

# POSITION PAPER

## CHILD PARTICIPATION

### I. DEVELOPING THE CONCEPT OF CHILD PARTICIPATION

Thirty years after the adoption of the Convention on the Rights of the Child (CRC), child participation has been and still is one of the rights, principles and processes that has been most difficult to mainstream into the world of adults, despite the fact that this treaty represented a new social position for children, and a change in and challenge to the way we consider intergenerational relations. In its first proclamation, the Network of Child and Youth Correspondents (The CORIA Network) declared that “These are not favours, but rights,” and reflected on the CRC, indicating that “thanks to the CRC, we can all now understand that as well as being the future, children and youth are the present, we are here and we are transforming the world now” (2019, p. 1).

The CRC **involved the deconstruction of traditional conceptions of childhood**, of children without a voice who are the objects of protection or guardianship, **but also, and mainly, of adult and institutions as the sole interpreters of the needs of children and adolescents**. It made way for the voices of children as valid expression of their interests and opinions.

Child participation is a cross-cutting principle of the Convention on the Rights of the Child (CRC) and is essential in the life of every child and adolescent; as Victor Giorgi, the Director General of the IIN-OAS, points out:

(...) every participatory process is based on the recognition of others, in this case, children, as persons with capabilities and potential that will be different depending on the stage of development that they have reached (principle of progressive autonomy), but that are present in all human beings from birth. The exercise of participation includes a process in which moments occur dialectically, interacting by enabling and empowering others in a dialectic manner that moves permanently from subjective personal to social collective areas that all children or adolescents travel, in keeping with their history, culture and unique conditions, strengthening their self-esteem and thus recognizing themselves as giving new meaning to “their place in the world”. This new place allows for basic empowerment. Not to accumulate “power over” someone, but the “power to...” (Giorgi, V. 2019).

In this regard, the Network of Child and Youth Correspondents states: “In any activity involving children or adolescents, steps should be taken to ensure healthy and genuine participation, providing the necessary information that can be consulted in order enable us to make decisions in relation to all matters that affect us” (2019, p.2).

Considering the nearly two decades of work carried out by the IIN-OAS in promoting child participation and cross-generational dialogue, we believe that we must continue to perform actions with a view to strengthening the paradigm shift promoted by the CRC. Just like any other deconstruction process, this one generates forms of **resistance** that may be identified as “façades”, such as that which we call **decorative or symbolic participation, which not only is not participation**, but also shows evidence of a more deeply-rooted problem, since it fails to respect the **process (before, during and after)** that genuine participation involves, and fails to acknowledge **the need for cross-generational dialogue**.

We at the IIN-OAS are convinced that the approach we adopt regarding child participation will somehow define the implementation of this right/principle/process. In this respect, to paraphrase General Comments No. 12 and No. 20 of the Committee on the Rights of the Child, participation is not just another right, but is the right of all children to be heard and taken into account, and therefore constitutes one of the fundamental values of the Convention and is the principle referred to in Article 12<sup>1</sup> of the CRC, regarding which General Comment

<sup>1</sup> Which recognizes the right of all children and adolescents to express their opinion and be heard in all decisions that affect them. Article 12, as well as Articles 13, 14, 15, 16 and 17, emphasize freedom of expression, thought, asso-

No. 12 notes: “this article establishes not only a right in itself, but should also be considered in the interpretation and implementation of all other rights.” This confirms the fact that the “right to be heard and taken into account”, referred to broadly as “participation” is both a right and one of the guiding principles that cross-cut the text of the convention, together with the principle of progressive autonomy, non-discrimination and the best interest of the child as a target in the resolution of conflicts.

Likewise, the IIN-OAS understands **participation to be a process involving cross-generational dialogue** and, as such, rather than responding to the model of a staircase, it responds to that of a spiral that flows through different stages, recognizing a time before, during and after.

Regarding these stages, we refer to the time “**before**” when we ensure that children have **access to appropriate and child-friendly information**; that is, to information that they can absorb and that enables them to delve into the process. This in no way justifies the infantilization of information. Information should be appropriate in quantity and quality, making it possible for children to form **their own opinions** about issues that concern them. Adults must ensure that the following aspects are borne in mind when providing information: non-discrimination, progressive autonomy and best interest of the child.

**A process considers the “during” time** when children and youth give their opinions **and are heard** during the development of activities, projects, public policies, etc. This recognizes their right to produce and express their ideas on the subject that occupies or arises from their interest. Adults should receive children’s opinions without attempting to influence or exert power over them. This presents us with the challenge of knowing or relearning how to listen (the adult world and institutions seem to feel an “obligation” to “give and provide answers” even before hearing what children and adolescents have to say).

The “**after**” time refers to the moment when children’s opinions have an impact on decisions. Adults and their institutions must ensure that the opinions that children express are taken into account in decisions made regarding matters that involve them, using as a guide the principles of progressive autonomy, non-discrimination, and best interest of children

In addition, **these stages should be contemplated during the lifetime of every proposal: in the identification of a problem, in designing a project, and in its implementation, monitoring and evaluation.**

We acknowledge that child participation **is not a linear process** and that, at the same time, it implies the **necessary training and personal development not only of children and youth, but also of the world of adults**. This will ensure that children and youth exercise their right to participate in different settings (the main ones being their families, schools and communities), and for these to be promoted and protected by adult duty bearers, reinforcing the fact that the participation process is **cross-generational**, as children have expressed in the following quote:

True participation includes every child and teenager, regardless of ethnicity, gender, culture, language disability, level of income, religion, and so on, without discrimination, resulting in cross-generational participation through which to achieve whatever outcomes are sought (Network of Child and Youth Correspondents, 2019).

It is worth returning to the following statement made by the Network of Child and Youth Correspondents:

Child and youth participation promotes more inclusive and democratic societies. We believe that it should be understood that being a citizen is not just being 18 years old or older, but acquiring rights and obligations, with a sense of social responsibility. (Network of Child and Youth Correspondents, 2019).

We consider children to be visible members of society, with rights and responsibilities, capable of participating as agents of change for social transformation, and of expressing their opinions, contributing ideas, demanding action and making decisions. The IIN-OAS recognizes that all persons have the potential to exercise their citizenship from childhood, contributing responsibly to the social construction of which they are a part.

In view of this, and of the growing impact of digital environments on everyday life, we can say that these settings have a direct and indirect influence on freedom of expression, on the right to receive and disseminate information, and on the right to free association and identity, among other rights that are protected by the Convention on the Rights of the Child (CRC).

Because of this, we should ask ourselves: What does integrating technologies in the different areas of our lives imply? What does recognizing children and adolescents as citizens mean? What does children and youth representation imply for their peers?

## II. SOME HISTORICAL BACKGROUND AND CURRENT SITUATION: FROM WORDS TO DEEDS

Since 2008, the IIN has been working to establish and consolidate areas for child participation in the region. The Pan American Child Forum, which is held every 5 years (2009-Lima, 2014-Brasilia, 2019-Cartagena), and the consultations held on the IIN-OAS's last two Action Plans are only part of the progress achieved.

It is worth remembering that recently, by means of resolution AG/RES. 2894 (XLVI-O/16) **Strengthening Democracy, the OAS General Assembly** resolved, regarding the promotion of child participation "(...) To promote intergenerational dialogue through peaceful co-existence based on democratic values that respect diverse opinions and encourage gender equality, equity, and non-violence, and peaceful conflict resolution (...)"

Likewise, resolution **CD/RES. 10 (92-R/17)** resolved "To request the Director General to develop guidelines and a methodology to promote the participation of children and adolescents in the Regular Meeting of the Directing Council and other institutional forums".

With regard to the **meetings of the Directing Council of IIN-OAS**, 2018 was a highly significant year, since in compliance with this resolution, cross-generational dialogue was implemented during its Regular Meeting N° 93, with children and adolescents from Argentina, Canada, Honduras, Mexico and Uruguay, by video conference, and from El Salvador and Panama, on site. Resolution P-CD/RES. 08 (93-R/18) was drafted at that meeting, which in its operative part resolved:

- To adopt the child and youth participation methodology at meetings, in entities and in activities of the Inter-American Children's Institute. .
- To instruct the Director General of the IIN to prepare a code of conduct to establish and ensure minimum criteria regarding the conduct of the IIN-OAS team and associated staff, in any personal or professional performance that includes children and youth, in actions and activities carried out by the IIN-OAS, or any in which children's participation is related to their connection with the IIN-OAS.
- To request that the Director General of the IIN consult the opinion of children and youth when drafting this document.

On that occasion, children and youth shared a paper (2018) from which we take the following thought:

And our **overall recommendation** is that adults should change the way they see us; as incapable of doing things, of exchanging ideas, of arguing; that rather than criticizing us if we do not handle information well, that they should help us and make us part of the issues that relate to us.

**“We are not the object of rights; we are holders of rights.”**

To all of these significant achievements we should add the work performed directly with children and youth and their adult carers in the region. The IIN-OAS, making use of a cross-generational discussion methodology, **promotes networks for the promotion and protection of child rights**. In relation to this, the **Network of Child and Youth Correspondents** (the CORIA Network) has been operating since 2017. It is composed of children and adolescents who, after completing a distance course tutored by the IIN-OAS, have undertaken to send one article or video film per month, addressing a variety of subjects of interest to them.

The network currently includes children and youth from fourteen American States (including the organization's various regions, North America, Central America, the Caribbean and South America) and the correspondents provide information and communicate about the status of their rights in their countries and in the region. Likewise, CORIAs take part in activities that promote their rights in the region, such as the Standing Committee of the Niñ@sur Initiative and the Committee's Day of General Discussion, at which they were particularly singled out as advisers to the Committee and on the issue of human rights defenders (HRDs).

We should note that this year, the IIN-OAS nominated the CORIA Network as a candidate to receive the International Children's Peace Prize, which is awarded to children who fight for children's rights<sup>1</sup>.

Bearing in mind that many young people have attained the age of majority and have accumulated a great deal of experience and knowledge on the subject, we perceived the need to form a **Regional Child Participation Advisory Group**. The group is composed of young people between the ages of 18 and 25, with extensive participation experience acquired during their childhood and adolescence. The IIN-OAS provides them with a venue from which they can continue to advise the Institute on the promotion of child participation.

The IIN-OAS has developed a methodology comprising networks to promote and protect rights, focusing on using the Internet safely, based on the recommendations made and commitments undertaken by children and adults representing State institutions<sup>2</sup>. We have implemented an experience in the Dominican Republic and Panama (and as from this year, also in South America): the **Cross-Generational Network of Multiplying Agents for the Safe Use of the Internet** (RIAMUSI, for its acronym in Spanish), in keeping with the idea that participation is an intergenerational process that cuts across other areas.

As regards the technical experts of the governing bodies for children, we should mention that there are **Discussion Sessions with Child Participation Liaison Officers** (CEPIA, in Spanish) in operation, which include the technical liaison officers responsible for participation programmes and projects, currently involving twelve States party. They hold monthly sessions to share practices, progress and challenges, coordinated by the IIN. Added to this, we offer online and blended training focusing on the promotion of child participation, with hundreds of officials already trained throughout the States of the Americas.

Regionally, in order to ensure that cross-generational dialogue takes place, since 2017 the IIN-OAS has provided technical assistance to the **Standing Committee of the Niñ@sur Initiative**, of the Meeting of High Level Authorities in Human Rights and Ministries of Foreign Affairs of MERCOSUR, promoting the active participation of children and adolescents in the Committee's half-yearly meetings.

During the presidency pro tempore of Uruguay, in October 2018, and after a cross-generational dialogue panel was established, the **Niñ@sur Standing Committee** took up a

<sup>1</sup> Available at: <http://iinadmin.com/public/iin-nomino-a-la-red-coria-al-premio-internacional-de-la-paz-de-los-ninos-ninas-y-adolescentes-2019/>

<sup>2</sup> Conectad@s Project, available at: [http://nuestravozacolores.org/wp-content/uploads/2017/08/2Dec%C3%A1llo-go\\_ProyectoConectados\\_Panm%C3%A1.pdf](http://nuestravozacolores.org/wp-content/uploads/2017/08/2Dec%C3%A1llo-go_ProyectoConectados_Panm%C3%A1.pdf)

proposal made during the presidency pro tempore of Paraguay, and created the Children and Adolescents Network (REDSURCA)<sup>1</sup>.

REDSURCA is composed of children and adolescents from advisory councils and organized groups in the region, and the IIN-OAS will provide support for its operations<sup>2</sup>.

Another of our lines of work is the technical assistance we provide to the **Forums on Comprehensive Systems for Child Promotion and Protection** (SIPPINNA, in Spanish). The 2nd Forum was held in Montevideo in 2018 and the next, SIPPINNA III, will be held in Asunción in 2019. These forums focus strongly on promoting children's opinions in these areas for regional discussion and sharing.

### III. IN BRIEF

Based on the above, we believe that the promotion of child participation finds itself at a significant and meaningful juncture. **This year is the 30th anniversary of the Convention on the Rights of the Child, which coincides with the celebration of the 22nd Pan American Child Congress and the 3rd Pan American Child Forum.** The moment is, therefore, conducive to reflecting upon progress and challenges/issues surrounding the status of child rights in the hemisphere, as well as upon possible recommendations to foster their promotion and protection.

If we acknowledge that participation is a right, we must accept that it is enforceable and irrevocable, just like any of the rights enshrined in international instruments. Therefore, participation should be an ever-present dimension when we are defining policies, strategies and actions that involve children. We cannot consider that a policy has a rights-based perspective if it does not include participation.

The challenge is how to open up, within institutions led by adult power, often reinforced by technical or political powers, friendly oases where children and adolescents can generate and convey their views and that these views do not remain trapped in distinct areas, but circulate and are taken into account in decision-making processes.

This entails working at a number of levels:

- **A methodological and instrumental level**, which generates and socializes tools to facilitate participation by helping to remove any inhibitions that participation may encounter as a result of being part of societies where adults have the floor.
- **An ethical and political dimension**, which involves the capacity of adults to support these processes without affecting the views they receive, enabling and accepting viewpoints that will not always match their own.

At the IIN-OAS we undertake to continue working along these lines, taking in children's opinions, listening to their problems and to the status of realization or violation of their rights, including them in a collective construction of new alternatives, so that their rights do not consist merely of words on paper.

The issues and challenges identified by the IIN-OAS reveal that we must continue to move forward in the paradigm shift that adults must make, in institutions that promote and protect child rights, in listening to children and in including, as a focus of our action, the participation of the children of indigenous peoples and disabled children. We must also advance in ensuring child participation in issues related to the environment and in applying information and communication technology to methodologies involving children and adolescents.

We must not allow such important issues as the participation of the children of indigenous peoples to be rendered invisible. These children have a distinct identity that links them to

<sup>1</sup> Delegations adopted the request and Redsurca was deemed to have been created as from that date. They pledged to create conditions for its effective and progressive operation (Minutes 02/2018).

<sup>2</sup> Work Plan of the Niñ@sur Initiative Standing Committee 2019-2020.

their land, culture, language and religion; therefore, their right to participate includes the right to representation, to culturally appropriate interpretation and, likewise, the right to refrain from expressing their own opinions.

A further challenge is to enable children and youth with disabilities to participate to a greater extent. Protecting their rights was an integral part of the entry into force of the Convention on the Rights of the Child, which was boosted further with the adoption of the Convention on the Rights of Persons with Disabilities (CRPD), which states that “States Parties undertake to ensure and promote the full realization of all human rights and fundamental freedoms for all persons with disabilities without discrimination of any kind on the basis of disability” (Article 4) and that the State must “ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others” (Article 29, par. a).

Finally, we have identified a challenge to be addressed in the link between participation and issues relating to the environment. The degradation of the environment exacerbates the risks to the health of children and adolescents, and undermines the support structures that protect them from possible harm. In addition to accepting and providing information, adults and the institutions we have created must ensure that children are aware of the potential environmental risks, so that they can give their views on any project that may affect their territory, as part of a consultation process of which they are aware and in which they take part voluntarily.

“We are asking the institutions responsible to listen to and consider our opinions, inasmuch as we are not requesting favours, but rights.” (...) “NOTHING ABOUT US, WITHOUT US”, “NOTHING IS OURS WITHOUT US” (Network of Child and Youth Correspondents, 2019).

The children and youth of the Americas have spoken and expressed an opinion regarding which there are no two possible interpretations; it is time for adults and the institutions we have created to promote and protect their rights, and show that we are capable of listening and acting in consequence.

#### **IV. SOME QUESTIONS FOR DISCUSSION:**

- Are we adults and our institutions able to listen to children and youth and allow them to influence the decisions we make?
- What lessons can we draw from the experiences developed over recent years?
- What capabilities and skills must we build among adults so that they can become true participation and cross-generational discussion facilitators?
- How are the information and communication technologies (ICTs) influencing the way that children and youth inform themselves and form their opinions?

## V. REFERENCES

- CD RES. 07 (93-R18) Child Participation.
- A paper drafted by children and youth for the cross-generational discussion held at the Directing Council meeting in Panama, 2018.
- Giorgi, Víctor, (2019), 30 años: Entre movimientos instituyentes y fantasmas de restauración, Montevideo ["30 Years: Between Institutionalizing Movements and Restoration Phantoms"], Montevideo.
- General Comment N° 12 (2009): The right of the child to be heard (2009) Retrieved from: <https://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC-C-GC-12.pdf>
- General comment no. 20 (2016) on the implementation of the rights of the child during adolescence. Available at: <https://digitallibrary.un.org/record/855544>
- Proclamation of the Network of Child and Youth Correspondents: Not Favours, but Rights, 2019. Available at: [http://nuestravozacolors.org/wp-content/uploads/2019/06/Proclama\\_CORIA\\_-\\_9\\_Junio\\_2019\\_-\\_Ing..pdf](http://nuestravozacolors.org/wp-content/uploads/2019/06/Proclama_CORIA_-_9_Junio_2019_-_Ing..pdf)
- Conectad@s Project Recommendations. Available at: [http://nuestravozacolors.org/wpcontent/uploads/2017/08/2Dec%C3%A1llogo\\_ProyectoConectados\\_Panm%C3%A1.pdf](http://nuestravozacolors.org/wpcontent/uploads/2017/08/2Dec%C3%A1llogo_ProyectoConectados_Panm%C3%A1.pdf)