

## Formulário

**1. Are you working for or affiliated with an international or national non-governmental organization? If so which one and if national, which country?**

Yes, Alana Institute from Brazil

**2. Please describe how your organization engages with the UN (for example, which entities, at what level, and on which types of programmes or activities)?**

Alana Institute is a Brazilian non-profit civil society organization, whose mission is to "honor children" and guarantee the rights of children and adolescents. Currently, the Institute has its own programs and projects with partners, aiming at guaranteeing conditions for the full experience of Brazilian childhoods. Alana Institute has a relationship with the United Nations, reverberating its documents and guidelines related to the rights of children and adolescents in the Brazilian justice system. In this sense, we translate general comments and inform national courts of emblematic and paradigmatic cases involving the rights of children and adolescents. In 2022, Alana Institute was granted special consultative status in the Economic and Social Council (ECOSOC).

**3. After reading the draft Guidance Note, have you identified any major gaps? If so, please describe which one(s) and how they should be addressed in the Guidance Note.**

We identified four major gaps: 1. to emphasize the protection of black and indigenous children; 2. reconsider the deadlines to guarantee effective participation from children especially from the global south; 3. adding guiding principle about child rights and the business sector; 4. adding guiding principle to ensure child rights as collective rights:

1. In the Guiding Principle No. 6 (All UN action should promote equality and non-discrimination), we suggest adding the following phrase "for black children negative racial stereotypes often prevail over age, denying them systemic protections accorded to children. UN system, strategies and policies should have a gendered and racialized interpretation of the best interests of the child", as mentioned in the para. 70 from the Report of the Working Group of Experts on People of African Descent. Also indigenous children should have special attention.

2. In the Guiding Principle No. 7 (UN action should promote and include meaningful child participation), in order to guarantee effective participation of children from the global south, besides the child-friendly language, we recommended the UN system always consider the deadlines carefully. To guarantee the participation of children from the global south, especially from countries whose language is not one of the UN languages, the time for translating the documents has to be considered.

3. Child rights respected by the business sector: The business sector, including not-for-profit organizations, affects children's rights directly and indirectly. As set out in the UNCRC General comment No. 16 the duties and responsibilities to respect the rights of children extend in practice beyond the State and State-controlled services and institutions and apply to

private actors and business enterprises. Business sector should comply with their responsibilities to respect children's rights. Related to the digital environment, the General comment No. 25 reinforce that the businesses should respect children's rights and prevent and remedy abuse of their rights in the provision of services and products relating to the digital environment. Also, states parties have the obligation to ensure that businesses meet those responsibilities. In this context, the UN system and entities should strengthen the responsibilities of the business sector and elevate this theme as an agenda in the programmes and actions that are both external and internal/operational.

4. Child rights also as collective rights: Children's rights should also be seen as collective rights so that their protection does not depend exclusively on the identification of specific victims, including for access to justice and remedies, such as the Human Rights Council Complaint Procedure. Consider child rights as collective rights can promote the development of public policies and budget allocation, in addition to ensuring greater access to complaint mechanisms within the UN system.

**4. After reading the draft Guidance Note, have you identified any inaccuracies (something which is not the way as it is described)? If so, please describe which one(s) and how they should be addressed in the Guidance Note. Please be as concise and precise as possible (you can use bullet points).**

No, we have not identified any inaccuracies.