

## Presentation

The Inter-American Children's Institute (IIN), as a Specialized Organization of the Organization of American States (OAS), is "responsible for promoting the study of issues relating to children and the family in the Americas, as well as for designing technical instruments that will contribute to solving the problems affecting them". Two international instruments constitute the principal reference points for its activities: the Convention on the Rights of the Child (CRC) and the Inter-American Democratic Charter.

In the words of the Secretary General of the OAS, Dr. José Miguel Insulza, on the occasion of the tenth anniversary of the adoption of the Inter-American Democratic Charter, "[it] does not restrict itself to defending democracy as a form of electing a government of the majority, but it is, in addition, identified with a number of values and rights which are also part of its essential content". These words point to a key concept: *democracy and respecting rights are inter-dependent aspects*. Thus understood, democracy transcends regulation and ways of electing authorities to become a form of social coexistence based on respect for diversity, non-discrimination and the full enjoyment of human rights by all citizens.

For its part, in its Article 19, the Convention on the Rights of the Child asserts unmistakably that it is the duty of the State to protect children from all forms of ill-treatment perpetrated by their parents or any other persons who have care of them, and to establish preventive measures as well as measures to address instances of maltreatment.

More than twenty years after the Convention was adopted, this right to non-violence is far from being a reality for the children in the region. The issue of violence and its relationship with various forms of rights violations is a critical problem affecting the strengthening of democratic culture in the Americas.

Violence in its different manifestations is linked to most of the threats and violations of children's rights on the continent.

The belief that violent methods can be an effective part of the educational process is deeply-rooted in the cultures of the continent. Violence is used in institutions and within families themselves, where children take their first steps towards socialization.

Scientific evidence shows that corporal punishment – far from instilling the values of discipline and coexistence – provides a model according to which conflicts are resolved by means of violence perpetrated by the strong towards the weak. This leads to an acceptance of violence as a natural form of behaviour and to practising it as such. There are countries in the region which have legislated against it, prohibiting corporal punishment and attempting through this means to overcome beliefs and myths which justify such behaviour.

When levels of violence or abuse become visible and procedures for the intervention of competent institutions are set in motion, experience shows that judicial proceedings do not take into account the best interest of the child and that barriers preventing children from gaining access to justice are – more than twenty years after the Convention came into force – still unyielding. The fact that – once they come to court – children recant their first testimonies regarding the aggression or abuse they have suffered is an alarming manifestation of this problem.

Coupled with the violence experienced within the family, which an unfortunately high proportion of children undergo, is the violence transmitted through the new communications technology which, despite the virtual nature of these relationships, has real effects on the psyche of children and makes it necessary to establish means of protection in keeping with the new circumstances.

In addition, there is a tendency to hold adolescents from the more vulnerable sectors responsible for criminal activities. This “state of opinion” triggers discriminatory behaviour, “preventive violence” towards those who are considered to be “potential offenders”, which only intensifies social differences and pervades daily life with increasingly frequent expressions of violence. In this context, adolescent criminal systems are at the core of controversy in the region. To some, they are too lax and inefficient to combat crime effectively; to others, they violate rights and only contribute to the growth of violence and social exclusion.

In such circumstances and in compliance with its mission, the IIN will continue to produce newsletters contributing to reflection regarding this subject. This newsletter provides a compilation of articles produced by the IIN's technical team on four aspects of this broad and many-sided problem: violence and its relationship with child rights.