Exploring Tensions in Child Participation in International Child Protection Briefing Note

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Summary

The *Facilitating Child Participation[1] in International Child Protection[2] Conference* convened at Ryerson University from October 5th and 6th, 2015. Participants heard voices of professionals in the field of children's rights from various academic institutions, government affiliates and non-governmental agencies and from children and youth. These children and youth were involved in a preparatory meeting in advance of the conference in order to support their understanding of the tensions. During this meeting, many of their concerns were brought to light and added to the discourse at the conference that followed. The conference participants sought to address concerns in child participation and protection though the sharing of expertise in the field, and by addressing gaps in international frameworks. This briefing note disseminates the knowledge shared over the two conference days as they relate to current tensions.

Issue

Participants discussed four major areas of tensions and addressed ways to collaborate in order to move forward these concerns through academic work, advocacy and organizational leadership in policy and programs in developing countries. The four tensions are discussed here to meet the needs of professionals working in developing countries. Defined and explained below, those areas are: ethical, legal, political, and practical tensions.

Background

While the years since the adoption of the UN Convention on the Rights of the Child (CRC) have brought about opportunities to advance the rights of children and youth and access to education, health and protection through the interventions and dedication of

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[1] The conference defined child participation to involve: Respect: Recognizing the diversity among children and the ways they choose to participate; Power: Acknowledging loci of power in children's lives and how this affects their participation; Process: Identifying the factors necessary for participation to be complete and meaningful; and Context: Locating participation within the child's social, political, cultural, geographical, and personal realities. See conference summary and executive summary for further details.

[2] International child protection efforts aim to ensure that child rights are protected, while improving the quality of life and wellbeing of young people around the world. The conference used this broad working definition so that conclusions can be as applicable as possible to wide range of activities, organizations, geographic areas and populations of children.

professionals worldwide, there remains a gap in the quality and universal accessibility of services and resources to ensure that children and youth have not only adequate resources but the right to engage with service providers and governments about matters that impact their lives.

NGOs, child/youth advocates, academics, international governments, and children and youth working from a child rights-based framework have identified gaps through their involvement with child/youth-centred interventions and activities. These gaps limit child and youth's ability to meaningfully participate in decision-making processes, protection efforts, and other decisions that may impact their way of life. International respect and due weight given to child and youth voices and their knowledge shared through their participation remains a challenge around the world where children and youth remain victim to physical abuses, sexual violence and exploitation, soldier recruitment, and many other abuses. While countries have ratified/acceded to the CRC, there is much room for progress with implementation.

It is time to move beyond the rhetoric. To do this however, global citizens must ensure a collective understanding of the concerns lying ahead. The *Facilitating Child Participation in International Child Protection Conference* aimed to do this by connecting professionals in a dialogue about the tensions that require pressure from the international community in order to be redressed.

The following brief will address the tensions as discussed in the conference proceedings. For more information on the conference proceedings and to view the plenary presentations, please visit: https://icpnc.org/2015/11/10/facilitating-child-participation-in-child-protection-video-recording/ For the related conference papers and presentation files, please visit https://icpnc.org/publications-and-resources/conference-on-child-participation-and-child-protection-resources/ To access the children and youth preparatory meeting summary, please visit: https://icpnc.files.wordpress.com/2015/09/fcpicp-youth-preparatory-meeting-summary-final.pdf

Considerations

Participants at the conference discussed tensions in relation to adequate change in international understandings of child and youth participation and child/youth protection, and the expectations of governments to abide by international law, as it relates to the CRC. Bringing about these changes would have interlocking benefits and bring about positive societal changes particularly in societies where children and youth will be able to contribute to new political directions leading to their increased wellbeing and protection.

Ethical

Ethical tensions revolve around perceived contradictions of intragenerational and intrapolitical views and beliefs about the rights, roles and best interests of children and youth, and where consideration of child and youth evolving capacities and lived experiences informs their decision-making about their protection requirements. Ethical tensions explore and acknowledge the utility of evidence-based practice with child and youth's experiences and knowledge and cultural implications/considerations while respecting the principles of children's rights.

With examples from different global contexts including India, Zambia, and Brazil,[3] conference participants were able to discuss realities of children and youth across the globe. Ethical frameworks are not consistently understood and shared. Child and youth protection requires their participation to be meaningful and effective. Thus, child/youth spaces need to facilitate meaningful participation that contributes to both *processes* and *outcomes.* Conference discussions of the ethical imperatives considered individuality and collectivity, agency and responsibility, self-determination and legislative regulation, vulnerability and resilience, quantity and quality, institutional knowledge and lived experience, and pragmatism and idealism. It is critical that ethical concerns around child and youth participation and protection must be understood in the context of culture and community.

Legal

Legal tensions consider the power imbalances between children/youth and adults as well as discrepancies articulated and enforced between international and national laws related to children and young people.

As holders of rights as per the CRC, children and youth are entitled to participate in the rights-based discourse and ultimately have a say in their protection matters. The challenges around this tension however vary from community to community in international development. Children's right to participate may be prevented by their unique situations and how governments view the child's evolving capacities, and the interrelatedness and effectiveness of government agencies to coordinate international law with regional and national laws. International organizations must advocate for the world's children and youth while keeping a clear conception of what is possible in international and national legal contexts where there are persistent ideological and theoretical paradigms

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[3] See details in the conference summary at https://icpnc.files.wordpress.com/2015/09/fcpicp-conference-summary-final.pdf

requiring careful solutions. Tensions discussed focused on: the macro- and micro-levels reflecting conflicts between laws at different levels, differing interpretations of international efforts to support children's rights; and lastly top down versus bottom up complications where laws impacting children and youth have few benefits and little consideration for the needs and interests of the child/youth, and may be out of line with the realities and contexts of their lives. Legal tensions must be considered and redressed through processes that include the views and knowledge of children and youth, which are given "due weight" in accordance with CRC article 12.

Political

Political tensions reflect the divergences between the international right of, and commitment to child and youth participation and the complications from national/local resistance. This type of tension explores and critiques political will, accountability and spaces for child/youth participation in socio-political discourse.

Two plenary discussions exposed political tensions due to conflicts between internationally shared norms and understandings of children's rights and the reality of young people's lives in global contexts. For example, children/youth in Brazil and Bolivia are working children/youth. In Bolivia, children and youth are expected to work to support their families and children in Brazil, often displaced from families in the traditional sense, join 'street families' and together they participate in illegal activities in order to provide and sustain their child communities in the dangerous streets of the favelas. In Bolivia, changes to laws affecting children and youth were revised and while children and youth contributed to, and felt the changes were positive, the international community criticized the changes for endangering children's wellbeing. Changes to existing paradigms, values and beliefs about children and youth in many nations continue to evolve. The tensions as described in the conference summaries include: international versus national – where ideologies are not always in sync with each other; agendas versus agency – where tensions between children's best interests and governmental priorities are in opposition to each other; shifts versus shortfalls – where leadership is lacking and where advocacy for child rights are inadequately acted upon. Increasing pressure on governments and other actors should advance child and youth participation in their own protection in order to recognize and respect their roles as emerging leaders and contributors in their communities, as well as informed change makers.

Practical

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Practical tensions encompass numerous areas of challenge and concern, where meaningful and representative child/youth participation is limited by the monetary and social/professional support, training and organizational constraints, and where these resources are inadequate in addressing the complexities of child/youth participation in relations to societal, cultural, and attitudinal realities of international communities.

Often what is possible in the context of change is brought to a halt based on the practicalities of funding formulas and international trends in NGO/UN planning. In addition, changes in child and youth participation practices must emerge as governments better appreciate children's abilities and capacity to share ideas and make meaningful contributions that elicit change and development in their own communities. For instance, challenges in monitoring and evaluating child and youth participation revolve around the identification of goals and priorities in the context of culture, and social and political climates in jurisdictions and regions. Regardless of the practical challenges involved with creating spaces where children an youth are free to share their voice and engage in processes related to their wellbeing and human rights, international agencies and actors must continue to prioritize participation in meaningful practice beyond the rhetorical ideology of its importance and potential to create positive change.

Conclusion

As described further in the conference summary document found on the conference website as identified above, priorities for action in each of the areas of tension describe clear ways to move forward and recommendations for international agencies and stakeholders in child rights communities. It is evident that professional practice demands the building of connections to communities. Reciprocal partnerships and mutual understandings provide the opportunity for inclusive settings, quality programs, supportive, meaningful engagement, and equitable outcomes for children and youth. While advocates understand how children and youth can contribute to rights discourse and citizenship issues, and realize their rights through action and participation, education, implementation, and progress in making child and youth participation a reality will take a concerted effort from the international actors and organizations with individuals and groups in local communities.

Recommendations

The conference participants worked over two days to prioritize areas where changes to the current intersecting needs in international child and youth participation and protection are continuing to develop. There are as follows:

Ethical: *Voice, Motive, Context*

By identifying who has a voice in constructing, implementing and reviewing policies and programs that impact children, youth and their families and by considering the power balance in making these decisions, we can better understand the social, political, institutional and financial motives/agendas. Diversity in discourse ensures transparency about the realities, challenges and opportunities with respect to child and youth participation. Embedding this process in child and youth spaces (schools, communities, and family) gives children and youth the access to, and skills for navigating the participatory process in a meaningful way.

Legal: *Implementation, Influence, Opportunity*

An integrated model of child and youth participation requires governments/NGO to work in consultation with children and youth to guide the process and implementation. However, child rights actors and communities must move forward recognizing and expecting tension among those in positions of power and work together to circumvent the power players from acting only on their own interests by creating space for children and youth to be able to meaningful participate in decision-making with NGO programs and government bodies.

Political: *Mobilization, Collaboration, Transparency, Ideology*

Pressure on governments to recognize and act on the value of meaningful and representative child and youth participation that moves away from a tokenistic approach may be a first step. However, movement towards lowering the voting age in some regions, putting accountability measures in place via the installation of a children's commissioner, as well as using the Third Optional Protocol to the CRC for group complaints are only a few of the important recommendations. Better coordination between stakeholders to improve child and youth participation processes and outcomes is necessary. There is also the need to recognize and mitigate the risks related specifically to children formally (with government support) engaging in political processes. Recognition and understanding of children's frustration as well as the ways children and youth are claiming spaces are also required.

Practical: *Money, Time, Human Resources, Organization*

Fiscal constraints often lead to timelines that are grossly unrealistic. Approaches to child and youth participation and protection issues require more innovation and extensive funding and time. Professional staff needs extensive training and understanding of the complexities facing children and youth in a variety of contexts, cultures, and political frameworks. As part of this training, adults also need to interrogate their misconceptions about children and youth that may adversely affect their understandings. Child and youth protection organizations need to recognize the long-felt impact of their interaction in communities and use their reach to establish programs where local child and youth

voices have equal impact on program and community development where organizations are partners with communities and reflect children's realities.

For a more details and explanation on these areas of discussion, please visit: https://icpnc.files.wordpress.com/2015/09/fcpicp-conference-summary-final.pdf