CHILD FRIENDLY NATIONAL BUDGETING INITIATIVE
Facilitator’s Manual
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<td>Acquired Immunodeficiency Syndrome</td>
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<tr>
<td>CFNBI</td>
<td>Child Friendly National Budgeting Initiative</td>
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<tr>
<td>CEDAW</td>
<td>United Nations Convention on the Eradication of All Forms of Discrimination</td>
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<td>CHRA</td>
<td>Combined Harare Residents Association</td>
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<tr>
<td>CRC</td>
<td>United Nations Convention on the Rights of the Child</td>
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<tr>
<td>CSO</td>
<td>Civil Society Organization</td>
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<tr>
<td>GDP</td>
<td>Gross Domestic Product</td>
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<tr>
<td>HIV</td>
<td>Human Immunodeficiency Virus</td>
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<tr>
<td>ILO</td>
<td>International Labor Organization</td>
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<td>MDGs</td>
<td>Millennium Development Goals</td>
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<tr>
<td>NANGO</td>
<td>National Association for Non-Governmental Organizations</td>
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<td>NGO</td>
<td>Non-Governmental Organizations</td>
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<tr>
<td>PAYE</td>
<td>Pay As You Earn</td>
</tr>
<tr>
<td>PRSP</td>
<td>Poverty Reduction Strategy Plan</td>
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<tr>
<td>RDC</td>
<td>Rural District Council</td>
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<tr>
<td>SADC</td>
<td>Southern Africa Development Community</td>
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<tr>
<td>UN</td>
<td>United Nations</td>
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<tr>
<td>UNDP</td>
<td>United Nations Development Programme</td>
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<td>UNICEF</td>
<td>United Nations Children's Fund</td>
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<tr>
<td>VIDCO</td>
<td>Village Development Committee</td>
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<tr>
<td>WADCO</td>
<td>Ward Development Committee</td>
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<tr>
<td>ZYC</td>
<td>Zimbabwe Youth Council</td>
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CFNBI Programme Objectives

- To empower children with the ability to educate and mobilize other students, policy makers, interest groups and citizens to participate in initiating child-friendly budgeting in their communities and Zimbabwe as a whole;
- To train children on budget analysis skills, expenditure tracking, monitoring and budget advocacy;
- To provide a platform for the Junior Parliament and Council to formulate strategic plans that educate and create awareness of child-friendly budgeting within their respective communities; and
- To advocate for overall protection of children's rights, meet their basic needs and expand their opportunities to be heard in the national budgeting process.

Profile of Participants in Programme

During 2013, the Programme will primarily focus on training child-led groups with robust structures feeding into the national administration system. Identified groups include the Junior Parliament; Junior Council and child leaders from other child-led groups across the country including rural children.

Programme Implementation Methodology in 2013

The Programme delivery structure will be a mixture of lectures for delivering new ideas and skills in budgeting and analysis of the budgets, as well as team building and simulation exercises. This is expected to reinforce learning and build self-esteem in the children so that they can participate in national budgeting decision making processes with great confidence.

The Training will Take Place at Two Levels:

Level I: Training of Trainers
- Training of Junior Parliamentarians and other Child-Led Group Leaders

Level II: Downstream Training
- Trained Junior Parliamentarians and Child-Led Group Leaders will train other children and sub child-led groups in their constituencies and this is a continuous process. Implementing partners of the programme will support the Junior Parliamentarians and the Child-Led Group Leaders during downstream training activities and provide reports to funders of the programme on a quarterly basis.
- During training sessions, child leaders will be noting issues raised by children in their constituency and towards the end of the year, the Junior President will present the issues to the Finance Minister.
The CFNBI Programme involves the following institutions who will play different complementing roles:

<table>
<thead>
<tr>
<th>Partner</th>
<th>Role</th>
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<tbody>
<tr>
<td>UNICEF Zimbabwe</td>
<td>Funding and Implementation Partner</td>
</tr>
<tr>
<td>Barclays Bank Zimbabwe</td>
<td>Funding Partner</td>
</tr>
<tr>
<td>Save the Children Zimbabwe</td>
<td>Co-Funding and Implementing Partner</td>
</tr>
<tr>
<td>National Association of Non-Governmental Organisations (NANGO)</td>
<td>Implementing Partner</td>
</tr>
<tr>
<td>Zimbabwe Youth Council (ZYC)</td>
<td>Co-ordination of Junior Parliamentarians and Councillors</td>
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**Training Objectives**

By the end of this training programme, the participants are expected to:

- Have gained an understanding of human rights in general;
- Have gained an understanding of child rights;
- Develop an understanding of the international and national legal and policy framework that inform child rights;
- Identify, explain and draw linkages between child rights and the legal and policy framework;
- Have gained familiarity with child friendly budgeting and its importance;
- Understand the basic budgets terms and be financially literate;
- Understand the budget cycle; and
- Understand how to engage the different duty bearers.
UNIT 1

UNDERSTANDING HUMAN RIGHTS AND CHILD RIGHTS IN GENERAL
This unit covers the definitions of human rights and child rights in general. Human rights will be defined as well their relationship with child rights.

Goals

● To familiarise and broaden participants’ knowledge on human rights and child rights in general;
● To enable participants to make a link between human rights and child rights; and
● To enable participants to identify child rights in the Constitution of Zimbabwe.

Unit 1 Overview

Activity 1.1 Definition of human rights and child rights
Activity 1.2 Inter-linkages of human rights and child rights
Activity 1.3 Introduce the international legal framework on child rights, especially the United Nations Convention on the Rights of the Child (CRC)
Activity 1.4 Introduce the national legal and policy framework on children

Materials

✎ Flip charts, paper, markers, tape and pens
✎ Overhead Projector
✎ Power Point
✎ Cluster cards
✎ Meta Plan Board

Methodology

● Case Studies
● Role play
● Brainstorming
● Group exercises
● Plenary discussion
Expected Outcomes of Activity 1.1
By the end of this activity participants are able to develop an understanding of human rights and child rights in general.

Participatory Approaches of Activity 1.1
- Case Study
- Group Work
- Brainstorming
- Open Dialogue Session

By completion of this activity ensure that there is mention of the following key terms:
Human rights, child rights, shelter, education, health, participation, respect, heard, obligation to fulfill, respect and promote

FACILITATION STEPS

Step 1
Introduce the module by asking participants to identify and make a list of human rights and child rights.

Step 2
Record their responses on a flip chart. Discuss further why child rights are important.

Step 3
Discuss the needs of the child especially those who are orphaned, living with HIV and those with disabilities.

Step 4
Record their responses. Conclude by explaining why child rights are important and deserve attention.
**Expected Outcomes of Activity 1.2**

By the end of this activity participants are able to develop an understanding of the key principles of CRC and the rights it seeks to protect.

**Participatory Approaches of Activity 1.2**

- Case Study
- Group Work
- Brainstorming
- Open Dialogue Session

By completion of this activity ensure that there is mention of the following key terms:

- CRC
- Human rights
- Child rights
- Shelter
- Education
- Health
- Protection
- Participation
- Prevention
- Respect
- Heard
- Civil and political rights
- Social, economic and cultural rights
- Freedoms
- Resources
- Progressive realisation

**FACILITATION STEPS**

**Step 1**

Introduce the activity and defining the key principles of the CRC.

**Step 2**

Divide them into equal number of groups. Some groups should make a list of child rights (using the CRC) that are being enjoyed in Zimbabwe. The other groups should make a list of child rights that are not being enjoyed in Zimbabwe.
Step 3
- Record their responses on a flip chart. Discuss differences that have been identified on the lists?
- Discuss reasons why some of these rights are not enjoyed and why others are enjoyed?
- What action can be taken to fulfil these rights?
- Which rights are most accessible and why?
- Which rights should be given priority?

Step 4
In groups discuss how one child right is linked to the other by placing a right at the centre and showing the impact of non-fulfillment of that right.

Step 5
Record their responses. Conclude by discussing the interlinkages, indivisibility and interdependency nature of child rights.
Introduce the National Legal Framework that Governs Children in Zimbabwe

**Expected Outcomes of Activity 1.3**
By the end of this activity participants are able to identify key pieces of legislation and how they promote child rights.

**Participatory Approaches of Activity 1.3**
- Case Study
- Group Work
- Brainstorming
- Open Dialogue Session

By completion of this activity ensure that there is mention of the following key terms:
Constitution, laws, policies, National Action Plan, progressive realisation, right to be heard, right to name and identity, right to education, right to healthcare, inheritance, property rights

**FACILITATION STEPS**

**Step 1**
Introduce the activity by introducing key pieces of legislation and how they promote child rights.

**Step 2**
Record their responses on a flip chart. Discuss the rights that are being promoted especially by the Constitution of Zimbabwe. In addition, discuss the ‘duty bearers’ and claim/rights holders as spelt out in the Constitution. What are their rights and responsibilities?

**Step 3**
Discuss whether all the child rights are being promoted and which are not.

**Step 4**
Conclude by getting their ideas on what actions should be taken in order for the child rights that are in the Constitution could be promoted.
A SIMPLIFIED VERSION OF THE CONVENTION ON THE RIGHTS OF THE CHILD (CRC)

The aim of the Convention is to set standards for the defence of children against the neglect and abuse they face to varying degrees in all countries every day. It is careful to allow for the different cultural, political and material realities among states. The most important consideration is the best interest of the child. The rights set out in the Convention can be broadly grouped in three sections:

Provision: the right to possess receives or has access to certain things or services (e.g. a name and a nationality, health care, education, rest and play and care for disabled and orphans).

Protection: the right to be shielded from harmful acts and practices (e.g. separation from parents, engagement in warfare, commercial or sexual exploitation and physical and mental abuse).

Participation: The child's right to be heard on decisions affecting his or her life. As abilities progress, the child should have increasing opportunities to take part in the activities of society, as a preparation for adult life (e.g. freedom of speech and opinion, culture, religion and language).

BRIEF INTRODUCTION TO THE CRC

- The CRC is an international agreement across the world which sets out the rights of children between the age of 0 and 18.
- It has been in existence for 21 years following the adoption by the UN General Committee in 1989 and it is the most widely adopted of all international agreements.
- The CRC itself consists of 54 articles. There are two optional protocols which cover specific issues and rights.

THE CRC HAS FOUR GENERAL PRINCIPLES

These are:

1. The principle of non-discrimination calls upon States to take measures to ensure that the child is protected against all forms of discrimination (Article 2);

2. The principle of the best interests of the child - in all actions concerning children the best interest of the child shall be of paramount importance (Article 3). Child protection is of paramount consideration and the obligation of the Parliament is to adopt laws, policies, plans and budgets that are informed by the best interest principle;

3. The principle of participation requires State parties to give due weight to the views of the child depending on the age and maturity of the child and provide them an opportunity to be heard in any judicial and administrative proceedings affecting the child (Article 12-15);

4. The principle of the child’s right to survival and development requires the State to recognise that every child has an inherent right to life and ensure the maximum extent possible the survival and development of the child (Article 6).

The CRC requires the implementation of the general measures. These are:

- Basic budgets and resource allocation for implementing the CRC.
- Children’s active participation. (CRC Articles 12-17)
- Right to name nationality and identity. (Articles 7 & 8)
- Protection from torture and other cruel, inhuman and degrading treatment or punishment. (CRC Article 37(a))

The child’s evolving capacity with age and experience is important in promoting the right of the child to be heard and right of access to information. The right to participation is closely linked to teaching them life skills, making decisions and solving problems.
A SIMPLIFIED VERSION OF THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD.

Article 1: Everyone under 18 years of age has all the rights in this Convention.

Article 2: The Convention applies to everyone whatever their race, religion, abilities, whatever they think or say, whatever type of family they come from.

Article 3: All organisations concerned with children should work towards what is best for each child.

Article 4: Governments should make these rights available to children.

Article 5: Governments should respect the rights and responsibilities of families to guide their children so that, as they grow up, they learn to use their rights properly.

Article 6: Children have the right to live a full life. Governments should ensure that children survive and develop healthily.

Article 7: Children have the right to a legally registered name and nationality. Children also have the right to know their parents and, as far as possible, to be cared for by them.

Article 8: Governments should respect a child's right to a nationality, and family ties.

Article 9: Children should not be separated from their parents unless it is for their own good. For example, if a parent is mistreating or neglecting a child. Children whose parents have separated have the right to stay in contact with both parents, unless this might harm the child.

Article 10: Families who live in different countries should be allowed to move between those countries so that parents and children can stay in contact, or get back together as a family.

Article 11: Governments should take steps to stop children being taken out of their own country illegally.

Article 12: Children have the right to say what they think should happen when adults are making decisions that affect them and to have their opinions taken into account.

Article 13: Children have the right to get and to share information, as long as the information is not damaging to them or to others.

Article 14: Children have the right to think and believe what they want and to practise their religion, as long as they are not stopping other people from enjoying their rights. Parents should guide children on these matters.

Article 15: Children have the right to meet with other children and young people and to join groups and organisations, as long as this does not stop other people from enjoying their rights.

Article 16: Children have the right to privacy. The law should protect children from attacks against their way of life, their good name, their family and their home.

Article 17: Children have the right to reliable information from the media. Mass media such as television, radio and newspapers should provide information that children can understand and should not promote materials that could harm children.

Article 18: Both parents share responsibility for bringing up their children and should always consider what is best for each child. Governments should help parents by providing services to support them, especially if both parents work.

Article 19: Governments should ensure that children are properly cared for and protect them from violence, abuse and neglect by their parents, or anyone else who looks after them.

Article 20: Children who cannot be looked after by their own family must be looked after properly by people who respect their religion, culture, and language.

Article 21: When children are adopted the first concern must be what is best for them. The same rules should apply whether children are adopted in the country of their birth or if they are taken to live in another country.

Article 22: Children who come into a country as refugees should have the same rights as children who are born in that country.

Article 23: Children who have any kind of disability should receive special care and support so that they can live a full and independent life.

Article 24: Children have the right to good quality health care, clean water, nutritious food and a clean environment so that they will stay healthy. Richer countries should help poorer countries achieve this.

Article 25: Children who are looked after by their local authority rather than their parents should have their situation reviewed regularly.

Article 26: The Government should provide extra money for the children of families in need.

Article 27: Children have the right to a standard of living that is good enough to meet their physical and mental needs. The government should help families who cannot afford to provide this.

Article 28: Children have the right to an education. Discipline in schools should respect children's human dignity. Primary education should be free. Wealthier countries should help poorer countries achieve this.

Article 29: Education should develop each child's personality and talents to the full. It should encourage children to respect their parents, their cultures and other cultures.

Article 30: Children have the right to learn and use the language and customs of their families, whether or not these are shared by the majority of the people in the country where they live, as long as this does not harm others.

Article 31: Children have the right to relax, play and to join in a wide range of leisure activities.

Article 32: Governments should provide ways of protecting children from dangerous drugs.

Article 33: Governments should protect children from sexual abuse.

Article 34: Governments should make sure that children are not abductcd or sold.

Article 35: Children should be protected from any activities that could harm their development.

Article 36: Children who break the law should not be treated cruelly. They should not be put in a prison with adults and should be able to keep in contact with their family.

Article 37: Governments should not allow children under 15 to join the army. Children in war zones should receive special protection.

Article 38: Children who have been neglected or abused should receive special help to restore their self-respect.

Article 39: Children who are accused of breaking the law should receive legal help. Prison sentences for children should only be used for the most serious offences.

Article 40: If the laws of a particular country protect children better than the articles of the Convention, then those laws should override the Convention.

Article 41: Governments should make the Convention known to all parents and children.

Article 42: The Convention on the Rights of the Child has 54 articles in all. Articles 43-54 are about how adults and governments should work together to make sure that all children get all their rights.

Go to www.unicef.org/crc to read all the articles.
Children require special protection measures. They are protected
- against exploitation especially in child labour.
- against abuse in the home, at schools and on the street.
- in conflict with the law, give examples of juvenile offenders and street children.

What is a right?
- Human rights are the basic things that all human beings are entitled to in order to survive and to develop. Every single person regardless of their age has human rights, and the Government has a responsibility to make sure that people’s rights can be accessed, are respected and can be enjoyed.
- Children and young people need special rights because they are relatively more vulnerable compared to adults. The CRC brings together children’s human rights into one international convention.
- The Government has a responsibility to ensure that all people understand and respect children’s rights - this includes children and young people, parents, families, carers, teachers etc.

Rights within the CRC are:-
- Universal- everyone has the same rights- all need food, education etc.
- Intrinsic- rights belong to you, they are inside of you, no matter what circumstances you are in- whether you live in an apartment or a house or in a hut; you have the same rights.

What type of rights are in the CRC?
- a) General Principles
- b) Civil Rights and Freedoms
- c) Family Environment and Alternative Care
- d) Basic Health and Welfare
- e) Education, Leisure and Cultural Activities
- f) Protection and Safety

So, what are your rights?
SURVIVAL & DEVELOPMENT, BEST INTERESTS, NON-DISCRIMINATION & PARTICIPATION

Rights Holders and Duty Bearers
- There is a RIGHT holder; a child claims certain rights.
- There is a DUTY bearer; who ensures that the right holder enjoys their right. The duty bearer has RESPONSIBILITY towards the right holder.
- The duty bearers are at various levels; they start with the immediate care giver, family all the way to national institutions.
UNIT 1
UNDERSTANDING HUMAN RIGHTS AND CHILD RIGHTS IN GENERAL

HOW RIGHTS CAN STIMULATE CHANGE?

THE MEANING OF A CONSTITUTION

The New Oxford Dictionary defines a constitution as “a body of fundamental principles or established precedents according to which a state or other organisation is acknowledged to be governed.” Generally, most constitutions are written with the exception of the United Kingdom of Great Britain and Northern Ireland, Israel and New Zealand. A constitution deals with the laws and exercise of power of the State. It is tailor made to suit the aspirations of the governed such as historical, cultural, religious, socio-economic and political dimensions. For example, Zimbabwe’s Constitution’s founding values and principles are

- Supremacy of the Constitution;
- The rule of law;
- Fundamental human rights and freedoms;
- The nation’s diverse cultural, religious and traditional values;
- Recognition of the inherent dignity and worth of each human being;
- Recognition of the equality of all human being;
- Gender equality;

1 Section 3
A constitution is different from other laws of the country because it is the supreme law of the country and it cannot be changed in the same manner as ordinary laws. Section 2 of the Constitution of Zimbabwe provides that “This Constitution is the supreme law of Zimbabwe and any law, practice, custom or conduct inconsistent with it is invalid to the extent of the inconsistency.”

### FUNDAMENTAL HUMAN RIGHTS AND FREEDOMS ENSHRINED IN THE CONSTITUTION OF ZIMBABWE

| Section 48 | Right to life |
| Section 49 | Right to personal liberty |
| Section 50 | Rights of arrested and detained people |
| Section 51 | Right to human dignity |
| Section 52 | Right to personal security |
| Section 53 | Freedom from torture or cruel or degrading treatment or punishment |
| Section 54 | Freedom from slavery or servitude |
| Section 55 | Freedom from forced or compulsory labour |
| Section 56 | Equality and non-discrimination |
| Section 57 | Right to privacy |
| Section 58 | Freedom of assembly and association |
| Section 59 | Freedom to demonstrate and petition |
| Section 60 | Freedom of conscience |
| Section 61 | Freedom of expression and freedom of the media |
| Section 62 | Access to information |
| Section 63 | Language and culture |
| Section 64 | Freedom of profession, trade or occupation |
| Section 65 | Labour rights |
| Section 66 | Freedom of movement and residence |
| Section 67 | Political rights |
| Section 68 | Right to administrative justice |
| Section 69 | Right to a fair hearing |
| Section 70 | Rights of accused persons |
| Section 71 | Property rights |
| Section 72 | Rights to agricultural land |
| Section 73 | Environmental rights |
| Section 74 | Freedom from arbitrary eviction |
| Section 75 | Right to education |
| Section 76 | Right to healthcare |
| Section 77 | Right to food and water |
| Section 78 | Marriage rights |

### ELABORATION OF CERTAIN RIGHTS

| Section 80 | Rights of women |
| Section 81 | Rights of children |
| Section 83 | Rights of persons with disabilities |
| Section 84 | Rights of veterans of the liberation struggle |

---

**Zimbabwean Constitutional Provisions**

**Section 81 of the Constitution:** *rights of children*

- Definition of the child – everyone under the age of 18 years
- Equal treatment
- Right to be heard
- Right to identity – prompt identification
- Right to a name and family name
- Family care, appropriate care and family environment
**THE NATIONAL LEGAL AND POLICY FRAMEWORK GOVERNING CHILDREN**

**The Laws Concerning Children**

**The Public Health Act** is the principal statute that promotes public health in Zimbabwe.

- For example, Section 18 of the Public Health Act provides, inter alia, that "whenever any child attending any school, orphanage or other like institution is known to be suffering from any infectious disease, the principal or person in charge of such school, orphanage or other like institution, shall notify the local authority of the district, and shall furnish to the medical officer of health, on his request, a list of scholars thereat, together with their addresses."

- Section 73 provides for the making of regulations by the Minister of Health and Child Welfare to encourage breast-feeding and to regulate the production and marketing of any infant food or feeding article.

**The Children’s Act** is the primary legislation that protects the rights of children.

- It deals with issues that include custody, guardianship, rape cases of children and young persons, sexual abuse, ill-treatment of minors and criminal offences perpetrated by a child or young person.

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**MILLENIUM DEVELOPMENT GOALS (MDGs)**

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<thead>
<tr>
<th>Goal</th>
<th>Likelihood of Achievement</th>
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<tbody>
<tr>
<td>Goal 1: Eradicate Extreme Poverty And Hunger</td>
<td>The economy is growing, but poverty is not declining proportionately.</td>
</tr>
<tr>
<td>Goal 2: Achieve Universal Primary Education</td>
<td>Primary school net enrolment is high, but greater effort is needed to improve completion rates.</td>
</tr>
<tr>
<td>Goal 3: Promote Gender Equality And Empower Women</td>
<td>Zimbabwe has achieved gender parity at primary and secondary school levels, but the proportion of women in decision-making is still very low.</td>
</tr>
<tr>
<td>Goal 4: Reduce Child Mortality</td>
<td>Although infant and child mortality rates have gradually decline, better immunisation and water and sanitation programmes are pivotal to achieving the necessary dramatic reductions.</td>
</tr>
<tr>
<td>Goal 5: Improve Maternal Health</td>
<td>The number of mothers dying has increased in recent years due to lower rates of attended births and the higher costs of healthcare.</td>
</tr>
<tr>
<td>Goal 6: Combat Hiv And Aids, Malaria And Other Diseases</td>
<td>HIV and AIDS remains a serious public health problem, but Zimbabwe is making good progress on the fight against HIV and AIDS, with rates of infection falling.</td>
</tr>
<tr>
<td>Goal 7: Ensure Environmental Sustainability</td>
<td>While Zimbabwe remains a net carbon sink and has developed robust legislation, most Zimbabwean still rely on illegally extracted natural resources such as firewood, thereby increasing deforestation.</td>
</tr>
<tr>
<td>Goal 8: Develop A Global Partnership For Development</td>
<td>Zimbabwe has made gains in stabilising international relations and increasing telecommunications, although there is still work to be done in managing the debt burden.</td>
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In order to protect the interests of the child, the courts are not open to the public. The identity, name, address or school of the child or young person are concealed. These courts give a child or young person a ‘voice’ during the legal proceedings especially on legal issues that affect them. These courts make the social and legal systems accountable towards the child or young person.

Section 9 provides for medical examination and treatment of children and young persons where there is suspicion that they may be suffering from a disease or physical defect or is infested with vermin or that the clothing of that child or young person is verminous or filthy. The costs for carrying out an examination or treatment are borne by the guardian or parent of the child or young person concerned.

It is however silent on HIV transmission and the interventions that should be adopted to mitigate the impact of HIV and AIDS on children. For example, young girls and babies are victims of harmful practices such as ‘HIV cleansing’. This happens when HIV positive men have sex with virgins and babies influenced by the belief that they will be cured of HIV and AIDS.

Laws Dealing with the Pledging of Girls

Section 94 of The Criminal Law (Codification and Reform) Act prohibits/outlaws the pledging of female persons to another person as compensation for the death of a relative of that other person, or as compensation for any debt or obligation; or at a time when the female person is under the age of eighteen years, or without her consent, enters into an arrangement whereby the female person is promised in marriage to any man, whether for any consideration or not; or by force or intimidation compels or attempts to compel a female person to enter into a marriage against her will, whether in pursuance of an arrangement referred above or not.

Laws Dealing with Sexual Abuse of Children

Section 7 of the Children’s Act addresses the ill-treatment or neglect of children and young persons.

It is an offence for any person to allow a child or young person to reside in or to frequent a brothel.3

Additionally, anyone who causes or conduces to the seduction, abduction or prostitution of a child or young person or the commission by a child or young person of immoral acts shall be guilty of an offence in terms of section 8(2). “… person shall be deemed to have caused the seduction, abduction or prostitution of a child or young person who has been seduced or abducted or has become a prostitute if he knowingly allowed the child or young person to consort with or enter or continue in the employment of any prostitute or person of known immoral character”.4

In accordance with subsection (4), any person convicted of an offence in terms of this section shall be liable to a fine not exceeding level ten or to imprisonment for a period not exceeding five years or to both such fine and such imprisonment.

Section 865 provides that it is an offence if the owner of a place knowingly induces or allows a young person to enter or be in the place for the purpose of engaging in unlawful sexual conduct with another person or with other persons generally.

It is an offence for any parent or guardian who causes or allows his or her child under the age of eighteen years to associate with prostitutes or to be employed as a prostitute or to reside in a brothel.6

Laws Concerning the Right to Education

Section 4 of the Education Act7 promotes the fundamental right of every child to education in Zimbabwe. Subsection (1) prohibits discrimination on the basis of race, tribe, place of origin, national or ethnic origin, political opinions, colour, creed or gender.

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3 Section 8(1) of the Children’s Act
4 Section 8(3) of the Children’s Act
5 The Criminal Law (Codification and Reform) Act
6 Section 87 on the Criminal Law (Codification and Reform) Act
7 Chapter 25.04
Anyone who contravenes this provision shall be guilty of an offence and liable to a fine not exceeding level six or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment.

The obligations of the government are to respect that the right to education cannot be violated by excluding a child on the basis of his/her HIV status; protect the right from being violated by non-state actors that might want to prevent adolescents from accessing reproductive health education; and fulfill the right by taking all appropriate measures that include legislative, administrative, budgetary, and judicial.

The National HIV and AIDS Policy of Zimbabwe prohibits discrimination of children with HIV in all spheres of life and the right to full access to health care, education and welfare support.

It is important to note that the interdependence and indivisibility of rights has been underscored in section 64. This provision guarantees the safeguarding of health of pupils.

Subsection (2) provides for regulations, inter alia, for the closure of schools, residences, hostels or other buildings, premises or lodging-houses referred to in paragraph (b) on the grounds of health; the exclusion from any school of a student or pupil: who is suffering or has recently suffered from a communicable disease or has been in contact with a person suffering from such a disease; or who is found to be verminous; or in the case of a pupil, whose parent fails or refuses to produce satisfactory proof that the pupil has been successfully vaccinated; or been found to be insusceptible to vaccination; or previously suffered from smallpox; or been exempted from vaccination in terms of any enactment. This provision is read together with section 18 of the Public Health Act, which provides for the notification of outbreaks.

Laws Concerning the Right to Identity

In relation to birth certificates, the CRC Committee “emphasizes the critical implications of proof of identity for children affected by HIV and AIDS, as it relates to securing recognition as a person before the law, safeguarding the protection of rights, in particular to inheritance, education, health and other social services, as well as to making children less vulnerable to abuse and exploitation, particularly if separated from their families due to illness or death.”

It recognises that birth registration is critical to ensure the rights of the child and is also necessary to minimize the impact of HIV and AIDS on the lives of affected children.

The Committee reminds States parties of their obligation imposed under Article 7 of the Convention to ensure that systems are in place for the registration of every child at or shortly after birth.

The issue of identity of the child and registration of birth is addressed by the Births and Deaths Registration Act. The compulsory registration of births, still-births and deaths is provided in terms of section 10. Despite the fact that section 27 provides for the mandatory registration of a birth certificate within 42 days of birth of the child, there are many children who are still unregistered.

The negative implications of not having a birth certificate include failure to access basic services such as healthcare and treatment as well as inheritance.

5 General Comment No 3: HIV/AIDS and the Rights of the Child, Committee on the Rights of the Child, 32nd session, UN Doc CRC/GC/2003/1 (2003), Para 29

9 Chapter 5.02
10 Chapter 5.09
Research has shown that most orphans and vulnerable children do not enjoy their right to identity.

**Laws Concerning Maintenance Orders**

- Laws such as the Maintenance Act, Matrimonial Causes Act and the Children’s Act have adopted the best interest of the child principle.
- Section 8 of the Matrimonial Causes Act stipulates the duration of maintenance orders.
- Section 8 (2) stipulates that an order for the periodic payment of maintenance in respect of a child shall cease when the child dies or marries; or when the child is adopted; or when the child attains the age of eighteen years; or when the child becomes self-supporting; whichever occurs the earlier.
- The divorce court may extend the duration of the maintenance orders beyond the date when the child attains the age of eighteen years, that is, if the child is or will be receiving education or training beyond attaining that age; or there are special circumstances which justify such a directive.
- At times the “major” child will still be attending school and not gainfully employed.
- Despite the presence of maintenance provisions, they are not strictly enforced. This is because most people are not formally employed and this poses challenges to enforce the maintenance orders.

**Laws Concerning Inheritance and Property Rights of Children and Orphans**

The Deceased Estates Succession Act and the Deceased Persons Family Maintenance Act were amended to improve the way wives and children can benefit from the deceased’s estate.

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11 Labour Act of 2003, which replaced the Labour Relations Act of 1985
12 Section 11 of the Labour Act [Chapter 28:01]
13 The Labour Relations Act [Chapter 28:01]
Laws Impacting on Children with Disabilities

- In Zimbabwe, the Disabled Persons Act (Chapter 17:01) defines a “disabled person” as a person with a physical, mental or sensory disability, including a visual, hearing or speech functional disability, which gives rise to physical, cultural or social barriers inhibiting him from participating at an equal level with other members of society in activities, undertakings or fields of employment that are open to other members of society.

- This law protects people with disabilities from discrimination and promotes their equality and rights to participate in health, education and facilities which are open to all citizens.

- For example, the Act prohibits the denial to disabled persons of access to public premises, services and amenities as well as discrimination against disabled persons in employment. HIV or health status is however not included in the definition of a disabled person.

THE DEFINITION OF THE CHILD

Definitions of the child under various statutes in Zimbabwe

<table>
<thead>
<tr>
<th>Governing Law</th>
<th>Definition of Child</th>
<th>Meaning/Effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Age of Majority Act No: 6 of 1981</td>
<td>Minors are people younger than 18 years.</td>
<td>This statute confers majority status without any obligations and responsibilities because most of the 18 year-olds are not gainfully employed. This is undermined by discrepancies in definitions in other statutes. There are many child-headed households.</td>
</tr>
<tr>
<td>Children’s Act</td>
<td>A child is a person younger than 16 years</td>
<td>This now means 17-year olds are not protected by benefits from this Act.</td>
</tr>
<tr>
<td>Labour Act</td>
<td>Minimum age for employment is 16 years</td>
<td>It is important to remember that the CRC does not state a minimum age for employment. The most important factor is what protection measures are then offered by the State to safeguard the interests of the child.</td>
</tr>
<tr>
<td>Marriage Act Chapter 5.11</td>
<td>Minimum age for marriage is 16 years for girls and 18 years for boys</td>
<td>Anyone younger than this would require the permission of the Minister of Justice, Legal and Parliamentary Affairs to marry.</td>
</tr>
<tr>
<td>Customary Marriages Act Chapter 5.07</td>
<td>No minimum age of marriage.</td>
<td></td>
</tr>
<tr>
<td>The Criminal Codification Act</td>
<td>A person who is under the age of eighteen years.</td>
<td>Child under the age of 7 years has no criminal capacity to commit a crime. A child between 7-14 years has no criminal capacity unless the contrary is proved beyond reasonable doubt. A child over 14 years shall not presumed to lack criminal capacity.</td>
</tr>
<tr>
<td>The Liquor Act</td>
<td>No selling of alcohol to persons under the age of 18 years</td>
<td></td>
</tr>
</tbody>
</table>
UNDERSTANDING CHILD PARTICIPATION
This unit covers child participation and governance. It emphasizes the importance of child participation in governance processes.

**Goals**

- To familiarise and broaden participants’ knowledge of child participation; and
- To enable participants to understand the importance of their participation in governance issues.

**Unit 2 Overview**

- Activity 2.1 Definition of participation
- Activity 2.2 In what ways can a child participate?
- Activity 2.3 Understanding child participation
- Activity 2.4 Conceptualizing child participation and governance
- Activity 2.5 Child participation at household level
- Activity 2.6 Child participation at Local Government level
- Activity 2.7 Child participation in Parliamentary and Processes

**Materials**

- Flip charts, paper, markers, tape and pens
- Overhead Projector
- Power Point
- Cluster cards
- Meta Plan Board

**Methodology**

- Case Studies
- Role play
- Brainstorming
- Group exercises
- Plenary discussion
Expected Outcomes of Activity 2.1
By the end of the activity participants are able to understand the child participation in governance processes.

Participatory Approaches of Activity 2.1
- Case Study
- Group Work
- Brainstorming
- Open Dialogue Session

By completion of this activity ensure that there is mention of the following key terms:
Participation, laws, policies, budget process, consultations, lobby, advocacy, implementation, formulation, monitoring and evaluation, petitions, hearings (oral and written)

FACILITATION STEPS

Step 1
Review the previous activity and ask participants to discuss in groups why child participation is important in governance processes.

Step 2
While in the same groups, the participants should make an attempt to define child participation and governance processes. Record their responses.

Step 3
In plenary discuss in what way the laws and policies promote the participation of children. Identify in what way they can participate and why? In which key areas/processes can they participate and why?

Step 4
Conclude by discussing why it is important to have child responsive policies, laws and budgets.
Expected Outcomes of Activity 2.2

By the end of this activity, participants are able to understand the different domains and levels of governance as well as its key players.

Participatory Approaches of Activity 2.2

- Case Study
- Group Work
- Brainstorming
- Open Dialogue Session

By completion of this activity ensure that there is mention of the following key terms:

Government, levels of governance, Parliament, local governance, stakeholders, policy makers, beneficiaries, key players, domains, social, legal and administrative, national & local

FACILITATION STEPS

Step 1

Review previous activity and ask participants to brainstorm in groups the definitions of governance in terms of the economic, political, legal and administrative dimensions. The Government uses this combination of power to govern.

Step 2

Record their responses. Discuss them in relation to highlighting their participation in the economic, political, legal and administrative spheres. Discuss what activities have taken place in these different governance processes.

Step 3

Conclude by explaining the importance of child participation in governance processes.
Governance at family or household level should be recognised as a priority. Children’s views are respected and heard.

**Expected Outcomes of Activity 2.3**

By the end of the activity participants should be able to explain the link and importance of child participation at household level.

**Participatory Approaches of Activity 2.3**

- Case Study
- Group Work
- Brainstorming
- Open Dialogue Session

**By completion of this activity ensure that there is mention of the following key terms:**

Participation, status, gender imbalance, time poverty, inequality, private sphere, public sphere, household level, economic, social and political spheres

**FACILITATION STEPS**

**Step 1**

Introduce the subject-matter by explaining to them that governance has various levels such as the household level. Divide participants into groups and ask them to list child participation issues at household level and also the challenges they face.

**Step 2**

In plenary session, record their responses on a flip chart. Briefly explain the significance of child participation at the household level.

**Step 3**

Record their responses and conclude by discussing how child participation can have impact at other governance levels.
**ACTIVITY 2.4**

**Child Participation At Local Government Level**

Local governance processes comprise processes through which local stakeholders interact in tackling the local development agenda and in managing resources to implement development priorities. These priorities should include women, men, girls and boys at all levels.

**Expected Outcomes of Activity 2.4**

By the end of this activity participants should be able to understand the importance of child rights issues in local governance.

**Participatory Approaches of Activity 2.4**

- Case Study
- Group Work
- Brainstorming
- Open Dialogue Session

**By completion of this activity ensure that there is mention of the following key terms:**

Local governance, decentralisation, consultation, transparency, accountability, service delivery, healthcare, education, rate payers, diversity & equality.

**FACILITATION STEPS**

**Step 1**

Ask participants to brainstorm their understanding of local governance.

**Step 2**

Before giving their responses in the plenary session, participants should deepen their understanding of local governance issues by attempting to answer the following questions.

- What are child rights issues in local governance debate?
- What is the difference between government and local governance?
- What is the relevance of linking child rights and local governance?
ACTIVITY 2.2

Step 3
Record their responses on a flip chart. From the responses, brainstorm on an operational definition of local governance and its importance to the child rights and governance debate.

Step 4
Emphasize on issues that are important to the activity so that it does not become open-ended.

Conclude by emphasizing the importance of child rights and local governance to the whole debate of promoting child rights.
Expected Outcomes of Activity 2.5

By the end of this activity participants are able to understand the significance of voting each other in public offices such as the House of Parliament.

Participatory Approaches of Activity 2.5

- Case Study
- Group Work
- Brainstorming
- Open Dialogue Session

By completion of this activity ensure that there is mention of the following key terms:

Election, nomination, contestation, candidate, parliament, member, public offices, seat, party politics, gender, marginalization, exclusion

FACILITATION STEPS

Step 1

Introduce this activity by asking participants to analyse Parliamentary proceedings.

Step 2

Record their responses on a flip chart and discuss the issues that were discussed in the parliamentary processes and whether any child rights issues were discussed. Ask whether these debates had anything to do with them.
Introduce a role play. Introduce a role play of two candidates, one female and the other one is male. They are both contesting for a seat in Parliamentary elections but they belong to two different parties. The male candidate is from Party A and he promises to build bridges, clinics and a beer hall. The woman candidate is from Party B and she is talking about legal status and empowerment of women and youth. She is a divorcee and two of her daughters are single parents. The male candidate is a rich businessman who is now distributing maize meal and other basic food stuff freely to his potential voters. He has also given 5 local student scholarships to study outside the country. Who is likely to win the election seat and why? Will child rights issues be appropriately addressed?

Step 3

Step 4

Record their responses on a flip chart and discuss the barriers that work against children’s participation. Conclude by highlighting these barriers.
### FORMS OF CHILD PARTICIPATION

<table>
<thead>
<tr>
<th>Form of Participation</th>
<th>Practical Examples</th>
</tr>
</thead>
</table>
| **Tokenism** (children not given a chance to meaningfully contribute) | ● Ushering at NGOs or Government meetings  
● Reciting written poems  
● Drum majorettes in adult initiated and led processions or such other gatherings  
● Singing and dance as part of entertainment |
| **Ad hoc input** (children consulted to give their ideas on specific issues, at the convenience of adults) | ● Gathering views and ideas through paintings, photos, poems, role plays drama, slogans, etc.  
● Suggestion box  
● Periodic events such as Youth weeks |
| **Structured consultations** (There is a deliberate strategy to engage children on needs, problems and way forward) | ● Children are invited to pre and post budget consultations by local and central Government or Parliament  
● Research and surveys by children and young people  
● General forums, workshops and discussion groups  
● Children and young people invited to make budgetary submissions |
| **Influence** (Formal structured and coordinated input in order to influence the budgeting process) | ● Children allowed to establish their own advisory groups, Youth Council, Junior Councils and Parliament that are provided with space to influence budgetary processes  
● Child and Youth representation in planning and budget making structures ensured. |
| **Delegation** (Children and young people given responsibilities to perform specific tools) | ● Children and young people on their own organise and convene meetings and workshops  
● Children and young people conduct research and surveys on budget related matters  
● Young people training other young people  
● Young people form sub-committees and working groups on specific matters |
| **Negotiation** (Implies that young people have some bargaining power to advance specific issues) | ● Children and young people able to engage policy and budget makers on their own  
● Children and young people writing papers, positions and columns in mainstream newspapers |
| **Control** (Young people have great influence and sometimes final say on what resources should be used for what. This is very rare or uncommon in most countries) | ● Central involvement in planning and designing of interventions  
● Reference group for young people |

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17 NANGO & Save the Children, Child Budget Analysis and Advocacy, A handbook for children and Civil Society in Zimbabwe, pages 38 - 39
PARTICIPATION

Children’s participation is associated with the taking of decisions by children, directly or through their representatives. Meaningful participation takes place when:

● There is wide access to available public information;
● The views are taken through various methods that include discussions, surveys and referendums;
● The decisions are made through consultative processes such as drafting of policies, laws, strategies and programmes.

WHAT IS CHILDREN’S PARTICIPATION?

The CRC guarantees the children’s civil rights together with rights to health care, education, leisure time and protection from abuse, exploitation and violence. The children have a right to participate by expressing their opinions on decisions that affect their lives. In Zimbabwe, children can express their views in a court of law in matters affecting their lives. For example, there are Victims Friendly Courts that hear the view of the child without disclosing the face and identity of this child.

The CRC guarantees both direct and indirect children’s participation as follows:

Article 5 - Parents and guardians will provide direction and guidance to children, while respecting the ‘evolving capacities’ of the child.

Article 9 - Children shall not be separated from their families without the right to make their views known.

Article 12 - The child has right to participate and be heard in all matter that affect them. Their views to be given due weight in accordance with their age and maturity.

Article 17 - Children have the right to information that is beneficial for them, in their own languages and appropriate to their level of understanding.

Article 29 - Children have the right to education that promotes respect for others in a free society.

Child participation is a right that is useful, educational and just. It is useful in that the children use public services and facilities such as schools, hostels and transport and health services. When users such as children are involved in the development and operation of these services, they will get well-targeted and appropriate services.

It is educational in that when children participate they are being educated for adult life. It is through participation that children develop into responsible adults and citizens. They are also able to make informed decisions.

Participation is just in that children are involved in caring for the sick and the elderly in their families and communities and yet their contribution is hardly acknowledged by the Government. They can be acknowledged through expressing their views.

18 Children’s Participation in Decision Making: Why do it, When to do it, Children’s Participation in Decision Making: How to do it. Copies of this publication can be downloaded at: www.iawgcp.com
## A Checklist of Children’s Participation

### Justice
- Can children express their views on institutionalization, adoption, custody and guardianship?
- Do law courts have children-friendly processes?
- Are children protected from being victimized during interrogation procedures?
- Is legal information freely available to children, in ways they easily understand?
- Are children able to inherit assets, and benefit from them?

- Children could participate in a judicial review of family and inheritance laws.

### Health
- Are children’s views required for decisions about their own health?
- Does every child have access to health care, even if their families are unable to pay?
- Do children have power to give or withhold consent to treatment?
- Are children involved in planning health services?
- Is health information freely available to children, in ways they easily understand?

- Information on nutrition, hygiene and safe practices may be piloted and tested by children with the help of community organizations, especially those led by children.
- The monitoring of children’s health status could include children themselves in planning and carrying out activities.
- Clinics and hospital could consult children when seeking to make improvements to their services.
- Children have the right to consent to medical treatment, in consultation with their families.

### Education
- Is every child entitled to go to school?
- Do working children have access to an education that is suitable for their needs?
- Is education free?
- Can children express their views at school?

- Children can also participate in reviews of curriculum and development of teaching materials.
- School governance can include children through special committees and student representatives.

### Community Services
- Are children included in household decisions?
- Are children-headed households recognized and supported?
- Are children-led associations accepted as a part of civil society?
- Is every child registered at birth?
- Are working children recognized and supported?

- Indicators on household economic status and well-being should include separate data on under-18 members – both boys and girls.
- Children can participate in gathering data, for example on the situation of child workers or children in remote areas.

### Information
- Do children have access to newspapers, radio, television and internet to communicate their own views and learn from others?
- Are children’s views routinely heard in the media, in open forums and by government committees that seek public input?

- Training courses can enable children to participate as users as well as consumers of media.
- Children’s access to print and electronic materials may be encouraged through subsidies and the removal or scaling down of taxes on such items.
CHECKLIST OF KEY ENTRY POINTS

There are entry points that children can participate in various governance processes. These are provided for by the policy, legal and institutional frameworks that are already in place.

Children can participate through

- Research and gathering data on public issues;
- Planning policy changes;
- Making plans and budgets;
- Monitoring the quality of services and facilities;
- Evaluating the success of policies, programmes or services.

Children’s participation can be promoted by everyone in society. The public leaders are critical players in promoting children’s participation.

<table>
<thead>
<tr>
<th>The Members of Parliament</th>
<th>Administrators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Review existing laws so that they are consistent or aligned with the principles of CRC and other international and regional agreements. The laws and policies that should be reviewed are on family, inheritance, property, economic development, education, health, criminal law, labour, trade, social welfare, child-care, immigration and taxation. They either have direct or indirect impact on children.</td>
<td>Establish clear targets for increasing children’s participation, and report on them;</td>
</tr>
<tr>
<td>Get views from NGOs and including children’s representatives, on any proposed changes;</td>
<td>Implement awareness-raising campaigns so that all citizens know about the changes, and children are able and prepared to take part;</td>
</tr>
<tr>
<td>Establish a Portfolio Committee to plan and implement children’s rights;</td>
<td>Introduce (and publicize) inspiring pilot programmes that actively solicit children’s views and provide space for children to take leadership roles on issues that concern them;</td>
</tr>
<tr>
<td>Ensure implementation costs are reflected in national budgets, including provision for seeking children’s opinions;</td>
<td>Incorporate children-friendly methods of gathering children’s views, based on the experience of researchers and civil-society workers who use participatory techniques;</td>
</tr>
<tr>
<td>Promote children’s participation in articles and public speeches;</td>
<td>Ensure that complaint procedures can be accessed by children as well as by adults.</td>
</tr>
<tr>
<td>Visit – and learn from – civil-society programmes that use participatory principles to work with children, or that are co-managed with children.</td>
<td>Report on any steps the government is taking to include children’s views in decision making;</td>
</tr>
<tr>
<td>Facilitate children’s participation in writing and broadcasting;</td>
<td>Include children’s views when covering public issues including (but not limited to) transport, education, health and community services;</td>
</tr>
<tr>
<td>Treat children and their views with respect.</td>
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</tbody>
</table>
WHY PARLIAMENTS SHOULD INVOLVE CHILDREN?

● Child participation is important in that it improves the democratic representation and effectiveness of the Parliament in that it is able to interact with all its constituencies that include children.

● Child participation will enable the Government to deliver and translate its commitments on the child rights through legal and policy reforms as well as the budget process improves legislative outcomes.

● Child participation is important in that children can express their interests in terms of how they are being threatened in future such as through environmental degradation and climate change. The same applies to the debt burden of a country has implications on the future growth of the country.

● Child participation promotes civic engagement and civic education in that the children are encouraged to go into politics and decision-making processes while they are still young. This strengthens their transferrable skills in social responsibility, communication, presentation and being analytical, critical and strategic thinkers.

Child participation in the Parliamentary Processes

● Sustainability: Child participation should be on-going and integrated into Parliamentary decision-making processes. Thus, the training of the Junior Parliament and Council will cascade to all districts and most schools through peer education. This Facilitators’ Manual has been developed to promote sustainability in terms of building capacity and training materials.

● Participation is NOT substitution: Child participation is meant to complement the work of the Parliamentarians in that the views and needs of children are understood. The children are able to influence the translation of child rights into reality through laws, policies and child friendly budgets.

● The power of child testimony: Child testimony is important in informing the Parliamentarians on how the children are affected by a certain law, policy and a budget that is not child friendly. For example, children can participate by giving oral or written submissions to Parliamentary Portfolio Committees and ad hoc committees of inquiry. There should be clear channels of communication between the Junior Parliament and the Parliament and the same applies to the Junior Council.

● Accountability: the Child Parliament and Council are accountable to their various...
constituencies. One way of being accountable can be expressed through training peers in child rights and child friendly budgets.

- **Consultations:** Children can be physically present through participation in Child Parliament and Council but their views can be considered during consultations of the laws, policies and the budgets. The child rights commitments in these processes should be a priority.

- Children can also interact with the independent commissions such as the Human Rights Commission, Gender Commission and the National Peace and Healing Commission.

- **Mainstreaming of child rights:** Children’s rights should be mainstreamed into laws, policies, budgets and institutional structures. This means there should be a deliberate effort to review all policies so that they are sensitive and friendly to the children. This is because children are affected by issues that range from policy on transport to health.

**GOVERNANCE**

“Governance refers broadly to how power is exercised through a country’s economic, social and political institutions where institutions represent the norms, standards and rules of the game that operate either formally or informally. Three dimensions are

(i) The process by which governments are selected, held accountable, monitored and replaced

(ii) The capacity of governments to manage resources efficiently, and to formulate, implement, and enforce sound policies and regulations; and
Respect for institutions that govern economic and social interactions.”

According to the United Nations Development Programme (UNDP), Governance is the exercise of economic, political, and administrative authority to manage a country’s affairs at all levels. It comprises mechanisms, processes, and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their legal obligations, and mediate their differences. (http://magnet.undp.org/policy/default.htm)

Governance deals with the separation of powers between the Executive, Legislature and the Judiciary. It also deals with the political system and how it works. It is made up of the state, private sector, civil society and the citizens. These are important elements of sustainable human development. The State creates enabling political and legal environment. The private sector creates jobs and income. Political and social interactions are facilitated by the civil society. It also mobilises groups of people to participate in economic, social and political activities.

The State

The State is made up of an elected government, an executive branch and the judiciary. According to the principle of separation of powers the Executive is responsible for coming up with policies, which are debated and discussed in Parliament which, then passes laws that are interpreted by the Judiciary which interprets the legislation. The State is responsible for making policies, laws and budgets.

The Private Sector

The private sector is composed of privately owned enterprises, businesses and banks.

For example, the Barclays Bank is privately owned. The private sector is increasingly promoting child rights and human rights in general through corporate social responsibility. They sponsor projects for local communities, scholarships for intelligent and needy students. In the case of Barclays Bank it is sponsoring child friendly budgeting initiatives in Zimbabwe. It trains the Junior Parliament and Council on financial literacy, savings and investments as well as life skills.

The Civil Society

Civil society is composed of non-state institutions such as non-governmental organisations, organisations representing children’s rights and needs, women’s rights, workers and farmers. In relation to children, these organisations promote rights of the child such as participation in child friendly budgets and advocacy on laws, policies and the budget. They also raise awareness of the rights of the child.

The citizenry

These are the people who are supposed to be served by the State or benefit from its laws, policies and budgets. They demand the State to be more accountable by creating more opportunities, jobs and laws, policies and budgets that are responsive to their needs especially the poor and vulnerable groups of people in society such as orphans and vulnerable children and children living with disabilities.

Local Governance

It deals with the decentralisation of power from central Government to the lowest institution, that is, the Village Development Committee (VIDCO) in rural areas. There are two types of local governance comprising of urban and rural and are also known as local authorities.

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19 Girishankar et al Governance and Poverty Reduction, Draft Comments, April 2001, p4
The Ministry responsible for Local Government, Rural and Urban Development administers the Urban Councils Act (Chapter 29:15), Rural District Councils Act (Chapter 29:13), Chiefs and Headmen Act (Chapter 29:01), Communal Land Act (Chapter 20:04), the Provincial Councils and Administration Act, the Customary Law and Local Courts Act (No. 2) of 1990 and the Traditional Leadership Act of 1998. It oversees municipalities, provinces and districts. There are 10 Provinces which are divided into 62 Districts and 1,200 Wards. The functions of the VIDCOs are:

- To identify and articulate village needs;
- To co-ordinate and forward village needs to the Ward Development Committees (WADCO); Co-ordination and co-operating with government extension workers in the operations of development planning;
- To co-ordinate and supervise all activities relating to production and general development of the village area; and
- To organise the people to undertake projects that require a considerable workforce.

The laws that are made by local authorities are known as by-laws. The consultation with the public is provided for in terms of Section 88 (4) of the RDC Act, “After passing a resolution for the making of any by-law, a council shall cause a copy of the proposed by-law to be deposited at the offices of the council or any other place where notices of the council are usually displayed or published, there to be open to inspection by any person for a period of fourteen days during the normal office hours of the council”.

There are 27 urban councils. Out of these councils, four are Local Boards, seven Town Councils, nine Municipalities and seven City Councils. The Cities and Municipalities are led by the Mayor or Mayoress. The Town Clerks and Chamber Secretaries are appointed for all the Cities and Municipalities.

The local authorities deal with service delivery such as healthcare clinics, schools, nursery schools, construction of roads, waste management, water supply and street lighting. Citizen participation is permitted by the Urban Councils Act. For example, the Combined Harare Residents’ Association (CHRA) and rate payers associations represent the residents in demanding better service delivery. When there is poor service delivery such as shortage of clean and safe drinking water, the right to water is compromised. When garbage is not collected and the streets are littered, the water sources are polluted. The water that is available is contaminated and causes water borne diseases such as cholera and dysentery.

**DIMENSIONS OF GOVERNANCE**

Governance has three legs; these are economic, political and administrative.

**Economic governance** involves decision-making practices that have direct or indirect impact on the country’s economic activities and the way it relates with the economies of other countries.

**Political governance** involves decision making processes and formulation of laws and policies. The participation of both men and women is an important aspect of political governance. It enables women and men to express their views. Similarly, child participation is very important in that they express their views and advocate for child friendly budgets.

**Administrative governance** involves the implementation of policies. Good governance promotes administrative efficiency, political legitimacy, social equity and creates opportunities for both men and women. Administrative efficiency ensures that there is an efficient service in sectors such as health,
education, legal sectors, social security and labour. These sectors should be responsive to the needs of women, men, girls and boys.

The principles of good governance are accountability, transparency, effectiveness, participation, human rights, access to justice and adherence to the rule of law.

**Accountability:** The Government should be able to explain its actions, policies and that the financial resources it has are spent on the agreed upon objectives and the intended beneficiaries. For example, it can be made to explain why it is not promoting child rights as well as adopting child friendly budgets when it made such commitments by signing the CRC, and has constitutional provisions on child rights. This is because these commitments to child rights can only be translated into reality when the Government makes financial commitment in the budget.

**Transparency:** It promotes openness of Government actions, decision and decision-making processes. It also promotes consultation among the public sector and all stakeholders such as Junior Parliament and Council and organisations that represent children. Good governance is compromised when there is no transparency, access to information and the laws, policies and budgets are not responsive to the rights and needs of children.

**The rule of law:** The principle ensures that there is impartial application of laws and regulations and no one is excluded.
UNDERSTANDING CHILD FRIENDLY BUDGETS
UNIT 3
UNDERSTANDING CHILD FRIENDLY BUDGETS

This unit covers the definition of child friendly budgets. Interlinkages between child rights and budgets will be made.

Goals

- To familiarise and broaden participants’ knowledge of child participation in the context of child friendly budgets
- To enable participants to understand the importance of linking child rights to the budget processes
- To understand basic financial skills
- To analyze the budget in relation to the promotion of child rights.

Unit 3 Overview

Activity 3.1 Definition of a budget
Activity 3.2 Budget Actors
Activity 3.3 Budget structure
Activity 3.4 Sources of Income
Activity 3.5 The Zimbabwean Budgeting Process
Activity 3.6 Understanding Budget-related Policies
Activity 3.7 Understanding child friendly budgets
Activity 3.8 Budget Analysis Tools and Methodologies

Materials

- Flip charts, paper, markers, tape and pens
- Overhead Projector
- Power Point
- Cluster cards
- Meta Plan Board

Methodology

- Case Studies
- Role play
- Brainstorming
- Group exercises
- Plenary discussion

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Expected Outcomes of Activity 3.1

By the end of this activity participants are able to understand budget basics.

Participatory Approaches of Activity 3.1

- Case Study
- Group Work
- Brainstorming
- Open Dialogue Session

By completion of this activity ensure that there is mention of the following key terms:

- Budget, income, source of revenue, financial plan, expenses, allocation, taxes, debts, executive, legislators/lawmakers.

FACILITATION STEPS

Step 1

Introduce this activity by asking participants what is a budget and what does it look like (budget structure).

Step 2

Record their responses on a flip chart and discuss their understanding of the budget and its importance in the household, local government and Central Government levels.

Step 3

Introduce an exercise. Mr and Mrs Mhepo has an income of $2,500 per month. They have 3 children aged 5, 15 and 16. The girl is the oldest of the children. They also support two orphans and one of them has disabilities. All the dependents attend school in the neighbourhood. Can you draw up a possible budget for Mr and Mrs Mhepo and family? What budget items did you include and why? (Checklist: utility bills, rentals, school fees, medical bills, groceries, clothing etc.) How did you allocate these financial resources?
Facilitate the presentations of the participants and introduce the Government budget through analyzing the challenges that the participants faced while drawing a family budget. Highlight the process of preparing a budget by:

- Listing all sources of income;
- Listing of expected expenses;
- Prioritizing the expenses;
- Other possible sources of income
- Is the expected income outweighed by the expected expenses (budget deficit)?
- Is there more income than the anticipated expenses (budget surplus)?
- Are there tradeoffs that can be made?
- Any reallocation or reprioritization of competing priorities?

Highlight the importance of a budget as a tool to:

- Measure the commitment of those in power to child rights issues;
- Control the overall Government spending so that it does not exceed the income/revenue raised;
- Ensure that resources are allocated in accordance to the policy priorities;
- Inform the nationals of the Government policy and how much money can be spent and for what purpose;
- Raise resources for the nation. The Executive (such as Ministry of Finance) raise taxes, generate revenue, incur debts and use public funds;
- Measure and promotes transparency and accountability in the use of resources; and
- Facilitates the fair and equitable distribution of available resources.
Expected Outcomes of Activity 3.2
By the end of this activity participants are able to understand who is involved in drawing up a National Budget.

Participatory Approaches of Activity 3.2
- Case Study
- Group Work
- Brainstorming
- Open Dialogue Session

By completion of this activity ensure that there is mention of the following key terms:
Executive, legislators/lawmakers, Cabinet, Ministry of Finance, Council, Councilors, Auditor General

FACILITATION STEPS

Step 1
Introduce this activity by asking participants who are the key people/actors that are involved in drawing up the National Budget?

Step 2
In groups, give them responsibilities as the following key actors:
- Cabinet
- Ministry of Finance
- Government Ministries
- Legislators and Councilors
- Civil Society Organisations
In their presentations, the participants should define the role and responsibilities of each actor in the budget processes.

Step 3
Conclude by highlighting the roles that are played by these actors in the budget processes.
**Expected Outcomes of Activity 3.3**

By the end of this activity participants are able to understand the National Budget structure.

**Participatory Approaches of Activity 3.3**

- Case Study
- Group Work
- Brainstorming
- Open Dialogue Session

**FACILITATION STEPS**

**Step 1**

Introduce this activity by showing the participants the Budget Estimates Book that shows three main issues:

- The overall budgetary allocations per Ministry (votes)
- A statement showing the expected revenue
- Detailed expected expenditure per Ministry

**Step 2**

Introduce an exercise:
What are Zimbabwe’s financial commitments to international and regional organisations in the past 5 years?

From the budget extract, state the main sources of revenue. If the total Ministerial vote is $10 million for the year 2012, calculate the following:

- The total allocation of the Social Welfare Budget line item as a percentage of the Ministerial budget
- The total allocation of the Public Service Commission budget line item as a percentage of the Ministerial budget.

**Step 3**

Conclude by highlighting the roles that are played by these actors in the budget processes.
Expected Outcomes of Activity 3.4

By the end of this activity participants are able to understand the sources of income for the National Budget.

Participatory Approaches of Activity 3.4

- Case Study
- Group Work
- Brainstorming
- Open Dialogue Session

By completion of this activity ensure that there is mention of the following key terms:

Sources of income, tax revenue, non-tax revenue, miscellaneous taxes such as stamp duties, estate duty, business license, import duties, export duties, judicial fines etc.

FACILITATION STEPS

Step 1

Introduce this activity by asking the participants to list down the sources of income for the National Budget.

Step 2

Record their responses. Highlight that the Government revenue is divided into tax revenue and non-tax revenue. Explain that tax revenue is divided into direct and indirect taxes. Direct taxes are those taxes that are levied on company profits and individual incomes, while the indirect taxes are those levied on transactions for goods and services. Non-tax revenue refers to grants, fees and license sales.
Step 3

Summarise the main sources of income as follows:

- Taxes on income and profits that include Pay As You Earn (PAYE), company tax, tax on interests, capital gains tax;
- Taxes on goods and services. These include value added tax, customs duty and excise duty;
- Miscellaneous taxes such as stamp duties, estate duty, business license
- Revenue from investments and property
- Fees from departmental facilities and services such as hospital fees, mining, national supplies
- Reserve Bank profits
- Judicial fines
- Budget support from International Development Partners

Step 4

Conclude by highlighting how the budgets are classified as:

- Classification by purpose;
- Economic classification;
- Programme classification; and
- Standard classification.
Expected Outcomes of Activity 3.5

By the end of this activity participants are able to understand the Zimbabwean budgeting process.

Participatory Approaches of Activity 3.5

- Case Study
- Group Work
- Brainstorming
- Open Dialogue Session

By completion of this activity ensure that there is mention of the following key terms:

- Budget cycle
- Budget enactment
- Budget implementation
- Auditing
- Policy direction setting
- Formulation

FACILITATION STEPS

Step 1

Introduce this activity by asking the participants the stages of the budgeting processes whether in a family, community, school, local authority and Government contexts.

Step 2

Record their responses. Highlight that the budgeting process has 5 main stages. These are policy or strategic direction setting, formulation, enactment, implementation and auditing.

Step 3

Discuss each stage of the budget process, its importance and the key actors.
Conclude by highlighting that the Local Government process is similar to the national budget process. The difference lies in that the Provincial or District Development Committees develop policy guidelines which are approved by the Council. Specialised Departments consult stakeholders and develop budget proposals (bids). These bids are submitted to the Finance Committee for compilation of the entire budget. The local budget is presented to the Ministry responsible for Local Government for approval and gazetting. It is published in the print media for one month. If accepted by residents and stakeholders it will be approved by the Minister for implementation. Some participatory ways of budgeting health and HIV and AIDS programming have been promoted. This has resulted in the Integrated District Planning and Financing for HIV and AIDS.
Expected Outcomes of Activity 3.6
By the end of this activity participants are able to understand budget related policies.

Participatory Approaches of Activity 3.6
- Case Study
- Group Work
- Brainstorming
- Open Dialogue Session

By completion of this activity ensure that there is mention of the following key terms:
- Fiscal policy
- Budget estimates
- Child budgets
- Orphans and vulnerable children
- Service delivery

FACILITATION STEPS

Step 1
Introduce this activity by explaining to the participants that budgets are largely influenced by the fiscal policy.

Step 2
Discuss the characteristics of a fiscal policy, for example:
- A neutral stance which refers to a balanced budget where the Government is fully funded by revenue and overall the budget outcome has a neutral effect on the level of economic activity;
- An expansionary stance involves a net increase in Government spending.
- A contractionary stance occurs when the net Government spending is reduced.

Step 3
Conclude by discussing how a fiscal policy can impact on child rights and related programmes and their future as adults.
Understanding Child Friendly Budgets

**Expected Outcomes of Activity 3.7**

By the end of this activity participants are able to understand child friendly budgets.

**Participatory Approaches of Activity 3.7**

- Case Study
- Group Work
- Brainstorming
- Open Dialogue Session

By completion of this activity ensure that there is mention of the following key terms:

- Analysis
- Impact
- Review
- Relevance
- Policies
- Strategies
- Gaps
- Child perspective

**FACILITATION STEPS**

**Step 1**

Introduce by asking the participants what is Child Friendly Budgeting?

**Step 2**

Record their responses. Highlight the fact that in order to effectively improve child wellbeing, children’s rights should be addressed through specified child targeted programmes as well as mainstreamed into broader macro-economic and social sector development policies. The child right to participation requires that children should be viewed not as targets of development but as participating citizens in the development process.

**Step 3**

*Exercise*: There are about 1.5 million orphans in Zimbabwe. The Ministry responsible for social welfare has been allocated $500 000 for social protection. Can you calculate

- How much is each orphan getting?
- If administrative costs such as staff travel and accommodation were subtracted from this amount, how much will each orphan get?
- What is the expected impact?
Expected Outcomes of Activity 3.8

By the end of this activity participants are able to analyse the budget.

Participatory Approaches of Activity 3.8

- Case Study
- Group Work
- Brainstorming
- Open Dialogue Session

By completion of this activity ensure that there is mention of the following key terms:

Analysis, impact, review, relevance, policies, strategies, gaps, child perspective

FACILITATION STEPS

Step 1

Introduce this activity by explaining to the participants that the following questions should be answered in analysing a budget.

- How much money is spent?
- On what is it spent?
- How well is it spent?
- For whose benefit?
- Who was involved, why, and at what stages in the formulation and implementation of a given budget?
Step 2

List down child-related policies, laws and programmes. For example:

- The National Action plan for Orphans and Other Vulnerable Children
- The Child Policy
- The National Gender Policy
- The National HIV and AIDS Policy
- The National Social Protection Strategy
- Orphan Care Policy
- Basic Education Assistance Module

Step 3

The participants should review one policy being guided by the following questions:

- Does the policy address issues of concern?
- Does it reflect the lived realities affecting different groups of children in the country?
- Are there strategies that have been put in place to address the identified challenges faced by children?
- If yes, what is the content of the programme, including the implementation plan?
WHY SHOULD CHILDREN PARTICIPATE IN BUDGETING PROCESSES?

● It is one’s right to participate in issues that affect him or her;

● To influence local and national priorities and expenditure patterns so that issues that affect children are not overlooked;

● To ensure that local and national budgets reflect the aspirations of children and not of politicians or budget makers;

● To see if national resources are put to good use and whether they are reaching intended beneficiaries or not; and

● For ownership of development and budgeting processes.

WHO DEVELOPS NATIONAL BUDGETS IN ZIMBABWE?

● The Cabinet sets development priorities, policy and strategic direction;

● Civic organisations and citizens influence budget priorities and allocations;

● Ministry of Finance sets budget guidelines, develops the fiscal policy and compiles the entire budget;

● Government Ministries through Heads of Departments and local authorities compile budgets after consulting stakeholders and then send their proposals (bids) to the Ministry of Finance;

● Legislators (Parliamentarians at national level and Councilors at local level) debate and adopt the budget;

Source: 2012 National Budget Statement, Zimbabwe
Government Departments implement the budget;
Legislators monitor budgets; and
The Auditor General audits the budget after implementation in the following year.

Important Questions to Ask in Child Budgeting
- How much is the Zimbabwean Government spending on children?
- What are the challenges faced in the implementation of the Government’s policy commitments to children?
- What would happen if the STATE did not provide the necessary services for children?

What can we learn by looking at a budget?

Adequacy: how much is budgeted and is it enough?
Priority: how does the budget for this purpose compare to resources in other areas?
Progress: is government’s response on this issue improving?
Equity: are resources being allocated fairly?

Why public spending on children?
Important from a:
- Social and human development perspective
Why is it important to focus on Children?
- They are vulnerable
- They do not have a voice
- They do not have a political constituency
- Their rights need special attention because some of them are different from the rights of adults
- In general the fulfilment of children’s rights is not similar to other human rights
- As a result of HIV and AIDS, there are many orphans and children who have been affected or living with HIV

Children’s specific rights are necessitated by the moral and legal recognition of their:
- Emotional, physical and psychological vulnerability
- Gender vulnerabilities
- Special protection from abuses, exploitation and the law
- Respecting their views
- Valuing their participation

Children are the subjects of rights.
- They are individuals
- They have rights
- They have evolving capacities

Children can be affected differently from adults by the same human rights violations in terms of
- Malnutrition
- Displacement
- Ill-treatment
- Inability to access school

Children are vulnerable as a result of:
- Sexual abuse
- In conflict with the law
- Traditional practices such as early marriages
- Children living on the streets
- Inability to access education, health care,
- Family break-up-divorce/separation
- Displacement and
- Orphanhood.

There are also gender vulnerabilities. This means girls and boys are affected by human rights violations differently. For example girls and boys can be sexually abused. But girls can be victims of forced early and forced marriages, traditional practices, reduced legal age of sexual consent, and preference for school fees payments offered to the boy child.
<table>
<thead>
<tr>
<th>Stages of the Budget Cycle</th>
<th>Time Frame</th>
<th>What Happens</th>
<th>Main Actors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy/strategy direction setting</td>
<td>Policy setting (January – March)</td>
<td>Cabinet discusses and adopts development policies and priorities</td>
<td>Cabinet Minister, local authorities and development partners</td>
</tr>
<tr>
<td>Budget formulation</td>
<td>Budget guidelines stage (March – May)</td>
<td>Framework to guide budget proposals developed and shared with all Ministries</td>
<td>Ministry of Finance</td>
</tr>
<tr>
<td></td>
<td>(June – September)</td>
<td>Ministries and Portfolio Committees consult stakeholders including NGOs. Local authorities, Ministries develop and submit their proposed budgets (bids) to Ministry of Finance. Ministry of Finance drafts the consolidated budget. Stakeholders engaged by Portfolio Committees on pre-budget consultations. Minister of Finance present Budget statement and budget estimates in Parliament.</td>
<td>Ministry of Finance, Line Ministries and Local Authorities</td>
</tr>
<tr>
<td>Budget enactment</td>
<td>Legislative/ Approval stage (October – December)</td>
<td>Stakeholders engaged by Portfolio Committees in post budget consultations. Budget is approved in Parliament. Finance Bill is signed.</td>
<td>Parliamentarians, Line Ministries, civil society, private sector</td>
</tr>
<tr>
<td>Budget Implementation</td>
<td>Implementation and periodic reviews – (Throughout the year, but reviews are usually quarterly i.e. April, July, October)</td>
<td>Using approved budgets. Ministries send request for money to Ministry of Finance. Departments implement activities using funds received CSOs and other stakeholders are invited by Portfolio Committees to quarterly budget reviews.</td>
<td>Government Departments and local authorities</td>
</tr>
<tr>
<td>Auditing</td>
<td>Auditing state (June – August)</td>
<td>Audit of the previous year’s budget.</td>
<td>Auditor General, Parliamentary Committee on Public Accounts</td>
</tr>
</tbody>
</table>
FISCAL POLICY

It is used in various ways to direct the country’s income and expenditure goals. A fiscal policy is defined as broad guidelines on Government spending and revenue collection aimed at influencing the economy. It is also used to adjust the Government’s spending in order to monitor and influence the national economy. It is through a fiscal policy that the Government is able to estimate both the revenue and expenditure side of the budget.

The two main instruments for a fiscal policy are Government spending and taxation. Changes in the level of taxation and spending can have an impact on the economy especially on areas such as the pattern of resource allocation and distribution of income.

A fiscal policy can have the following stances:

- A neutral stance which refers to a balanced budget where the Government is fully funded by revenue and overall the budget outcome has a neutral effect on the level of economic activity;
- An expansionary stance involves a net increase in Government spending. This usually results in a larger budget deficit if the Government previously had a balanced budget.
- A contractionary stance occurs when the net Government spending is reduced. This leads to lower budget deficit and social spending cuts and adoption of cost recovery schemes. This impact negatively on the promotion of child rights and child related programmes.
### Actor and Role

<table>
<thead>
<tr>
<th>Actor</th>
<th>Role</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Cabinet</strong></td>
<td>Outlines the development priorities and strategies (It is important for child rights activists to ensure that the rights of the children and their needs are incorporated in the National Development Policies and Strategies.)</td>
</tr>
</tbody>
</table>
| **Line Ministries and Local Authorities** | They have a specific mandate to draw up the initial budget proposals in accordance with the set guidelines. In order to influence resource allocations, children’s issues should be raised with relevant Ministries. For example:  
  - Educational assistance – Ministry of Education  
  - Health and nutrition – Ministry responsible for Health  
  - Identity and registration of births – Ministries responsible for Home Affairs (Registrar General’s Office) and Justice  
  - Child protection - Ministries responsible for Home Affairs (the Zimbabwe Republic Police), Justice, Social Welfare, Education and Health |
| **Ministry of Finance**   | It has three main roles. These are:  
  - Develops the fiscal policy and budget guidelines  
  - Compiles the entire budget  
  - In charge of the overall management of the National Budget. The interventions that can be made by CSOs are:  
  - To ensure that the budget is child friendly include child tax credits, tax exemptions, duty of assistive devices for children with disabilities and value added tax;  
  - Raising awareness of child rights issues such as prevention, protection and development; and  
  - In tracking and reviewing the budget expenditure performance. |
| **The Parliament**        | Portfolio Committees were established according to Section 1 of the 5th Parliament of Zimbabwe, Standing Order 153. The functions of the Portfolio Committees are  
  - To scrutinize all bills or statutory instruments, monitor and investigate the legislative programme, policy formulation and budget rationalization.  
  - They also have power and duties for Executive oversight. |
| **International Co-operating Partners** | The International Co-operating Partners such as the World Bank and the UN Agencies such as UNICEF provide technical support through the budget process. UNICEF has provided text books of schools, water, sanitation and hygiene programmes. |
| **Auditor General**       | Produces a financial audit of the Government accounts. |
BUDGET ANALYSIS METHODS

There are many ways of analysing a budget. These include:

1. Budget Structural Analysis:
   - Administrative Budget v Programme Budget (proportionate analysis) as a percentage of the budget;
   - Consumption/Recurrent Budget v Capital Budget (proportion analysis) a percentage of the total budget. There is a need to strike a balance between consumption and capital budget;
   - Curative v Preventative. This usually applies to the Ministry responsible for Health and Child Welfare, where it is important to focus on the proportion of curative vis-a-vis preventative budgets. It is more cost effective to prevent diseases and disasters than to cure them. This concept also applies to environmental protection;
   - Social Protection v Economic Development. The objective is to assess the extent to which there is a balance between social service delivery and economic development in the long term.

2. The budget can also be analysed by looking at the percentage of allocations to the different Ministries.

3. Equity Analysis. A budget can be analysed in relation to the extent it reflect the interests of different groups of children based on gender, sex, orphanhood, children living with HIV, children with disabilities, children living in urban and rural areas, living on and off the streets, sexually abused and other vulnerable groups. Thus, a budget should promote equitable and fair distribution of resources;

4. Relevance and Impact Analysis. A good budget should respond to issues affecting different groups of people in society. It should also make a difference in their lives;

5. Process Analysis. The budget process should be participatory. In analysing a budget one has to ask:
   - Who is involved in the budgeting process, why, when and how?
   - What is the budget cycle like? Does it allow for meaningful input and comments from the children?
   - Are children’s views being deliberately solicited and captures and in what ways?

Budget analysis is informed by factors such as one’s understanding of child rights and related issues as well as the forms of governance and the way they make policies, programmes and budgets in Zimbabwe.

Steps in Budget Analysis

1. Defining the “Child”
   The CRC defines the child as an individual up to the age of 18 years.
   Section 81 of the Constitution of Zimbabwe defines a child as anyone under the age of 18 years. This is the definition that is used when doing child friendly budgets.

2. Defining the Sectors
   The basic rights of children are the rights to survival & development, best interests of a child, non-discrimination and participation. In addition, the following sectors are also included in budget analysis:
   Education: Includes primary and secondary education programmes
   Development: Includes programmes and schemes for early childhood care and education; and other general schemes and programmes that promote the overall development of children
   Health: Includes programmes and schemes related to the health care needs of children
Protection relate to interventions regarding

- Children at work;
- Children in need of adoption;
- Children in prostitution;
- Children who are physically or mentally challenged;
- Street children; and
- Children who are neglected or treated as juvenile offenders.

The questions that are asked in doing budget analysis are:

- What are the international and national commitments made for children, especially the constitutional provisions and how they are being implemented?
- What is the overall policy situation of the country and how the policies affect children?
- What are the objectives and assumptions of the policy?
- What is the level of implementation of UNCRC and other international instruments in the country?
- How far have the laws and policies been translated into programmes and activities and how have they been resourced?
- Does the fiscal policy reflect issues affecting children? For example, are the issues raised interventions proposed in the National Action Plan for Orphans and Vulnerable Children prioritised?
- What is the taxation policy, duty, licenses on goods and services required by children?
- What tax incentives or revenue measures in support of child protection and development have been put in place?
- How do the nation’s debt management strategies impact on child development programmes?
- Are there any proposed subsidies? For whom and why?

Taking into account that the State is the primary duty bearer in the promotion and realisation of child rights, the following questions should be asked:

- What were the resources being invested by the government for children?
- Do the allocations match the needs and rights of the children?
- What proportion of the allocation was actually spent?
- How did it match the outcomes in terms of indicators for children? More importantly, are the resources being allocated and spent “adequate”?
- What is the performance of programmes at the implementation level in relation to the resources allocation?

Learning questions

1. What are the commitments Zimbabwe has made at international, regional and national levels?
2. Based on Zimbabwe’s experience what should be the framework of analysis?
3. What should be the research questions?

The legal obligation of Government to fulfil rights is achieved through:21

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### Stage One

Establishing the need for spending more and better for realizing child rights
This involves identifying the right, the status of its realisation, the public programmes that exist to promote this right, the outputs produced and the resources required.

### Stage Two

Uncovering the availability of resources for spending child rights
It involves finding out the extent to which the overall budget allocations are divided in a way that allocates resources to realise the rights of children.

### Stage Three

This involves analysing the extent to which the government is meeting its financial obligations towards child rights. The following questions should be asked:

**The 'how much questions':**
- How much is allocated to the programmes?
- What is the rate of the real increases in these allocations?
- Are programmes aimed at realising the right being phased out without substitutes being put in place?

**The 'allocative efficiency' questions:**
- How much geographical inequity is there in the allocations;
- Do they discriminate against any children?
- Do they target the poorest of the poor?
- Are they prioritising basic services?

If the answers to these questions are yes, then the next questions are:
- How much progress is being made over time in moving towards the ideals of non-discrimination, geographical equity in allocations, targeting the poorest of the poor, and prioritising basic services?
- Do we see waste on the input side of the budget?

### Stage Four

This involves analysing whether the government is meeting its budget output obligations. The following questions are asked in relation to the realisation of the specific child socio-economic rights:
- Is output increasing, costs falling and quality improving?
- Is there discrimination in access to services (for example, against those in remote rural areas, those of a particular community, children with disabilities, or girl children) and is access being increased and discrimination being reduced over time?
- What steps is government taking to remove remaining access and barriers such as discrimination?

### Stage Five

The evaluation of government’s performance. This involves reviewing the stage 1-4 analysis and:
- Coming to conclusions about the extent to which government is meeting its obligations;
- Explaining whether performance is lacking on the input or output side of the budget or both; and
- Making recommendations about where government must improve in its budget allocations and service delivery to ensure it uses the budget to realize that particular child right.
The role of civil society is to:
- Simplify budgets and facilitate budget debates
- Research and disseminate information
- Analyse the budgets
- Training
- Holding the government to accountability
- Mobilising people
- Ensure that there is maximum allocation of available resources to child issues
- Raise awareness of child rights

When can Junior Parliament Participate in the Budget Process?

There are various stages that one can participate in the budget process. These are:

**The Budget formulation process:** During this process a budget discussion document is released to the public. There is an opportunity for one to analyse and advocate for child rights issues.

**The Budget enactment:** This is when the budget proposal is debated in Parliament. The Junior Parliament and CSOs representing children can make oral and written hearings so that their child rights issues are considered.

## PRINCIPLES OF CHILD PARTICIPATION IN BUDGETING PROCESSES

<table>
<thead>
<tr>
<th>Information</th>
<th>Young people should be aware of what they are involved in and why? In this case they should appreciate the budgeting process and why it is important to take part in budgeting.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enjoyment</td>
<td>Participation should be fun, exciting and challenging.</td>
</tr>
<tr>
<td>Relevance</td>
<td>Participation should address the pertinent issues that young people are grappling with so that they find it beneficial.</td>
</tr>
<tr>
<td>Educational</td>
<td>The activities should offer opportunities to learn about the various aspects of society and pave way for the development of crucial skill.</td>
</tr>
<tr>
<td>Support</td>
<td>Effective participation is complemented by support, supervision and monitoring from adults.</td>
</tr>
<tr>
<td>Budgeted</td>
<td>Adequate human, financial and technical resources should be allocated towards supporting youth participation and their relevant structures.</td>
</tr>
<tr>
<td>Flexibility</td>
<td>Participation should reflect sensitivity to differences in power, status, experience, control, knowledge, language, culture, religion and individual and or group commitments.</td>
</tr>
<tr>
<td>Organised</td>
<td>Sustainable, flexible, transparent and well governed structures for participation should be developed and maintained.</td>
</tr>
<tr>
<td>Inclusive</td>
<td>Participatory activities should allow for all groups of children especially the disadvantaged, regardless of status, sex, geographic location and expertise.</td>
</tr>
<tr>
<td>Monitoring and evaluation</td>
<td>Effective participation leaves room for constant reflection on relevance, efficiency, effectiveness and impact of child participation in budgeting processes.</td>
</tr>
</tbody>
</table>

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22 NANGO & Save the Children, Child Budget Analysis and Advocacy. A handbook for children and Civil Society in Zimbabwe, page 40
Implementation of the budget: Although the implementation of the budget is done by the Executive, the Junior Parliament and CSOs representing children hold the government to explain whether the resources that were allocated to different groups of children for specific projects were used effectively.

The auditing and assessment stage is when an audit of the resources used is made and whether these resources were used effectively for the intended beneficiaries and that there was no corruption in awarding tenders for goods and services.

Learning questions

1. What are the procedures of State Budget development in Zimbabwe?
2. Who is involved in the development of State budgeting process and what is their role?
3. What are the challenges to budget making in Zimbabwe?
4. What role civil society can play in the budget making process?

WHAT IS A CHILD FRIENDLY BUDGET?

This is not a separate budget for children. This budget makes specific allocations for programmes that specifically benefit children. As indicated earlier, a budget demonstrates the commitment of the government in translating child rights into reality through its financial commitments.

In analysing a budget, there is a need to take into consideration. For example:

- The Zimbabwe’s specific commitments to children through the Constitution (Section 81), law and policy;
- The Zimbabwe’s legal obligations arising from the international and regional agreements such as CRC, CEDAW, the African Child Charter on the Rights and Welfare of Children and the SADC Protocol on Gender and Development.
- The overall situation of the children in Zimbabwe. For example, UNICEF carried out a situational analysis of children in Zimbabwe.

The CRC Committee recommends that State parties:23

1(a) Make children a priority in the budgetary allocations as a means to ensure the highest return of the limited available resources; and make investment in children visible in the State budget through detailed compilation of resources allocated to them;

b) Consider using rights-based budget monitoring and analysis, as well as child impact assessments on how investments in any sector may serve “the best interests of the child”;

c) Undertake a comprehensive approach to children’s economic, social and cultural rights, in particular, by identifying ministries and departments dealing with children and to make sure that other ministries are also able to demonstrate how their budget and programmes are consistent with the realisation of children’s economic, social and cultural rights.

2. The Committee also recommends that the emphasis on allocations aimed at economic growth is not made at the sacrifice of social sector expenditure. In this respect, the macro economic framework of growth targets should be harmonized with a human development framework based on the Convention on the Rights of the Child and the principles of non-discrimination, best interests of the child, participation, universality and accountability. The development of this framework should also take into account the Millennium Development Goals (MDGs), World Fit for Children, rights-based Poverty Reduction Strategy Papers (PRSPs) and national plans of action for children developed in accordance with the Convention.

According to Article 4 “State parties shall undertake such measures to the maximum extent of available resources and where needed the framework of international cooperation.”

Additionally, the “Implementation of the human rights of children must not be seen as a charitable process, bestowing favours on children. The implementation duties of Article 4 and other provisions of the Convention demand rigorous monitoring of the effects of such changes and adjustment of policies to protect children’s economic, social and cultural rights.”

This means, Zimbabwe cannot justify poor or allocation of financial resources to children on the basis of either lack of resources or macroeconomic policies.

A State can demonstrate that it is fulfilling children’s economic, social and cultural rights “to the maximum extent of available resources”, by allocation a budget that directly and indirectly benefit children. The Committee needs to know what steps are taken at all levels of Government to ensure that economic and social planning and decision-making and budgetary decisions are made with the best interests of children as a primary consideration and that children, including in particular marginalized and disadvantaged groups of children, are protected from the adverse effects of economic policies or financial downturns.

Participating in the budget process:
Parliamentarians can help facilitate child input into the budget process and bring children’s perspectives to bear in a number ways, including:

- Producing a child-friendly budget that is intelligible to children;
- Gathering relevant data in the context of budget discussions;
- Meeting with children’s organizations/representatives;
- Requesting written and/or oral submissions from children.
- Children’s participation in budgetary processes

Children can participate using information and communication technology (ICT)

This promotes the principles of transparency, accessibility and accountability. This involves setting up a child-friendly website that has current reports of Parliamentary Committees and debates. Examples of official parliamentary websites for children

Brazil: www.plenarinho.gov.br.
Finland: www.lainsaatajat.fi.
New Zealand: www.explore.parliament.nz.
United Kingdom: www.parliament.uk/education/online-resources/whiteboardresources.

It is important to note that children are not a homogeneous group. Their programme needs are determined by their age, gender, socio-economic status, location, and physical and mental well-being. For example, nutrition and health inputs in the early childhood years are critical for the child’s growth, while in the later years, enrolment and retention in school, and prevention of entry into the labour market are crucial factors.

Thus, programme interventions have to be designed differently for these two age groups. Similarly, children from disadvantaged communities, such as tribal and indigenous groups, or children at risk such as street and working children, children of prostitutes, physically or mentally challenged, would require special attention.

REMEMBER

24 UN Convention on the Rights of the Child, 1998
25 General Comment No.5 on general measures of implementation of the UN CRC, 2003
26 Article 4 of the CRC
27 General Comment No.5 on General Measures of Implementation of the UN CRC, 2003
CHILD FRIENDLY BUDGETS AND ADVOCACY
This unit covers advocacy on child friendly budgets. Advocacy brings changes in budget policy or legislation; budget processes; increased budget or resource allocation for children; and establishes accountability systems.

Goals
- To familiarise and broaden participants’ knowledge of child advocacy in the context of child rights friendly budgets; and
- To enable participants develop advocacy messages on child friendly budgets

Unit 4 Overview
Activity 4.1 Understanding advocacy on child friendly budgets.

Materials
- Flip charts, paper, markers, tape and pens
- Overhead Projector
- Power Point
- Cluster cards
- Meta Plan Board

Methodology
- Case Studies
- Role play
- Brainstorming
- Group exercises
- Plenary discussion
Expected Outcomes of Activity 4.1
By the end of this activity participants are able to understand advocacy on child friendly budgets.

Participatory Approaches of Activity 4.1
- Case Study
- Group Work
- Brainstorming
- Open Dialogue Session

By completion of this activity ensure that there is mention of the following key terms:
Advocacy, confront, co-operate, media blitz, engage, capacity building, mass actions, court challenge.

FACILITATION STEPS

Step 1
Introduce this activity by asking the participants to define what is advocacy?

Step 2
Record their responses. Discuss and come up with a definition of advocacy and make linkages with budget analysis.
Step 3

Introduce the advocacy process by answering the following:

- What is the problem and whose problem that should be addressed?
- What is the desired change and why?
- Who should change what?
- Who are the actors in the change process and what roles do they have (opinion formers, opponents, allies, sympathisers etc)
- How will the change come about?
- What factors will affect the change?
- How do we notice and keep track of the change?
- How can the change be made sustainable?
- Who will do what and when?

Step 4

In groups, the participants should brainstorm the advocacy stages and give real life examples.
Advocacy

Advocacy is defined as the pursuit of influencing outcomes, including public-policy and resource allocation decisions within political, economic, and social systems and institutions that directly affect people's current lives.

Advocacy can be seen as a deliberate process of speaking out on issues of concern in order to exert some influence on behalf of ideas or persons.

The aim is to bring a change in people's lives.

The vision is for a just society characterised by social participation.

Advocacy represents the series of actions taken and issues highlighted to change the "what is" into a "what should be".

There is also the issue of power relations.

Characteristics of advocacy

- It questions the way policy is administered.
- It encourages participation in the agenda setting as they raise significant issues.
- Targets political systems “because those systems are not responding to people’s needs”
- It is inclusive and engaging.
- It proposes policy solutions.
- It opens up space for public argumentation.

Some forms of advocacy

**Ideological advocacy:** In this approach, groups fight, sometimes during protests, to advance their ideas in the decision-making circles.

**Mass advocacy:** Is any type of action taken by large groups (petitions, demonstrations, etc.)

**Interest-group advocacy:** Lobbying is the main tool used by interest groups doing mass advocacy.

**Bureaucratic advocacy:** People considered “experts” have more chance to succeed at presenting their issues to decision-makers. They use bureaucratic advocacy to influence the agenda, however at a slower pace.

**Legislative advocacy**—lobbying for reforms in laws and policies.

**Media advocacy**—the strategic use of the mass media as a resource to advance a social or public policy initiative” 2004).

**Budget advocacy:** Budget advocacy is another aspect of advocacy that ensures proactive engagement of Civil Society Organizations with the government budget to make the government more accountable to the people and promote transparency. Budget advocacy also enables citizens and social action groups to compel the government to be more alert to the needs and aspirations of people in general and the deprived sections of the community.
**The Advocacy Cycle**

**Stage 1: Problem Analysis and Issue Identification**
- Understand the problem and who is affected. This can be done through baseline studies, consultative workshops and review of specific programmes.
- The budget advocacy issues should be identified and defined. For example, who is affected, where, how?
- The problem or advocacy issue could be the following:
  - Many orphans and other vulnerable children are unable to access basic and relevant education possible due to limited budgetary support or poor governance of social protection funds.
  - Child with disabilities must be prioritised in local and national budgets.
  - Allegation of misuse of finds meant for children.
  - Increase in child mortality due to poor funding of preventative health programmes.
  - Limited child participation in national budgeting processes.

**Stage 2: Setting Objectives**
- Clear objectives as well as short term and medium term objectives expected results help focus the advocacy efforts. One of the questions to ask is what is the desired change? Examples of budgets advocacy objectives include:
  - To enhance child participation in local and national budgetary processes.
  - To improve transparency and accountability in the use of funds meant for Basic education Assistance module (BEAM).
  - To advocate for increased budgetary allocations to orphans and other vulnerable children in the national budget.

**Stage 3: Developing Key Messages**
- Develop specific and targeted messages. For example, the target audience could be line Ministries, Parliamentarians, Cabinet of the Ministry of Finance.
- Child participation in budgetary processes is crucial for child and national development.
- Lack of transparency and accountability in the use of BEAM breeds corruption, erodes donor confidence and usually result in leakages – to the disadvantage of the targeted children.
- The nation can do more to support orphans and other vulnerable children through the national budget.

**Stage 4: Designing Strategies and Approaches**
- Stakeholder analysis is important in the identifying who has power, influence and interest in the advocacy issue. It involves knowing all the actors and their roles and responsibilities.
- Knowing how the change will come about?
- Audit of existing initiatives. What else is happening?
- Who is going to change what? What are the target groups? It is important to mention the specific Ministry, Parliamentary Portfolio Committee and names of individuals.

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Advocacy groups and what they seek to do?

- Advocacy is led by advocates or, when they are organized in groups as is the case most of the time, advocacy groups.
- Advocacy groups are different from political parties which "seek to influence government policy by governing." They are "any organizations that seeks to influence government policy, but not to govern."
- Advocacy groups contribute to democracy in many ways. They have five key functions:
  - It gives a voice to (misrepresented) citizen interests
  - It mobilizes citizens to participate in the democratic process
  - It supports the development of a culture of democracy
  - It assists in the development of better public policy
  - It ensures Governments’ accountability to citizens.

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Advocacy and Media Strategy

Media strategy is the basis for strategic communication. What does it entail?

- Having clarity about what you want to communicate
- Targeting specific audiences
- Choice of media
- Designing the message
- Disseminating the message

LINKING BUDGET FOR CHILDREN ANALYSIS TO ADVOCACY

According to Save the Children, “Advocacy is a set of organised activities to influence government policies and practice to achieve positive and lasting changes for children’s lives based on the experience and knowledge of working directly with children, their families and their communities.”

Advocacy is important in that it holds the State accountable on child rights that it usually makes excuses for not meeting its commitments over these rights as a result of “lack of available funds” or “budgetary constraints”.

SIX STEPS OF THE TACTICAL APPROACH TO CHILD FRIENDLY BUDGETS

The monitoring the fulfilment of the child’s right to social security:

1. Determine the nature of the government’s legal obligations to advance the right

2. Measure the extent of the problem addressed by the right (i.e. child poverty)

3. Review programme conceptualizing and design, programme existence and process

4. Budget allocations and expenditures, implementation and service delivery

5. Analyse national and local government budgets

6. Make recommendations on how the government can better fulfil its obligations to advance the rights of children
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