Office of the Children's Commissioner for Jersey

Appendix 1: Methodology

The Rights-Based Research Approach

The research design draws on two children's rights-based approaches. One is the participatory study about rights, money and disability (Larkins et al 2013, 2015) conducted on behalf of the Office of the Children's Commissioner for England. The second is the work of Bessell et al (2022, 2025, 2026) measuring multidimensional child poverty *(Material, Opportunity and Relational)* used by the Australian Senate (2024) to structure presentation of their inquiry into child poverty.

Larkins et al (2013, 2015) provide a way of linking rights in everyday lives and in international conventions. This is a Children's Rights from Below approach, which starts by co-inquiring into children's everyday lives through codesigned methods, then works upwards to make connections between what children describe living and the rights that are provided in the UN Convention on the Rights of the Child and the International Covenant on Economic, Social and Cultural Rights. This approach has been used in reporting to the UN Committee on the Rights of the Child in the UK and Japan.

It has been increasingly recognised (since Gordon et al. (2003) developed the Bristol Approach) that poverty relates to income but has many other dimensions. Bessell et al.'s (2022, 2025, 2026) MOR (material, opportunity, relational) framework has been tested and refined in Australia and Indonesia. This MOR Framework, developed with children in both countries, condenses many internationally recognised dimensions into a tripartite framework. It provides an accessible policy-relevant account of the multidimensions of poverty and helps focus attention on how administrations might make progress towards Sustainable Development Goal 1 target 2, namely:

> *By 2030, reduce at least by half the proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions.*

Taking a rights-based approach also means attending to ethical considerations. This involves ensuring all collaborators and participants receive information designed to minimise anxiety about how experiences related to poverty might be discussed, and to provide sufficient detail to enable informed decisions about whether to take part. It also involves securing parental consent for children under 16 and consent from children and young people[1].

The Research Process

With ethical approval for the study, the research followed these steps:

- Working with co-researchers (core groups of children and young people) to develop methods to hear from children about their lived experience of rights and money;
- Hearing directly from consenting children and young people as participants;
- Developing an analysis framework and recommendations with co-researchers, then writing the report.

Working with a core group to develop methods

With parental and child consent, and school support, researchers worked with children from three different schools and with members of OCCJ Youth Advisory Group (YAG). Child co-researchers were accompanied by staff co-researchers in two schools, who enabled children's ongoing involvement and contributed throughout the study. In three face-to-face group meetings (1-2 hours each), three online group conversations (20-30 minutes each), and through conversations and emails with four professionals, we co-developed a range of methods. The total number of young co-researchers was 23, and their reflections, ideas and feedback were invaluable in sense-making throughout the project. For example, children wanted blank

[1] University of Lancashire Ethical Approval Reference: BAHSS2 01453

spaces for drawing and structured concentric circles for writing into. Young people valued some draw-write activities but also co-created a list of 16 items which they thought were essentials and requested online interactive activities as a more private space for sharing experiences with researchers.

The co-designed data collection methods were:

Phase 1

- A workbook of activities for primary-aged children, to be completed in school.
- A set of draw-write activities for secondary school children, to be completed in school.
- A set of self-guided online tasks for young people aged 11 plus, to be completed in or out of school, including a 16-point list of things young people thought all children should have or be able to do.

Phase 2

- Individual or paired interviews with children, using a thematic interview schedule.
- Group discussions.
    - Reflective discussions with groups of primary and secondary children during activities led by researchers in schools, in which they reflected on children's rights and their draw-write activities.
    - Focus groups with college students and Youth Groups, following themes raised by group members.

In phase 1, all paper-based activities and online tasks focused on children's everyday lives and participants chose which activities and tasks they wished to complete. They offered ways to explore where children go and what they do (in Jersey and off island); the important people in their lives; what rights they think are important; and how those rights might be affected by money. The self-guided online environment gave young people the option of completing a drag and drop task, dragging 16 items into different boxes, to show what was too little, just right or too much. We also invited children to imagine what they would do if their family won lots of money, and the difference between a good day and a tough day. The activities are included in Appendix 2: Activities.

Hearing directly from children and young people

A letter was sent from the OCCJ to all schools in Jersey and to youth groups, inviting them to take part. In total, 136 children and young people in 15 different settings took part. These included primary and secondary schools, home education, further education and youth groups. Two further schools expressed interest but were ultimately unable to take part for various reasons (staffing, timetabling, curriculum demands, difficulty obtaining consent); other schools did not respond to the invitation. Information was provided to parents and children. The researchers visited the island three times (3-4 days each visit) to conduct the fieldwork with those who consented.

In phase 1 of the study, workbooks were designed, printed and distributed to participating primary schools, and a PowerPoint and PDF with age-appropriate draw-write activities were sent to secondary schools. Secondary schools also received a link to self-guided online tasks. Some teachers worked independently with children to complete these activities; in other schools and youth groups the activities were supported by the researchers and colleagues from OCCJ who also provided information about the role of the Children's Commissioner.

In phase 2 of the study, the academic researchers conducted interviews, discussions and focus groups with children and young people aged 5-18 (see Table 1 for details). Almost all of these were face-to-face, but four online interviews took place in a school and one in a youth club, with young people whom the researchers had met in phase 1.

The two phases were offered flexibly, to suit the needs of schools and children's availability. This meant the phases happened on the same day in four schools, while in most locations they were on different days; and phase 2 was completed in some schools before phase 1 was begun in others. Fieldwork began in early February 2026 and, in response to requests from schools for more time, the data collection finished at the end of June 2026.

Where parental permissions were given (through a QR code or on paper) and children consented, researchers collected and photographed workbooks and draw-write activities; interviews, discussions and focus groups were audio-recorded and transcribed. The researchers also wrote fieldnotes and audio-recorded their own reflections.

As shown in Table 1, the data consisted of interviews with 62 children and young people (comprising 50 individual interviews and 6 pair interviews (in primary schools)); seven group discussions with 36 participants (5 reflective discussions on activities in schools; 2 youth-led focus groups in FE and outside of schools); 95 completed draw-write activities (72 primary workbooks; 23 secondary activities); and 50 completed online activities (secondary and FE).

Overview of participants

A total of 23 children and young people took part as co-researchers.

A total of 136 children and young people aged 5-18 consented (and obtained parental consent for their data to be included if under 16).

Table 1 Overview of participants and activities

	Primary	Secondary	Further Ed	Outside School*	TOTAL
Online activity	0	44	4	2	50
Draw-write secondary school activities	0	23	0	0	23
Workbook activities	72	0	0	0	72
Group discussions	3 (11 pp)	2 (17 pp)	1 (5 pp)	1 (3 pp)	7
Interviews	31 (37 pp)	19	2	4	56 (62 pp)
Total Data					**208**
Total Participants	**72**	**51**	**6**	**7**	**136**

* Youth groups and home education

Developing an Analysis Framework

Initial cleaning and analysis of the data was conducted by the two adult researchers separately, using NVivo software for transcripts and fieldnotes. The online activity responses and booklets were also collated and analysed. Through cross-analysis and discussion, the researchers arrived at a set of potential themes and an anonymised summary of all recommendations.
With members of two of the co-researcher groups, we explored the issues that came from our initial analysis alongside Bessell's three-dimensional MOR (material, opportunity, relational) framework. They agreed that this framework provided an accessible way of pulling together the many issues that had been raised by children and young people in Jersey, but they also identified an emotional dimension, which also informed the work. They helped identify 16 themes. They also identified 39 essentials (items, experiences and feelings) which match to the themes – these are the things they thought all children in Jersey should have. Some of the eventual '39 essentials' that reflected the initial 16 indicators had been developed for an online activity. From this child-guided thematic analysis, following Larkins et al (2015), we identified the connections between children and young people's everyday concerns, and relevant rights provisions in UN conventions.

A combined MOR and Co-researcher framework (MOR-C) was then created (see Table 2 right). This is based on the MOR three dimensions, matched against the themes and essentials identified by co-researchers and international rights. Details of this analysis framework are provided in Appendix 3: Rights.

References

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Report – Parliament of Australia

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Table 2 MOR-C Framework: Dimensions, themes, essentials and rights

Category (MOR)	Themes	Essentials for all Children Co-developed with Co-researchers	Rights and General Comments
Material	Food and Clothing	Have enough food. Have healthy food and clean water.	UNCRC Article 6 Article 27 ICESCR Article 11 GC4 & GC12
		Have clothes and shoes in good condition that fit.	
	Housing	Have a secure and healthy home. Have a warm home in winter. Be able to afford water for showers. Have space to be on your own.	
	Health and Environment	Have access to healthcare whenever you need it. Have a garden or park very near where you live.	UNCRC Article 24 GC20 & GC26 ICESCR Article 12 GC 14 & 19
	Transport	Be able to get around the island (by public transport, car or bike)	Enabler of UNCRC Articles 3 & 31
	Access to Internet	Have a mobile phone (if a teenager). Be able to access the internet at home.	UNCRC GC 25
Opportunities	Education	Have an education that gives you what you need. Do a school trip (every year from age 8).	UNCRC Articles 28 & 29
	Play and Leisure	Afford sports, hobbies and activities (like clubs or cinema). Go to free leisure activities (like the beach and park). Go out to eat or get a takeaway (at least for celebrations). Go to youth club. Have fun.	UNCRC Articles 15 & 31 GC 12 ICESCR Article 15
	Holidays	Have family holiday. Have a holiday off the island (at least every other year).	Enabler of UNCRC Article 6
	Feeling positive about the future	Feel like you can take the next step to do things you care about (sport, education). Feel good about the future.	UNCRC GC 20
	Work for young people	Be able to earn money (if you are a teenager).	UNCRC Art. 30 GC 20 ICESCR Articles 6 & 7
Relational	Relationships with family	Spend time with parents. Go on trips with your family. See extended family (at least every other year).	UNCRC Preamble Article 3, 9, 18 ICESCR Article 10
	Relationships with friends	See friends. Spend enough time with important people.	UNCRC Article 15 GC20
	People who help	Have the right people to talk to about problems. Have the right people to help solve problems. Have time with someone who helps you do the things you care about.	UNCRC Article 19.2 GC20
	Feeling okay about money	Not worry about money or how much their needs cost Not feel embarrassed, left out or different	UNCRC Article 4 & 26 ICESCR Article 9 GC 19 & 23
	Feeling good	Feel safe. Feel heard, understood and known. Feel able to relax.	UNCRC Article 12-14, 17 & 19.1 GC 12
	Feeling part of a community	Feel like your language and culture are valued. Feel (settled as) part of a community.	UNCRC Article 2 & 30 ICESCR Article 2.2 GC20

Appendix 2: Activities

Draw-write activities for primary-aged children and secondary-aged children followed the same pattern, with an additional online set of activities designed for secondary school age and above.

PDF versions of the activities are attached, which were sent to schools for their information. Individual workbooks containing these activities were designed and distributed to primary-aged children, with each child completing their own workbook.

Welcome to the Children's Everyday Lives in Jersey: Rights and Money Research Activity

Enter your unique number, to prove that you have consent to take part. Then choose your activities.

Please enter your unique ID Code

Enter your code here

About You

Please tell us your age

	6	8	10	11	12	13	14	15	16	17	18
I am											

What languages do you speak?

Activities

Select and move each "item" in this list to show how much you do these things

- Go to the beach
- Spend time with parent
- Go out to eat or get a takeaway
- Spend time alone
- Have fun
- See friends
- Do school trips
- Have clothes and shoes in good condition
- Have a warm enough home in winter
- Have enough to eat
- Have a car in your family
- Have a family holiday
- Go on trips with your family
- Have internet at home
- Have money for sports and hobbies
- Have a mobile phone

Just Right

Not Enough

Too Much

Q13. Places

Please tell us the places you go to in St Helier



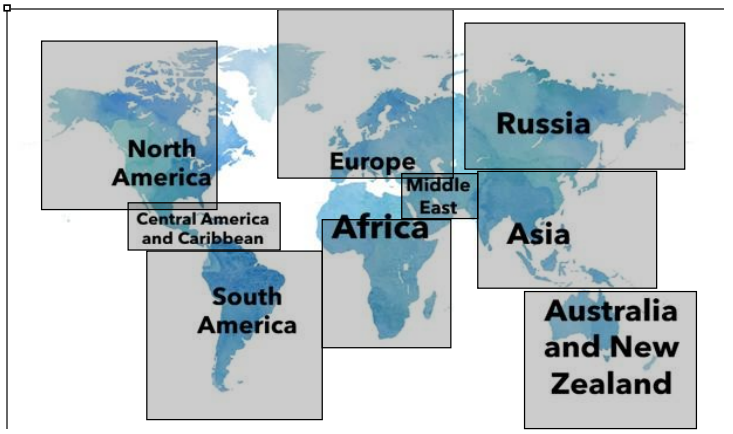
Tell us anywhere in town would you like to go, and why?

Tell us the places you go to in Jersey.



Q8. Tell us anywhere in Jersey that you would like to go to, and why

Click to show where you go to in the world. You can click 0 to 9 places.



Tell us why you go to these places.

You can choose more than one reason

- [ ] Holidays
- [ ] To see family
- [ ] For my parents' work
- [ ] For my education

Tell us about people

Who are the important people in your life?

Who would you like to spend more time with?

Does money make a difference to what you do, where you go, and who you spend time with?

- ○ Yes
- ○ Not Really
- ○ No

Does money make a difference to any of these areas of children's rights?

Please click on the rights where money makes a difference



Please tell us about any difference that money makes to children's rights

Please tell us anything else you would like us to know about children's lives in Jersey, rights and money.

We would like to hear more from some young people about their lives in Jersey. If you would be happy to talk to us, please click YES and we will try to arrange to come to your school or youth group.

- ○ Yes
- ○ No

Appendix 3: Rights-based Framework

Relevant Rights Provisions

This appendix outlines the rights-based framework that was codeveloped in this research, by combining two established approaches – the MOR Framework (Bessell, 2022, 2025[1]) and a Child Rights from Below approach (Larkins et al., 2013, 2015[2]).

We outline the MOR Framework and describe how this was adapted to the context of children's everyday lives and money in Jersey. Then we present the combined MOR-C framework and provide details of the underpinning international human rights instruments. These are the 1989 United Nations Convention on the Rights of the Child (UNCRC), the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the General Comments (GCs), which provide guidance on how to respect, protect and promote children's rights.

The MOR Framework

As outlined in Bessell (2026)[3], the MOR Framework provides a three-dimensional rights-based way of understanding child poverty, used by the Australian Senate inquiry. When the three dimensions of material deprivation, opportunity deprivation and relational deprivation overlap, children experience deep, multidimensional poverty. The framework is useful because the UNCRC and ICESCR do not directly name poverty, although the rights within these conventions do relate very directly to poverty alleviation and prevention.

Material deprivation is defined as occurring when, at a child or family level, a lack of money or material resources means basic needs are not met, **and/or** there is a lack of socially provided infrastructure and facilities to meet basic needs. So, this dimension relates to adequacy and security of money, food; housing; health care, transport, and utilities (including internet). Bessell (2026) links this to the UNCRC rights to: an adequate standard of living (article 27); healthcare (article 24); and survival and development (article 6).

Opportunity deprivation is defined as limited engagement in community, inadequate opportunities for learning, health and future security. So, this dimension relates to education provision and outcomes; community safety, access to leisure facilities and environments; and feelings of stress. Bessell (2026) links this to UNCRC rights to survival and development (article 6), education (article 28), and leisure and play (article 31). Opportunity and material deprivation both relate to UNCRC rights to health (article 24).

Relational deprivation is defined as related to the quality of relationships in the contexts of the stress that arises from material and opportunity deprivation and poverty governance, which 'deprioritise care and emphasise compliance' (p15). The dimension relates to time with parents (or carers), violence at home and the poverty related stress parents and carers experience. It also relates to the absence of respectful, nurturing and empathetic relationships in schools or in services children encounter when they are seeking support. There is no direct link between this dimension and UNCRC rights, but Bessell notes that it is related to failure to ensure adequate standards of living.

[1] Bessell, S., O'Sullivan, C., Rose, T., Lang, M., & Avrahamzon, T. (2025). Measuring multidimensional child poverty in Australia. Australian Economic Review, 58, S22-S35.

[2] Larkins, C. Thomas, N., Judd, D., Lloyd, J., Carter, B., Farrelly, N. (2013) "We want people to see things our way"; Larkins, C., Thomas, N., Carter, B., Farrelly, N., Judd, D., & Lloyd, J. (2015). Support for Children's Protagonism: Methodological Moves towards Critical Children Rights Research Framed from Below. The International Journal of Children's Rights, 23(2), 332-364. https://doi.org/10.1163/15718182-02302009

[3] Bessell, S. (2026). Falls the shadow: between the vision of the UNCRC and children's experiences of poverty in Australia. Griffith Law Review, 1–21. https://doi.org/10.1080/10383441.2026.2666010

Adaptation of the framework

Academic coresearchers worked with two child coresearcher groups to explore summary extracts of the data from Phase 1 and Phase 2 research activities. We provided verbatim accounts of children's recommendations and condensed summaries of the things children and young people had said they need (using the 16 cocreated items as the starting point for this). We also offered a way of linking these to the MOR three dimensions, so that the dimensions would be understandable and grounded in everyday experience. The young coresearchers adapted the wording of these summaries, added new **essentials** and spoke about the importance of an emotional dimension as well. Based on the feedback from the two groups, the academic coresearchers matched the essentials to the dimensions and used these combined with themes from participants' recommendations to search for relevant rights provisions. The result is a slightly adapted version of the MOR framework, which we call the MOR-C framework as the wording is cocreated with coresearchers.

The material dimension is about food, clothing and housing, health, outdoor environments, transport and access to the internet. That means having enough healthy food and clean water, clothes and shoes in good condition that fit, a secure and healthy home that is warm in winter, access to healthcare whenever you need it, a garden or park very near where you live and a mobile phone (if you are a teenager). It involves being able to afford water for showers, to get around the island (by public transport, a car or bike), and to access the internet at home.

This dimension is underpinned by UNCRC rights to survival and development (article 6), adequate standard of living (article 27) and healthcare (article 24). It is also underpinned by ICESCR articles (11 and 12) and associated general comments which stress the need for adequacy of food, clothing, housing, healthcare and healthy environments. UNCRC general comments (20, 21 & 26) also emphasise rights to healthy environments and digital access, and the need to consider the specific rights of teenagers.

The opportunity dimension is about education, play and leisure, feeling positive about the future, and having the opportunity to work. This means having an education that gives you what you need and doing a school trip (every year from age 8). It means having fun, going to youth club and free leisure activities (like the beach and park) and being able to afford sports, hobbies and activities (like clubs, cinema or going out for a celebration meal). It means having a family holiday, and a holiday off the island at least every other year. It is also about feeling good about the future, and feeling like you can take the next step to do things you care about (sport, education). For teenagers this means being able to earn money.

This dimension is underpinned by rights to education (UNCRC articles 28 and 29), leisure, play and association (UNCRC articles 15 and 31 and ICESCR article 15). It is also underpinned by rights to be protected from harmful work but to engage in appropriate, fairly paid, work at an appropriate age (UNCRC article 32, ICESCR articles 6 and 7) supported by vocational development opportunities (UNCRC GC 20).

The relational dimension is about relationships with family, friends and people who can help. It is also about how you feel in relation to money. This means spending time with parents, going on trips with family, seeing more distant family members at least every other year and having time with friends and other important people. It is about having the right people to talk to about problems, someone helping solve problems and someone helping you do the things you care about. It is about not worrying about money or about how much it costs to get the things you need and not feeling embarrassed, left out or different. It is also about feeling safe, heard, understood and known, able to relax, settled as part of a community and feeling like your language and culture are valued.

This dimension is underpinned by the UNCRC, which stresses the importance of children growing up with love (preamble), and which provides the right to grow up with family if this is safe (UNCRC article 9 and 18; ICESCR article 10), including through provision of adequate social security if needed (UNCRC article 26). Because adequate income, social security and social provisions can reduce feelings of worry about money, this dimension also intertwines with state obligations to fulfil children's rights to the maximum extent of available resources (UNCRC article 4) and to promote children's best interests (UNCRC article 3). Rights to have opinions heard and taken into account (UNCRC 12-14, 17), to freedom from abuse and neglect and access to support (UNCRC article 19), and to protection from discrimination and respect for their identity (UNCRC Article 2 & 30, ICESCR Article 2.2) are also relevant as these are relational protective factors.

MOR-C Framework: Dimensions, themes, essentials and rights

Category (MOR)	Themes	Essentials for all Children Co-developed with Co-researchers	Rights and General Comments
Material	Food and Clothing	Have enough food. Have healthy food and clean water.	UNCRC Article 6 Article 27 ICESCR Article 11 GC4 & GC12
		Have clothes and shoes in good condition that fit.	
	Housing	Have a secure and healthy home. Have a warm home in winter. Be able to afford water for showers. Have space to be on your own.	
	Health and Environment	Have access to healthcare whenever you need it. Have a garden or park very near where you live.	UNCRC Article 24 GC20 & GC26 ICESCR Article 12 GC 14 & 19
	Transport	Be able to get around the island (by public transport, car or bike)	*Enabler of UNCRC* *Articles 3 & 31*
	Access to Internet	Have a mobile phone (if a teenager). Be able to access the internet at home.	UNCRC GC 25
Opportunities	Education	Have an education that gives you what you need. Do a school trip (every year from age 8).	UNCRC Articles 28 & 29
	Play and Leisure	Afford sports, hobbies and activities (like clubs or cinema). Go to free leisure activities (like the beach and park). Go out to eat or get a takeaway (at least for celebrations). Go to youth club. Have fun.	UNCRC Articles 15 & 31 GC 12 ICESCR Article 15
	Holidays	Have family holiday. Have a holiday off the island (at least every other year).	*Enabler of UNCRC* *Article 6*
	Feeling positive about the future	Feel like you can take the next step to do things you care about (sport, education). Feel good about the future.	UNCRC GC 20
	Work for young people	Be able to earn money (if you are a teenager).	UNCRC Art. 30 GC 20 ICESCR Articles 6 & 7
Relational	Relationships with family	Spend time with parents. Go on trips with your family. See extended family (at least every other year).	UNCRC Preamble Article 3, 9, 18 ICESCR Article 10
	Relationships with friends	See friends. Spend enough time with important people.	UNCRC Article 15 GC20
	People who help	Have the right people to talk to about problems. Have the right people to help solve problems. Have time with someone who helps you do the things you care about.	UNCRC Article 19.2 GC20
	Feeling okay about money	Not worry about money or how much their needs cost Not feel embarrassed, left out or different	UNCRC Article 4 & 26 ICESCR Article 9 GC 19 & 23
	Feeling good	Feel safe. Feel heard, understood and known. Feel able to relax.	UNCRC Article 12-14, 17 & 19.1 GC 12
	Feeling part of a community	Feel like your language and culture are valued. Feel (settled as) part of a community.	UNCRC Article 2 & 30 ICESCR Article 2.2 GC20

Underpinning International Conventions

Full details can be found at:

Committee on the Rights of the Child
http://www2.ohchr.org/english/bodies/crc/comments.htm

Committee on Economic Social and Cultural rights
http://www2.ohchr.org/english/bodies/cescr/comments.htm

Material Dimension

Food, Clothing and Housing

UNCRC Art 6 – Survival and Development

1. States Parties recognize that every child has the inherent right to life.
2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

UNCRC Article 27 – Standard of Living

1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.
2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.
3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to **nutrition, clothing and housing** (emphasis added).

4 States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangements.

ICESCR Article 11 – Standard of Living

1. The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, **including adequate food, clothing and housing** (emphasis added), and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international cooperation based on free consent.
2. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed:
   (a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources;
   (b) Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need.

ICESCR GC 12 Food

6. The right to adequate food is realized when every man, woman and child, alone or in community with others, have physical and economic access at all times to adequate food or means for its procurement. The right to adequate food shall therefore not be interpreted in a narrow or restrictive sense which equates it with a minimum package of calories, proteins and other specific nutrients. The right to adequate food will have to be realized progressively.

However, States have a core obligation to take the necessary action to mitigate and alleviate hunger as provided for in paragraph 2 of article 11, even in times of natural or other disasters.

Adequacy and sustainability of food availability and access

7. The concept of adequacy is particularly significant in relation to the right to food since it serves to underline a number of factors which must be taken into account in determining whether particular foods or diets that are accessible can be considered the most appropriate under given circumstances for the purposes of article 11 of the Covenant. The notion of sustainability is intrinsically linked to the notion of adequate food or food security, implying food being accessible for both present and future generations. The precise meaning of "adequacy" is to a large extent determined by prevailing social, economic, cultural, climatic, ecological and other conditions, while "sustainability" incorporates the notion of long-term availability and accessibility....

11 Cultural or consumer acceptability implies the need also to take into account, as far as possible, perceived non-nutrient-based values attached to food and food consumption and informed consumer concerns regarding the nature of accessible food supplies.

ICESCR GC 4 Art 11(1) Housing

7. In the Committee's view, the right to housing should not be interpreted in a narrow or restrictive sense which equates it with, for example, the shelter provided by merely having a roof over one's head or views shelter exclusively as a commodity. Rather it should be seen as the right to live somewhere in security, peace and dignity. ...

8 (b) Availability of services, materials, facilities and infrastructure. An adequate house must contain certain facilities essential for health, security, comfort and nutrition. All beneficiaries of the right to adequate housing should have sustainable access to natural and common resources, **safe drinking water** (emphasis added), energy for cooking, heating and lighting, sanitation and washing facilities, means of food storage, refuse disposal, site drainage and emergency services;

(d) Habitability. **Adequate housing must be habitable, in terms of providing the inhabitants with adequate space and protecting them from cold, damp, heat, rain, wind or other threats to health, structural hazards, and disease vectors. The physical safety of occupants must be guaranteed as well** (emphasis added). The Committee encourages States parties to comprehensively apply the Health Principles of Housing 5/ prepared by WHO which view housing as the environmental factor most frequently associated with conditions for disease in epidemiological analyses; i.e. inadequate and deficient housing and living conditions are invariably associated with higher mortality and morbidity rates;

(e) Accessibility. Adequate housing must be accessible to those entitled to it. Disadvantaged groups must be accorded full and sustainable access to adequate housing resources. Thus, such disadvantaged groups as the elderly, children, the physically disabled, the terminally ill, HIV-positive individuals, persons with persistent medical problems, the mentally ill, victims of natural disasters, people living in disaster-prone areas and other groups should be ensured some degree of priority consideration in the housing sphere. Both housing law and policy should take fully into account the special housing needs of these groups. Within many States parties increasing access to land by landless or impoverished segments of the society should constitute a central policy goal. Discernible governmental obligations need to be developed aiming to substantiate the right of all to a secure place to live in peace and dignity, including access to land as an entitlement;

(g) Cultural adequacy. The way housing is constructed, the building materials used and the policies supporting these must appropriately enable the expression of cultural identity and diversity of housing. Activities geared towards development or modernization in the housing sphere should ensure that the cultural dimensions of housing are not sacrificed, and that, inter alia, modern technological facilities, as appropriate are also ensured.

Health and Environment

UNCRC Article 24

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is

deprived of his or her right of access to such health care services.

2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:
   (a) To diminish infant and child mortality;
   (b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;
   (c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;
   (d) To ensure appropriate pre-natal and post-natal health care for mothers;
   (e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents;
   (f) To develop preventive health care, guidance for parents and family planning education and services.
3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.
4. States Parties undertake to promote and encourage international co-operation with a view to achieving progressively the full realization of the right recognized in the present article. In this regard, particular account shall be taken of the needs of developing countries.

UNCRC GC20 – structural health inequalities

57. Adolescents' health outcomes are predominantly a consequence of social and economic determinants and structural inequalities, mediated by behaviour and activity, at the individual, peer, family, school, community and societal levels. Accordingly, States parties, in collaboration with adolescents, should undertake comprehensive multi stakeholder reviews of the nature and extent of adolescent health problems and the barriers they face in gaining access to services, as a basis for future comprehensive health policies, programmes and public health strategies.

UNCRC GC26

In this general comment, the Committee emphasizes the urgent need to address the adverse effects of environmental degradation, with a special focus on climate change, on the enjoyment of children's rights, and clarifies the obligations of States to address environmental harm and climate change. The Committee also explains how children's rights under the Convention on the Rights of the Child apply to environmental protection, and confirms that children have a right to a clean, healthy and sustainable environment.

ICESCR Article 12

1. The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.
2. The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for:
   (a) The provision for the reduction of the stillbirth-rate and of infant mortality and for the healthy development of the child;
   (b) The improvement of all aspects of environmental and industrial hygiene;
   (c) The prevention, treatment and control of epidemic, endemic, occupational and other diseases;
   (d) The creation of conditions which would assure to all medical service and medical attention in the event of sickness.

ICESCR GC 14

11. The Committee interprets the right to health, as defined in article 12.1, as an inclusive right extending not only to timely and appropriate health care but also to the underlying determinants of health, such as access to safe and potable water and adequate sanitation, an adequate supply of safe food, nutrition and housing, healthy occupational and environmental conditions, and access to health-related education and information, including on sexual and reproductive health. A further important aspect is the participation of the population in all health-related decision-making at the community, national and international levels.

...

Availability. Functioning public health and health-care facilities, goods and services, as well as programmes, have to be available in sufficient quantity within the State party. The precise nature of the facilities, goods and services will vary depending on numerous factors, including the State party's developmental level. They will include, however, the underlying determinants of health, such as safe and potable drinking water and adequate sanitation facilities, hospitals, clinics and other health-related buildings, trained medical and professional personnel receiving domestically competitive salaries, and essential drugs, as defined by the WHO Action Programme on Essential Drugs.

(b) Accessibility. Health facilities, goods and services have to be accessible to everyone without discrimination, within the jurisdiction of the State party. Accessibility has four overlapping dimensions:

(i) Non-discrimination: health facilities, goods and services must be accessible to all, especially the most vulnerable or marginalized sections of the population, in law and in fact, without discrimination on any of the prohibited grounds.

(ii) Physical accessibility: health facilities, goods and services must be within safe physical reach for all sections of the population, especially vulnerable or marginalized groups, such as ethnic minorities and indigenous populations, women, children, adolescents, older persons, persons with disabilities and persons with HIV/AIDS. Accessibility also implies that medical services and underlying determinants of health, such as safe and potable water and adequate sanitation facilities, are within safe physical reach, including in rural areas. Accessibility further includes adequate access to buildings for persons with disabilities.

(iii) Economic accessibility (affordability): health facilities, goods and services must be affordable for all. Payment for health-care services, as well as services related to the underlying determinants of health, has to be based on the principle of equity, ensuring that these services, whether privately or publicly provided, are affordable for all, including socially disadvantaged groups. Equity demands that poorer households should not be disproportionately burdened with health expenses as compared to richer households.

(iv) Information accessibility: accessibility includes the right to seek, receive and impart information and ideas concerning health issues. However, accessibility of information should not impair the right to have personal health data treated with confidentiality.

(c) Acceptability. All health facilities, goods and services must be respectful of medical ethics and culturally appropriate, i.e. respectful of the culture of individuals, minorities, peoples and communities, sensitive to gender and life-cycle requirements, as well as being designed to respect confidentiality and improve the health status of those concerned.

(d) Quality. As well as being culturally acceptable, health facilities, goods and services must also be scientifically and medically appropriate and of good quality. This requires, inter alia, skilled medical personnel, scientifically approved and unexpired drugs and hospital equipment, safe and potable water, and adequate sanitation.

ICESCR GC 19

(a) Health care

13. States parties have an obligation to guarantee that health systems are established to provide adequate access to health services for all. In cases in which the health system foresees private or mixed plans, such plans should be affordable, in conformity with the essential elements enunciated in the present general comment. The Committee notes the particular importance of the right to social security in the context of endemic diseases such as HIV/AIDS, tuberculosis and malaria, and the need to provide access to preventive and curative measures.

Transport

Access to transport is an enabler of wellbeing and the right to engage in cultural and leisure activities (UNCRC Article 3, UNCRC Article 31). (Waygood, E. O. D., Friman, M., Olsson, L. E., & Taniguchi, A. (2017). Transport and child well-being: An integrative review. Travel behaviour and society, 9, 32-49.)

Access to Internet

UNCRC GC 21 Para 9-11

9. The right to non-discrimination requires that States parties **ensure that all children have equal and effective access to the digital environment** (emphasis added) in ways that are meaningful for them. States parties should take

all measures necessary to overcome digital exclusion. That includes providing free and safe access for children in dedicated public locations and investing in policies and programmes that support all **children's affordable access to, and knowledgeable use of digital technologies** in educational settings, communities and **homes** (emphasis added).

10. Children may be discriminated against by their being excluded from using digital technologies and services or by receiving hateful communications or unfair treatment through use of those technologies. Other forms of discrimination can arise when automated processes that result in information filtering, profiling or decision-making are based on biased, partial or unfairly obtained data concerning a child.
11. The Committee calls upon States parties to take proactive measures to prevent discrimination on the basis of sex, disability, socioeconomic background, ethnic or national origin, language or any other grounds, and discrimination against minority and indigenous children, asylum-seeking, refugee and migrant children, lesbian, gay, bisexual, transgender and intersex children, children who are victims and survivors of trafficking or sexual exploitation, children in alternative care, children deprived of liberty and children in other vulnerable situations. Specific measures will be required to close the gender-related digital divide for girls and to ensure that particular attention is given to access, digital literacy, privacy and online safety.

Opportunities

UNCRC Art 6 – Survival and Development

1 States Parties recognize that every child has the inherent right to life.
2. States Parties shall ensure to the maximum extent possible the survival **and development of the child** (emphasis added).

Education

UNCRC Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:
   (a) Make primary education compulsory and available free to all;
   (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
   (c) Make higher education accessible to all on the basis of capacity by every appropriate means;
   (d) Make educational and vocational information and guidance available and accessible to all children;
   (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.
2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.
3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

UNCRC Article 29

1. States Parties agree that the education of the child shall be directed to:
   (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;
   (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
   (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
   (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous

origin;
(e) The development of respect for the natural environment.

2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

ICESCR Article 6.2

The steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual.

ICESCR Article 13

1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.
2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:
   (a) Primary education shall be compulsory and available free to all;
   (b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;
   (c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education;
   (d) Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;
3. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to choose for their children schools, other than those established by the public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions.

Play, sport, leisure and cultural activities

UNCRC Article 15

1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.
2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

UNCRC Article 31

1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.
2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

UNCRC GC 12

115. Children require play, recreation, physical and cultural activities for their development and socialization. These should be designed taking into account children's preferences and capacities. Children who are able to express their views should be consulted regarding the accessibility and appropriateness of play and recreation facilities. Very young children and

some children with disabilities, who are unable to participate in formal consultative processes, should be provided with particular opportunities to express their wishes.

ICESCR Article 15

1. The States Parties to the present Covenant recognize the right of everyone:
   (a) To take part in cultural life.

Holidays

Children emphasised that time with their family and off island was important for development (Article 6)

Feeling positive about the future

GC 20 para 37

GC20 underlines the duties of state parties to develop:

(a) Comprehensive and multisectoral national strategies rooted in the Convention, with a dedicated focus on adolescents, to **address the structural social and economic roots underlying the rights violations adolescents face** (emphasis added) and ensure a coordinated approach across government ministries; ...and...

(d) Transparent budgetary commitments to ensure that adolescents are duly considered when balancing competing spending priorities and complying with the principles of sufficiency, effectiveness, efficiency and equality; (para 37)

GC20 para 74

In line with [UNCRC] article 28 (1) (d), States should make educational and vocational information and guidance available and accessible to adolescents. 74. Both formal and informal education and training need to be designed for the twenty-first century skills34 required in the modern labour market, including integrating soft and transferrable skills into the curricula; expanding opportunities for experiential or practical learning; developing vocational training based on labour market demand; establishing public-private sector partnerships for entrepreneurship, internships and apprenticeships; and providing guidance on academic and vocational opportunities. States should also disseminate information on employment rights, including rights in relation to membership in trade unions and professional associations.

Work for young people

UNCRC Article 32

1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.
2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:
   (a) Provide for a minimum age or minimum ages for admission to employment;
   (b) Provide for appropriate regulation of the hours and conditions of employment;

ICESCR Article 6

1. The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.
2. The steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual.

ICESCR Article 7
The States Parties to the present Covenant recognize the right of everyone to the enjoyment of just and favourable conditions of work which ensure, in particular:

(a) Remuneration which provides all workers, as a minimum, with:
(i) Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work;
(ii) A decent living for themselves and their families in accordance with the provisions of the present Covenant;
(b) Safe and healthy working conditions; (c) Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence;
(d) Rest, leisure and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays.

Relational

Relationships with family

UNCRC Preamble
Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

UNCRC Article 3 - Best Interests
1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.
2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.
3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

UNCRC Article 9
1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child.
   Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.
2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.
3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.

UNCRC Article 18
1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.
2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall **render**

appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities (emphasis added) and shall ensure the development of institutions, facilities and services for the care of children.

3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible

ICESCR Article 10

The States Parties to the present Covenant recognize that:

1. **The widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society, particularly for its establishment and while it is responsible for the care and education of dependent children** (emphasis added). Marriage must be entered into with the free consent of the intending spouses.
2. Special protection should be accorded to mothers during a reasonable period before and after childbirth. During such period working mothers should be accorded paid leave or leave with adequate social security benefits.
3. Special measures of protection and assistance should be taken on behalf of all children and young persons without any discrimination for reasons of parentage or other conditions.

Relationships with friends

UNCRC Article 15

1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.
2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

UNCRC GC 20 para 45

45. States should guarantee that adolescents' right to freedom of association and peaceful assembly in all its forms is fully respected, consistent with the restrictions delineated in article 15 (2) of the Convention, including through the provision of safe spaces for both girls and boys. Legal recognition should be afforded to adolescents to establish their own associations, clubs, organizations, parliaments and forums, both in and out of school, form online networks, join political parties and join or form their own trade unions.

People who help

UNCRC Article 19.2 – Protection, prevention and support

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to **provide necessary support** (emphasis added) for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

UNCRC GC20 para 58

The Committee emphasizes that States should adopt an approach based on public health and **psychosocial support** (emphasis added) rather than overmedicalization and institutionalization. A comprehensive multisectoral response is needed, through integrated systems of adolescent mental health care that involve parents, peers, the wider family and schools and the provision of support and assistance through trained staff.

Feeling OK about money

UNCRC Article 4 - Maximum Extent of Available Resources

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

UNCRC Article 26

1. States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.
2. The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.

ICESCR Article 9

The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance.

ICESCR General Comment 19 paras 2,6,10, 18, 20 and 22-27

2. The right to social security encompasses the right to access and maintain benefits, whether in cash or in kind, without discrimination in order to secure protection, inter alia, from (a) lack of work-related income caused by sickness, disability, maternity, employment injury, unemployment, old age, or death of a family member; (b) unaffordable access to health care; (c) insufficient family support, particularly for children and adult dependents....
6. The right to social security has been strongly affirmed in international law. The human rights dimensions of social security were clearly present in the Declaration of Philadelphia of 1944 which called for the "extension of social security measures to provide a basic income to all in need of such protection and comprehensive medical care".
10. While the elements of the right to social security may vary according to different conditions, a number of essential factors apply in all circumstances as set out below. In interpreting these aspects, it should be borne in mind that social security should be treated as a social good, and not primarily as a mere instrument of economic or financial policy.

Social Risks and Contingencies

(f) Family and child support

18. Benefits for families are crucial for realizing the rights of children and adult dependents to protection under articles 9 and 10 of the Covenant. In providing the benefits, the State party should take into account the resources and circumstances of the child and persons having responsibility for the maintenance of the child or adult dependent, as well as any other consideration relevant to an application for benefits made by or on behalf of the child or adult dependent. Family and child benefits, including cash benefits and social services, should be provided to families, without discrimination on prohibited grounds, and would ordinarily cover food, clothing, housing, water and sanitation, or other rights as appropriate.

Adequacy

22. **Benefits, whether in cash or in kind, must be adequate in amount and duration in order that everyone may realize his or her rights to family protection and assistance, an adequate standard of living and adequate access to health care** (emphasis added), as contained in articles 10, 11 and 12 of the Covenant. States parties must also pay full respect to the principle of human dignity contained in the preamble of the Covenant, and the principle of non-discrimination, so as to avoid any adverse effect on the levels of benefits and the form in which they are provided. Methods applied should ensure the adequacy of benefits. The adequacy criteria should be monitored regularly to ensure that beneficiaries are able to afford the goods and services they require to realize their Covenant rights. When a person makes contributions to a social security scheme that provides benefits to cover lack of income, there should be a reasonable relationship between earnings, paid contributions, and the amount of relevant benefit.

Accessibility

(a) Coverage

23. All persons should be covered by the social security system, especially individuals belonging to the most disadvantaged and marginalized groups, without discrimination on any of the grounds prohibited under article 2, paragraph 2, of the Covenant. In order to ensure universal coverage, non-contributory schemes will be necessary.

(b) Eligibility

24. **Qualifying conditions for benefits must be reasonable, proportionate and transparent** (emphasis added). The withdrawal, reduction or suspension of benefits should be circumscribed, based on grounds that are reasonable, subject to due process, and provided for in national law.19

(c) Affordability

25. If a social security scheme requires contributions, those contributions should be stipulated in advance. The direct and indirect costs and charges associated with making contributions must be affordable for all, and must not compromise the realization of other Covenant rights.

(d) Participation and information

26. Beneficiaries of social security schemes must be able to participate in the administration of the social security system. The system should be established under national law and ensure the right of individuals and organizations to seek, receive and impart information on all social security entitlements in a clear and transparent manner.

See also Para 64 and 65 – violations can occur through commission and omission.

ICESCR GC23 – Conditions at work

Para 18. Closely linked to the notions of fairness and equality, **"remuneration" must also provide a "decent living" for workers and their families** (emphasis added). While fair wages and equal remuneration are determined by reference to the work performed by an individual worker, as well as in comparison with other workers, remuneration that provides a decent living must be determined by reference to outside factors such as the cost of living and other prevailing economic and social conditions. Thus, remuneration must be sufficient to enable the worker and his or her family to enjoy other rights in the Covenant, such as social security, health care, education and an adequate standard of living, including food, water and sanitation, housing, clothing and additional expenses such as commuting costs.

Feeling good

UN ComRC GC 5 paras 8 and 9

8. The second sentence of article 4 reflects a realistic acceptance that lack of resources - financial and other resources - can hamper the full implementation of economic, social and cultural rights in some States; this introduces the concept of "progressive realization" of such rights: States need to be able to demonstrate that they have implemented "to the maximum extent of their available resources" and, where necessary, have sought international cooperation. When States ratify the Convention, they take upon themselves obligations not only to implement it within their jurisdiction, but also to contribute, through international cooperation, to global implementation (see paragraph 60 below).
9. The sentence is similar to the wording used in the International Covenant on Economic, Social and Cultural Rights and the Committee entirely concurs with the Committee on Economic, Social and Cultural Rights in asserting that **"even where the available resources are demonstrably inadequate, the obligation remains for a State party to strive to ensure the widest possible enjoyment of the relevant rights under the prevailing circumstances ..."** (emphasis added). Whatever their economic circumstances, States are required to undertake all possible measures towards the realization of the rights of the child, paying special attention to the most disadvantaged groups.

UNCRC GC19 Para 49

In their budget decisions, States parties should consider all factors required for children of different ages to survive, grow and develop. States parties should show their commitment to children's rights by making visible the parts of their budgets that affect children in different age groups.

ICESCR Article 2.1

Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively

the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.

ICESCR GC 19

40. While the Covenant provides for progressive realization and acknowledges the constraints owing to the limits of available resources, **the Covenant also imposes on States parties various obligations which are of immediate effect** (emphasis added). States parties have immediate obligations in relation to the right to social security, such as the guarantee that the right will be exercised without discrimination of any kind (article 2, paragraph 2), ensuring the equal rights of men and women (article 3), and the obligation to take steps (article 2, paragraph 1) towards the full realization of articles 11, paragraph 1, and 12. Such steps must be deliberate, concrete and targeted towards the full realization of the right to social security.
42. There is a strong presumption that **retrogressive measures taken in relation to the right to social security are prohibited** (emphasis added) under the Covenant. If any deliberately retrogressive measures are taken, the State party has the burden of proving that they have been introduced after the most careful consideration of all alternatives and that they are duly justified by reference to the totality of the rights provided for in the Covenant, in the context of the full use of the maximum available resources of the State party. The Committee will look carefully at whether: (a) there was reasonable justification for the action; (b) alternatives were comprehensively examined; (c) there was genuine participation of affected groups in examining the proposed measures and alternatives; (d) the measures were directly or indirectly discriminatory; (e) the measures will have a sustained impact on the realization of the right to social security, an unreasonable impact on acquired social security rights or whether an individual or group is deprived of access to the minimum essential level of social security; and (f) whether there was an independent review of the measures at the national level.

Letter issued by the Committee on ESCR (CESCR/48th/SP /MAB/SW)
State Parties should not act in breach of the ICESCR, even in times of economic crisis. Any adjustments in policies should meet these requirements:

'first, the policy is a temporary measure covering only the period of crisis; second, the policy is necessary and proportionate, in the sense that the adoption of any other policy, or failure to act, would be more detrimental to economic, social and cultural rights; third, the policy is not discriminatory and comprises all possible measures, including tax measures, to support social transfers to mitigate inequalities that can grow in times of crisis and to ensure that the rights of the disadvantaged and marginalised individuals and groups are not disproportionately affected; fourth, the policy identifies the minimum core content of rights, or a social protection floor…and ensures protection of this core at all times.'

Feeling Good

UNCRC Article 19.1 – Protection

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

UNCRC Article 12

1. States Parties 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.
2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

UNCRC Article 13

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.
2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
   (a) For respect of the rights or reputations of others; or
   (b) For the protection of national security or of public order (ordre public), or of public health or morals.

UNCRC Article 14

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.
2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.
3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

UNCRC Article 17

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health.

To this end, States Parties shall:

(a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;

(b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;

(c) Encourage the production and dissemination of children's books;

(d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;

(e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.

UNCRC GC 12 paras 19, 21, 22, 23 & 90-92

19. Article 12, paragraph 1, provides that States parties "shall assure" the right of the child to freely express her or his views. "Shall assure" is a legal term of special strength, which leaves no leeway for State parties' discretion. Accordingly, States parties are under strict obligation to undertake appropriate measures to fully implement this right for all children. This obligation contains two elements in order to ensure that mechanisms are in place to solicit the views of the child in all matters affecting her or him and to give due weight to those views.
21. The Committee emphasizes that article 12 imposes no age limit on the right of the child to express her or his views, and discourages States parties from introducing age limits either in law or in practice which would restrict the child's right to be heard in all matters affecting her or him. In this respect, the Committee underlines the following:
    - First, in its recommendations following the day of general discussion on implementing child rights in early childhood in 2004, the Committee underlined that the concept of the child as rights holder is "... anchored in the child's daily life from the earliest stage". Research shows that the child is able to form views from the youngest age, even when she or he may be unable to express them verbally. Consequently, full implementation of article 12 requires recognition of, and respect for, non-verbal forms of communication including play, body language, facial expressions, and drawing and painting, through which very young children demonstrate understanding, choices and preferences.
    - Second, it is not necessary that the child has comprehensive knowledge of all aspects of the matter affecting her or him, but that she or he has sufficient understanding to be capable of appropriately forming her or his own views on the matter.

- Third, States parties are also under the obligation to ensure the implementation of this right for children experiencing difficulties in making their views heard. For instance, children with disabilities should be equipped with, and enabled to use, any mode of communication necessary to facilitate the expression of their views. Efforts must also be made to recognize the right to expression of views for minority, indigenous and migrant children and other children who do not speak the majority language.

(iii) "The right to express those views freely"

22. The child has the right "to express those views freely". "Freely" means that the child can express her or his views without pressure and can choose whether or not she or he wants to exercise her or his right to be heard. "Freely" also means that the child must not be manipulated or subjected to undue influence or pressure. "Freely" is further intrinsically related to the child's "own" perspective: the child has the right to express her or his own views and not the views of others.
23. **States parties must ensure conditions for expressing views that account for the child's individual and social situation and an environment in which the child feels respected and secure when freely expressing her or his opinions** (emphasis added).
90. A family where children can freely express views and be taken seriously from the earliest ages provides an important model, and is a preparation for the child to exercise the right to be heard in the wider society. Such an approach to parenting serves to promote individual development, enhance family relations and support children's socialization and plays a preventive role against all forms of violence in the home and family.
91. The Convention recognizes the rights and responsibilities of parents, or other legal guardians, to provide appropriate direction and guidance to their children (see para. 84 above), but underlines that this is to enable the child to exercise his or her rights and requires that direction and guidance are undertaken in a manner consistent with the evolving capacities of the child.
92. States parties should encourage, through legislation and policy, parents, guardians and childminders to listen to children and give due weight to their views in matters that concern them. Parents should also be advised to support children in realizing the right to express their views freely and to have children's views duly taken into account at all levels of society.

Feeling part of a community

UNCRC Article 2 - Non-Discrimination

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

UNCRC Article 30

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

ICESCR Article 2.2

The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

ICESCR GC 20 para 11, 28

11. ... States parties must therefore adopt measures, which should include legislation, to ensure that individuals and entities in the private sphere do not discriminate on prohibited grounds.