

# Young people's human rights and well-being: the forms of resistance and children's participation in South America

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# MAKING RIGHTS REAL FOR CHILDREN: LEARNING FROM SOUTH AMERICA

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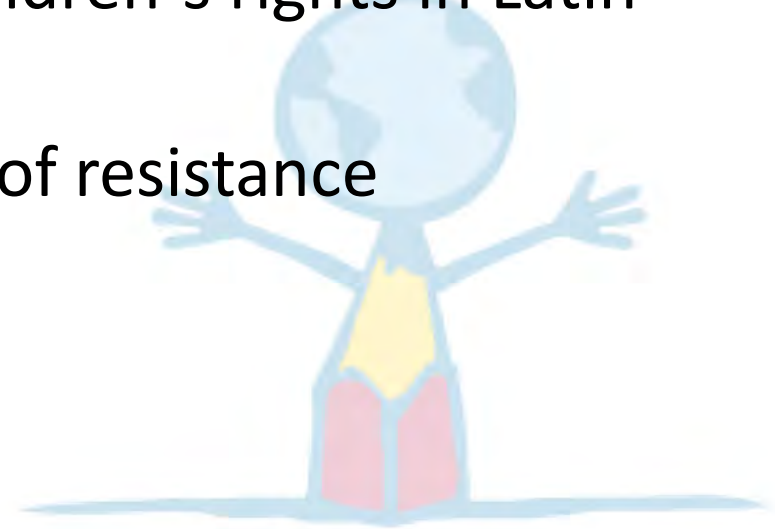
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The International Center for Research and Policy on Childhood at the Pontifical Catholic University of Rio de Janeiro (CIESPI at PUC-Rio), is dedicated to engaging in research studies on, and social projects for, children, young people and their families and communities. Its purpose is to support the development and implementation of policies and practices for children and young people that contribute to their full development and the promotion and defense of their rights. CIESPI is particularly concerned with children growing up in contexts of vulnerability including poverty.

# Outline

- 1- South America/Latin America and the Caribbean: A few concrete details about the region
- 2 - International frameworks impacting children's rights in Latin America
- 3 - Children's rights in practice and forms of resistance
- 4 - Concluding thoughts

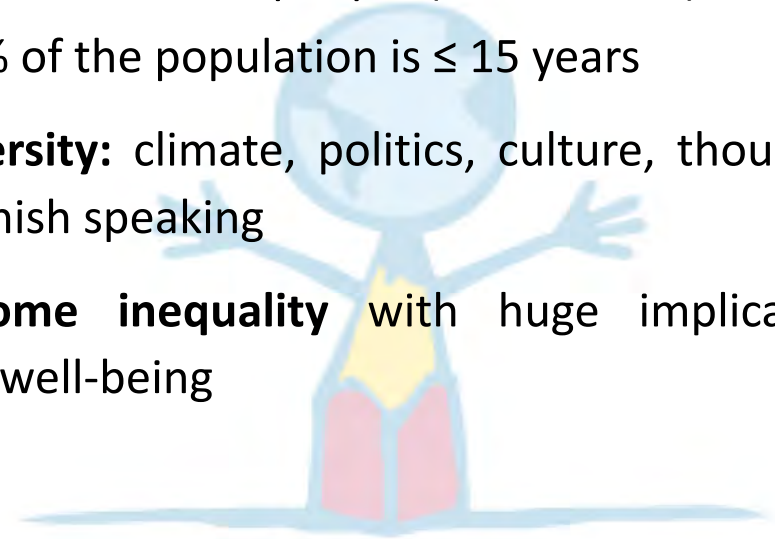


# About the Latin American Region



## BASIC FACTS:

- **Vast region** with 8,62% of the world's population:
  - LAC: 26 countries; SA: 12
  - Over 600 million people (UNDP, 2017);
  - 26% of the population is  $\leq 15$  years
- Huge **diversity**: climate, politics, culture, though all but Brazil Spanish speaking
- **High income inequality** with huge implications for children's well-being



# The Latin American region

Total population, total of young people and percentage of young people (thousands) - 2017			
Location	Total	0-19	0-19 (%)
World	7.550.262,101	2.553.722,16	33,8%
Europe	742.073,853	155.041,363	20,9%
United Kingdom	66.181,585	15.408,366	23,3%
South America	424.393,617	135.952,966	32,0%
Brazil	209.288,278	62.595,623	29,9%

Source: United Nations, Department of Economic and Social Affairs, Population Division (2017). World Population Prospects: The 2017.

- Between 1804 and 1825 many countries won independence from Spain and Portugal. But these movements resulted in land-owning oligarchs taking power. A few states in Brazil for example are still mainly owned by a single family who fill elected positions at all levels of government.
- Latin America suffers from massive income inequality and low GDPs. While Argentina has a current GDP Per Capita of 20K, Bolivia's is only 6.4K. UK has a GDP of 42K.
- During the African slave trade period, two thirds of all slaves who made it to the Americas went to South America, the majority of those to Brazil.

# Child Poverty

About 40.5% of children and young people (0-17) living in poverty

70.5 million young people

About 16% percent of this age group suffer from extreme poverty

28.3 million young people (CEPAL 2013)

# Violence

2012: 95,000 children and young people worldwide between the ages of 0 and 19 were victims of homicide.

< 25,000 of these lived in LA, the region with the highest rate of such homicides in the world.

Correlation with high rates of violence to criminal groups, the open presence of armed gangs in the streets, easy access to guns, economic and social inequality, and low levels of education (UNICEF, 2014).



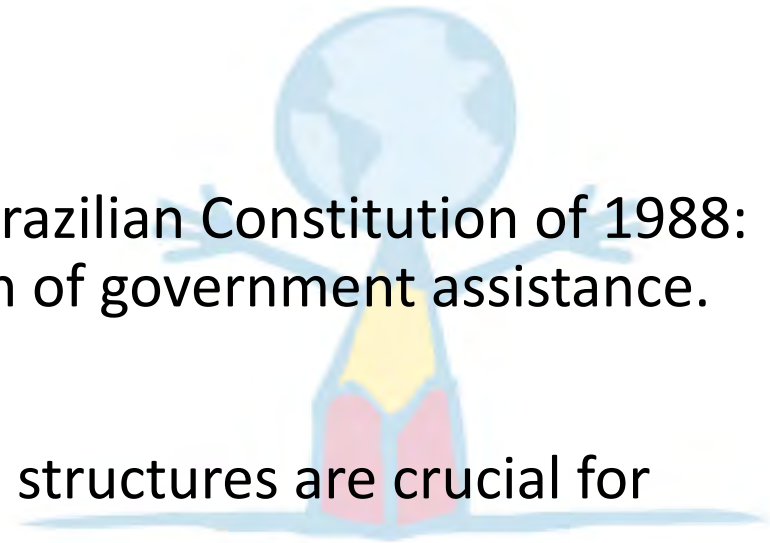
# Cidade partida

Brazil in many ways proud to be a mixed-race country with 43% of people in the last census chose the ethnicity defining color pardo (or brown) signifying mixed race. Prejudice and discrimination appear in many ways – racial discrimination being only one form, being poor and resident of a favela (slum)



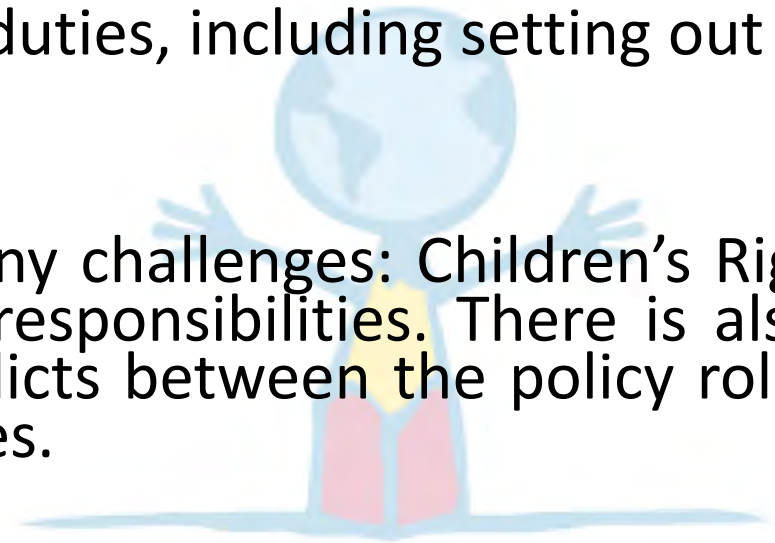
## How international frameworks impacted on children's rights

- The basis for children's rights is the UN Convention on the Rights of the Child ratified in 1989. The preliminary discussions to the Convention greatly influenced the Brazilian Statute on the Child and the Adolescent and all the region during the 1990s.
- Children's rights included in Article 227 of the Brazilian Constitution of 1988: children are to have precedence in the provision of government assistance.
- Legal rights outstrip rights in practice, but those structures are crucial for advancing rights on the ground.



# Civic participation and children's rights in Brazil

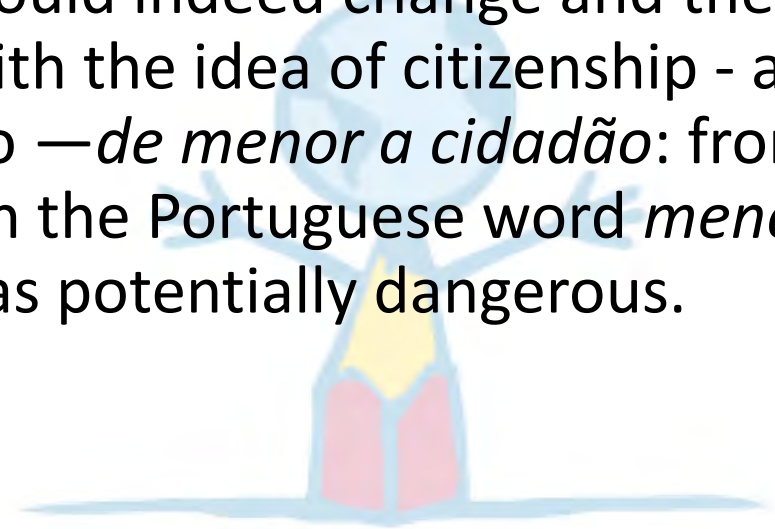
- Federal law in Brazil, reflecting the post dictatorship discussions of freedom, provides for **citizen involvement** in policy making. One mechanism is **Rights Councils** which are mandated by law on several key topics at each level of government (Education, Health etc).
- The Children's Rights Councils have several duties, including setting out and monitoring children's policies.
- Significant changes in **power relations**, many challenges: Children's Rights Councils are often overwhelmed by their responsibilities. There is also a striking absence in the law about any conflicts between the policy role of Councils and the policy role of elected bodies.



# The promise of citizenship

Change in paradigm: from “minors to citizens”, “children as subject of rights”

“There was a new sense of hope that things could indeed change and the possibility of change was clearly associated with the idea of citizenship - a hope that was expressed in the popular motto —*de menor a cidadão*: from ‘minor to citizens’. Minor in this context and in the Portuguese word *menor* means not just young people but those seen as potentially dangerous.



# Children's rights in practice and forms of resistance

The Portuguese sociologist, Boaventura Santos, in *Epistemologies of the South*, argues that a beginning for understanding the South is that

“...Beyond being a region of victimization, it is a multi-dimensional space of resistance and the art of survival”.

What happened in practice (that can also be understood as forms of resistance)

Political appropriation of the discourse of “Human Rights” and “children’s rights”- aiming to go beyond the “rhetoric of rights” and to strengthen social and political movements



# Participation in theory and practice

- **Participación ciudadana** - emphasizing young people's social participation and engagement as citizens.
- **Protagonismo** - Emphasizing their place and role in society as proactive actors, having autonomy, a sense of agency.

*To participate is a form of transforming society. I think that the students' movement is fair and crucial. But it does not solve the problem. What we need is the transformation of society (Brazil, male, 18)*

*My first memories of a leadership role were very simple, at age 9, when I was elected for the first time class representative (Brazil, female, 15)*

- *en la vida debes de hacer lo que tú piensas, lo que tú sientes y decirlo en el momento; entonces, trato de hacer eso todo el tiempo. soy una persona que cuando quiere algo lo trata de conseguir y lo consigue (Mexico, male, 17)*

Research: Rizzini, Torres, Del Rio. Youth at Present in the Americas: 3 Cities Study (Rio, Mexico, Chicago. University of Illinois Press, 2012) and Collins, Tisdall, Rizzini et al: Monitoring Child Participation in International Child protection. Ryerson University, Canada, the International and Canadian Child Rights Partnership (ICCRP).

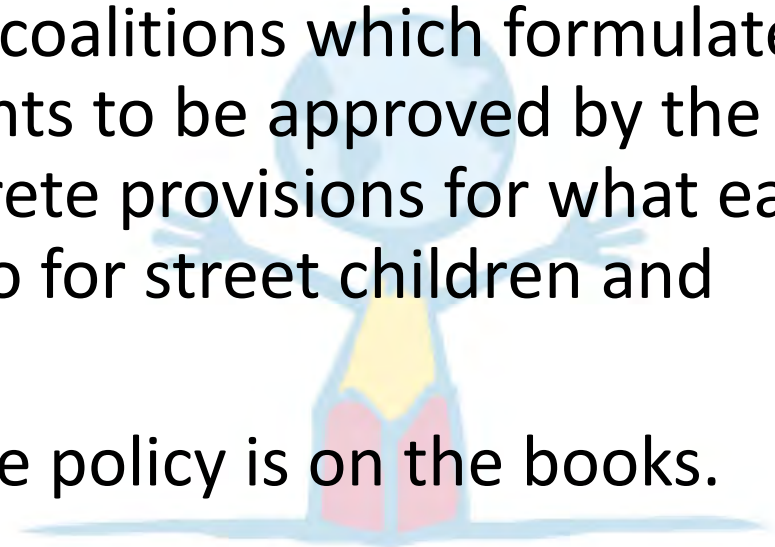


# Examples of using the rights frameworks to resistance on behalf of children



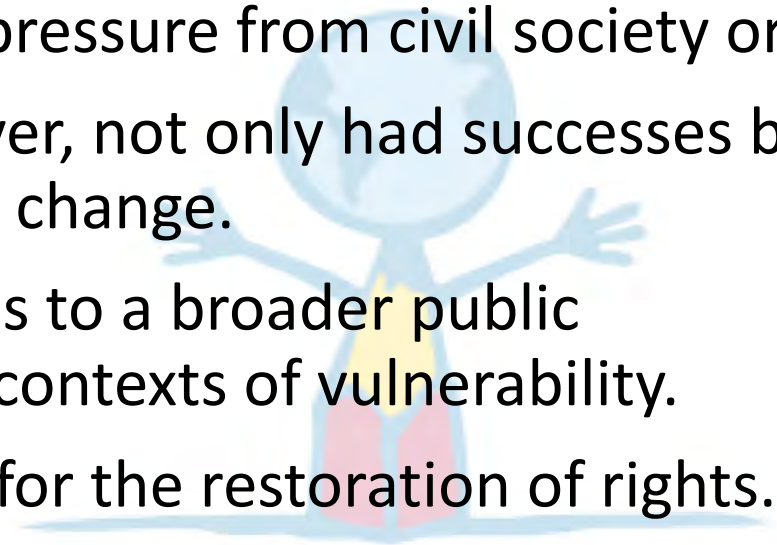
## Improving children's policies in Brazil

- In 2009 and 2013 CIESPI pulled together coalitions which formulated 2 policies based on the framework of rights to be approved by the Rio Children's Rights Council. They had concrete provisions for what each relevant municipal department should do for street children and young children (early childhood).
- Main challenge is implementation but the policy is on the books.



## Concluding thoughts

- We are painfully aware of the gap between the problems affecting children and young people and the solutions so far achieved in the region.
- The larger problems of Brazilian and indeed Latin American society that impact low-income children and youth so heavily will have to be solved by reformed governments at every level, with pressure from civil society orgs.
- The processes described above have, however, not only had successes but created new partnerships for resistance and change.
- We believe that this kind of work contributes to a broader public awareness of children in risk situations and contexts of vulnerability.
- It keeps alive debate and sometimes action for the restoration of rights.





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