: Recovery and reintegration of child victims.** Children who have experienced armed conflict, torture, abuse, neglect or exploitation shall receive appropriate treatment for their physical and psychological recovery and social reintegration.

**Article 40: Administration of juvenile justice.** Children in conflict with the law are entitled to legal guarantees and assistance, and treatment that promotes their sense of dignity and aims to help them take a constructive role in society.

**Article 41: Respect for higher legal standards.** Wherever standards set in applicable national and international law relevant to the rights of the child are higher than those in this Convention, the higher standard shall always apply.

**Article 42: States Parties undertake to make the principles and provisions of the Convention widely known,** by appropriate and active means, to adults and children alike.

**Articles 43-54: Implementation and entry into force.** These refer to the administrative aspects of implementing the Convention. Please follow this link to the [United Nations Convention on the Rights of the Child](#) (UNCRC).

[Link to UNICEF Canada Website.](#) It contains more in-depth information that will be helpful in understanding and interpreting the Convention.

[Link to UNICEF Implementation Handbook.](#) The Handbook provides a detailed reference for the implementation of law, policy and practice to promote and protect the rights of children.