Day of the General Discussion on Children as Defenders of Human Rights

At the initiative of the UN Committee on the Rights of the Child, a Day of General Discussion will be held in Geneva on 28 September 2018. The theme of this event is “Promoting children as defenders of human rights” and their recognition in the United Nations human rights system. Children and young people are also invited to the event. The Latin America Movement of Working Children and Adolescents (MOLACNATs) will be represented by two children and an adult companion. Manfred Liebel has written some theses on this topic. Afterwards we present the document, which MOLACNATs created, in English translation.

Children as defenders of human rights – Some reflections

Manfred Liebel

1. The necessity and legitimacy of recognizing children as defenders of human rights follows from the facts
   a. that children are recognized as legal subjects under the UN Convention on the Rights of the Child,
   b. that children have specific experiences and interests that differ from those of other age groups;
   c. that children have specific perceptions of the world in which they live, which can only get a chance if they are also expressed by the children themselves.

2. Recognizing children as defenders of human rights is also a question of social justice because
   a. children worldwide find themselves in a subordinate social position that often leads to disregard or violation of their human rights;
   b. many children are exposed to particular social disadvantages and discrimination on account of their social or ethnic origin, gender, disabilities or way of life;
   c. only through the active participation of children in social and political affairs can their equality be achieved while recognizing their specific interests and points of view.

3. In order to be able to act effectively as defenders of human rights, the following must be done:
   a. Children’s rights must be understood as subjective rights, i.e. rights that children themselves can claim and use.
   b. Children must get social and legal recognition as citizens, which also includes political and economic rights that they do not yet have (in particular the right to vote and the right to work in dignity).
   c. Children’s social position in society must be strengthened in relation to other population groups.
   d. Children must have social spaces in which they can assert their interests and rights, reach their own conclusions and, if they wish, common demands and initiatives.
   e. Children must have the opportunity join together in their own social movements and organizations and find recognition, support and encouragement as collectively acting subjects.
4. Own social movements and organizations of children are particularly suitable form of defense of human rights, because
   a. Children are encouraged by them to express themselves in society;
   b. Children can make themselves heard more easily in a collective way;
   c. They already embody a wealth of experiences on how human rights are defended by children themselves and how children can contribute on their own initiative to making societies more just in generational and social terms.

5. An example are the movements and organizations of working children and adolescents (NNATs) of the Global South:
   a. In Latin America they have a history of more than 40 years, in Africa and Asia (especially India) a history of almost 30 years-
   b. In spite of all the difficulties and political cycles, the have succeeded in maintaining continuity over several generations.
   c. Despite cultural and political differences between continents, countries and regions, they have developed similar goals and projections.
   d. In their countries and regions, they are actively committed to the realization of the human rights of all children, including proclaiming rights that are not provided by in the UN Convention on the Rights of the Child (e.g. the right to work in dignity or in age-appropriate manner, or the right to remain in their places of origin and lead a dignified life there).
   e. They do not limit themselves to making demands on states and international organizations, but practice ways of life and economies that enable them to counter poverty and live in dignity (e.g. forms of local economy based on solidarity and self-sufficiency).
   f. With their local activities and forms of organization, they create spaces in which socially disadvantaged and marginalized children in particular can protect themselves against abuse, exploitation and violence.
   g. With their horizontal, grassroots democratic structures, the represent a field of socialization and learning in which meaningful (not only symbolic) citizenship can be practiced in a lively and age-appropriate manner.
   h. With their forms of organization, in which children can make their own decisions, they give their societies and the international community an example of how adult-centered structures can be overcome and how the relationship between the generations can be shaped in an equal, respectful and dialogical way.

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The voice of organized working children and adolescents from Latin America in the Day of General Discussion

The working children and adolescents (NNATs) of different times have been organizing in Latin America for 42 years, the organization of NNATs was initiated by the companions of Peru. The reality of the majority population of the families of our continent is misery and extreme poverty, many times they don’t even have enough to eat, and we defend that dignified work and organization are tools to face this reality.

That is why we have created the Latin American and Caribbean Movement of Working Children and Adolescents, currently with 9 countries that make up our organization. At our 10th Latin American Meeting held in Asunción - Paraguay in August 2018, we have considered from the Latin American Coordination of our movement to be part of the Day of General Discussion promoted by the Committee on the Rights of the Child in Geneva. We believe that it is a rich and timely process in which as working children and adolescents who fight for our rights in an organized way, we can share our views and proposals for a better world. For this reason, we have promoted our own consultations with some organizations and grassroots groups, specifically in Paraguay, Peru and Argentina, and the other countries have collaborated in the construction of this presentation document. We have used the guide built for this purpose and have adapted it in different ways for each of the groups with whom we have carried out the consultation.

As a result of this, we want to make our voices heard, thus responding to the Presentation Guide provided by the organizers of the Day of General Discussion.

Children and adolescents as human rights defenders

For us as the Latin American and Caribbean Movement of Working Children and Adolescents - MOLACNATs are effectively human rights defenders who work to defend their own rights and to defend the rights of others, in particular their peers. We believe that working children, organized children, peasant children, indigenous children, all those who fight for their rights in the world should be recognized as human rights defenders.

Capacities and challenges of children and adolescents as human rights defenders

We fight to be recognized as working children and adolescents, who are part of society and not to be criminalized for defending our right to work. In addition, we fight for the rights of all children. We do it through marches, meetings, through protest actions, always being up tdate
through organization, training, being responsible in the community and school, in our work activities and with our families.

We think that our role as an organization, and at an individual level, is to comply with the groups we are in, with the obligations we have, share information, help those in need, integrate children into our groups, debate, dialogue and transfer knowledge. For all this, adults must accompany us, support us and provide information, they must listen to us more and speak less. Respect our spaces and support us. Let us know what they think, but respect our opinions and support them.

To us as MOLACNATs, it seems that a child or adolescent who fights for some right, for his or her own right, can be recognized as a defender of human rights, but we understand that it is the organization that guarantees us to fully exercise that condition. In the organization we know the reality of others, and we have the opportunity to give strength to the different voices. Many times there, in the organization, we learn about our roots, we discover our capacities and abilities and we help each other grow together. That is why we say that the organization is the space through which we can fully exercise the defense of human rights.

Obstacles

For example, at the local level there are parents who do not understand and do not give permission for our activities, others who listen and support their children, but at the national level it is very difficult to move without resources, sometimes we do not count on tickets or we do not have money to do the activities. In our case, it is even more complicated at the international level, for example, last year, 2017, the International Labour Organization - ILO organized the 4th Global Conference on Child Labour, and the only ones we could not attend were the organized working children, they were going to talk and make decisions about us, but they did it without us. According to the Convention on the Rights of the Child we have the right to give our opinion and to be heard, and we had to do an event that was organized by our companions in Argentina, which was called GRITAZO POR NUESTROS DERECHOS [OUTCRY FOR OUR RIGHTS]. And we gathered at the Obelisk of Buenos Aires [in front of the conference building] so that, at least the people who passed by, could listen to us.

Empowerment

Many adults, who for us are collaborators, support us in our organizations at the grassroots, listen to us, give us advice, provide information and they also say their opinion, without it having no value what a child says. There are adult organizations that even help us financially to do our activities, our meetings to discuss and learn more about our rights. We want them to accompany us in the marches, in the protests and fight with us, that's what we want. And we want to have a voice and a vote when decisions are made about working children or children in general.

Other children and adolescents
Other children and adolescents can be reached through campaigns on protagonist participation, doing training workshops among ourselves with a gender focus, because girls are often left out.

It is necessary to have spaces to get together to talk. To strengthen our grassroots groups, our organizations in the countries and our movement at the Latin American level. We all need to be heard.

For example, there are many working children who are not organized, and if we reach them and they tell us their reality, the problems that happen, and we talk to them about the organization, they will surely want to add up and will be able to fight better for their rights, and if we are many more, we will be stronger.

**Risks:** When we struggle to be recognized as working children, we are criminalized. They say we can’t, we shouldn't work. And so many of our companions are persecuted.

Also when there are marches or protests the police repress, and the government should stop doing that. It should stop persecuting the poor for being poor. It is the government that decides to repress. We should not be discriminated against for living in neighborhoods, settlements or slums in the cities, just for living there the police already say we are criminals.

**Protection:** What protects us most is to be organized, to be united as workers. That's the only way they listen to us. If we go out together to protest. Helping each other, children's and adults’ organizations, in order to make the denunciations. What we believe is important, is that the authorities listen to us and act quickly and not against us.

It is also possible to appoint committees in the different countries, so that they take into account that in this way we exercise our protagonism and that they make us visible, because we children exist. All the time they must take into account and respect our opinions and our actions, that way is the way to protect us. We want to be vigilant of the agreements made in our name, but the agreements must be with us.

In order to be taken into account, we must almost always take public action or resort to international bodies such as the Committee on the Rights of the Child.

**Governments:** In all countries there are codes and laws that contain the rights of children and adolescents that must be complied with and respected. The first thing governments must do is to ensure that these laws and codes are complied with, and that they are complied with well, not that by attempting to comply with them, they violate other of our rights. For example, in some laws it says that children and adolescents must participate through Committees in municipal, departmental and national governments, but many times these do not work, there is no budget for them to be fulfilled. Or, for example, the churches oppose the fulfillment of, for example, access to our sexual and reproductive rights.

Governments themselves are the greatest violators of the human rights of children and adolescents. For example, in Bolivia a law came out in which working children are recognized, and now they don't want it to be complied with. The only law that was made by listening to the voice of our comrades and our Bolivian companions.

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