

Nov 23 2015

## UN FORUM SERIES – Time for the UNGPs to Grow Up? Tracking Children's Rights in National Action Plans on Business & Human Rights

Damiano de Felice

*This post was contributed by Patrick Geary, corporate social responsibility specialist at the United Nations Children's Fund (UNICEF).*

Born in 2011, the UN Guiding Principles on Business and Human Rights are now energetically walking and talking. While childhood is never without its hiccups, governments around the world have increasingly strived to give the UNGPs a robust voice and stable footing.

The UNGPs took their first steps with the introduction of [National Action Plans \(NAPs\) on Business and Human Rights](#), which offer a host of commitments to mature the Guiding Principles into a responsible and productive foundation for rights-respecting business. But are governments paying the same level of attention to other four year-olds?

When the UNGPs were first conceived in 2008, the UN Human Rights Council called for "special attention to persons belong to vulnerable groups, in particular children." Sadly, after a three-year gestation period, the Guiding Principles emerged with scant reference to children.

The story does not and cannot end here, however, for – in the words of John Ruggie, the former UN Secretary-General's Special Representative for Business and Human Rights – "Children are among the most marginalized and vulnerable members of society, and can be disproportionately, severely and permanently impacted by business activities, operations and relationships."

Thankfully, the UNGPs do still recognize the critical need for governments and businesses to consider children's rights as they bring the Guiding Principles to life. Indeed, the UNGPs explicitly call for implementation "in a non-discriminatory manner, with particular attention to the rights and needs of, as well as the challenges faced by, individuals from groups or populations that may be at a heightened risk of becoming vulnerable or marginalized." With this in mind, UNICEF is advocating strongly for the public and private sectors to put children back at the heart of business and human rights.

The degree to which government support for the UNGPs extends to children's rights and business can be seen in the extent to which National Action Plans directly address the subject. To date, nearly [all published NAPs](#) mention children.

Some governments have looked at specific concerns of relevance to children's rights and business, as seen in Norway and the Netherlands' references to child labour. Other governments like Sweden and the UK have highlighted initiatives that bolster the corporate responsibility to respect children's rights, like the [Children's Rights and Business Principles](#). Perhaps most impressively, Finland has recognized its full range of responsibilities to children as set out in the [UN Committee on the Rights of the Child's expert guidance on children's rights and business](#).

Broad, overarching commitments to children's rights are key, but should be accompanied by a firm understanding of how these will be realized in the national context. While all of these National Action Plans show movement in the right direction, no NAP to date has made clear, detailed commitments to address the full range of ways in which business impacts children. It must be recognized that these impacts extend far beyond child labour to issues like decent work for parents, protection from violence, product safety, responsible marketing, land use, environmental stewardship, security arrangements and community relations.

Equally, children's views and voices have been conspicuously absent from the growing dialogue on business and human rights. Children have the right to be heard in all decisions that affect them, but cannot vote and often face serious societal and practical barriers to participating in public discourse. This means that governments have a special duty to seek out children's input, and every government should work towards bringing children's ideas, opinions and experiences into policies on business and human rights that will inevitably shape their lives.

There is hope on the horizon. Belgium has made firm public commitments to address children's rights in its forthcoming NAP, and has welcomed others to follow suit. At the same time, UNICEF, the Danish Institute for Human Rights and the International Corporate Accountability Roundtable (ICAR) have just released [guidance for policymakers on incorporating children's rights into the process and content of National Action Plans on Business and Human Rights](#). For its part, UNICEF plans to conduct a more thorough review of NAPs in the months to come, and will continue to support and encourage governments around the world to look more seriously at children's rights and business.

Patrick Geary



*Patrick Geary is a corporate social responsibility specialist at the United Nations Children's Fund (UNICEF). He previously worked as a business & human rights consultant, a children's rights advocate with the Child Rights International Network, and a lawyer with a large Wall Street firm. He holds degrees from the London School of Economics, Yale Law School, and the University of Virginia.*

---

This entry was posted in [Human Rights Impact Assessments, Reporting](#) and tagged [business](#), [children](#), [human rights](#), [NAPs](#), [national action plan](#), [patrick geary](#), [rights](#), [unicef](#). Bookmark the [permalink](#).