



CHILDREN'S RIGHTS AND BUSINESS PRINCIPLES

FREQUENTLY ASKED QUESTIONS

A BACKGROUND

1. Why should businesses be concerned about children's rights?

While states have the primary duty to protect, respect and fulfil children's rights, the private sector has enormous potential to impact children's lives – both positively and negatively. The Children's Rights and Business Principles offer businesses an organizing framework to maximize positive impacts and minimize any negative ones.

Taking responsibility for children's rights is not only the right moral choice; it also makes sound business sense. Businesses that champion children's rights in their strategies and operations can boost their reputation and brand value; improve recruitment, retention and motivation/productivity of employees; attract investors; build trust; gain a competitive advantage; secure and maintain a license to operate; reduce cost burdens; ensure active stakeholder engagement; increase legitimacy of operations; and contribute to more sustainable and inclusive markets.

2. How will the Children's Rights and Business Principles make a difference in the lives of children? What do you aim to achieve with these Principles?

Children are impacted by business in a multitude of ways, directly and indirectly. The Principles call on business to recognize children as stakeholders so that their interests are given explicit consideration when business takes decisions and actions that affect children. Overall, the incidence of negative impacts of business on children should thus be reduced and positive impacts should be enhanced. Among many other outcomes, we expect that the Principles will help business develop more effective policies and practices to:

- meet their responsibility to respect children's rights and commit to supporting the human rights of children
- contribute to the elimination of child labour, including in all business activities and business relationships
- provide decent work for young workers, parents and caregivers
- ensure the protection and safety of children in all business activities and facilities
- ensure that products and services are safe, and seek to support children's rights through them
- use marketing and advertising that respect and support children's rights
- respect and support children's rights in relation to the environment and to land acquisition and use
- respect and support children's rights in security arrangements
- help protect children affected by emergencies

- reinforce community and government efforts to protect and fulfil children's rights

3. How do you define a child-friendly business?

A child-friendly business understands that it has impacts on children, respects children's rights wherever it operates and creates value by promoting their survival, development and protection through its operations, products and services, policies and influence.

4. Who are the Principles aimed at?

The Principles are addressed to businesses, but are relevant for other stakeholders including civil society, investors and governments. Among other things, the Principles are intended to serve as a reference point for existing and future initiatives on business and children helping to make clearer how such efforts may reinforce each other.

B DEVELOPMENT

1. Which parties were involved in the development of the Principles? What consultations were organized, and with whom?

The Principles are a joint initiative by UNICEF, the UN Global Compact and Save the Children ('the sponsoring organizations'). A Steering Committee with representation from each of the sponsoring organizations led the consultation process and the development and release of the Principles.

Advisory Groups that contributed to the Initiative include Internal Reference Groups from UNICEF and Save the Children and an external Expert Reference Group (ERG). The ERG has contributed independent, objective feedback on the development of the Principles and has provided thought leadership throughout the process. The group comprised individuals from a range of developed and developing countries with extensive experience in human rights, child rights, corporate responsibility, international business, international development, finance, policy and/or related issues. Global Compact Local Networks were also engaged throughout the process and calls were made to the entire UN Global Compact network (which includes businesses, academic institutions and civil society organizations amongst others) through its monthly bulletin.

Extensive public consultations were launched in May 2011 to give business, civil society, trade unions, governments, national human rights institutions (NHRI), academia, children, adolescents and other stakeholders an opportunity to help shape the Principles. Face-to-face consultation workshops with over 400 business and industry association representatives and other key stakeholders were organized in eleven host cities: Beijing, Belgrade, Buenos Aires, Copenhagen, Delhi, Dubai, Geneva, London, Nairobi, Istanbul and Shanghai. In addition, an online questionnaire was circulated to thousands of businesses around the world including corporate partners of UNICEF and Save the Children and the many thousands of UN Global Compact participants through the UN Global Compact bulletin and website, and Local Networks (in 100 countries). Over 200 unique contributions from business leaders, NGOs, academics and government representatives were received through this process. Most importantly, particular efforts were made to consult and engage children in the development of the Principles. (See B8 for further details on the involvement of children.)

Alignment with international labour standards and with recent developments in the area of business and human rights were given top priority, as called for during the consultation. Thus, ILO-IPEC and those involved in the development of the UN Guiding Principles on Business and Human Rights were closely consulted.

2. Who took the initiative to develop the Children's Rights and Business Principles and why?

The Principles are a joint initiative by UNICEF, the UN Global Compact and Save the Children. The development process was officially launched on 24 June 2010.

The Principles are rooted in the widely recognized notion that every societal actor has a role to play in taking action to respect and support children's rights. The private sector, for example, has enormous potential to impact children's lives, both positively and negatively, through its operations, products, marketing practices and other activities.

But while the business and human rights agenda has evolved significantly in recent years, a child rights perspective has rarely been applied to the discussions. Prior to the Principles, no comprehensive framework existed to guide business on the full range of actions to respect and support children's rights specifically. The Principles aim to fill this gap.

The Principles offer a comprehensive range of actions that business can take to respect and support children's rights; inform government engagement with business on children; seek to be a reference point for existing and future initiatives; promote business-multi-stakeholder collaboration; and raise awareness of the positive and negative impact of business on children.

3. To what extent have businesses contributed to the development of the Principles and how much influence have they had in the actual drafting of the Principles?

For the Principles to be effective, the buy-in of the business community is as important as the support of children and organizations that represent their interests. Active business involvement in the development of the Principles has therefore played an integral part in the whole process.

Businesses contributed to the development of the Principles in a variety of ways, particularly through the work of the external Expert Reference Group (ERG). Half of its members represented the private sector. The ERG contributed independent feedback on the development of the Principles as well as thought leadership throughout the process. The group included individuals from a range of developed and developing countries with extensive experience in human rights, child rights, corporate responsibility, international business, international development, finance, policy and/or related issues.

In addition, businesses around the world were invited to contribute to the development of the Principles by participating in a number of regional consultations, and by sharing their input via the [Business & Children Portal](#) hosted on the website of the Business and Human Rights Resources Centre. The entire UN Global Compact network was also invited to participate.

4. Was it an iterative process with business contacts involved throughout?

Yes, the Principles went through several drafts on which internal and external stakeholders input was sought.

5. What process of influence did international labor standards organizations have in the process? What about relation with the UN Guiding Principles on Business and Human Rights?

Alignment with international labour standards and with recent developments in the area of business and human rights were given top priority, as called for during the consultation. Thus, the Expert Reference Group included representatives from ILO-IPEC and the International Trade Union Confederation (ITUC), as well as those involved in the development of the Guiding Principles on Business and Human Rights. Additionally, the Steering Group worked closely with ILO-IPEC and the Office of the High Commissioner for Human Rights on the language of the Principles right up until their publication.

6. What role did children play during the process?

Another distinguishing feature of the consultations for the Children's Rights and Business Principles was the value and importance afforded to children to bring their voices to bear on the initiative; and to be key actors informing the process. Their contributions, thoughts and suggestions have been illuminating and inspirational to the Steering Committee.

A Child Participation Strategy was developed by Save the Children and Plan to ensure that children were respected as equal stakeholders and that minimum standards for children's ethical participation were met.

Consultations were organized with over 400 children, ages 7-17 years, in nine countries: Brazil, Argentina, Philippines, Zambia, Bangladesh, Ethiopia, Senegal, Paraguay and Peru. The children's experiences as students, workers, consumers, sons, daughters, community members, advocates, rights holders, etc. informed their feedback on issues including what business is; how business affects their lives and rights; what role business has to protect their rights; and more. The children also reviewed the draft Principles and provided detailed recommendations.

The participants included children with disabilities, minority ethnic groups, minority language groups, orphaned children or children without appropriate parental care, children living below the national poverty line, children displaced by natural disaster or conflict, religious minorities and children in exploitative forms of work (e.g., street children, children on the move, former child soldiers) and representatives of working children.

7. What feedback did children provide?

The in-depth review and recommendations that children provided has greatly informed the development of the Principles. Key recommendations such as security and safety in and around the workplace, washroom/hygiene facilities for girls, business responsibility to be a champion for children's rights, limiting access to illegal products for children (alcohol and cigarettes) and others are reflected in the final version of the Principles. Young people also shared important insights relating to resource needs, follow-up, implementation and monitoring. The full report of the children's consultation is available online on the [Business & Children Portal](#) of the Business and Human Rights Resource Centre. Save the Children and Plan International will also be producing a child-friendly version of the Principles.

The Child Participation Strategy supported children's participation in the development and post-release phase of the Principles, Save the Children and Plan will continue to ensure that children play a key role.

8. What were the key themes emerging from the feedback process, especially from business?

All documentation on the Consultations is now available on the [Business & Children Portal](#) of the Business and Human Rights Resource Centre.

The consultation sought feedback on (a) the draft Principles, their structure and contents; and (b) suggestions for post-release implementation and activities.

The overall feedback has been positive, reaffirming the value of the initiative, while also providing many valuable suggestions. The Steering Committee has sought to address as many suggestions, concerns and comments as possible, though it is recognized that it is not possible to do full justice to everyone's contributions and opinions.

Selected comments which were received in particular from business include:

- alignment with the new UN Guiding Principles on Business and Human Rights;
- request for guidance on implementation including good practise and case studies;
- value of a business case;
- need to distinguish clearly actions which entail 'respect for children's rights' and represent minimum standards of conduct; and actions which are not required but where businesses can go beyond to support global action for children's rights; and
- thematic feedback on specific principles, for example on child labour, marketing and advertising, etc.

The full report is available [online](#).

C CONTENT

1. Do the Principles endorse that children can work?

The Principles are derived from the internationally recognized human rights of children, and do not create new international legal obligations. In relation to child labour, they reinforce standards outlined in the Convention on the Rights of the Child and its Optional Protocols, as well as the International Labour Organization's Conventions No. 182 on the Worst Forms of Child Labour and No. 138 on the Minimum Age.

The Principles define child labour in line with these standards as work below the minimum age for children as per national law or international standards, and any work that is hazardous for children under 18 years regardless of minimum age for work.

2. At what age are children allowed to work according to the Principles?

A young worker is a child who is above the minimum legal working age as per national law or international standards and engaged in economic activity. It is an age group that is subject to designation as child labour if the work or working conditions are hazardous. This is in line with international labour standards as defined in C1.

Minimum Age for Admission to Employment or Work

	Developed countries	Developing countries
Regular Work	15 years	14 years
Hazardous Work	18 years	18 years
Light work	13 years	12 years

Source: International Labour Organization (2008), *The Labour Principles of the United Nations Global Compact: A Guide for Business*, p.27.

3. How do the Principles relate to ILO standards?

ILO-IPEC was closely consulted to ensure full alignment with international labour standards. The Principles reinforce standards on child labour and decent work for young workers and caregivers as per International Labour Organization's Declaration on Fundamental Principles and Rights at Work, in particular, the International Labour Organization's Conventions No. 182 on the Worst Forms of Child Labour and No. 138 on the Minimum Age.

4. What do you mean by security arrangements?

Principle 7 of the Children's Principles refers to the arrangements made by businesses to maintain the safety and security of their operations, personnel and assets, and calls for these to be within a framework that ensures respect for human rights and fundamental freedoms including those of children.

5. What is the difference between respecting and supporting children's rights?

Respect for children's rights is the minimum required of business. Actions to support children's rights are strongly encouraged even if not required. Each principle in the Children's Rights and Business Principles lays out actions to respect children's rights and actions to support children's rights.

The corporate responsibility to respect means avoiding any infringement of the human rights of others, including children, and addressing any adverse human rights impact with which the business is involved. The corporate responsibility to respect applies to the business's own activities and to its *business relationships*, linked to its operations, products or services.

The corporate commitment to support means that, in addition to respecting human rights, business can consider voluntary actions that seek to advance human rights, including children's rights. This can be achieved through core business activities, strategic social investments and philanthropy, advocacy and public policy engagement, and through partnerships and other forms of collective action.

6. How do these Principles align with the UN Guiding Principles for Business and Human Rights?

Principle 1 of the Children's Rights and Business Principles applies the framework of the UN Guiding Principles in the context of children. It therefore calls on business to apply the "Policy Commitment – Due Diligence – Remediation" approach to human rights when considering impacts on children.

The Principles were developed in close consultation with those involved in the development of the Guiding Principles on Business and Human Rights, to ensure that the distinction between respect and support actions has been defined accurately.

D IMPLEMENTATION

1. What takes these Principles from theory to practice?

The Children's Rights and Business Principles provide a comprehensive framework for understanding and addressing the impact of business on the rights and wellbeing of children. They are intended to provide inspiration and serve as a guidepost for all businesses in their direct and indirect interactions with children. Their added value lies in providing a tool for business to take a systematic and comprehensive approach to their interactions with children and to see children as a key stakeholder of their business.

The Steering Committee will work to create awareness of the Principles with business around the world and to help businesses better understand and address their impacts on children. In addition, the sponsoring organizations will work with third-party organizations, such as industry leaders in CSR and business and human rights standards to integrate and embed reporting and performance of business on child rights issues.

2. How much accountability will businesses have to follow and live up to the Principles?

The Principles will not create any new legal obligations. However, they are designed to raise business and stakeholder awareness of the risks and opportunities that direct and indirect business interactions with children can bring. In doing so, they will also inform governments, investors, civil society organizations and others that hold businesses accountable under national law and international standards. The Principles also call on business to enhance transparency around policies and processes that impact children and to report on progress.

3. Where do you draw the line between state/governmental responsibility and business responsibility for children's rights?

The primary duty for protecting and fulfilling children's rights lies with the state. While the Principles are specifically aimed at businesses, they are also a resource for engaging with governments and other societal actors on the enabling environment in which businesses operate. In addition to their duties to respect and fulfil children's rights, the role of governments includes protecting children from abuses of their rights by third parties, including by businesses. Reinforcing their regulatory authority, governments also have a range of soft power options available to them to encourage business to take action to respect and support children's rights. Incentives and disincentives that governments put in place shape the operating environment for business, making implementation of the Principles easier or more challenging. The sponsoring organizations developed the Principles as a complement to and not substitute for government action on children's rights. The Principles themselves also call on business to help support governments in their efforts to respect, protect and fulfil children's rights. In this spirit, the Principles are offered as an input to processes such as the work of the Committee on the Rights of the Child to elaborate a General Comment on the rights of the child and the business sector. The sponsoring organizations look forward to continuing to work with governments in connection with the Principles.

Complimentary to states' obligations and regardless of whether states are meeting them, businesses everywhere have a responsibility to respect children's rights including to avoid complicity in abuses. This requires proactive efforts on the part of business to identify and address its potential and actual impacts on children. This responsibility applies to a business' own actions as well as to others connected to those activities, such as suppliers or other business partners.

4. Which business practices will be influenced by the Children's Rights and Business Principles?

The Principles seek to be relevant across the entire corporate value chain. Many businesses will learn that children's rights are a cross-cutting issue affecting all corporate functions, including human resources (work environment; workplace conditions, family-friendly work policies, women's employment); supply chain management (supplier standards, monitoring); government affairs (policy development; lobbying); marketing (responsible advertising/marketing practices); R&D (product safety, distribution), and others.

Overall, the Principles emphasize the importance of due diligence practices – including thorough policies and procedures to identify and address risks and negative impacts and to maximize the positive impacts on children.

5. Will there be an implementation component to the Principles? Are businesses expected to sign on to the Principles? Will there be a statement of support?

Key elements of the post-release approach include:

a. Awareness raising and outreach

The sponsoring organizations will undertake a variety of efforts, jointly and separately, through the networks and communications channels that they have available to them to raise awareness of the Principles (in all UN languages) and urge their use around the world. These efforts will seek to reach all major stakeholder groups including the business community, children, investors, civil society organizations, other initiatives on business and children, governments, labour organizations, stock exchanges, sustainability indices, international organizations and academia.

b. Tools, guidance and initiatives

The sponsoring organizations will also collect and disseminate information about tools, guidance materials and initiatives that can help business to implement the Principles. Where there are topics relevant to the issue of business and children that are not yet adequately served with tools, guidance and initiatives, the sponsoring organizations alone or in partnership with others may take action to help fill the void. In the development of such resources by or with the input of one or more of the sponsoring organizations, a high priority will be given to the involvement of business, children and civil society as appropriate. Dissemination efforts will utilize the same strategies indicated above.

c. Promoting good practices

The sponsoring organizations will also continue to collect and help disseminate examples of good corporate practice in implementing the Principles to help illustrate their universality and practicality and inspire other businesses of all

sizes, sectors and locations to scale up efforts to respect and support children's rights. Among other methods, case studies may be used to explore in greater depth the associated challenges and opportunities.

d. Direct engagement opportunities for business

Businesses of all sizes and from all sectors and geographies are encouraged to use the Principles to guide their efforts to respect and support children's rights. During the consultation process, some participants expressed interest in the creation of a mechanism for business to be able to express their public support for the Principles, such as a statement of support. The sponsoring organizations recognize that there are a range of benefits, but also possible disadvantages and other implications, including capacity issues, that might flow from taking such a step. For these reasons, it is not planned to collect business endorsements of the Principles at this point. The sponsoring organizations will also regularly review progress and impact and give further consideration to the merits and challenges of the various models for directly engaging business on the Principles.

E MONITORING

1. How will businesses be monitored in their implementation of child rights and the Principles?

The sponsoring organizations plan to encourage the development of guidance for business to use to communicate on their progress in respecting and supporting children's rights. In doing so, the sponsoring organizations are keen to work with existing reporting frameworks, such as the Global Reporting Initiative and the UN Global Compact's Communication on Progress.