



BACKGROUND DOCUMENT ON THE TWENTY-FIRST PAN AMERICAN CHILD CONGRESS

THEMATIC FOCUS: REGIONAL PROMOTION OF CHILDREN'S PARTICIPATION IN THE CONTEXT OF VIOLENCE.

Introduction

The Inter-American Children's Institute, as a Specialized Organization of the OAS, is responsible for promoting the study of subjects involving children and families in the Americas, and for generating technical instruments to improve the States' action through their public policies.

Together with the Directing Council, the Pan American Child Congress constitutes one of the IIN's most senior decision-making organs. It is attended by the States' highest authorities in childhood-related issues and develops lines of discussion of interest to the hemisphere, with the purpose of generating resolutions leading to a regional agenda for the benefit of children.

This paper is submitted with the purpose of providing a framework for the discussions of the delegations attending the 21st Pan American Child Congress to be held in Brazil, in December 2014, and offering a conceptual background which will facilitate their approach to this subject matter. Two issues will be addressed: participation and violence against children, with an attempt to move towards the provision of guidelines on these issues and their context as regards the most influential treaties in the region.

This initial positioning is presented in support of the Pan American Child Forum, to be held concurrently to the 21st Pan American Child Congress. The Pan American Forum has become a practice installed with the consensus of the States, which fosters participation and promotes its exercise by means of open inter-generational opinion sharing with regard to the decisions made by the Congress. Children's participation in the Forum constitutes a mandate of the member States originating in resolution CD/RES. 07 (83-R/08), which was adopted at the 83rd Meeting of the Directing Council of the IIN, held in Ottawa, Canada, in October 2008.

The Institute's work in promoting child participation as a human right and a democratic value has involved a number of processes. For example, designing technical tools in keeping with the perspective of comprehensive protection, implementing them by means of projects executed in the States and forming collaboration networks with the incorporation of State operators, experts and academics, as well as children.

NIÑEZ Y ADOLESCENCIA: CONSTRUYENDO AMBIENTES DE PAZ

CONFERENCIA ESPECIALIZADA INTERAMERICANA DE LA OEA

CHILDHOOD AND ADOLESCENCE: BUILDING ENVIRONMENTS OF PEACE

OAS SPECIALIZED INTER-AMERICAN CONFERENCE

INFÂNCIA E ADOLESCÊNCIA: CONSTRUINDO AMBIENTES DE PAZ

CONFERÊNCIA ESPECIALIZADA INTERAMERICANA DA OEA

L' ENFANCE ET L' ADOLESCENCE: EN CONSTRUISANT ENVIRONNEMENTS DE PAIX

CONFÉRENCE SPÉCIALISÉE INTERAMÉRICAINNE DE L' OEA



These networks have given rise to horizontal cooperation, regular training, regional meetings and other activities.¹

Prior to these efforts, the States and the IIN² had already engaged in lines of work on child participation by generating consensus and programmes in certain bodies. Nonetheless, the approval of the Directing Council resulted in endowing this work with a more painstaking organization and progress was made on very valuable aspects, such as producing a framework of reference for the region and developing technical tools: a theoretical participation model³, status analyses by means of country reports, monitoring systems, promotion techniques and others. We should acknowledge the existence of efforts that have included the participation of children and adults and encouraged joint learning. These events made significant contributions to child participation in the context of rights, by incorporating the issue as a duty of the States that are part of the Inter-American system. In brief, the IIN's contributions to participation have been:

1. A network of technical liaison officers for participation.
2. Fifteen country reports produced by State governments.
3. A number of publications forming a “participation kit”, including:
 - A framework of reference.
 - A menu of indicators.
 - A guide to public policy design.
 - A toolkit handbook for the promotion of participation.

¹ A significant precedent in the IIN's promotion of child participation is the Children's Forum, “My Right to Participate”, held in the city of Querétaro, Mexico, in April, 2008. This forum constituted an opportunity for discussion and self-expression for the children of thirteen States in the region who joined in the IIN's initiative. By placing on the agenda of the Directing Council an issue which demanded the wider intervention of the governing bodies for children, the event paved the way for the celebration of the 1st Pan American Child Forum in 2009, an event attended by 22 delegations.

² During the 77th Meeting of the Directing Council of the IIN, held in Washington DC, in May 2002, a recommendation was issued suggesting that the Inter-American Children's Institute should devise mechanisms to ensure the participation of children within their respective areas. To this end, the Institute conducted a compilation of information on participation and produced a video with the purpose of raising awareness on the significance of the subject. In 2003, the Directing Council of the IIN issued resolution CD/RES. 18 (78-R/03), in which it resolved “To reassert the commitment of the states that are parties to the Convention on the Rights of the Child to provide the facilities required for children and adolescents to count on the opportunities to associate, to organize and express themselves, and to be taken into account in decision-making on matters of their concern,” and “To recommend the IIN to prepare, on the basis of the experience gained in the last few decades in the development of participatory methodologies, a document embodying those theoretical, methodological, and technical aspects that may serve the member states as orientation and guidance for promoting and ensuring the participation of children and adolescents according to their respective stages of development”.

³ The background to the participatory model developed by the IIN dates back to 1985, with the proclamation of the “International Youth Year”. At the time, the rights-based approach for children did not exist as such and it would take four more years for the Convention on the Rights of the Child to be adopted by the United Nations. However, there were already indications that participation would become one of the key focal points of citizenship and it was being promoted within the framework of the rebirth of the Latin American democracies.

NIÑEZ Y ADOLESCENCIA: CONSTRUYENDO AMBIENTES DE PAZ

CONFERENCIA ESPECIALIZADA INTERAMERICANA DE LA OEA

CHILDHOOD AND ADOLESCENCE: BUILDING ENVIRONMENTS OF PEACE

OAS SPECIALIZED INTER-AMERICAN CONFERENCE

INFÂNCIA E ADOLESCÊNCIA: CONSTRUINDO AMBIENTES DE PAZ

CONFERÊNCIA ESPECIALIZADA INTERAMERICANA DA OEA

L' ENFANCE ET L' ADOLESCENCE: EN CONSTRUISANT ENVIRONNEMENTS DE PAIX

CONFÉRENCE SPÉCIALISÉE INTERAMÉRICAINNE DE L' OEA



4. In 2010 (Colombia) and 2011 (Paraguay), the IIN organized two inter-generational meetings with the States' technical liaison officers for participation, attended by youth delegates.
5. An online course on "Promotion and Protection of Child Participation", for professional practitioners.
6. A web-based platform dedicated to the subject of participation (www.nuestravozacolor.es).

Significant aspects of the right to participation

The analysis of children's participation is an indispensable task in the Americas and an ongoing activity that must be wholly committed to the fulfilment of child rights.

Among the positive aspects of participation, the Institute has underscored a number of effects, both on children and on the adults who interact with them:

- It develops commitment to and awareness of collective problems. Children who develop their capacity for participation do not feel that they are passive victims of what is going on around them, but joint stakeholders in the search for alternatives. They become involved in problems, appropriate them and feel challenged to construct joint solutions. This implies a different attitude towards public affairs.
- It contributes to recognition of the capabilities of children on the part of adults; that children can form their own judgments, contribute ideas and behave responsibly in matters in which they are enabled to participate.
- It opens new channels of inter-generational communication where children and adults no longer adopt traditional positions; they develop mutual respect and learn to process conflict according to codes and on the basis of reasoned arguments.
- It favours introjection and the appropriation of common values, the learning of non-violent and non-excluding means for the resolution of conflict and promotes the construction of consensus.

Participation contributes to the development of citizen awareness, reinforces the bonds of solidarity, favours the understanding of the notion of general interest and facilitates involvement in public affairs, which are no longer seen as the problems of others, and become our own. Participation engages people fully and develops their life skills, while also contributing to the transformation of environments. People become protagonists with regard to their own rights and gain awareness of the significance of their roles in society.

NIÑEZ Y ADOLESCENCIA: CONSTRUYENDO AMBIENTES DE PAZ

CONFERENCIA ESPECIALIZADA INTERAMERICANA DE LA OEA

CHILDHOOD AND ADOLESCENCE: BUILDING ENVIRONMENTS OF PEACE

OAS SPECIALIZED INTER-AMERICAN CONFERENCE

INFÂNCIA E ADOLESCÊNCIA: CONSTRUINDO AMBIENTES DE PAZ

CONFERÊNCIA ESPECIALIZADA INTERAMERICANA DA OEA

L' ENFANCE ET L' ADOLESCENCE: EN CONSTRUISANT ENVIRONNEMENTS DE PAIX

CONFÉRENCE SPÉCIALISÉE INTERAMÉRICAINNE DE L' OEA



It is the basis and structure of a representative democracy which acts to promote strong States that are interested in the common good of societies. The IIN has stated that: “The promotion of children’s right to participate is a substantial part of the process of acknowledging their citizenship and providing practical respect for their human rights; it thus determines the applicability of democracy as a reality.”⁴ When it has been incorporated in every way, it opens paths towards the exchange of ideas and becomes a form of teaching for different generations, as well as an ongoing activity.

In his conference at the 20th Pan American Congress, David Calderón emphasized three ways in which the right to participation should be understood. The first is an “in-depth” interpretation; that is, grounded in anthropology and ethics. Human beings need to establish relationships and do not live in communities merely as a way to survive. Participation touches upon essential elements of citizenship, and therefore leads to ethical approaches that entail the recognition of the dignity of others, in all of their singular and unique features. Because of this, restricting or nullifying the participation of others disrupts the constitutional elements of being a person.

The second is an “exact” interpretation; children as social subjects participate in civil rights and their actions are transformational and not merely receptive of adults or institutions.

Finally, there is a “broad” interpretation, according to which participation should be continuous and perceived in everyday life. This conception underscores participation as a principle in the construction of formal opportunities, based on regulations that enforce the application of this right.

General Comment N^o 12,⁵ which provides an interpretation of the right to participation in the application of public policies, states that “The concept of participation emphasizes that including children should not only be a momentary act, but the starting point for an intense exchange between children and adults on the development of policies, programmes and measures in all relevant contexts of children’s lives”. The Committee interprets participation broadly, not only for children as individuals, or for clearly defined groups of children, but also for groups of children who have been directly or indirectly affected by the social, economic or cultural conditions prevailing in their social lives.

The right to participation demands a reading focused on the CRC, which describes participation in several of its articles with significant connections to each other. The right to be heard (Art. 12) implies the right to give an opinion, and is complemented by the right to self-expression and to be informed (Art. 13), freedom of thought and association (Arts. 14 and 15) and the provisions for the protection of the well-being of children (Arts. 16 and 17).

⁴ *Words to Deeds. A guide for the design of participation public policy*, IIN, 2011.

⁵ Committee on the Rights of the Child. Fifty-first session. Geneva, 25 May-12 June 2009.

NIÑEZ Y ADOLESCENCIA: CONSTRUYENDO AMBIENTES DE PAZ

CONFERENCIA ESPECIALIZADA INTERAMERICANA DE LA OEA

CHILDHOOD AND ADOLESCENCE: BUILDING ENVIRONMENTS OF PEACE

OAS SPECIALIZED INTER-AMERICAN CONFERENCE

INFÂNCIA E ADOLESCÊNCIA: CONSTRUINDO AMBIENTES DE PAZ

CONFERÊNCIA ESPECIALIZADA INTERAMERICANA DA OEA

L' ENFANCE ET L' ADOLESCENCE: EN CONSTRUISANT ENVIRONNEMENTS DE PAIX

CONFÉRENCE SPÉCIALISÉE INTERAMÉRICAINNE DE L' OEA



The Committee “urges States parties to avoid tokenistic approaches, which limit children’s expression of views, or which allow children to be heard, but fail to give their views due weight.

It emphasizes that adult manipulation of children, placing children in situations where they are told what they can say, or exposing children to risk of harm through participation are not ethical practices and cannot be understood as implementing article 12. If participation is to be effective and meaningful, it needs to be understood as a process, not as an individual one-off event.”

This process takes place over time and encompasses a number of different aspects. It shares with other perspectives, the development of participation in levels or stages, bearing in mind that some practices promote participation and others hinder it. However, participation is considered to be present in different ways in important areas involving children: acting, being a part of, having, deciding, being, coexisting; that is, it has an effect on the individual.

This effect is particularly important in the early stages of growth, in acts involving volition, the intellect, affection and relationships, as part of an individual’s singularity and in the development of his or her identity within a specific group, culture or entity. Thus, participation in its most basic form endows persons with substantial significance and is a factor in the well-being of children.

The following chart depicts the different areas in which participation has an influence, in the understanding that these areas are present in different dimensions in every act of participation and that it is the duty of individuals and institutions to achieve their utmost expression.

NIÑEZ Y ADOLESCENCIA: CONSTRUYENDO AMBIENTES DE PAZ

CONFERENCIA ESPECIALIZADA INTERAMERICANA DE LA OEA

CHILDHOOD AND ADOLESCENCE: BUILDING ENVIRONMENTS OF PEACE

OAS SPECIALIZED INTER-AMERICAN CONFERENCE

INFÂNCIA E ADOLESCÊNCIA: CONSTRUINDO AMBIENTES DE PAZ

CONFERÊNCIA ESPECIALIZADA INTERAMERICANA DA OEA

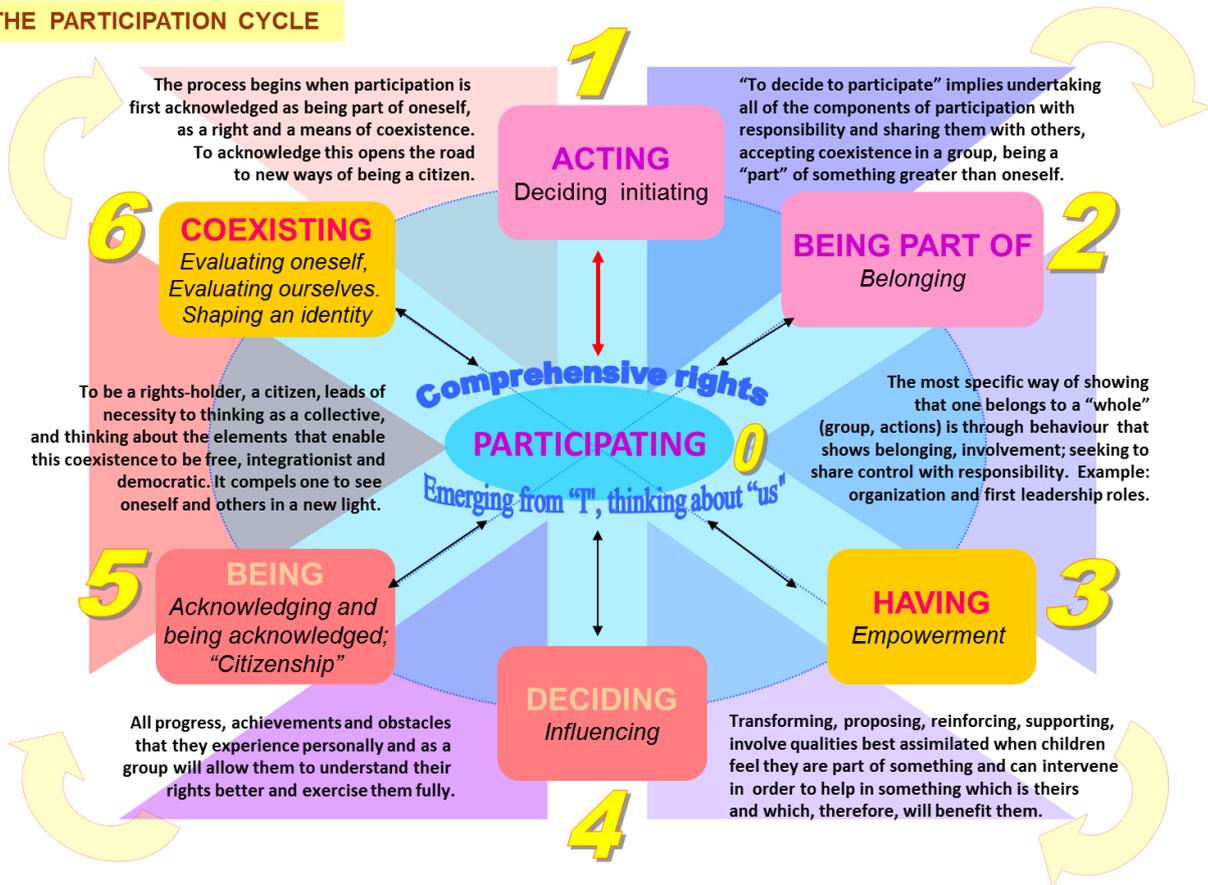
L' ENFANCE ET L' ADOLESCENCE: EN CONSTRUISANT ENVIRONNEMENTS DE PAIX

CONFÉRENCE SPÉCIALISÉE INTERAMÉRICAINNE DE L' OEA



Levels of Participation through Empowerment⁶

THE PARTICIPATION CYCLE



The above is key to the interpretation of the right to participation. However, as Peter Crowley rightly states, the evolving faculties of the child constitute only one of the variables of the equation: the other is related to the evolution of the faculties and the willingness of adults to listen, understand and weigh the opinions given by the child.⁷

This leads to acknowledging the significance of efforts aimed at encouraging children’s participation, as well as at training adults in an area replete with challenges, as it involves overcoming deeply-rooted paradigms that consider participation to be unnecessary. From the point of view of adults, it is possible to find the will to open up to participation, although in their initial efforts they may lack the necessary tools with which to promote, increase and strengthen it.

⁶ “Participation as a creative act” - Toolkit for the promotion and protection of child participation. IIN 2011.

⁷ “Child Participation: towards a conceptual framework”, in *Children’s participation in the context of the Convention on the Rights of the Child: visions and perspectives*. UNICEF, 1998.

NIÑEZ Y ADOLESCENCIA: CONSTRUYENDO AMBIENTES DE PAZ

CONFERENCIA ESPECIALIZADA INTERAMERICANA DE LA OEA

CHILDHOOD AND ADOLESCENCE: BUILDING ENVIRONMENTS OF PEACE

OAS SPECIALIZED INTER-AMERICAN CONFERENCE

INFÂNCIA E ADOLESCÊNCIA: CONSTRUINDO AMBIENTES DE PAZ

CONFERÊNCIA ESPECIALIZADA INTERAMERICANA DA OEA

L’ ENFANCE ET L’ ADOLESCENCE: EN CONSTRUISANT ENVIRONNEMENTS DE PAIX

CONFÉRENCE SPÉCIALISÉE INTERAMÉRICAINNE DE L’ OEA



They often resort to adult-centred and inflexible patterns that do little to foster the development of children's participation. The promotion of participation that begins as a voluntary act focusing on the well-being of children should emerge as a conscious and targeted act seeking, with practice, its continuous improvement.

Violence and Children's Participation

Violence is a current topic that causes concern in view of the dimensions of its aspects and scenarios when it involves children. It is a universal problem of alarming intensity, which causes severe damage to the health and physical and psychological development of children, and hinders the enjoyment of human rights recognized in the principles and provisions of international instruments.

The 21st Pan American Child Congress will promote reflection on the subject, so that its outcomes can be added to the efforts taking place in the region. Since 2006, these efforts have taken a specific direction as a result of the findings of the United Nations Study on Violence against Children. This study stated that about six million children suffer violence and severe abuse in the countries in the region, including abandonment, and 80,000 children die every year as a result of abuse inflicted by their fathers, mothers or other family members. The IIN reaffirms the findings of the study and indicates that:

- No form of violence against children is justifiable.
- All forms of violence against children can be prevented.
- Children should not receive less protection than adults.
- The States should invest in evidence-based policies and programmes to address the causal factors of violence against children.

Within this context, two significant background papers should be taken into consideration for the application of public policies: General Comment No. 13, "The right of the child to freedom from all forms of violence" and General Comment No. 8, "The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment"

Both constitute a summary of the United Nations guidelines on the subject. General Comment N° 13 provides a definition of violence against children, based on the Convention and the documents cited above. It states that violence is understood to mean: "all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse" as listed in article 19, paragraph 1, of the Convention.

The term violence has been chosen here to represent all forms of harm to children as listed in article 19, paragraph 1, in conformity with the terminology used in the 2006 United Nations

NIÑEZ Y ADOLESCENCIA: CONSTRUYENDO AMBIENTES DE PAZ

CONFERENCIA ESPECIALIZADA INTERAMERICANA DE LA OEA

CHILDHOOD AND ADOLESCENCE: BUILDING ENVIRONMENTS OF PEACE

OAS SPECIALIZED INTER-AMERICAN CONFERENCE

INFÂNCIA E ADOLESCÊNCIA: CONSTRUINDO AMBIENTES DE PAZ

CONFERÊNCIA ESPECIALIZADA INTERAMERICANA DA OEA

L' ENFANCE ET L' ADOLESCENCE: EN CONSTRUISANT ENVIRONNEMENTS DE PAIX

CONFÉRENCE SPÉCIALISÉE INTERAMÉRICAINNE DE L' OEA



study on violence against children, although the other terms used to describe types of harm (injury, abuse, neglect or negligent treatment, maltreatment and exploitation) carry equal weight.

A major factor that allows violence to intensify and take root is the silence of those who suffer it. Many of the most serious forms of violence, such as sexual exploitation and the worst forms of labour paint a broad picture of this scenario, and fall between the cracks of the caregiving provided for by public policies as a result of invisibility and concealment. It is because of this that participation becomes a key factor in preventing, combating and eradicating violence. General Comment N° 13 refers to the weight that should be given to this right, when it reminds us that:

(e) Children's rights to be heard and to have their views given due weight must be respected systematically in all decision-making processes, and their empowerment and participation should be central to child caregiving and protection strategies and programmes.

What the United Nations Study on Violence has to say about child participation is very relevant:

7. Ensure participation of children

[...] States actively engage with children and respect their views in all aspects of prevention, response and monitoring of violence against them, taking into account article 12 of the Convention on the Rights of the Child. Children's organizations and child-led initiatives to address violence, guided by the best interests of the child, should be supported and encouraged.

In the analysis undertaken here, we shall take into consideration several significant aspects such as the voice of children in relation to the subject, the tools and vehicles available for them to confront violence in their daily lives through participation and, finally, the initiatives that contribute to the protagonism of children.

1. The Opinion of Children with regard to Violence

As part of the IIN's frame of action and the efforts made by the United Nations Special Representative of the Secretary-General on Violence Against children (SRSG), there are points of reference that are extremely valuable in the attempt to disseminate the opinions of children in the region. These are the recommendations arising from the 1st Pan American Child Forum, as well as the three regional surveys conducted in Asunción, the Dominican Republic and Jamaica, respectively.

During the 1st Pan American Forum held in 2009 in Lima, Peru, the children worked on a variety of subjects, such as violence, participation, discrimination, health, education, the environment and poverty. The outcomes of the discussions that took place at the Forum were compiled in a

NIÑEZ Y ADOLESCENCIA: CONSTRUYENDO AMBIENTES DE PAZ

CONFERENCIA ESPECIALIZADA INTERAMERICANA DE LA OEA

CHILDHOOD AND ADOLESCENCE: BUILDING ENVIRONMENTS OF PEACE

OAS SPECIALIZED INTER-AMERICAN CONFERENCE

INFÂNCIA E ADOLESCÊNCIA: CONSTRUINDO AMBIENTES DE PAZ

CONFERÊNCIA ESPECIALIZADA INTERAMERICANA DA OEA

L' ENFANCE ET L' ADOLESCENCE: EN CONSTRUISANT ENVIRONNEMENTS DE PAIX

CONFÉRENCE SPÉCIALISÉE INTERAMÉRICAINNE DE L' OEA



recommendations document, which was submitted to the plenary at the 20th Pan American Congress.

The sum of the work produced during the event was later systematized into a regional agenda disseminated by the IIN, which includes the expressions of the children through the documents that they produced. In relation to the subject of violence, they considered and proposed the following:

Violence appears in first place, as the result of a culture reproduced and expressed in families, educational institutions and society. Violent punishment is imposed by parents and adults who disregard our rights.

Some of the most significant proposals were:

- A specialized judicial system which works effectively, efficiently and transparently in order to guarantee both measures of protection and the application of penalties for adults involved.
- Publicize the protection systems for children, against abuse and violence.
- All forms of corporal and psychological punishment in families, schools and society should be prohibited.

We should particularly note that in their approach, the children first enumerated the causes of violence and among them they included ignorance of the rights of children and the role of the family. Also worthy of attention is that their proposals mention the issues of sexual abuse and juvenile criminal justice which, being among the worst forms of violence, will be addressed at the forthcoming Pan American Forum.⁸

At the 1st Pan American Forum, one of the cross-cutting issues was the children's interest in being considered agents of change. This position was expressed in the recommendations arising from the Forum, as follows: "We adolescents are very interested in supporting the proposals drafted in this Forum, even together with the adolescents who come after us."

In 2011 and 2012, there were three highly significant surveys held as a follow-up to the recommendations of the Study on Violence against Children, in which children from different States in the region took part and made declarations.⁹

These declarations show a positioning that reflects a feeling and recognition of the problem of violence from the perspective of children in relation to their environment, and which translates

⁸ In this respect, we should refer to the public hearing held on 27 March 2014 by the Inter-American Commission on Human Rights (IACHR) on the subject of criminal justice and the human rights of children in the Americas, in which children participated.

⁹ Please visit the following link if you wish to consult these declarations: <http://srsg.violenceagainstchildren.org/children-corner/children-declarations>



into recommendations to the States, that include parents, teachers, caregivers, churches and others.

In referring, in their declarations, to the State as one of the principal stakeholders, children focus on an analysis of its performance. They agree that the areas that need to be improved are:

- Legislation and its enforcement
- Public administration management
- The specialization of institutions and services
- Training for operators

Among several other specific aspects they mention:

- Strengthening means of coordination
- The availability of an adequate budget and its appropriate organization
- The decentralization of services

The recommendations that were the focus of the declarations made by child representatives during the surveys agree on the following points:

- **The rights of children should be disseminated.** Each declaration contributes significant notes to this task, such as that dissemination should be widespread and creative, included in the school syllabus, also aimed at adults (parents, teachers, public officials).
- **Legal safeguards for children.** There are strong references to the legal setting and the fight against violence in the declarations of the children consulted. They recommend having better laws and evaluating them, as well as that they should be correctly enforced by the various State departments.
- **Equity and education in values.** These terms are present in a variety of contexts, such as child-adult relationships, law enforcement, opportunities or parenting skills.
- **The inclusion of children.** This is central to the promotion of child participation and occurs with a variety of meanings. It is based on the analysis of violence imposed by adults against children, by the State against children, and also between children. The message sent by children in their declarations includes the wish to be involved in the search for solutions in every situation.
- **Current status of reporting mechanisms**
- **Empowering children to become agents of change**

2. Mechanisms for children to report violence

In reviewing participation as a process, the opinions given by the children of the region are indispensable, and with them, the response offered by State institutions in this exchange of ideas. These represent the specific ways in which the listening process comes into play, and at

NIÑEZ Y ADOLESCENCIA: CONSTRUYENDO AMBIENTES DE PAZ

CONFERENCIA ESPECIALIZADA INTERAMERICANA DE LA OEA

CHILDHOOD AND ADOLESCENCE: BUILDING ENVIRONMENTS OF PEACE

OAS SPECIALIZED INTER-AMERICAN CONFERENCE

INFÂNCIA E ADOLESCÊNCIA: CONSTRUINDO AMBIENTES DE PAZ

CONFERÊNCIA ESPECIALIZADA INTERAMERICANA DA OEA

L' ENFANCE ET L' ADOLESCENCE: EN CONSTRUISANT ENVIRONNEMENTS DE PAIX

CONFÉRENCE SPÉCIALISÉE INTERAMÉRICAINNE DE L' OEA



the same time, constitute tools to continue encouraging the enjoyment of the right to participation.

In relation to children's participation, the means at their disposal to report cases of violence have a special place among the mechanisms established by the States. The Study on Violence refers to these when it advises the States to foster the use of helplines for children to report abuse, staffed by trained advisers who can support and guide them while maintaining confidentiality. However, as indicated in the report submitted by the office of the SRSG, entitled *Safe and child-sensitive counselling, complaint and reporting mechanisms to address violence against children*, efforts of this kind have encountered a variety of obstacles:

[...] the Special Rapporteur on the sale of children have observed that counselling, complaint and reporting services are frequently unavailable and, when they exist, tend to lack the necessary resources and skills to address children's concerns and promote children's healing and reintegration. Moreover, children lack trust in them, fearing they will not be believed, and that they may endure further stigmatization, harassment, abandonment or reprisals if they make known any incidents of violence.

The study highlights a number of aspects that are important in the operation of mechanisms for guidance, reporting and notification. It also refers to the stakeholders involved in their implementation, such as administrative and judicial authorities and independent human rights institutions, including the children's ombudsman, professional associations, religious groups, foundations and the private sector.

The study also provides guidelines on how to interpret the concept of reporting. As it rightly states, it implies that the responding body should be legally competent to act appropriately.

The study points to the cases of Costa Rica and Paraguay, where legislation is clear in allowing children access to means of making complaints. It is essential to have the necessary legal grounds to acknowledge the rights of children.

NIÑEZ Y ADOLESCENCIA: CONSTRUYENDO AMBIENTES DE PAZ

CONFERENCIA ESPECIALIZADA INTERAMERICANA DE LA OEA

CHILDHOOD AND ADOLESCENCE: BUILDING ENVIRONMENTS OF PEACE

OAS SPECIALIZED INTER-AMERICAN CONFERENCE

INFÂNCIA E ADOLESCÊNCIA: CONSTRUINDO AMBIENTES DE PAZ

CONFERÊNCIA ESPECIALIZADA INTERAMERICANA DA OEA

L' ENFANCE ET L' ADOLESCENCE: EN CONSTRUISANT ENVIRONNEMENTS DE PAIX

CONFÉRENCE SPÉCIALISÉE INTERAMÉRICAINNE DE L' OEA



3. Children's protagonism through the right to participation

In recent years, while working to promote the rights of children in the States, the IIN has observed a growing and enthusiastic interest in disseminating and encouraging the participation of children. The governments in the region have developed a number of experiences in a variety of sectors in order to provide possibilities for listening attentively to the opinions of children.

The SRSG has underscored the changes which have taken place with regard to child participation at present and has mentioned that there is:

Growing support for children's participation. There is a set of new international and regional platforms for children's engagement, growing involvement of children in research initiatives, and greater scrutiny of the gap between rhetoric and reality in this area.¹⁰

We have noted that thanks to the efforts of consultative participation; that is, participation that is initiated with surveys and fora in order to discover children's opinions, progress has been made in achieving meaningful participation. Children's organizations have been promoted by autonomous groups or by the State, and there are children's councils that intervene in local and central government decisions.

As a result of the resolutions arising from the 1st Pan American Child Forum, the number of children's councils promoted by governments has increased. Prior to the Forum, the case of Ecuador stood out as a consolidated experience in the region, but after the Forum, Brazil, Chile, Colombia, Paraguay, Peru and Uruguay set up experiences of their own.

These councils tend to be linked to programmes to promote participation that enable them to operate regularly and, on occasion, they are included in a specific legal framework, which favours their institutional status.

There is a compilation of the experiences in the region, which includes both councils and participation programmes, in the guide to children's participation public policies produced by the IIN, entitled *Words to Deeds*. The following experiences are included:

¹⁰ *Toward a World Free from Violence. Global Survey on Violence against Children*, SRSG on Violence against Children, 2013.

NIÑEZ Y ADOLESCENCIA: CONSTRUYENDO AMBIENTES DE PAZ

CONFERENCIA ESPECIALIZADA INTERAMERICANA DE LA OEA

CHILDHOOD AND ADOLESCENCE: BUILDING ENVIRONMENTS OF PEACE

OAS SPECIALIZED INTER-AMERICAN CONFERENCE

INFÂNCIA E ADOLESCÊNCIA: CONSTRUINDO AMBIENTES DE PAZ

CONFERÊNCIA ESPECIALIZADA INTERAMERICANA DA OEA

L' ENFANCE ET L' ADOLESCENCE: EN CONSTRUISANT ENVIRONNEMENTS DE PAIX

CONFÉRENCE SPÉCIALISÉE INTERAMÉRICAINNE DE L' OEA



Type of Experience	Name of the Experience	Country
Children's Consultative Bodies (Councils)	"Ahora los Chicos" El barrio y la ciudad que queremos (Now the Children. The neighbourhood and the city we love)	Argentina
	Consultative Council	Ecuador
	Aty Ñomonguetarä (Discussion Assembly) and national coordination of working children	Paraguay
	National Children's Consultative Council	Peru
	Advisory Consultative Council of the Board of Directors of INAU	Uruguay
Mobilization and Widespread Consultation	8 th National Children's Rights Conference	Brazil
	"Mi Opinión Cuenta" (My Opinion Counts) Substantive Participation Project	Chile
	National Children's Network - Children's Protection Boards	Costa Rica
	Los Jóvenes Tienen la Palabra (Youth has the floor)	Colombia
	National Children's Movement to Create and Operate a National Consultative Children's Council	Ecuador
	Youth Rights Dissemination Units	El Salvador
	Children's Survey	Dominican Republic
	RBTT Young Leaders	Saint Lucia
	"A Participar también se Aprende" (Participation can also be learned)	Uruguay
Participatory Opportunities for Children	Youth and Pre-Youth Clubs	Colombia
	Work with student governments to reform the Regulations for the Organization and Operation of Student Government	Costa Rica
	Open Schools	Guatemala
	National Network of Disseminating Children	Mexico
	Children's Clubs	Panama
Budgeting and Participation	Participatory budgeting	Peru
	Programme to dignify adolescent workers (PRODINATS)	Venezuela
School Justice	Justiça e educação: Parceria para a cidadania. Um projeto de justiça restaurativa	Brazil
Participation Protection Areas	Territorios Sociales Solidarios (Volunteering Social Territories)	Paraguay

NIÑEZ Y ADOLESCENCIA: CONSTRUYENDO AMBIENTES DE PAZ

CONFERENCIA ESPECIALIZADA INTERAMERICANA DE LA OEA

CHILDHOOD AND ADOLESCENCE: BUILDING ENVIRONMENTS OF PEACE

OAS SPECIALIZED INTER-AMERICAN CONFERENCE

INFÂNCIA E ADOLESCÊNCIA: CONSTRUINDO AMBIENTES DE PAZ

CONFERÊNCIA ESPECIALIZADA INTERAMERICANA DA OEA

L' ENFANCE ET L' ADOLESCENCE: EN CONSTRUISANT ENVIRONNEMENTS DE PAIX

CONFÉRENCE SPÉCIALISÉE INTERAMÉRICAINNE DE L' OEA



There are other areas developed by the States in which children's participation is linked to recreational, artistic or sporting activities. One example we can cite is associated with the prevention of violence and was developed in Jamaica under the title, *Boys and Girls Athletic Championships*. It received the IIN's support in 2011.

The activity was implemented through *Students for Transformation*, an initiative which is part of the *National Transformation Programme* (NTP) of the Office of the Prime Minister and has been targeting children in schools, in order to foster skills, leadership and volunteering, since 2009. It fosters values and areas of coexistence amongst adolescents, by means of exercise. Well-known personalities cooperate in this campaign, such as Miss Jamaica, National Football League (NFL) players and Jamaican musicians. During the second year of the campaign, the clashes which had become commonplace between young people in the surrounding areas of the national stadium were avoided.

However, not all conditions are suitable for the consolidation of undertakings to institutionalize the practices that promote children's participation. In addition, the region's public policies for protection face certain limitations of their own, such as sectoralized actions, the lack of adequate budget allocations, inadequate monitoring and evaluation means and systems.

Children's participation establishes routes to prevent and solve the different aspects that violence entails. At the same time, children now demand that adults be better prepared to respond to new scenarios brought about by social change and new technologies. As we have said, the benefits of participation work both ways; those who promote it receive its benefits, as do children. They improve their life skills and enhance their perspectives by reappraising others as holders of rights.

There must be a genuine and permanent commitment to the promotion of good quality participation. This implies making every effort so that this right can rise above the cultural archetypes of our societies and become attuned to the dynamics of the family unit, formal teaching methods, peer interaction and community enterprises. That is, that it should take shape within an individual's relational dimension. It should, therefore, be connected to a strong democratic stance that socializes information, fosters analysis for the forming of opinions and recognizes children's right to be heard as a basic premise in the identity of the State.

The 2nd Pan American Child Forum will initiate regional discussions with the representatives of the States, as an opportunity to strengthen participation in the issue of violence against children. This enterprise should be viewed as an ongoing activity that transcends the period in which the Forum takes place.

NIÑEZ Y ADOLESCENCIA: CONSTRUYENDO AMBIENTES DE PAZ

CONFERENCIA ESPECIALIZADA INTERAMERICANA DE LA OEA

CHILDHOOD AND ADOLESCENCE: BUILDING ENVIRONMENTS OF PEACE

OAS SPECIALIZED INTER-AMERICAN CONFERENCE

INFÂNCIA E ADOLESCÊNCIA: CONSTRUINDO AMBIENTES DE PAZ

CONFERÊNCIA ESPECIALIZADA INTERAMERICANA DA OEA

L' ENFANCE ET L' ADOLESCENCE: EN CONSTRUISANT ENVIRONNEMENTS DE PAIX

CONFÉRENCE SPÉCIALISÉE INTERAMÉRICAINNE DE L' OEA



PAN-AMERICAN CHILD AND ADOLESCENT CONGRESS
CONGRÈS PANAMÉRICAIN DES ENFANTS ET DES ADOLESCENTS
CONGRESO PANAMERICANO DEL NIÑO, LA NIÑA Y ADOLESCENTES
CONGRESSO PAN-AMERICANO DA CRIANÇA E DO ADOLESCENTE



Organización de los Estados Americanos
Organização dos Estados Americanos
Organisation des États Américains
Organization of American States

Document developed by the Inter-American Children's Institute. IIN-OAS

Specialist of the Participation Area.

Lic. Marco Moysen

NIÑEZ Y ADOLESCENCIA: CONSTRUYENDO AMBIENTES DE PAZ

CONFERENCIA ESPECIALIZADA INTERAMERICANA DE LA OEA

INFÂNCIA E ADOLESCÊNCIA: CONSTRUINDO AMBIENTES DE PAZ

CONFERÊNCIA ESPECIALIZADA INTERAMERICANA DA OEA

CHILDHOOD AND ADOLESCENCE: BUILDING ENVIRONMENTS OF PEACE

OAS SPECIALIZED INTER-AMERICAN CONFERENCE

L' ENFANCE ET L' ADOLESCENCE: EN CONSTRUISANT ENVIRONNEMENTS DE PAIX

CONFÉRENCE SPÉCIALISÉE INTERAMÉRICAINNE DE L' OEA