

Wheel of Change

CHILDREN AND YOUNG PEOPLE'S PARTICIPATION IN SOUTH ASIA



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**‘I don’t know my rights, but
you don’t know my life’.**

(six year old boy quoted in Children and Young People's Perceptions on Implementation of the Convention on the Rights of the Child, 2003 UNICEF Bangladesh)

Foreword

There is no ambiguity in Article 12 of the "*Convention on the Rights of the Child*". It requires States Parties to assure to the child, who is capable of forming his or her own views, the right to express those views freely in all matters affecting the child. This stipulation, and the wide acceptance of the Convention, impose a huge challenge on every society in the world.

Examples of true child participation in South Asia are all too few. Yet, where they are happening, the society and officials have found that children can be part of the solution. In Delhi it has been proven that consultations with street children and conciliation activities through their 'Butterflies' organisation pays dividends. In other complex areas of family and social life where the state finds it difficult to tread, children are beginning to make their voices heard against early marriages, sexual exploitation and parental violence.

This document is an attempt to highlight what has worked, and what still needs to be done. There are many instructive lessons worthy of our attention. While a number of organisations have been involved in supporting child participation, UNICEF is one of the partners that has done a lot and can play an even more significant role in furthering the commitment to child participation. We will work with others to spread the word: Child participation is a right, and it works! The voices of children need to be heard.



Sadig Rasheed
Regional Director
UNICEF Regional Office for South Asia

Executive Summary

The objectives of the study

Over the past 10 years, children and young people's participation has been the subject of considerable interest both within and outside UNICEF. This interest has been triggered, in large part, by a growing recognition of the significance of Article 12 of the Convention on the Rights of the Child, the right of the child to express views and have them taken seriously. In response to this key principle, a wide range of practice has been developed to explore approaches to promoting greater involvement of children in processes and decisions that impact on their lives. UNICEF, at the global, regional and national levels has played a key part in this process.

However, knowledge and understanding of effective models of child participation is still very much at an experimental stage. The concept is still relatively unfamiliar within the region, and there is a growing demand for more evidence on the outcomes associated with participation, practical guidance on effective methodologies, better tools for monitoring and evaluation and strategies for replication. Accordingly, UNICEF, Regional Office for South Asia (UNICEF ROSA) has undertaken a phased study on child participation in the region. The study comprises a broad-based country overview of the range and nature of participatory initiatives, coupled with an analysis of the

legal, policy, social, economic and cultural context within which such developments are taking place. This was followed up with a more in-depth study into selected examples of good practices. The final stage was the production of regional synthesis, providing an analysis of the current state of development in children and young people's participation in South Asia, and drawing out the lessons learned for future investment in strengthening UNICEF's contribution in partnership with relevant organisations in this field.

The prevailing context in South Asia

Economic, social and cultural factors across the region serve to exclude huge numbers of people, with children amongst the most marginalised and disempowered. Children, many of whom face extreme poverty, lack of education and discrimination, in addition to the low status attached to childhood, are effectively silenced. These factors are compounded by cultural norms which prioritise social cohesion over individual rights, hierarchical family structures, powerful adherence to the privacy of the family and profound levels of discrimination against girls. Concerns also exist that human rights, including children's rights, are a Western

imposition on this region. Yet, key principles of the Convention on the Rights of the Child, with their strong emphasis on the importance of the family, are entirely consistent with the regional cultural values of loving and nurturing children, and reciprocity within families. The difficulty that arises is that not all children are adequately protected within the family, or indeed in the wider society. The challenge posed by the Convention is to recognize that all children have a right to fulfil their potential. Listening to children is a key to achieving that fulfilment. If they are silenced, then abuse and neglect of their rights can continue with impunity.

Developments in children and young people's participation

Although some limited legal and policy reforms have been introduced within the region, children's opportunities to be heard - in families, in schools, in the criminal and civil justice systems, in local and national policy-making arenas - remain limited. Governments are slowly beginning to explore the changes that are needed, partly in response to recommendations by the Committee on the Rights of the Child, but there is a long way to go. The primary engine of activity in promoting child participation has been the NGO community. In the years since adoption of the Convention, South Asia has witnessed a proliferation of NGO and UNICEF sponsored initiatives creating opportunities for children to be heard.

Activity in Nepal, and to a lesser extent Sri Lanka, has focused on the development of

many thousands of child clubs that were initially introduced with support from international NGOs. Many are run by children and provide a unique space for them to meet together and organize. In India, the lead was taken by local NGOs addressing the rights of street and working children and helping them form their own unions and parliaments. There are now many programmes working with marginalized children to empower them to advocate for the realisation of their rights. In Bangladesh and Pakistan, a growing number of initiatives now exist, creating opportunities, for example, in peer education, promoting the rights of girls and providing avenues through which children can communicate their concerns to the government. Some limited progress has taken place in Maldives where a UNICEF Change-makers programme was initially successful but has recently ceased to operate. However, efforts are being made in schools and in UNICEF early childhood development programmes to emphasise the importance of listening to children. At a regional level, UNICEF has played a key part in bringing children together to provide them with a platform to express their views to politicians and policy makers.

Lessons learned

Promoting meaningful participation

A range of factors inform the effectiveness and level of participation in which children are engaged. Participation needs to be based on a clear set of principles endorsing respect for children, and children need opportunities to evolve their own ideas for activities. Children's

priorities are not necessarily the same as those of adults. They need opportunities to engage in situation analysis and planning in order that they can inform the programmes of supporting organizations. Those organizations also need to recognize that although children can take high levels of responsibility for developing and managing their own projects, there is a continuing need for adult support. The key is to provide support which facilitates the evolving capacity of children to develop their own ideas and activities, rather than seeks to manage or control them. While children need access to policy makers at national and regional level, facilitating such access should not substitute for supporting children to build local initiatives in their own communities.

Child-sensitive participation

Children need spaces which reflect their age and abilities, acknowledge the competing demands on their time, and their differing expectations and needs. However, it can be difficult for adults to overcome traditional attitudes based on an authority relationship with children. There is a pressing need for training to help address this problem and enable supporting agencies to create environments which are respectful and supportive of children, promote their opportunities to develop skills and talents, use language which can be understood by all children, encourage all children to take part and help children establish democratic structures which are appropriate to their needs. Children themselves want training on a range of issues, including rights, provided through dialogue, drama and other interactive

techniques, and emphasise the importance of having fun as well as engaging in serious agendas.

Equity and inclusion

South Asia is a region riven with inequalities. Girls, in particular, suffer extreme discrimination and abuse. Participatory initiatives provide an opportunity to challenge and question the discrimination perpetrated against many groups of children. In general, most projects and programmes are fully aware of the need to promote equitable access. However, the effectiveness in achieving that goal is variable. Considerable progress has been made in involving girls and where they participate, they also play a key part in the running of the child clubs. Many children observe that participatory initiatives have helped them question discriminatory attitudes. They can provide a democratic place in which relationships are re-negotiated and children learn new way of understanding each other. Child clubs in rural areas have generally been successful in involving children of all castes, but in urban areas, lower caste children tend to be less involved. Very limited progress has been made with disabled children, who are almost universally excluded from the participatory initiatives that exist. However, the few examples where disabled children are included demonstrate their capacity to play an equal part. It is important that initiatives adopt clear policies on equity and inclusion and take active steps to try and ensure that no groups are excluded. Twin track approaches are needed - to involve the widest range of children within broad based initiatives and to develop

targeted initiatives to create opportunities for those for whom those projects will remain inaccessible.

Impact of participation

Children cite many positive personal outcomes associated with their participation - acquisition of practical and social skills, enhanced confidence and self esteem, improved relationships with their parents and enhanced standing in local communities. Children in many projects are also highly effective in advocating for their rights, succeeding, for example, in increasing enrolment in school for girls, raising awareness of HIV/AIDS, tackling child marriage and providing literacy classes for street children. Participation also impacts positively on parents and local communities. Although parents are often initially resistant to their children's involvement, once the project begins, there appears to be widespread acceptance and, indeed, pride in their children's achievements. Indeed, many of the initiatives do bring positive contributions to their local communities. However, it is worth bearing in mind, that this acceptance may only be contingent on children not posing serious challenges to the accepted order. If this begins to happen, children may face more resistance from their communities.

Sustainability

Long-term change in recognizing children's right to be heard requires governments to introduce legislation and policies which affirm the principle across all areas of children's lives. Children also have a key role to play in

building capacity and highlighting their concerns. However, if their initiatives are to be sustained they need support in finding secure funding mechanisms, training, continuing adult support, opportunities to network with other groups of children, and systems for capitalizing on 'older' young people's skills and expertise. Sustainable participation requires investment not only in children but also in their parents and local communities. Failure to make this investment can create barriers between children and adults, and denies them the potential support that can be afforded by their communities. Children need access to local and national policy makers if they are to begin to have influence and a continuing and acknowledged role in their communities. There are a growing number of examples, particularly in India, Nepal and Bangladesh, where children's organisations have gained formal recognition with politicians and are granted access to discuss their ideas and demands for improvements in their lives.

Safeguarding children

Participation, whilst opening up significant opportunities for children, can also expose them to risks. These risks include exposure to physical or sexual abuse from adults within projects or programmes as well as possible hostile reactions from parents, backlash from community members in response to activities they are engaged in, and intrusive behaviour or negative reporting by the media. There is insufficient awareness within many programmes of either the potential risks or the difficulties children might face. On the positive side, projects can provide safe spaces for children, particularly children

without families. They can also create an environment where children acquire the skills and capacity to protect themselves more effectively.

Conclusions

Action is needed at all levels to make a reality of children's right to be heard. UNICEF has the potential to make a significant contribution to this process in view of its unique relationship with governments, its human rights mandate, its resources and wide-ranging skills and expertise. UNICEF ROSA, with partners, could build on the achievements to date through the development of explicit regional strategy to strengthen child participation work at the country level through following dimensions:

- Creating opportunities for children's participation within UNICEF's own

processes – situation analysis, strategic planning, programme design, implementation, monitoring and evaluation

- Promoting legislation, policies and practice that are supportive of children's participation
- Helping strengthen children's capacities for advocacy and participation and simultaneously recognising and fulfilling their own responsibilities

Investment would also need to be made in building the capacity of UNICEF's own staff and partners for facilitating effective children and young person's participation. The implementation of such a strategy backed up with trained staff, development of practice standards and improved networking with other children's NGOs would significantly strengthen children and young people's participation and UNICEF's capacity to work effectively in this field.

Introduction

1.1 Background

1.1.1 Over the past 10 years, children and young people's participation has been the subject of very considerable interest both within and outside UNICEF. This interest has been triggered, in large part, by a growing recognition of the significance of Article 12 of the Convention on the Rights of the Child, which states that every child who is capable of forming a view has the right 'to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child'. It provides that children have the right to participate in decision-making affecting their lives and to influence decisions taken on their behalf. The Committee on the Rights of the Child has identified Article 12 as one of the four general principles in the Convention, which 'constitutes a constant reference for the implementation and monitoring of children's rights'¹. But Article 12 does not stand alone. The Convention embodies other rights which assert children's right to have views and express them - the right to freedom of expression, conscience and religion, freedom

of association and the right to respect for privacy². Together they affirm the child as a participant in his or her own life, not merely a recipient of adult protection.

1.1.2 Accordingly, a wide range of practice has been developed spanning research, conferences, programmes and projects to explore approaches to promoting greater involvement of children in processes and decisions that impact on their lives. Initiatives have been developed from the local community level to the international sphere. They exist in countries throughout the world, addressing issues as diverse as youth justice, education, sexual exploitation, HIV/AIDS, disability awareness, gender equality, working children, child soldiers and children and violence. Community groups, schools, local and national governments, international and national NGOs and UN agencies have started to explore what is meant by child participation, and pilot practices and processes to translate the principle embodied in Article 12 into practice.

¹ Santos Pais M, The Convention on the Rights of the Child, in Manual of Human Rights Reporting, (1997), OHCHR, Geneva,

² Articles 13-16 of the Convention on the Rights of the Child

1.1.3 However, knowledge and understanding of effective models of child participation is still very much at an experimental stage. Much of the work has focused on events or projects rather than towards embedding cultural change in attitudes towards children and young people. Whilst a significant body of experience has been accumulated amongst those involved in the field, there has been inadequate sharing of process and practice. Little investment has yet been made on developing agreed indicators against which to monitor and evaluate good practice. There is a continuing debate about the priority to be afforded to participation, both from a pragmatic and a human rights perspective – whether it is an end in itself, justified as a principled entitlement of all children, whether it is primarily a means towards the end of promoting and protecting rights, or both³.

1.1.4 In this context, there is a growing demand for more evidence on the outcomes associated with children and young people's participation, practical guidance on effective methodologies, better tools for monitoring and evaluation, strategies for replication, sustainability and going to scale, and approaches to supporting children's evolving capacities for enhanced participation⁴.

Defining participation

Many different interpretations and understandings of the concept of participation have evolved in the 14 years since the Convention was adopted. Although there are widely varying definitions of participation across different projects and organisations throughout the South Asia region, the following definition is consistent with the understanding of participation, as it has been applied in this report and the study on which it is based:

'Children's participation is an ongoing process of children's expression and active involvement in decision-making at different levels in matters that concern them. It requires information sharing and dialogue between children and adults, which is based on mutual respect and power sharing. Genuine participation gives children the power to shape both the process and outcome. When promoting children's participation, issues relating to children's own evolving capacity, experience and interest play a key role in determining the nature of their participation'⁵.

1.2 Objectives of the study

1.2.1 In response to the lack of information on participation in the region, UNICEF ROSA initiated this study with the following overall objectives:

³ Lansdown G, Promoting children's participation in democratic decision-making, (2001), UNICEF Innocenti Research Centre, Florence,

⁴ Children as Partners, a meeting of many of the leading practitioners and writers in the field of child participation was held in the University of Victoria in 2002 at which the development of indicators for monitoring and evaluating participation, strategies for sharing practice and the need for better understanding of how to support child-led initiatives were identified as key areas needing research.

⁵ O'Kane C, Children and Young People as Citizens: partners for Social Change, (2003), Save the Children UK, South and East Asia Region

- To address the lack of existing research evidence on the developments in participation within the South Asian region;
- To provide evidence of what works, why and practical methods for replication;
- To provide guidance for strengthening the capacity of government institutions, NGOs, civil society and UNICEF staff in developing policy reforms and programming that support children and young people's participation
- To apply the findings for evidence-based advocacy in promoting participation in the development of policies and programmes.

1.2.2 It was undertaken as a phased process, starting with a broad-based country overview of the range and nature of initiatives in children and young people's participation, coupled with an analysis of the legal, policy, social, economic and cultural context within such developments are taking place⁶. This was followed up with a more in-depth study into selected examples of good practices. The final stage was the production of this regional synthesis, providing an analysis of the current state of development in children and young people's participation in South Asia, and drawing out the lessons learned for future investment in strengthening UNICEF's contribution in this field.

1.2.3 It is intended that UNICEF ROSA and country offices will be the principal users of the findings in this regional synthesis, which will be used to strengthen capacity for

mainstreaming participation into programmes on Medium Term Strategic Plan (MTSP 2002-2005) priorities and the Millennium Development Goals. In addition, as part of capacity building and knowledge enhancement, the findings will be disseminated amongst development partners, including governments, NGOs, INGOs, donors and to children and young people to demonstrate effective practices in advocacy, social mobilisation, planning, evaluation and monitoring and networking for children and young people's participation in programmes. Finally, the regional synthesis will be useful to UNICEF at HQ and other regions who are in the process of developing guidelines and strategies for children and young people's participation.

1.3 UNICEF's commitment to children and young people's participation at global level

1.3.1 UNICEF has adopted a human rights based approach to programming which requires participation and empowerment of children. 'Human rights and child rights principles guide our work in all sectors – and at each stage of the process. These principles include: universality, non-discrimination, the best interests of the child, the right to survival and development, the indivisibility and interdependence of human rights, accountability and respect for the voice of the child'⁷. The aim is that children become actively involved as participants rather than merely recipients of programmes. This commitment is exemplified in the work of the organisation at a number of levels.

⁶ see Appendix 1 for details of the methodology

⁷ UNICEF homepage <http://www.unicef.org/rightsresults/index.html>

Medium Term Strategic Plan (2002-2005)

1.3.2 The MTSP identifies five priority areas:

- Girl's education
- Integrated early child development
- Immunisation plus
- Fighting HIV/AIDS
- Protection of children from violence, abuse, exploitation and discrimination

Within these programmes, UNICEF has identified adolescence, defined as between the ages of 10-19 years, as the stage in life when participation will have the greatest impact and significance. Accordingly, an explicit commitment to participation has been emphasised as both a right and a means to accomplish the objectives of girl's education, combating HIV/AIDS and child protection. 'Partnerships will increasingly be with children themselves... Participation by children, especially adolescents will form an important part of the programming by UNICEF offices'⁸.

1.3.3 In respect of girl's education, the approach has emphasised the need for child-friendly schools in which children are encouraged to participate in decisions

affecting them in school and in active learning rather than passive reception of facts and received wisdom⁹. Child friendly schools are now being supported in 38 countries¹⁰. It has also involved engaging children themselves as advocates for girls' education¹¹. In the field of HIV/AIDS, UNICEF has recognised that young people's own involvement in initiative planning, implementation and monitoring is vital to the success of programmes seeking to combat increasing level of infection¹². By 2002, programmes in 71 countries had supported young people in helping educate their own peers about HIV/AIDS and teach them life skills such as making informed and positive choices about their lives¹³. And in programmes to improve protection of children from violence, abuse, exploitation and discrimination, the MTSP suggests that participation is a necessary element by including youth associations in its plan for implementation listed under the partnership framework¹⁴.

1.3.4 Participation is not acknowledged within the strategies for meeting the objectives of Immunization plus or Integrated Early Child Development (IECD). However, in practice, some country programmes are beginning to explore the potential for recognising children's participation both as a strategy and also as an objective in these areas of work. For example, programmes in Pakistan, Nepal and Bangladesh have begun to involve children

⁸ MTSP, page 40

⁹ State of the World's Children (2003), UNICEF, New York,

¹⁰ UNICEF Annual Report (2002), New York,

¹¹ ibid

¹² Young People and HIV/AIDS: Opportunity in Crisis, 2002, UNICEF/UNAIDS/WHO

¹³ UNICEF Annual Report, (2002), New York,

¹⁴ MTSP, page 17, Annex 1

and young people's groups in raising awareness on girls' education, immunisation and health issues. And in the Maldives, IECD programmes have focused on the importance of promoting young children's participation within the family – listening and responding to children's views as a more democratic approach to parenting.

Special Session

1.3.5 UNICEF played an active role in promoting children's active involvement in the Special Session. It supported children's involvement in regional consultations in Beijing, Berlin, Cairo, Kathmandu, Kingston, Panama City and Rabat to review progress since the World Summit and guide action for the future. It was also directly involved in facilitating young people's participation in the formal preparatory meetings for the Special Session, and well as the three-day Children's Forum at the Session itself.

Voices of Youth

1.3.6 Voices of Youth is a global website created by UNICEF for young people to explore, discuss and take action on issues that affect them. It provides opportunities for children to share their views, contribute their ideas and find out what is happening around the world in respect of issues that impact on their lives.

Global movement for children

1.3.7 UNICEF is a key partner in the Global Movement for Children, which, through global and local awareness raising, campaigning, bridge- and capacity-building, hopes to achieve¹⁵:

- Greater respect for children and the contributions they make to their societies;
- Increased participation by children in decision-making processes that affect them;
- More determined political will to achieve a better world for children;
- Increased commitment to and practical action towards fulfilling the Convention on the Rights of the Child;
- Greater awareness of children's rights and a determination to stop their violation; and
- Greater accountability of governments, international agencies, the private sector and CSOs in their actions towards children.

1.3.8 Central to the ethos of the movement is the recognition that it will never be enough for adults to seek to change the world for children. They must change the world with children¹⁶.

¹⁵ Website: http://www.gmfc.org/en/about_html

¹⁶ State of the World's Children (2003), UNICEF, New York

Publications

1.3.9 Over the past decade, UNICEF has produced a range of publications dedicated to strengthening awareness, understanding and commitment to the concept of children and young people's participation, as well as tools for its realisation. Beginning with the UNICEF Innocenti Centre's publication in 1992 of

Roger Hart's influential report in which he introduces the 'ladder of participation'¹⁷, and leading up to the 2003 State of the World's Children which stresses the imperative of child participation, UNICEF has played a major role in bringing this issue to the fore.

¹⁷ Hart R, *Children's Participation: from tokenism to citizenship*, (1992), UNICEF Innocenti Research Centre, Florence

Overview of the Prevailing Context in South Asia¹⁸

2.1 Regional policy developments

2.1.1 A number of significant developments have taken place over recent years at the regional level that has served to raise awareness, visibility and protection of children's rights. These developments provide the overall context in which children and young people's participation, both as a substantive right in itself, and as a means of protecting other rights, is beginning to evolve.

International Conventions

2.1.2 Every country in the region has ratified the Convention on the Rights of the Child, but progress in ratifying the two optional protocols has been slower. To date, Afghanistan, Bangladesh, and the Maldives have ratified, whilst Nepal, Pakistan and Sri Lanka have signed the CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. The South Asia Strategy (see below) for the Second World Congress

against Commercial Sexual Exploitation of Children reinforced the need to comply with international standards and urges countries within the region to sign and ratify. The Optional Protocol on the Involvement of Children in Armed Conflict has been ratified only by Bangladesh and Sri Lanka, although the Maldives, Nepal and Pakistan have signed. The Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children has only, as yet, been signed by Sri Lanka.

SAARC Conventions

2.1.3 The 11th South Asian Association for Regional Cooperation (SAARC) Summit held in January 2002 in Kathmandu witnessed the birth of two landmark regional conventions – the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution and the SAARC

¹⁸ Much of the source material for this section derives from the country reports commissioned by UNICEF as part of the mapping exercise in this study. Reports were received from Maldives, Pakistan, Sri Lanka, and Nepal. In respect of the other countries, alternative source material was used and has been referenced accordingly.

Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia. Both Conventions address key concerns of violence, exploitation and abuse of children and are closely linked to the Millennium Development Goals for the region, the UNICEF MTSP and the current programme priorities for UNICEF ROSA.

South Asia Strategy

2.1.4 The South Asia Consultation for the Second World Congress against Commercial Sexual Exploitation of Children held in Dhaka 4-6 November 2001 was attended by 140 delegates of whom 25 were young people. The South Asia Strategy, adopted at the Consultation, stressed the importance of recognising that protective approaches that leave children dependent on adult support perpetuate children in the role of passive victims. It also emphasises the importance of partnerships with children that enhance the capacities of children to address abuse through provision of information, promoting inclusion of children at all levels of activity, supporting children in accessing the media and enabling children to participate in sensitisation programmes at local, national and regional levels¹⁹.

South Asia Change Makers, May 2001

2.1.5 The South Asia Change makers initiative, supported by UNICEF ROSA, and the Save the Children Alliance (South and Central Asia) brought together 16 children

from 7 countries in May 2001 to take part in a dialogue with government and corporate representatives on children's rights issues and investments for children. The children were elected by their peers through in-country workshops and included a majority of children from marginalised backgrounds. The children, through their dedicated hard work and preparation, made a powerful impact on both the business leaders and government officials.

South Asian Girl Child Symposium, Rawalpindi, Pakistan, 23-26 July, 2001

2.1.6 The Symposium brought together a group of 26 girls and 5 boys, together with their project managers, from selected projects for girls across the region. Children from Bangladesh, Bhutan, Maldives, Nepal, Pakistan and Sri Lanka were represented. The children met to share personal experiences of working against gender-based discrimination and how they are working with local projects and NGOs to learn about and protect children's rights²⁰.

South Asia High Level Conference on HIV/AIDS, 3-4 February 2003

2.1.7 In preparation for the South Asia High Level Conference on HIV/AIDS, a Regional Forum for young people was organised jointly by UNICEF ROSA and Save the Children, South and Central Asia Region. 43 children and young people participated in the Forum, which took place in December 2002 and

¹⁹ Commercial sexual exploitation and sexual abuse of children in South Asia, 2nd World Congress against Commercial Sexual Exploitation of Children, Yokohama, 17-20 December, 2001

²⁰ South Asia Girl Child Symposium report, UNICEF ROSA, September 2001

resulted in the Outcome Document, Young People's Call for Action – Young South Asians Assert their Rights, and a series of country action plans. Immediately before the High Level Conference held in February 2003, a two-day preparatory meeting was held with 16 young people selected from the Forum to support the young people in the presentation of their views and requests. The High Level Conference itself then provided a platform for children and young people to present their statement and their request to be equal partners in the fight against HIV/AIDS to national leaders, senior policy makers, parliamentarians, faith based leaders, people living with AIDS, civil society organisations, NGOs and multilateral partners. Finally, following the Conference, a half day follow up meeting was arranged in February 2003 to provide an opportunity for the young people to review their country action plans, produce implementation deadlines and a technical support plan for their implementation²¹.

2.2 Overview of the social, economic and cultural factors impacting on children and young people's participation

Prevailing environment

2.2.1 South Asia is a region facing extreme social and economic challenges. Poverty, illiteracy, malnutrition and gender inequality are endemic²². Over 40% of the region's

population are under 18 years of age. 80 million children - nearly half of all children under 5 years - are malnourished. Of the 36 million children born each year in the region, nearly 4 million die before completing five years of life. 395 million adults are illiterate – nearly half the world's total - and 46 million children are out of school²³. Numbers of children involved in hazardous work remain high, with government estimates of working children at 25 million, whilst ILO estimates that across the Asia and Pacific region there are currently 127 million children between the ages 5-14 years who are economically active²⁴. The consequences of poverty, lack of access to education, gender and caste discrimination, and poor health lead inexorably to disempowerment and social exclusion amongst the weakest members of society.

2.2.2 In addition to these social and economic factors, the region is also characterised by cultural values and attitudes that impact on the scope for child participation. Four key dimensions, particularly related to the family, are relevant:

- The family is seen as the foundation of society. In Sri Lanka, for example, the Government describes it as the basic social unit for the growth and development of children²⁵. Similarly in all other countries in the region, the family is viewed as the most important institution, providing the major source of love and nurturance for

²¹ South Asia Regional Forum for Young people on HIV/AIDS, Kathmandu, 15-18 December, 2002, UNICEF/Save the Children

²² Human Development in South Asia, (1997), UNDP,

²³ A better World for All, Progress towards the international development goals, (2000), UNDP, IMF, WB, OECD

²⁴ IPEC Action against Child Labour: progress and priorities, Oct 2003, Geneva

²⁵ Sri Lanka: Initial report to the Committee on the Rights of the Child, 1994, CRC/C/8/Add.13

children. These attitudes are evidenced in the assumptions of responsibility taken for the care of members of the family when they are in need, for example, when children are orphaned or parents grow older. Fostering social cohesion rather than expressions of individuality is the primary concern. Duty to the family and family members outweighs individual rights or preferences

- The family is characterised by very hierarchical structures, headed by fathers and with women and children in subservient roles. Children are largely expected to abide by the authority of adults and never challenge or question that authority. Children, especially girls, are not expected to make their own decisions. They are not considered to have the competence or experience to do so. In the Maldives, for example, the prevailing view is that childhood is intended as a period of carefree innocence. Children are viewed as passive, helpless and needy.
- Because of its societal importance, the family throughout the region is entitled to considerable protection in law. In Pakistan, for example, protection of marriage, family, mother and child is an acknowledged principle of policy under the Constitution, a principle further strengthened by the inviolability of the privacy of the home, which is a fundamental right under the Constitution. Respect for the right of parents, and even that of the extended family, is reflected in

the fact that the law interferes with such authority only when the family breaks down²⁶. There is considerable reluctance to accept the right of the state to play an extended role in protecting the rights of children within families.

- Girls within the region face extreme forms of discrimination, their subordinate place in society denying them control over most aspects of their lives. Early marriage, high levels of sexual and physical violence, lack of property rights, unequal access to education, neglect of health, and lack of political and economic power all serve to exclude them and impose significant barriers to the exercise of the right to be heard.

2.2.3 It is clear that there are powerful economic, social and cultural forces across the region that serve to marginalise and exclude children from having a voice in their lives or being involved in decision-making processes. The concept of child participation, then, which seeks to empower them and strengthen their capacities to realise their rights, can be seen to impose significant challenges to the traditional order.

The application of child rights in the South Asian context

2.2.4 It has been argued that the very concept of child participation, which promotes the visibility and individual rights of a child, is a Western imposed principle in conflict with the cultural commitment to the primacy of the

²⁶ Pakistan: Second periodic report to the Committee on the Rights of the Child , CRC/C/65/Add.21, 11 April 2003

family across South Asia. However, these concerns fail to acknowledge the strong affirmation of the family and respect for its privacy embodied within the Convention on the Rights of the Child, signed and ratified by all Governments in the region. In its preamble, the Convention recognises the family as the fundamental group of society, necessary for children's development and entitled to protection in order to provide for the growth and well being of all its members. Article 5 stresses the obligation of the state to respect the rights and responsibilities of the family, Article 18 imposes state obligations to provide support for parents, and Article 29 asserts that one of the aims of education is for children to develop respect for their parents. In other words, the continued viability and strength of the family is central to the realisation of children's rights.

2.2.5 It is also important to recognise the strong concept of community, mutuality and responsibility embodied within the human rights discourse. Indeed, Article 29 of the Universal Declaration of Human Rights states that 'Everyone has duties to the community in which alone the free and full development of his personality is possible'. The significance of the word 'alone' here is that it recognises that individuals do not exist as isolated beings but live in societies, towards which they must act responsibly if they are to develop their true humanity²⁷. This perspective is exemplified by an eminent American professor of philosophy who argues that: 'The

concept of human rights ...entails a mutualist and egalitarian universality: each human must respect the rights of all others while having his rights respected by all others, so there must be a mutual sharing of the benefits of rights and the burdens of duties.....By the effective recognition of mutuality entailed by human rights the society becomes a community. So the antithesis between rights and community is bridged'²⁸. Understood in this way, it becomes clear that human rights affirm rather than challenge much of the cultural underpinning of the region.

2.2.6 Indeed, the Government of India in its report to the Committee on the Rights of the Child takes the view that the conceptual framework of the Convention on the Rights of the Child, with regard to the child, the family and the state, is fully compatible with its Constitution, and other laws²⁹. Interestingly, it draws on an analysis which suggests that its philosophy incorporates tenets that are more familiar to the indigenous legal traditions of India which have been modified through centuries of colonial rule and may need to be restored if some of the concepts of the family embodied the Convention are to be adhered to³⁰. Evidence cited in support of this view includes the assumptions of responsibility for family members in the event of death in both Hindu and Muslim religions and the early systems of law which placed nurturing and care-giving responsibility within the family. It also cites Hindu law which recognises the importance of family support and the right to

²⁷ Klug F, *Values for a Godless Age* (2000), Penguin, London

²⁸ Gerwith A *The Community of Rights*, (1996), University of Chicago Press

²⁹ India: First periodic report to the Committee on the Rights of the Child, 2001, Department of Woman and Child Development and Ministry of Human Resource Development

³⁰ Goonesekere S, *Children, Law and Justice*, (1998), SAGE,

maintenance from family members and the unique early Islamic principle of conferring preferential rights of custody to mothers for very young children. In Bhutan, the Government has stressed that children's rights blend with the Buddhist perspective and approach with its innate respect for life and a protective attitudes towards all sentient beings³¹. In collaboration with UNICEF, it has conceptualised child rights through a mandala, a circle, in which the child is at the centre, surrounded by a series of circles and spheres which symbolise the framework of the Convention on the Rights of the Child. The mandala helps to reinforce the inter-dependency and interrelatedness of the rights in the Convention with the surrounding supportive environments.

2.2.7 The value of loving and nurturing children in order to promote their potential has always been promoted within the cultures of South Asia³². However, although the family has been viewed as an ideal homogenous unit with strong coping mechanisms, it is also important to understand that it can carry within it some inherent problems. The concept of family responsibility for children is humane in its approach, but it does carry with it a corresponding concept of sweeping authority by some family members. In some families, the exercise of power, usually by fathers, can be the source of inequality, exploitation and violence as well as nurturance, bonding and support³³. Traditional attitudes towards girls

within the family also discriminate against the equal realisation of their potential. The challenge brought by the Convention on the Rights of the Child is its recognition that every child has an equal right to nurturing and protection, and that children themselves and the state, as well as the family have a part to play in ensuring that entitlement for all children. It is worth acknowledging that this imposes a challenge to families throughout the world. But unless children are listened to, it is not possible to know when their rights are being abused, nor to help them take the necessary steps to protect those rights.

2.2.8 One of the consequences of the enhanced voice accorded to children since the Convention on the Rights of the Child was adopted, has been a growing awareness of the extent and severity of abuse of children within families. As adults have begun to listen to children, a different perspective on family life emerges. For example, in the course of the consultations undertaken by the Indian government during the preparation of the second periodic report to the Committee on the Rights of the Child, children observed that 'violence frightens us' and 'we get scared when our fathers get drunk'. These stark comments highlight the need to listen to children in order to understand the impact of adult behaviours on their lives. Indeed, the Committee on the Rights of the Child, in its General Discussion day on children and violence, stressed the need, not only to listen

³¹ The Future of the Nation Lies in the Hands of Our Children; a resource guidebook supporting the rights and needs of children in Bhutan based on the Convention on the Rights of the Child, Dec 2000, Government of Bhutan/UNICEF

³² Singh N and Karkara R, Children's participation in India, in Children in Globalising India: Challenging Our Conscience, (2002), HAQ Centre for Child Rights, New Delhi,

³³ India: First periodic report to the Committee on the Rights of the Child, 2001, Department of Woman and Child Development and Ministry of Human Resource Development

to children's experiences, but to involve them in strategies for addressing violence³⁴.

2.2.9 However, it is also worth noting that participation is not merely a means of strengthening protection for children. Creating a culture of respect for children's views can also serve to strengthen the quality of family relationships, and enhance parental capacity to provide a loving environment for their children.

Diversity and change in the region

2.2.10 In practice, the day to day reality of what is happening to children across the region is far more diverse than the statistics and the cultural overview might imply. The overall data conceals the huge disparities within the region, and indeed, within countries in the region: differences of population size, religion, economic wealth, social development and culture, and differences in the strength of democratic processes and the role of civil society. The interaction of these factors is complex and impacts differentially on the extent to which children and young people's participation has evolved. It is also the case that societies do not stand still. In the globalised world of the 21st century, most societies are exposed to changing economic and social forces that are directly impacting on family life, and the status of children within them. However, a range of factors, including government policies, geographic mobility within populations and degrees of social stability, mediate the scale and speed of

change. It is not possible therefore to describe a uniform context in which children are living in South Asia.

2.2.11 In particular, there are significant differences in the extent to which the traditional forms and roles of the family continue to exist. The governments of Pakistan and Bhutan assert that the key role of the family remains relatively static and stable. However, in some other countries in the region, the old extended forms of family are under considerable pressure. In Sri Lanka, for example, in recent years, the structure and functions of the family as a social unit have undergone significant changes with profound impact on its capacity to provide parental guidance and fulfil parental responsibilities³⁵. The extended family, a fundamental part of South Asian culture, particularly in the rural areas, is increasingly being replaced by nuclear families, in response to social factors such as urbanization, higher levels of education, economic hardship of young couples and internal mobility of the population. Large families are increasingly seen as an economic liability rather than an asset³⁶. There are also now more single-parent families. Increasing participation of women in the workforce is changing the pattern of gender relations and the need for greater sharing of parental responsibility between mothers and fathers.

2.2.12 These changes impact directly on the form and nature of care children experience, and indeed, the position of children within the

³⁴ General Discussion Day of the Committee on the Rights of the Child, Violence against Children within the Family and School, CRC/C/111, 28 Sept, 2001

³⁵ Sri Lanka: Second periodic report to the Committee on the Rights of the Child, CRC/C/70/Add.17

³⁶ India: First periodic report to the Committee on the Rights of the Child, 2001, Department of Woman and Child Development and Ministry of Human Resource Development

³⁷ Sri Lanka: Initial report to the Committee on the Rights of the Child, CRC/

family³⁷. One of the consequences of the stresses to which families are now exposed has been an increase in alcoholism, drug abuse and child abuse. Many of the traditions of respect and shame which were embedded in the culture and held the social fabric together are being eroded, leaving young people, in particular, more alienated and isolated. And in turn, this leads to increased anti-social behaviours, crime and family breakdown. If children's rights are to be protected in this changing environment, it is essential not only that adults have an understanding of how children experience their lives, but also that children are empowered to make informed choices and to acquire the competencies to take the necessary action to protect themselves. This necessitates a commitment to promoting a culture of respect for the views of children. The challenge is to apply this universal entitlement in ways that are respectful and appropriate to the local culture.

2.3 Legislative developments

2.3.1 Governments across the region are gradually introducing new legal frameworks and policies to reflect and adapt to these patterns of social and economic change, as well as the obligations imposed by the Convention on the Rights of the Child. It is not possible in the course of this report to provide anything more than a very brief and superficial overview of the legal and policy developments across the region. It is a vast

and highly complex field and this analysis is provided simply to provide a flavour of the context in which children and young people's participation is evolving.

2.3.2 During the course of the 1990s, in its concluding observations following examination of initial reports of state parties, the Committee on the Rights of the Child consistently recommended further action to accord greater importance to the views of the child to which few governments initially gave sufficient attention. The governments of South Asia were no exception – and the Committee repeatedly highlighted the need for children to be given a greater voice in the family, schools, care institutions, courts and the juvenile justice system, for example in India, Maldives, Bangladesh, Sri Lanka and Bhutan. In addition, in the Maldives, the Committee took the view that 'further efforts should be undertaken to ensure that the general principles of the Convention not only guide policy discussions and decision-making but are also appropriately reflected in any judicial and administrative proceedings and in the development and implementation of all projects, programmes and services which have an impact on children³⁸'. In Bhutan and India, it was recommended that the government 'develop skills-based training programmes in community settings for teachers, social workers and local officials at village-block level to assist children to express their informed views and opinions and to have them taken into consideration³⁹'. And in Nepal, the Committee suggested the

³⁸ Concluding observations of the Committee on the Rights of the Child: Maldives, CRC/15/Add.74

³⁹ Concluding observations of the Committee on the Rights of the Child: Bhutan, CRC/C/15/Add.157, and Concluding observations of the Committee on the Rights of the Child: India, CRC/15/Add.115

need for greater efforts to make the provisions of the Convention more widely known and understood and to increase public awareness of children's participatory rights⁴⁰.

2.2.3 More recently, during the examination of the second reports of Bangladesh and Pakistan, the Committee continued its efforts to press the governments into further action⁴¹. It encouraged them to include children in the formulation of their National Plans of Action. It further recommended action to promote children's participation at all levels of society including locally and within traditional communities, legislative reforms to establish the principle of respect for the views of the child in legal matters affecting them such as custody and the need for education for parents, government officials, and professionals working with children on the concept of participation. In respect of health, it urged them take measures to make counselling available to adolescents, and recommended to the Bangladeshi Government the need for confidential services that are accessible without parental consent, where this is in the best interests of the child. It also recommended the participation of children at all levels of school life, and within the criminal justice system, access to legal representation system and the establishment of sensitive and accessible complaints mechanisms.

Legal rights to be heard

2.3.4 Since the initial dialogues with the Committee, some progress has taken place, although, overall within the region, there has, as yet, been relatively little legal reform to implement the principle of the child's right to express views of all matters of concern to them into practice. Children, in general, remain relatively invisible as subjects within the law, although there are considerable disparities between different countries.

2.3.5 There remain very limited opportunities for children to be heard in the courts in any of the countries in the region. In Pakistan and Bangladesh, the family court may consider the preference of a child when appointing a guardian if the child is old enough to state a preference, but the court is not bound by the views of the child. Children are generally viewed as needing protection and guidance and lacking the capacity to make their own decisions. However, Pakistan has recently established legal aid centres in the vicinity of some borstals and central jails in order to extend access to justice⁴². And there is a growing awareness that a system should be devised through schools and elsewhere in which children may be given counselling and legal advice in cases of need. The government of Pakistan takes the view that such a system can only be introduced gradually, because it may be construed as

⁴⁰ Concluding observations of the Committee on the Rights of the Child: Nepal, CRC/15/Add.40

⁴¹ Concluding Observations of the Committee on the Rights of the Child: Pakistan, CRC/C/15/Add.217, and Concluding Observations of the Committee on the Rights of the Child: Bangladesh, CRC/C/15/Add.221

⁴² Pakistan: Second periodic report to the Committee on the Rights of the Child, CRC/C/65/Add.21, 11 April 2003

interference in the private lives of families⁴³. In Bangladesh, children cannot lodge complaints or seek redress before the courts until they are 18 years of age⁴⁴. Although entitlement to legal aid in criminal cases exists, it is rarely, if ever, used to assist children in court⁴⁵. On a more positive note, the government has committed to raise the age of criminal responsibility from seven to 12 years. And in Pakistan, young people have been afforded greater participatory rights through the introduction of legislation lowering the voting age to 18 years.

2.3.6 In Sri Lanka, children do have slightly greater visibility. The legal system provides that boys from the age of 16 years and girls from the age of 14 are considered to have discretion to exercise rights. In other words, the law does allow a tacit form of emancipation. In the case of adoption, once a child is 10 years old, the court must have regard to their wishes and feelings in accordance with their age and maturity. A 1999 amendment to the Law of Evidence in Sri Lanka permits the use of videotaped evidence of the preliminary interview of a child victim or witness in cases of child abuse. This system has been introduced to protect children from being further harmed by being required to appear in court, often a traumatising experience. The new procedure should enhance children's right to express their views meaningfully in court proceedings⁴⁶.

2.3.7 In addition, in Sri Lanka, children can petition the courts if their rights are violated, although the Supreme Court can only be invoked to address abuses on the part of the state and not those perpetrated by private acts, or acts or omission within legislation. One recent successful example of this right has been the upholding by the courts of the right of children to adopt a mode of dress consistent with their religious beliefs. Muslim girls are now allowed to cover their heads in school despite this not conforming to school uniform codes. However, such rights of access to the courts are meaningless for most children who lack the resources to pay the costs of proceedings, or the knowledge that such rights exist. And the juvenile justice system has remained largely un-amended for the past 60 years. The Government does acknowledge the need for urgent reform including the need to give juveniles rights of representation in criminal proceedings.

2.3.8 In Nepal, even where legal rights exist, for example, in respect of education or protection from sexual abuse, most children are effectively excluded from seeking redress for abuses because of the cost of bringing legal action. The government has introduced legislation providing entitlement to legal aid in cases where a child has been accused of a crime, and in both civil and criminal proceedings where the child requires separate legal representation in order to protect their interests or rights⁴⁷. However, this

⁴³ *ibid*

⁴⁴ Bangladesh: Second periodic report to the Committee on the Rights of the Child, CRC/C/65/Add.22 14 March, 2003,

⁴⁵ Assessing the Training needs of Police, Magistrates and Judges and the Capacity of Bangladesh Training Facilities in Juvenile justice and Protection from Violence, Abuse and Discrimination, (2003), Ministry of Women and Children Affairs/UNICEF, Dhaka

⁴⁶ Sri Lanka: Second periodic report to the Committee on the Rights of the Child, CRC/C/70/Add.17

⁴⁷ Legal Aid Act 1997, Nepal Rajapatra Vol 47, No 46(E), 7 Poush 2054 (22 December 1007)

system can only work if enough resources are provided to the Legal Aid Fund, if lawyers are required to accept legal aid cases and if children are aware of their rights⁴⁸. None of these requirements currently exist. One positive development, however, has been the Legal Aid Project established by the Nepal Bar Association.

2.3.9 In India, there is no legislation expressly supporting children and young people's participation, although the Constitution confers freedom of expression and does not exclude children. The government is proposing to establish a National Commission on Children. However, neither the Bill to set it up nor its proposed policy and charter make a clear statement about the right of children to be heard. It is argued that its introduction is top-down and that, in its development, it has failed to establish any consultative mechanisms with children⁴⁹. In addition, legislation is seen to adopt a welfare orientation, balancing identified needs of children in proportion to available resources rather than a rights orientation which confers upon each child the basic conditions that enable him or her to realise their rights⁵⁰. Children do not, largely have a right to be heard. Rather, the extent to which they are listened to in judicial hearing, in families and in school depends on the attitudes of adults in key positions.

2.3.10 In the Maldives, children are not allowed to give evidence in criminal proceedings but once over 7 years, are

consulted in custody proceedings. Generally, children are not involved in divorce proceedings but there are current moves to consider greater involvement of children in legal decisions. Juvenile proceedings are not child-friendly: a child protection worker is present in court, but is not allowed to speak on behalf of the child or represent their views. And although children are entitled to legal representation, many are unaware of this right and are not properly heard in court. However, one important development since 2001 has been the introduction of family conferences in which children are entitled to be present and express their views.

2.3.11 In none of the countries in the region are there explicit legal rights to participate within the school environment. Despite some progress in respect of the curriculum, teacher attitudes and the classroom environment, children have no formal rights to establish school councils, be represented on governing bodies, or make complaints within the school when their rights are violated. Similarly, no legislation has been introduced to extend the rights of children within the family, the privacy of which remains paramount. Accordingly, children have little legal redress in respect of decisions made on their behalf or ill-treatment by family members. And in none of the reports to the Committee on the Rights of the Child, do governments from the region indicate measures to provide for independent consent to treatment for minors or access to confidentiality in the provision of medical care.

⁴⁸ Murgatroyd C (2000) Final Report on the Legal Regime and System of Implementation for the Protection of Child Rights in Nepal and Recommendations, UNICEF ROSA, Kathmandu

⁴⁹ Reddy N, A Meaningful Commission, (July 2003) India Together,

⁵⁰ N Singh and R Karkara, Children's participation in India, in Children in Globalising India: Challenging Our Conscience, (2002), HAQ Centre for Child Rights, New Delhi,

2.4 Government policies and initiatives to promote participation

2.4.1 Despite the relatively slow progress in introducing legal reforms, most governments across the region have begun to introduce policies and other initiatives in response to growing awareness of the importance of children and young people's participation as a means of promoting and protecting their rights.

Activities relating to international processes

2.4.2 The UN Special Session on Children and the production of reports to the Committee on the Rights of the Child have provided avenues for many government to create consultative forums with children. In India, children were consulted as part of both processes. The Sri Lankan and Pakistan governments are involving children in the development of their National Plans of Action following United Nations General Assembly Special Session (UNGASS). In Bangladesh, the National Plan of Action for Children identifies child participation as one of its overarching strategies, stating that 'Children will be involved in making decisions and organisation and management of activities affecting their lives, and not treated just as passive beneficiaries or recipients of services'⁵¹. In the Maldives, whereas no children were involved in the production of the National Plan of Action following the World Summit, a group of school children, including

child representatives from the atolls, were invited by the government after UNGASS to participate in a national conference to contribute their views. The Government of Pakistan included the views of children in its End Decade Review Report which was prepared prior to UNGASS.

2.4.3 Nepal was ahead of the rest of the region in undertaking a major consultation with children in 1994 in preparation for its first report to the Committee on the Rights of the Child. A five-day Children's National Seminar on the Convention was organized by UNICEF and other NGOs to provide children with an opportunity to learn about and identify ways of implementing their rights. The 30 participating children representing different ethnic, religious, geographical and socio-economic backgrounds, went back to their respective villages and cities after the seminar to interview other children and document their findings in photographs and writing. To ensure even wider participation, announcements were made throughout the media encouraging children to send in their impressions on the rights of the child in the form of articles, paintings, poems and songs.

2.4.4 The 30 children then returned to the capital for follow up meeting, this time with another child selected during the course of the exercise. The seminar, whose inaugural function was chaired by a street child and

⁵¹ Bangladesh: Second periodic report to the Committee on the Rights of the Child , CRC/C/65/Add.22 14 March, 2003

attended by the Speaker of the House of Representatives and other high-ranking government officials, was virtually conducted by the children themselves. They had intensive discussions on the information, which they had collected and on the contributions made by other children. They organized a press conference and a discussion session with members of Parliament and the National Planning Committee.

Education

2.4.5 Education throughout the region remains hierarchical and authoritarian in its structure, with children being entitled to very little say on how or what they are taught, and corporal punishment widespread. However, there is evidence of some initiatives, which are beginning to challenge the traditional system of schooling and the status of children within it. Most governments are beginning to give some recognition to the value of greater child participation. UNICEF has been active throughout the region promoting and developing child-friendly schools.

2.4.6 In the Maldives, two children are now allowed to sit on school boards to represent their peers. Nearly all schools have associations specialising, for example, in science, arts, sports and the environment. Whilst guided by teachers, most have steering committees of children and decisions are taken and implemented by children

themselves. A recent child centred learning project has been piloted in one of the atolls and in schools in Male, which introduced a child participative approach to learning. It has been found to be very successful and should therefore provide a lead for future initiatives. In Pakistan, new proposals are being developed to integrate children's rights, personal health and gender perspectives into the curriculum with a view to enhancing understanding of rights and the development of protective behaviour amongst children.

2.4.7 The Indian government recognises the need to include the Convention on the Rights of the Child as part of the curriculum and to involve school children in the dissemination of information about child rights through child to child and child to community activities. It acknowledges that prevailing attitudes of teachers constitute a barrier to these changes and emphasises the need for training to encourage them to listen to the views of children and treat them respectfully⁵². In Bangladesh, the government has undertaken consultations with children and their families about the weaknesses and strengths of non-formal education projects, which have led to significant modifications in the project design⁵³. In Bhutan, the government in its report to the Committee on the Rights of the Child states that teachers are encouraged to respect the views of children and that this is mandated in the codes of conduct for teachers drawn up in 1997⁵⁴.

⁵² India: First periodic report to the Committee on the Rights of the Child, 2001, Department of Woman and Child Development and Ministry of Human Resource Development

⁵³ Bangladesh: Second periodic report to the Committee on the Rights of the Child, CRC/C/65/Add.22 14 March, 2003

⁵⁴ Bhutan: Initial report to the Committee on the Rights of the Child, CRC/C/3/Add.60, 14 October 1999

Child protection

2.4.8 There is growing awareness across the region that one of the most effective strategies for protecting children must be to be more receptive to what children are saying, to create opportunities for them to be heard and to be prepared to act on what they say. In India, a Childline service is now available in 38 cities and is expected to extend to 60 by the end of 2003. It provides a freephone service for children in emergency situations and also aims to sensitise agencies such as the police, hospitals and railways to the problems faced by children and create opportunities for the public to respond to their needs. Following the signing of the SAARC Convention, the programme to prevent child trafficking in source areas emphasises the empowerment of girls and women by generating awareness, education and vocational training, self help groups and the strengthening of grass roots democratic institutions. In Pakistan, the first ever Helpline has been established to cover 18 towns of Karachi city. The Helpline provides referral and guidance services to children and women suffering from violence and abuse.

2.4.9 In the Maldives, the child protection section of the 6th National Development Plan introduces a multi-disciplinary Child Protection System in which one of the key strategies is to 'develop a system for children to be heard, especially when taking decisions that affect them'⁵⁵. This strategy represents a major step forward in the move towards fuller

participation of children in the community and in matters affecting their lives. The Unit for the Rights of Children (URC) will be responsible for promoting child participation in all areas of social development and child protection. Children of all ages can lodge complaints with the URC whose helpline number and contact details have been widely disseminated. However, to date, the cultural environment has not yet adapted adequately to empower children to have the confidence to complain and it is therefore likely that they will, in practice, depend on adults lodging complaints on their behalf.

2.4.10 In Bangladesh and Pakistan, child rights training is being provided to government and law enforcement officials with a view to increasing the respect given to children's views by those working for and with children⁵⁶. Furthermore in Bangladesh and Pakistan, the National Plans of Action against the Sexual Abuse and Exploitation of Children were developed through a highly participatory process involving detailed consultations with children. Nevertheless, the NPA for Pakistan does not include a section on child participation whereas the Bangladesh Plan envisages a key role for children in its implementation⁵⁷. In addition, the Bangladesh government has increasingly recognised in recent years, the value of consulting with children in the development of all key legislation and policies affecting them. In an important example of this process, a report produced jointly between UNICEF and the Ministry of Women and Children Affairs to

⁵⁵ 6th National Development Plan, 2001

⁵⁶ Bangladesh: Second periodic report to the Committee on the Rights of the Child , CRC/C/65/Add.22 14 March, 2003

⁵⁷ National Plan of Action against the Sexual Abuse and Exploitation of Children including Trafficking, Ministry of Women and Social Affairs, May 2002

explore concerns in the juvenile justice system involved focus groups with many children who had been in conflict with the law and in penal institutions⁵⁸.

Family and community life

2.4.11 As observed in the previous section, family relationships throughout the region remain hierarchical, with little legitimacy afforded to the right of children to articulate their views. Children are not expected to take part in decision-making, even on matters of central concern to their lives. In Nepal, for example, the Government is blunt about the lack of respect for children's views within the family and cites the persistently high rate of child marriage as evidence of this failure⁵⁹. However, in most countries, there is evidence of slow but significant change taking place.

2.4.12 There is a growing awareness in Pakistan that greater emphasis needs to be accorded to the views of the child not only in legislation and court procedures, but also in the way children are treated by their parents and elders. A number of steps are being taken with a view to promoting greater respect for the views of the child⁶⁰. The National Council for Child Welfare and Development is encouraging parents to attend workshops to develop an increased sense of awareness regarding their role in child welfare and development. It is also

sensitising public opinion to respect the views of children through provincial workshops. The Social Welfare Training Institute organizes courses for parental development, family environment and child care, as well as alternative care for nannies. And the Government recognises the need for seminars and workshops in which parents and children are encouraged to exchange views on issues pertaining to the child, as well as other issues.

2.4.13 In Bhutan, the government has been working with several international agencies to explore the use of participatory methodologies for improved programme design and development based on the needs expressed by children themselves. Topics such as 'listening and learning' sessions include reproductive health, education, out of school leisure time activities and the dreams and aspirations children have for the future⁶¹. The Indian government sees as a prerequisite for child participation, the need to promote awareness of children's rights amongst parents and to equip children with the skills and opportunity to express their views and challenge the mindset that 'children should be seen and not heard'⁶². And indeed, one of the demands made by children in the consultative process for preparing the Indian report to the Committee on the Rights of the Child was that 'Elders should provide opportunities for children to participate. This increases the confidence of all children, especially girls'⁶³.

⁵⁸ Assessing the Training needs of Police, Magistrates and Judges and the Capacity of Bangladesh Training Facilities in Juvenile justice and Protection from Violence, Abuse and Discrimination, (2003), Ministry of Women and Children Affairs/UNICEF, Dhaka

⁵⁹ Nepal: Initial report to the Committee on the Rights of the Child, CRC/C/3/Add.34, 10 May 1995

⁶⁰ Pakistan: Second periodic report to the Committee on the Rights of the Child, CRC/C/65/Add.21, 11 April 2003

⁶¹ Bhutan: Initial report to the Committee on the Rights of the Child, CRC/C/3/Add.60, 14 October 1999

⁶² India: First periodic report to the Committee on the Rights of the Child, 2001, Department of Woman and Child Development and Ministry of Human Resource Development

⁶³ Excerpt from the four regional consultations, October 30-November 12, 2000, cited in the first Indian periodic report

2.4.14 In Bangladesh, the lack of awareness by parents that their children are subjects of rights, coupled with a tendency to underestimate children's capacities, is seen as a significant problem by the government. Accordingly, it launched an Early Childhood Development project in 2001 to help increase parents' understanding of child development through an education programme for 4-5 million caregivers all over the country. This was backed up by a mass media campaign in which one of the issues was the right of older children to make up their own minds about the direction of their studies.

Summary

2.4.15 The concept of listening to children and taking their views seriously remains probably the least understood of all the rights embodied in the Convention. It is also the most challenging. Children have traditionally participated in the arena of domestic chores and economic contributions to the family, and in some institutional forms of organisation. But they have not been encouraged in the past to express their views or contribute to decision-making processes in the family, schools, or the wider community. The Convention on the Rights of the Child introduces a new meaning to participation, which involves the child as a subject of rights and not merely the passive recipient of adult protection and care. Critically, it acknowledges the child as an agent in the exercise of his or her own rights, entitled to play an active part both in definition of their own needs, and their subsequent fulfilment.

The implications of this principle are wide-ranging and have been interpreted in many different ways within and across South Asia.

2.4.16 Overall, it is probably true to say that in South Asia, as in most other regions of the world, governments have been relatively slow to grasp the implications of the Convention for the participation of children. They have not sufficiently addressed the fundamental need to engage in a process of social and cultural change to promote respect for children as partners in making the decisions that affect them and to underpin those changes by the introduction of legal entitlements, and policies and strategies for their implementation. Implementation requires systematic review of legislation and policy in relation to youth justice, family law, child-care, health, education, child protection, employment and environmental issues. It requires strategies to address dissemination of information, monitoring implementation, ensuring non-discrimination and education and training on its promotion and application⁶⁴.

2.4.17 However, social change takes time, and there is clearly a growing understanding of the importance and benefits of listening to children. In this process, children themselves are effective advocates. As adults increasingly see children confidently articulating their own concerns and challenges for the future, so it becomes impossible to preserve the view of their incompetence, or indeed, of the ability of the adult world to get things right without first listening to children.

⁶⁴ Hodgkin R and Newell P, Implementation Handbook on the Convention on the Rights of the Child, (2002), UNICEF, New York

Developments in Children and Young People's Participation

3.1 Evolution of the development of child participation

3.1.1 The primary engine of change in promoting children and young people's participation within the region has been the NGO community. And in their work, it is possible to observe a clear trajectory in the forms of participation that have developed. Despite the absence in social and cultural traditions of a strong recognition of children's claim to individual rights, children's participation did exist in some countries through a range of formal institutions outside the education system. The Scouts and Girl Guides movements, for example, have existed for many years and sought to promote social responsibility and leadership among school children⁶⁵.

3.1.2 Child-to-Child, which was introduced into the region by NGOs in the late 1980s, adopted approaches which directly involved children in the process of health education and promotion. It is rooted in a recognition that the most effective programmes are those

that involve children in decision-making rather than merely using them as communicators of adult messages. Although initially introduced to promote community health, its influence has extended to other areas of children's lives. It found considerable acceptance as a practical methodology for engaging children. Some argue that this is because it does not challenge the established power structures in the way that other empowerment models do, but its proponents insist that whenever children are involved as partners in this way, change is demanded in current structures and methodologies in health and education⁶⁶. The ideas of the Brazilian writer, Freire, also had profound influence on development and education discourse in parts of the region. His identification of children as one of the 'oppressed' groups within society, subjected to authoritarianism by both parents and teachers, gave rise to debates over how the education system could be humanised to empower children to engage in a critical dialogue⁶⁷.

⁶⁵ Singh N and Karkara R, Children's participation in India, in *Children in Globalising India: Challenging Our Conscience*, (2002), HAQ Centre for Child Rights, New Delhi,

⁶⁶ Child to Child: a practical guide, S Gibbs, G Mann and N Mathers, which can be accessed on www.child-to-child.org

⁶⁷ Freire P. *Pedagogy of the Oppressed*. (2000) 30th anniversary edition, Continuum, US

3.1.3 In the early 1990s, as the concept of child participation began to be debated and explored, there was increasing recognition by NGOs of the need to render children visible in arenas normally dominated exclusively by adults when making decisions about children. This led to their gradual involvement in significant events such as many of the conferences or national consultations detailed above.

3.1.4 At the same time, there was an emerging critique of the limitations of using these formal, set piece processes as the primary mechanism through which to empower children to influence those issues of importance to them. Bringing children into an agenda already defined by adults and away from their own local environment, offered no opportunity for children to shape their own day-to-day experience. This critique was informed by the debate also taking place, for example, amongst women's organisations and development agencies, which were seeking a wider understanding of citizenship, encompassing not just political or electoral participation, but wider participation in the community and society.

3.1.5 Although participatory development was not a new concept, it acquired a new momentum and broader acceptance during the 1990s, partly as a result of growing evidence of the failure of many development projects and an emerging body of evidence of

the positive impact of participation on sustainable development. Organisations such as UNICEF and UNDP began to stress that the processes of development and human rights are both a means to better programmes and an end in themselves⁶⁸. The World Bank has observed that: 'Participation matters – not only as a means of improving development effectiveness as we know from out recent studies – but as the key to long-term sustainability and leverage. We must never stop reminding ourselves that it is up to the government and the people to decide what their priorities should be. We must never stop reminding ourselves that we cannot and should not impose development by fiat from above – or abroad'⁶⁹. Engagement of citizens and citizens' organizations in the development of public policy, and in shaping and delivering public services is a critical factor in ensuring that action taken on behalf of poor communities actually reflects their needs and aspirations⁷⁰.

3.1.6 NGOs working directly with children increasingly began to advocate for recognition that children are citizens too, and as such, equally entitled to recognition as participants within their communities. Accordingly, they began to explore models of participation rooted in community activity, which empower children to exercise their rights for their own and others' best interests⁷¹. Approaching participation through the concept of citizenship, in India, for example, where there

⁶⁸ Ferguson J, (1999) *Global Social Policy Principles: human rights and social justice*, London, Department for International Development

⁶⁹ Wolfensohn J, paper to the Annual Meeting of the World Bank, 1998

⁷⁰ Reuben W, (2003) *Civic Engagement, Social Accountability and Governance Crisis*, World Bank, Washington

⁷¹ Hart R and Lansdown G, *Changing world opens doors to children*, in *Children and Young People's Participation*, CRIN Newsletter, No 16, October 2002

is pride in both its traditional social values as well as modern democratic institutions, has found greater acceptance as it is seen to extend beyond kinship without undermining it⁷².

3.1.7 The value of children and young people's participation has further been affirmed at the international level. In adopting the Outcome Document of the UN Special Session on Children, A World Fit for Children, governments agreed on the following commitment: 'Children, including adolescents, must be entitled to exercise their right to express their views freely, according to their evolving capacity..... We will strive to develop and implement programmes to promote meaningful participation by children, including adolescents, in decision-making processes, including in families and schools and at the local and national levels'⁷³.

3.2 Scope of participatory initiatives

3.2.1 The scope of initiatives to promote children and young people's participation varies significantly within the region. And in the same way that there is no single definition of participation, so there are no single models or approaches to its realisation. The political, social and cultural context necessarily influences the forms of participation that evolve, as do the philosophy, objectives and competencies of the NGOs involved in its promotion.

3.2.2 One of the most striking phenomena within the region has been the evolution of children's own organisations - clubs, unions, committees, councils, groups and parliaments – which enable children to unite collectively to work for the realisation of their own rights. These forums create a unique space in which children can meet and organise together. Whilst Bhutan, Afghanistan and the Maldives have witnessed relatively little activity to date, India, Nepal and Sri Lanka, and to a lesser extent Pakistan and Bangladesh, have spawned a proliferation of projects and programmes encompassing a wide range of activities and methodologies. This brief overview cannot do justice to the richness of experience in the region: it merely attempts to capture a sense of recent developments.

Bangladesh

3.2.3 In Bangladesh, participation has been slow to evolve, although progress is now taking place. UNICEF together with Save the Children, has involved children directly in a number of initiatives to advocate greater respect for their rights. For example, they invited the views of children and young people through newspaper advertisements and focus groups to produce a report on children's perspectives to present to the Committee on the Rights of the Child⁷⁴. 400,000 children responded with nearly 400 involved in the follow up discussions. The overwhelming response that this process produced is indicative of children's powerful desire to have their voices heard. The Child Brigade, a peer

⁷² Singh N and Karkara R, Children's participation in India, in Children in Globalising India: Challenging Our Conscience, (2002), HAQ Centre for Child Rights, New Delhi,

⁷³ World Fit for Children, para 32(i)

⁷⁴ Children and Young People perceptions on the Implementation of the Convention on the Rights of the Child, (2003) UNICEF, Bangladesh

education project working with boys working on the streets, has evolved into a successful organisation, providing support and building resiliency amongst its members, and literacy classes for other children on the streets. In the Kishori Abhijan project, a UNICEF-supported initiative to promote the rights of adolescent girls, participants are engaged in planning activities, programme design, monitoring and evaluation and management of initiatives⁷⁵.

India

3.2.4 In India, the genesis for developments in children and young people's participation was not the international NGOs but rather local NGOs such as Concerned for Working Children (CWC), who as early as the 1980s had advanced a commitment to working with rather than for children. They worked by creating collectives or informal organisations of children at risk and found them to be effective vehicles for children's protection and empowerment⁷⁶. They pioneered models of working children's unions, which have now been followed and developed by many other NGOs. The Bhima Sangha, for example, the children's union created by CWC has over 20,000 members.

3.2.5 Over time, a range of initiatives has evolved to engage a wider constituency of children. Central to the philosophy of CWC, and other NGOs was the recognition that empowering children necessitated the

creation of access to those institutions where decisions and actions that impact on their lives are made. Accordingly, they have formed Makkala Panchayats (Children's Parliaments) which seek to evolve a child-centred development process for rural areas through strategies to revive the local economy, empower working children, families and communities and introduce appropriate education programmes. The members are elected by children themselves and they operate as an interface between children in the community and local government structures to ensure a children's perspective is heard. This work has been highly innovative and has had significant impact on thinking in this field nationally, regionally and internationally.

3.2.6 In recent years, many more Indian NGOs have begun to explore approaches to create opportunities for children to participate in decision-making processes. Some, for example, have developed Children's Committees for Village Development, which identify local problems and initiate appropriate action by collaborating with local authorities and the community. In some urban areas, pavement clubs have been set up to strengthen peer support for children at risk of trafficking. The degree of formal organisational structures varies across these developments. Some groups create for themselves a distinct identity backed up by formal structures. Others constitute loosely organised networks characterised by informality.

⁷⁵ Trasi R, Measuring Adolescent Participation in Bangladesh, (draft) under assignment to the Department of Child and Adolescent Health and Development, WHO, Geneva

⁷⁶ Ramachandran V, Concerned for Working Children: education, work and rights,(2001), unpublished background paper sent to the author

3.2.7 The role of the international community in India has been to help to strengthen and scale these initiatives up. The Aga Khan Foundation introduced the child-to-child approach in the later 1980s and more latterly, Save the Children has since been a key protagonist of children and young people's participation, in particular introducing methods of child centred participatory research. It has played an important role in providing financial and technical support and brought practitioners together in developing ideas of citizenship, theatre for development and methods of involving children in reviewing and evaluating programmes⁷⁷. UNICEF was a relatively late entrant among the international agencies promoting children and young people's participation but has used its advantageous position to good effect in opening up a dialogue with the government about the importance of involving children in decision-making processes and lobbying for children and young people's participation at the regional and international level.

Maldives

3.2.8 Although Maldives was one of the first countries to ratify the Convention on the Rights of the Child, neither the government nor the NGO community has yet made significant progress in promoting children and young people's participation. The UNICEF Change Makers Movement, established in 2001, represented an innovative approach to engaging children from disadvantaged communities in key events affecting their lives

both within the country and the region. Examples of the work included participation in the formulation of the UNICEF country programme, in the national conference to formulate a National Plan of Action to realise the goals of 'A World Fit for children' and a regional consultation with children and young people corporate leaders and governments held in Kathmandu in 2001. However, it has not been sustained and there is no current activity taking place. Other initiatives have sought to democratise the school environment with the introduction of child-centred learning projects, which emphasise greater participation of children in the learning process. But it is probably true to say that there is very little evidence of sustained programmes in which children are genuinely beginning to play an active role in influencing their day-to-day lives.

Nepal

3.2.9 Children's clubs in Nepal began initially in 1991, as an organic response to the call of the Convention on the Rights of the Child for children's own perspectives to be given consideration⁷⁸. Many INGOs, which were working on child-to-child programmes began to convert them into child clubs and the numbers escalated throughout the 1990s. Some evolved in response to the Radio Nepal Hatemalo children's programme, supported by UNICEF to raise awareness about disability and child related issues, and in which a fictional children's club was introduced. From 1993, local NGOs also

⁷⁷ Singh N and Karkara R, Children's participation in India, in *Children in Globalising India: Challenging Our Conscience*, (2002), HAQ Centre for Child Rights, New Delhi

⁷⁸ Rajbandary J, Hart R, Khatiwada C, (1999) *The Children's Clubs of Nepal: a democratic experiment*, Save the Children Norway/ Save the Children US, Kathmandu

began to support their development and UNICEF started to explore their feasibility in 1995. It is estimated that as many as 10,000 such clubs exist, and UNICEF alone is supporting 1650 clubs involving 44,500 children⁷⁹. Many of these clubs is based within schools with the teacher as the supporting adult, others are located within local communities where they can involve a wider constituency of children, including those who are out of school. Their activities range from recreation – sport, drama, competitions – to community development, advocacy to improve their lives and peer education to raise awareness of those rights. Many of the UNICEF-supported clubs have played a key role in the implementation of programmes to improve hygiene and sanitation within communities.

3.2.10 A growing number of clubs have sought recognition with the Village Development Committees in order to establish a formal voice for children in local policy making forums. Furthermore, they have been engaged in a successful struggle for legal recognition of their organisations. In 2001, the Supreme Court made a groundbreaking decision to grant children's clubs the right to register their organisation on the basis of Article 15 of the Convention on the Rights of the Child, the right to freedom of association⁸⁰. This establishes a precedent both nationally and globally. In India, children in the Bbal Mazdoor Union have made a similar appeal but have not yet been successful in gaining recognition.

Pakistan

3.2.11 In Pakistan, some children and young people's participation activities are still largely event based. Children have for some time been present at conferences, rallies and seminars, but primarily as participants and not decision-makers. More recently, as understanding of the value of working with rather than for children has strengthened, children are encouraged to play an increasingly active role in these events. Some of the international NGOs have developed highly participatory programmes, but only a few involve on-going processes which offer children real opportunities to influence matters which affect their day-to-day lives. Save the Children UK have supported the establishment of a working children's union, Mazdoorkar Mashumano Tolana, which fights to protect the rights of working children in the area. They have also developed a SWIP programme in which they facilitate children together with families, and others who impact on children's lives to form circles through which they analyse root causes of injustice and inequity. They are then encouraged to explore solutions in dialogue with policy makers.

3.2.12 UNICEF is involved in an initiative with the Family Planning Association to address the problems faced by adolescent girls by building on their capacity to participate more effectively in matters affecting their lives at family and community level. A recent innovation has been to include boys in a

⁷⁹ other INGOs involved in supporting child clubs include Save the Children UK, US, and Norway, Plan International, Action Aid, Red Cross INSEC and Child Workers in Nepal

⁸⁰ Decision of the Nepal Supreme Court, 2058/5/25

series of activities similar to those implemented with girls. The draft national action plan on HIV/AIDS for young people was developed in collaboration with participants at a youth forum.

3.2.13 A small number of national NGOs are working on child-to-child approaches while others have evolved community development programmes with children. Currently, child clubs are less widespread than in Nepal or Sri Lanka but one NGO, Madadgar, has established a number of clubs whose primary aim is to spread awareness of human rights issues through children themselves. AMAL-Human Development Network, a local NGO, has initiated a project, Youth Empowerment Skills, for out of school adolescent boys aged 10-18. Having started out by providing result orientated activities such as HIV/AIDS awareness and life skills training, it has now established a Children's Committee, which was initially run by AMAL but is now self functioning. It is chaired by a young person, meetings take place at the children's homes and they develop their own activities including peer education, and rights awareness. The perception of participating children as well as the supporting adults is that as soon as the children were mobilised, they genuinely owned the project.

Sri Lanka

3.2.14 In Sri Lanka, too, international NGOs have played a central role in generating awareness and practice in children and young people's participation, often through children's clubs. Plan International and Christian Children's Fund (CCF) in Sri Lanka have also

involved children in their strategic planning process in order that their programming is directly informed by the priorities of children. Save the Children Alliance have facilitated the formation of a Children's Media Group with the support of journalists, which produces a magazine through which children can air the problems they experience, promote rights awareness. Some of the long-standing organisations such as the Scouts and Girl Guides also began, in the early 1990s, to harness participation as a tool for development and community services. And the baton has since been taken up by many national and local NGOs, which are supporting a number of initiatives, including a growing number of child clubs in the plantations as well as in urban areas. Programmes have been developed in community development, education, environment and drug abuse prevention. Efforts have also been made to build participatory initiatives to promote peace, bringing children together from different sides of the conflict.

Summary

3.2.15 Throughout these projects and programmes, children are engaged in a wide range of activities including programme planning, design and implementation, monitoring and evaluation, advocacy and campaigning, research, consultation and representation at local, national, regional and international levels. A huge variety of approaches and techniques have been explored. Many projects have sought to work with children through drama and the arts, both as a means of enabling them to explore

issues within their own lives, and as a means of sharing their concerns with others. Others involve the development by children of wall newspapers through which they can disseminate information, expose injustices and share ideas. Mapping, social surveys, dialogue with influential adults, sensitisation programmes, and peer education are but a few of the models evolving in the region.

3.2.16 What all these examples illustrate is that both within their own organisations and within adult initiated programmes, it is possible for children to engage actively in pursuit of their rights. The critical dimension in achieving effective and meaningful participation is the creation of a space in which children can explore their own lives and in which they are afforded respect by supporting adults. Often there is an evolutionary process from recreational activities, through education and awareness training to engagement in community development and advocacy as children gain in confidence and competence through their participation.

3.3 Focus of children's participatory activities

3.31 Across all the forms of participation adopted to promote children and young people's participation, children are engaged in a wide range of issues, some of which are the expression of their rights and others which involve them in pursuit of the realisation of those rights.

- Personal skills development – many projects place emphasis on the importance of skills building amongst children, particularly as the majority of the children with whom they are working come from profoundly disadvantaged backgrounds. Raising awareness of rights is also a central theme running through most initiatives. Experience shows that conventional lessons on legal rights are not an effective means of enhancing understanding. The learning process needs to engage children's interest and enthusiasm through participatory approaches. Theatre work, for example enhances talents in writing, and performing. It encourages children to articulate their ideas and gives them confidence to express them.
- Play and recreation – many of the children's clubs provide a forum for children to take part in sports, drama, music, dancing and competitions, which is unavailable to them elsewhere. The findings from the SCN/SCUS evaluation of children's clubs in Nepal found that children valued these opportunities very highly and, indeed, wanted a higher proportion of their time to be engaged in recreational pursuits⁸¹. Many examples arise in the case studies. Plan Sri Lanka worked to explore children's talents in music, song and dance and enabled the children to broadcast their performance on national television to provide them with the widest possible audience. In another project in Sri Lanka, FORUT has enabled

⁸¹ Rajbandary J, Hart R, Khatiwada C, (1999) The Children's Clubs of Nepal: a democratic experiment, Save the Children Norway/ Save the Children US, Kathmandu

children to use the medium of street drama to highlight the ill-effects of alcohol and drugs and have found that increased recreational facilities have reduced the attraction of harmful addictions. It is worth bearing in mind that whilst many children want to engage in activities which will improve the quality of their lives, for example, in respect of education, abuse and exploitation, violence, opportunities to have fun and to play are also key to that process. Article 31, the right to play and recreation is too often disregarded.

- Child protection – one of the most powerful issues to emerge as children are given the chance to express their views, is the scale and severity of violence and abuse they experience in their day-to-day lives. It is not surprising, therefore, that many participatory initiatives seek to empower children to raise awareness of and challenge such experiences. Projects have sought, for example, to challenge the legitimacy of physical punishment by teachers, the harassment of girls within the community, the negative impact on children of parental drunkenness. In Nepal, a UNICEF supported child club formed with out of school children campaigned successfully to prevent the marriage of one of its members, and went on to raise the issue more widely in the community. The Isnan Foundation in Pakistan empowers children to design, plan, implement and monitor their own theatre productions in order to raise awareness about issues relating to child labour, child sexual abuse and street children. And the Maddadgar

Helpline project supports a children's theatre group, which performs plays on child abuse including sexual abuse and exploitation. Their expertise and sensitivity leave audiences deeply moved, and whereas adults performing these plays could be vulnerable to criticism for their candidness, the performances seem to be far more acceptable coming from children. Theatre for Development is a tool used with children by many NGOs to highlight abuse and exploitation. One project in Bangladesh has identified the need for a monitoring cell to track and take action on child rights abuses. The idea would be to bring together a committed group of lawyers, journalists and doctors to whom the children could feed up their observations from the field and assist in taking action⁸².

- Health and hygiene – many clubs and projects choose to focus on issues relating to personal hygiene, HIV/AIDS, water and sanitation and reproductive health issues. In Nepal, for example, UNICEF has used child-to-child training to involve children in implementing school sanitation programmes. The YES! Project in Pakistan has successfully worked with boys who are out of school to help them become peer educators promoting HIV/AIDS awareness. The Boy Scouts project in Pakistan has successfully built the capacity of children to raise awareness on immunization of children, hygiene and use of sanitary latrines. The Girl Child Project in Pakistan has also included the capacity-development of girls for communicating

⁸² White S C, (2001) Child Brigade: an Organisation of Street Working Children in Bangladesh, University of Bath, Bath

messages based on Facts for Life and to provide first aid support to their own families and communities.

- Education – equal access to education has been a powerful theme running through many initiatives to promote children's participation. In Nepal, Save the Children has supported disabled children who have managed to succeed in education, to become community motivators to share their stories and serve as role models demonstrating the capacity of disabled children to benefit from education⁸³. Other groups have identified lack of birth certificates as a barrier to the education of many children and have launched campaigns to increase birth registration. Most of the programmes in India with working children place primary emphasis on mobilising children to advocate for their right to an appropriate and child-friendly education. In Sri Lanka, children have successfully lobbied the Divisional Secretary to persuade him to make a plot of land available to build a library. Save the Children Alliance then supported the children by helping put up the building and providing technical support and training the library maintenance – an important example of partnership between adults and children. In Bangladesh, the Child Brigade has provided a forum through which street children have acquired the skills to provide information about their rights to others on the streets. In Pakistan, Boy Scouts participating in the 'Brothers Join Meena'

project have successfully promoted the right to equal access to education for girls in remote and conservative communities.

- Working environment – in India, in particular, much of the focus of children and young people's participation has been directed towards improving their working conditions. For example CWC, through its Dhudio Makkala Toofan programme is working to demonstrate that child labour can be addressed effectively, even within the framework of the present level of development, if state policies, strategies, infrastructure and personnel are strengthened and if working children are empowered to identify their problems, propose solutions and participate in an informed manner in all decisions regarding their lives and future. One strategy they have developed for addressing the problem is to form a Tripartite Task Force at the village and/or ward level that consists of representatives of working children and their communities, government representatives and employers. Children map villages/wards and present the problems they face to the Task Force and together they find the solutions. This has begun to demonstrate that it is possible to work in partnership with local governments and implement solutions through government structures. This programme can be upscaled and replicated while remaining diverse, flexible and responding to local specific needs and concerns⁸⁴.

⁸³ Weibly K, (2003) Stepping Together for Education, SCF UK Programme in Nepal, Kathmandu,

⁸⁴ CWC website: www.workingchild.org

- Discrimination – given the highly stratified nature of societies throughout South Asia, it is inevitable that issues of discrimination are of primary concern to many of the children involved in participatory initiatives. Many of the child clubs in Nepal have used the Meena Communication Initiative to help focus their ideas on gender discrimination. The Boy Scouts in Pakistan have developed a programme in which the children are provided with information about children's rights and the rights of girls to go to school. They then work as advocates within their communities to encourage enrolment of girls. Some child clubs in Nepal have raised money to support the poorest children in going to school.
- Community development – many children's organisations engage in activities for the benefit of the local and wider community. Programmes to build houses for poor people, to tackle poverty, to provide play facilities and parks, to improve educational facilities have evolved in recent years. Increasingly, in India and Nepal in particular, children, through their organisations, have successfully negotiated formal recognition by local government officials and have a place at the table when decisions affecting the local community are being made. In India, for example, children have established their own Panchayat which is recognised by the adult equivalent. It was decided to work through the Panchayat because it is the body closest to the ground and thus renders children's participation more feasible, enabling them to build one-to-one rapport with elected adult representatives.
- Family life – to date, relatively little work has been done to acknowledge and promote children's right to be heard within the family. Most of the emphasis has focused on children in the public sphere. Yet, respect for children's views is also important with the family, and can be seen as a route towards greater communication within families and improved quality of relationships⁸⁵. One interesting project has been developed in Maldives to raise parental awareness of the value of listening to children, particularly in the context of growing levels of delinquency, drug misuse and family breakdown. The programme seeks to help parents become more responsive to children and to provide them with the necessary skills through which to respond effectively to their children. It also provides older siblings with ideas on how to communicate and stimulate smaller children to grow and develop through interaction: the aim is to enable them to see that children need more than simply being watched. The Girl Child Project in Pakistan has been successful in demonstrating that if girls are given opportunities to acquire knowledge and skills, they can contribute to development of the family and community and contribute effectively to decision making.

⁸⁵ Miller J, All Right At Home, (1999), Children's Rights Office/SCF-UK, London

Lessons Learned and Issues Raised

The following section draws out the key findings from an analysis of examples of good practices in promoting children and young people's participation undertaken in phase two of this study, examples documented in the mapping exercises, as well as examples of practice published by other children's NGOs working in the South Asia region. The lessons learned derive from both the direct observations and perceptions of participants associated with individual initiatives – children, parents, local community members and supporting organisations – and also from the thematic patterns of findings which emerge from the overall analysis, in respect of the nature of participation, impeding and facilitating factors and its impact.

4.1 Promoting meaningful participation

4.1.1 Across the divergent range of initiatives in participation within the region, there exist very different levels of real engagement by children. At one end of the spectrum are projects initiated and largely designed by adults but which involve children at the implementation stage. At the other, initiatives

emerge from children's own expressed concerns and are designed, implemented and evaluated by children themselves. All these models have legitimacy and can and do produce beneficial outcomes for children. However, the evidence to date, arising from this and other studies, although largely anecdotal, does indicate that deeper levels of participation by children produces more positive outcomes in terms of personal development, more appropriate programming and more effective advocacy. Some key lessons emerge as to the factors that facilitate or impede the development of meaningful participation.

A principled approach

4.1.2 Participation by children and young people needs to be founded on a number of core principles. There is a broad consensus as to the nature of these principles, which have evolved through practice in the field over the past ten years, and have been documented in a range of publications⁸⁶. The children consulted in the course of this study strongly affirm their value and importance. They include the requirements that:

⁸⁶ Lansdown G, Promoting Children's Participation in Democratic Decision-making, (2001), UNICEF Innocenti Research Centre, Florence

- Children fully understand the nature of a proposed initiative, its aims and their role within it
- Power and decision-making processes are transparent
- Children are involved from the earliest possible stage of the process
- All children are treated with equal respect regardless of age, gender, ethnicity, caste, ability, or other factors
- Ground rules in any activity are negotiated and agreed between the participating adults and children
- Participation is voluntary and children are entitled to leave at any stage
- Children are entitled to respect for their views and experience

4.1.3 Adherence to these principles provides a foundation from which to build participatory initiatives. Children need to be fully conversant with them in order that they understand the basis on which adults commit to working with them and in order that they can hold them to account in their practice. The principles also inform the basis on which children build their relationships with each other.

Defining the objectives of children and young people's participation

4.1.4 It is important for organisations working in this field to be clear about their objectives

in pursuing greater participation of children, as this influences the scope, nature and levels of participation sought and accordingly the strategies needed for implementation. These objectives may include a commitment:

- To provide greater legitimacy for the organisation given its promotion of the principle of participation, and its encouragement to partners to work in partnership with children
- To achieve greater democratic participation as a matter of principle and entitlement for all children
- To promote enhanced understanding and commitment amongst children of participatory democracy
- To ensure greater accountability and transparency to children
- To ensure better informed programmes which are more relevant to children
- To provide more effective delivery of campaigns and programmes for children by engaging children themselves in design and implementation
- To provide demonstration models of good practice in children's participation capable of being mainstreamed by governments and other agencies
- To create opportunities for personal growth and development of children engaged in processes of participation

4.1.5 Any or all of these objectives are legitimate, but will have differential impact on how an organisation pursues its relationship with children. For example, creating opportunities for personal growth and development of children within programmes can be achieved through adult initiated activities in which children are involved in the design and implementation. However, if the goal is to be more accountable to children and to ensure that programme priorities reflect children's own expressed concerns, then children will need to be involved at a far earlier stage in the decision-making processes in the organisation. Consideration would need to be given to creating structures through which children can input to the strategic planning process. If the goal is to enhance children's capacities to engage in participatory democracy within society, then it is necessary to develop strategies to enable children to initiate their own activities and take increasing levels of responsibility within them. And if the goal is the realisation of democratic participation for all children, then investment needs to be made with governments to hold them to account in introducing the necessary legislation, policies and programmes to enable children to express their views on all matters of concern to them.

Partnership with children

4.1.6 A great deal of attention in the region has been given to the perceived hierarchy in Hart's ladder of participation, with the assumption that the ultimate goal needs to be child-led initiatives⁸⁷. In practice, different

levels or models of participation can be appropriate in different contexts. The critical issue is the need to create space in which children can contribute their own ideas and concerns, and take increasing levels of responsibility for activities over which they have the competence.

4.1.7 Meaningful child participation is about recognising the right of children to take part in decisions that affect them and to have the power to shape both the process and the outcome. Most programmes involve recognition of the importance of teaching children about their rights. However, rights only become meaningful if children are empowered to act to realise them. This must involve helping them fulfil their own capacities to understand how their rights are disregarded or violated and take action to create change. Children need opportunities to undertake their own analyses of their daily lives. There is a fine balance between, on the one hand, adults directly or indirectly controlling and influencing children's initiatives and on the other, providing the support and encouragement to help children identify their own problems and solutions. The involvement of children in an initiative does not of itself create meaningful participation.

4.1.8 In Nepal and Sri Lanka, for example, a significant number of child clubs are based within schools as they provide a clear and sustainable structure. However, it is often much harder for children to experience the freedom to explore their own agendas and the appropriate structures and activities for

⁸⁷ Hart R, Children's Participation: From Tokenism to Citizenship, (1992), Innocenti Essay No 4, UNICEF, Florence

pursuing them within the formal and hierarchical environment of a school, than in the community-based clubs.

4.1.9 Children's freedom to evolve their own agendas is also often inhibited when organisations use participation as a tool for implementing their own development agendas. The tension between the two is exemplified in the findings of a workshop within UNICEF in Nepal where staff made an explicit differentiation between their perceived objectives of child participation and those of supporting child clubs. In respect of the former, they identified the goals as involving children in decision-making, getting their voices heard, making them aware of their rights, bringing change to their communities and personal development of children. However, they saw the goals of child clubs as limited to programme implementation, a communication channel for programme messages, and an opportunity for children to meet and participate in shared activities. The only overlapping goal was children's personal development. It is evident from these perspectives, that although child participation is utilised as a tool for implementation, it is not necessarily the driving agenda in UNICEF's support for child clubs.

4.1.10 The impact of these programme-driven goals is well illustrated, for example, in some of the UNICEF-supported child clubs which are limited to activities initiated by adults in the fields of hygiene, sanitation, health and environmental issues. The involvement of children is not of itself problematic. The programmes are valuable – increased knowledge of hygiene and

improved sanitation at home and at school are worthy objectives. However, children can be involved in implementing such a programme without having had any say in why the programme is being developed, what it seeks to achieve, its design, or how it is monitored and evaluated. One of the key findings from the case studies is that in those child clubs where children are simply involved in carrying out an adult driven programme, the children find it much harder to acquire the confidence with which to explore and initiate their own agendas.

4.1.11 It is possible for clubs to evolve beyond the limitations of an initial adult driven programme, where the programme encourages children's evolving capacities. Many of the case studies describe projects that commence with a high level of involvement on the part of adults but with children gradually asserting more control over the process as they gain in confidence and competence. The critical factor is the creation of a democratic space in which children can grow. Children need to be encouraged to critically review initiatives rather than simply encouraged to become involved in them.

4.1.12 A number of the case studies illustrate this process. The Bal- Awaz – Bal Adhikar Chetana Samuha (Children's Voice- Children' Rights Awareness Group), a UNICEF supported programme in Nepal, began as a 20 months' basic non-formal education group with working children, mainly house servants. At the close of the course, the children determined that, despite the funding coming to an end, they wished to continue meeting. The classes had provided them with a unique

opportunity to meet with children their own age and perceive the benefits of collaborative activity. The supporting agency, FOHREN, agreed to provide voluntary help. Within a year, the group had evolved into a child club which has succeeded in attracting many more members, provided continuing opportunities for learning, helped get some members into school, campaigned for child rights and become positively regarded within the community. In other words, the knowledge and skills they had acquired during the course, together with the encouragement of the adults involved, had given them the confidence to create their own initiative.

4.1.13 An initiative in Sri Lanka was designed to introduce a leading children's newspaper into schools with a view to creating opportunities for children to produce their own newspaper. The children's perception was that both the decision to proceed, and the design and planning of the project were made by the supporting organisation and the head teacher with no input whatever from the children. However, the process of getting involved in both this and other participatory initiatives within the school did appear to lead to an enhanced level of participation by children in school activities. Teachers reported that over a three year period during which they had worked with the programme, the children gradually became more creative in contributing ideas, greater respect was afforded to those ideas from teachers, and children were more involved in their implementation. In another example from Pakistan, the YES! Project to develop a peer education programme for out of school boys was initiated by an AMAL-Human

Development Network, a local NGO. However, because of the respect with which they were treated and the genuine opportunities to influence the programme, the children, rapidly assumed ownership of the process.

Participation in planning as well as programming

4.1.14 Once children's views are given expression, it becomes clear that the concerns prioritised by children do not always coincide with those identified by adults. Children reveal aspects of their lives which may be little understood or recognised by adults.

4.1.15 Significantly, children often emphasise issues relating to emotional well-being and safety and protection over material needs such as housing, food and clothing. In Sri Lanka, for example, the involvement of children in the strategic planning process undertaken by Plan International highlighted the children's aspirations for protection from alcoholic fathers, improved health and educational facilities, positive attitudes from community members, and improved family relationships. The involvement of children in the planning process resulted in Plan shifting its emphasis away from the development of individual children towards a focus on community development in which children were facilitated in playing a significant role in decision-making processes, planning, implementation and monitoring and evaluation. These findings were subsequently re-affirmed in the case study from Sri Lanka. When the children were asked to rate how

they valued different participatory activities, the ones they rated most highly were those that contributed to their personal skills and development, enhancement of their spiritual and personality development, and strengthening their social interventions and the protection of the environment. The children explicitly stated that their primary aspirations were non-material. In Bangladesh, UNICEF, after consulting with children, found that a vocational training programme they were proposing to provide for girls was not what they needed. Rather, they wanted the acquisition of business skills that would enable them to contribute to their fathers' work and enhance their status within the family. In Pakistan, the participating girls in the Girl Child Project expressed the view that the project should also include boys to ensure improved gender balance in the community. Their views were incorporated in the project and a parallel set of activities were initiated for boys.

4.1.16 In the Child Brigade in Bangladesh, the initial objectives defined by the funding agency was to work with young waste collectors to adopt an environmentally sound waste management scheme which would meet the children's need for income and provide a better and cheaper waste management service. After considerable difficulties, the project was abandoned. It had been an objective imposed from outside, which failed to take account of the children's perceptions of the status of the work involved and the impositions of a structured and regulated approach to waste collection over

which they had previously had more control and autonomy. For children working on the street the degree of independence they have is one of their greatest advantages⁸⁸. In place of the waste management scheme, the children decided to develop their own educational materials to provide a literacy programme for other children on the streets. With the support of their facilitator, this has been a highly successful programme.

4.1.17 These findings indicate the importance of involving children in both situation analyses and strategic planning processes if their concerns are to be given sufficient acknowledgement. Adults do not always understand the realities of life for children, and adult assumptions about what is important can differ significantly from children's experiences, a point made succinctly by a 16 year old in Bangladesh when UNICEF consulted children on their rights, 'you can see and address our physical needs without talking to us, but you cannot know about our emotional and psychological needs'⁸⁹.

Bridging local, national and international participation

4.1.18 There is considerable debate over the comparative benefits of involving children in high level consultative mechanisms and working at the local community level. Both are important, but there is a danger that the need for NGOs, including UNICEF, to demonstrate their commitment to participation sometimes leads to an inappropriate precedence being given to the former.

⁸⁸ White S, Child Brigade: An organisation of Street Working Children in Bangladesh, (2001),

⁸⁹ Children and Young People's Perceptions of Implementation of their Rights in Bangladesh, (2003) UNICEF, Dhaka

4.1.19 The desire to be seen to involve children can lead to pressure to 'produce' children to speak at conferences, to the media, and to other high-level forums. These events provide visible and high profile evidence of an organisation's success in creating platforms for children. However, whilst they involve a great deal of work, they are often time-limited and finite. Of course, they are an important means of giving children a forum through which to articulate and advocate their views, and children need access to policy-makers. However, a predominant focus on events at the expense of on-going work on the ground carries with it a number of risks:

- The participating children may be servicing the goals of the agency rather than their own expressed goals.
- In some cases, NGOs 'raid' grass roots participatory projects to produce children to participate in events in order to provide credibility for themselves. In this way, they are using smaller organisations without necessarily reciprocating by providing the investment to support and nurture such initiatives.
- The involvement of children at these events necessarily restricts the numbers who can participate and often relies on investment in a small number of children who are often the most confident and articulate.
- There is often no linkage between what the children are engaged in at the forums and their day to day lives at home.

- It can detract from the more demanding and relatively less prestigious, but arguably more valuable and influential work, at the grass roots level.
- It can be seductive and raise unrealistic expectations of capacity to create change.

4.1.20 There are positive examples of effective participation at this level. For example, in the UNICEF/SCF Children's Regional Forum set up in preparation for the High Level Conference on HIV/AIDS (described in para 2.1.7), the linkages between children at the local and international level were well established. The participating children were selected from local initiatives already active in the field. They were supported throughout the process, with sustained follow up when they returned home to help them. In this way, the children were empowered to utilise their local expertise to influence the national and international agenda whilst gaining knowledge and skills from their higher level participation. They could then bring that learning back to their local communities to strengthen advocacy at that level.

4.1.21 However, if children's rights, as opposed to organisational imperatives, are to be prioritised, it is essential to guard against the temptation to assume that the prominence of a limited number of children in formal events can substitute for work at the community level to enable children themselves to explore and pursue their own priorities. Children do need access to key policy makers. But where they are involved in such initiatives, careful thought needs to be given to:

- the way in which they are elected;
- the nature of their accountability to children within their local community;
- the support given to them to forge links between the issues raised in these arenas and their translation into action on the ground;
- the need to create opportunities for the widest possible numbers of children to participate at this level.

The need for collaboration and reciprocity

4.1.22 Participation is a challenging and complex process. Every “child rights” NGO is grappling with the difficulties imposed by trying to construct new relationships with children based more on partnership than delivery. They are all facing the challenges of sustainability, replication and inclusion. It is imperative therefore to build alliances between NGOs in order to maximise learning and opportunities for sharing experiences and expertise. It is also important to invest in smaller local and national organisations working in this field as well as the more familiar international bodies. Too often, organisations operate unilaterally and accordingly duplicate their learning, repeat the same mistakes and waste scarce and valuable resources in doing so. Given the extraordinary range of experience that has evolved throughout the region over the past ten years, there is an urgent need for networking in order to capitalise on the lessons learned and utilise those lessons for the benefit of children.

4.2 Creating child –sensitive environments

4.2.1 Successful participation requires the creation of environments that reflect and respond to children’s differing levels of competence, and take account of the external realities of their lives. Many children have competing demands on their time – school, domestic chores, paid work, extra tuition, child care responsibilities. Children have differing levels of competence and understanding. They have differing expectations and needs. If projects and programmes are to respond to the interests of children rather than the supporting agency, then they need to be designed to reflect and accommodate children’s diversity.

4.2.2 A number of factors contribute to the difficulties that supporting agencies can experience in creating environments in which children and young people’s participation can thrive:

- Very few staff has had training in child participation and most lack the confidence and the practical experience through which to integrate it into their working cycles.
- Many organisations, particularly international bodies, operate to tight externally imposed deadlines which are not designed with children in mind – and working with rather than simply for children takes longer.
- Many organisations need to be seen to produce results - and meaningful children’s participation necessarily means allowing children to be involved in agreeing

the goals and the means of achieving them. This may not produce the external outputs demanded by the organisation.

- There continues to be a lack of conviction amongst many staff working in children's organisations that participation is, in fact a necessary or beneficial process to engage with, and will produce enhanced outcomes for children.
- A number of international NGOs, as well as UNICEF, that are engaged in promoting children's participation, work through many partner agencies with relatively little expertise or training in child participation.

4.2.3 However, children consulted in the case studies identify a range of factors that make participation more responsive to their needs:

- Adult facilitators and key actors in supporting agencies need appropriate training to understand the process of children's participation and to build capacity to develop it. Children stress the importance of both the attitudes and behaviours of adults as well as skills and techniques. For example, in one child club in Nepal, the children cited the significant impact of basic counselling training for adult facilitators on their capacity to listen to the children. In general, adults in community based clubs tended to be more sensitive and responsive to the children than those in schools;
- Appropriate support and guidance from adults to help them gain skills, as they feel necessary;
- Time scales for activities which take account of both their own capacities and other demands on their time;
- Use of simple language in order that even the youngest children can understand and feel confident to participate;
- Methods of participation developed in accordance with children's evolving capacities and their preferred forms of involvement. One group of children in Sri Lanka had a number of suggestions for encouraging a child-friendly environment:
 - holding games in the middle of sessions;
 - giving children opportunities to show their talents;
 - making sessions interesting and happy;
 - using humour and jokes;
 - encouraging questions and discussion, not just one-way talking;
 - having competitions between groups.
- Pairing active with passive children in order to build confidence through peer support
- Provision of information they need in forms which are accessible and appropriate according to age, ability and language, including information about their rights
- Help in evolving structures and systems of organization which work for them, and which may be different from traditional adult models. For example, in many child clubs, the structures they evolve are often very formal, largely replicating adult models of organisation with executive boards, chairpersons, secretaries and

treasurers being ascribed tightly defined roles⁹⁰. These are not necessarily the most useful or creative ways for children to work.

4.2.4 A recurring theme throughout the case studies is the importance children attach to sports and recreational activities. While many are engaged in serious and challenging activities to overcome abuse and neglect of their rights, they also place a high priority on the role of child clubs and other participatory forums as providing the opportunity to have fun. However, giving formal recognition to play as a key activity of children's forums can raise difficulties with parents, many of whom support their children's participation only in so far as it is viewed as either educational or useful to the community. Indeed, some parents' reluctance to allow their children to get involved derives from a view that they are merely frivolous activities. One of the challenges is to promote awareness of the important role that play and recreation offer for children's development.

4.3 Promoting equity and inclusion

4.3.1 The Convention on the Rights of the Child, with its explicit obligation to ensure that all rights apply to all children without discrimination on any grounds poses a challenge to UNICEF and children's NGOs to provide equitable access to participation⁹¹. Discrimination can arise both in respect of

access to and practice within participatory initiatives.

Targeting marginalised groups of children

4.3.2 The most obvious entry points for building links with children, and those most widely used in the region, are schools. However, schools inevitably exclude many groups – for example, disabled children, street children, working children and children in institutions. While school-based initiatives can be valuable, and provide a sustainable and supportive environment for many initiatives, it is vital to extend beyond them and explore other methods of including children.

4.3.3 As an organisation, UNICEF's priority must necessarily be towards promoting and protecting the rights of the most vulnerable and disadvantaged. It is precisely these marginalised children who are the most difficult to reach. They are often more mobile, less accessible, and perhaps more suspicious of proposed interventions. However, there are a rich variety of initiatives and programmes throughout the region, which have successfully piloted methodologies for doing so. The Child Brigade in Bangladesh, for example, has worked effectively with street children in Dakar to engage them as activists seeking to promote the rights of other vulnerable children. Youth Empowerment Skills in Pakistan has successfully trained working

⁹⁰ Rajbandary J, Hart R, Khatiwada C, (1999) The Children's Clubs of Nepal: a democratic experiment, Save the Children Norway/ Save the Children US, Kathmandu

⁹¹ Article 2, UN Convention on the Rights of the Child

children as peer educators to promote HIV/AIDS awareness.

4.3.4 Furthermore, it is possible to build on initiatives targeted at marginalised children to break down barriers of caste, culture and social hierarchy. Some child clubs, for example, which were set up initially to provide a forum for excluded children, have successfully invited children in from different environments. One club for disabled children now involves non-disabled children and is evolving a culture of equity and inclusion. Another club originally established for working children has now invited other children in. The strength of both these examples is that the more excluded children are able to offer valued opportunities to other children.

4.3.5 However, it is essential to recognise that these outcomes cannot be achieved without the investment of time and resources, and the involvement of skilled facilitators.

Broadening inclusion within initiatives

4.3.6 Issues of equity also arise in respect of how accessible initiatives are to different groups of children within a given community. The countries within South Asia are highly stratified - gender, caste, poverty, age and disability can all serve to exclude. It is clear from the case studies that principles of non-discrimination and equity are widely understood and efforts are sought to overcome the social, cultural and economic barriers that would lead to some groups of

children being left out. There is considerable evidence that many projects, clubs and organisations are particularly effective in giving girls a key role. Children and supporting agencies observe that both in terms of membership and in the roles they play within initiatives, girls are as equally involved as boys. Indeed, the children cited decreasing levels of discrimination between boys and girls as a consequence of getting involved in projects. Effective participation creates environments in which children have the opportunity to review and re-assess many of their traditional attitudes. Interestingly, children in some initiatives also expressed the view that the activities they valued least were those that required children to have special skills or capacities and therefore did not allow all children to participate freely.

4.3.7 However, patterns of discrimination do exist. There is continuing evidence throughout the region that very poor and disabled children are widely excluded from children's organisations. An evaluation of child clubs in Nepal in 1997, for example, cites a significant pattern of exclusion of disabled children⁹². Membership of lower caste children is also lower, as is their participation within executive structures within clubs.

4.3.8 There is also a need to recognise the equal rights of younger children to be involved in decisions that affect their lives. Article 12 of the Convention on the Rights of the Child extends to right to be listened to and taken seriously to all children capable of expressing

⁹² Rajbandary J, Hart R, Khatiwada C, *The Children's Clubs of Nepal: An Assessment of a National Experiment in Democratic Development*, (2003), Save the Children Norway/Save the Children US, Kathmandu

a view. And the Committee on the Rights of the Child does not accept setting a lower age limit for participation⁹³. In this context, targeting mainly on adolescent participation raises some concerns. The recognition given to the particular needs and vulnerabilities of adolescents is extremely important, and long overdue. However, commitment to the principle of non-discrimination does necessitate investment in strategies to reach out to all children.

4.4 Assessing the impact of participation

4.4.1 The impact of participatory initiatives needs to be understood from three differing perspectives:

- On the individual children who participate
- On the realisation of external goals set by the children
- On families and the communities in which children live

Impact on children's personal development

4.4.2 A consistent outcome from all the case studies is the positive impact on children themselves arising from their active participation in initiatives. Interestingly, it appears that children from widely differing backgrounds appear to gain similar benefits. Children perceive these benefits in terms of

their own personal development – self esteem, increased confidence, improved social skills, acquisition of a range of competencies, including speaking in public, capacity to articulate their needs, literacy, knowledge of their rights, better understanding of wider social, economic and political issues and awareness of others. They also learn processes of democratic decision-making and negotiation. Many children cite increased independence and mobility as an outcome of their participation. Some activities, for example many of the child clubs in Nepal and Sri Lanka, place emphasis to the acquisition of leadership skills. Others prioritise teamwork, collectivism and tolerance. For example, in the Child Brigade in Bangladesh, a central principle is that the identity of the group takes precedence over the advancement of any individual. Accordingly, they deliberately avoid having individual spokespersons who gain a high profile, as they feel this detracts from the strength of the group as a whole.

4.4.3 Children cite improved relationships with their parents, and greater respect from their local communities as additional benefits accruing from participatory activities. They commented that they had become more aware of personal hygiene, were more organised and many of them had become more motivated to go to school. Many children stressed their heightened awareness and intolerance of all forms of discrimination. In Pakistan, for example, the parents of the participants of Girl Child Project felt reassured that their daughters' enhanced confidence

⁹³ Hodgkin R and Newell P, Implementation handbook on the Convention on the Rights of the Child (2002), UNICEF, New York

meant they were better placed to cope with their future lives. Participation has provided girls with enhanced opportunities for achievement and greater ability to protect themselves.

4.4.4 Children place considerable importance on being able to spend time doing things together with other children. It seems clear that participatory activities, whether in child clubs, networks or other forms of programmes offer children unique opportunities for learning and playing that are not available to them in other areas of their lives.

4.4.5 A powerful theme emerging from these case studies, and confirming the findings of other studies, is the extent to which children's capacities are developed and expanded through experience of participation. A virtuous circle is created. Participation serves to extend and promote children's competencies and as they gain in competence, so they are able to develop enhanced models of democratic participation⁹⁴.

4.4.6 However, many initiatives do not necessarily allow the optimum potential for children's development, particularly where children are not supported in exploring their own ideas for activities and organisational structure. For example, in many of the projects, the children are encouraged to adopt traditional adult models of organisation, which

only allow for a limited number of children to take key roles. Exploration of more open and participative models would allow more children to gain skills and confidence. It would also promote greater emphasis on participative democracy, shared decision making, negotiating skills, listening and acceptance of joint responsibility.

Impact on the realisation of external goals

4.4.7 In terms of external impact, the mapping exercises, together with other reports from within the region on children and young people's participation provide a significant body of evidence indicating that children can be highly effective as agents in the exercise of their rights⁹⁵. Examples are manifold but include successful campaigns to reduce parental alcohol and drug abuse, increasing enrolment of disabled children in school, provision of literacy classes to street children, and providing financial support for disadvantaged children to enable them to attend school. An interesting illustration of children's achievements can be seen in an initiative supported by Concerned for Working Children in India in which children were trained as researchers and undertook a mapping exercise of their community. One outcome of their subsequent knowledge and expertise is that the Panchayat now uses them as a source of information on who needs access to government subsidised

⁹⁴ for a more detailed discussion of these issues, see Lansdown G, *The Evolving Capacities of Children: Implications for the Exercise of Rights*, (forthcoming), UNICEF Innocenti Research Centre, Florence

⁹⁵ see, for example, O'Kane C, *Children and Young People as Citizens: Partners for Social Change* (2003) Save the Children Alliance, South and Central Asia and Rajbandary J, Hart R, Khatiwada C, *The Children's Clubs of Nepal: An Assessment of a National Experiment in Democratic Development* (2003), Save the Children Norway/Save the Children US, Kathmandu

housing and to help them determine beneficiaries for other schemes for low income families⁹⁶. In Nepal, when there was a decision to make a UN Park in the bank of the river in Kathmandu, the squatters who were living there were to be displaced. Lumanti, the supporting NGO designed tools with the child club members to carry out a survey on the implications on the children, as the students in the squatters' community were just about to take the School Leaving Certificate. Their findings, backed up by campaigning on the students' behalf, were successful.

4.4.8 However, children stressed their concerns that, despite frequent opportunities to participate in consultative forums and to articulate their priorities for government action, little notice was taken and no action ensued. In other words, they felt their participation had been tokenistic, and had had minimal or no impact on legislation, policy or practice. There is a real danger that consultations will engender resentment and disillusion amongst children if they work hard to develop and share their ideas, only to have them ignored by those in power. In these circumstances, the impact of participation is likely to be negative and counter-productive.

Impact on families and communities

4.4.9 A consistent pattern emerges in respect of responses by parents to children and young people's participation. The process is characterised by initial resistance - fear of distracting them from their school work, from domestic responsibilities, concern that it will

make them lose respect for their parents or that they lack to competence to get involved. However, once parents are informed about the aims of the initiative and its methodology, these fears almost invariably diminish and are replaced by a growing pride in their children's achievements⁹⁷. Families learn that respecting what children say does not lead to lack of respect for parents. Indeed, in the case studies, many parents and children cite improved family relationships, and contributions to the local community as positive outcomes associated with participation. Parents value children's increased confidence and skills. Many expressed the view that participation had opened up new opportunities for their children. Some parents felt that their children were more respectful to them after being involved in participatory initiatives. In some cases, children felt that parental attitudes had changed leading to less physical punishment. Interestingly, in one project in Pakistan which involved working boys, local community members expressed the view that their activities had brought about change in the attitudes of the whole community. The children, too, felt that adults were less rigid and more friendly towards them as a result of the project. And in Nepal, the fact that children from different castes were coming together in the child clubs has begun to weaken some of the more negative attitudes towards lower caste children within the wider community.

4.4.10 However, children's contributions can often be unacknowledged and taken for

⁹⁶ Bhima Sanga and Makkala Panchayat, *Our Survey Story*, (2001), Concerned for Working Children, Bangalore

⁹⁷ Lansdown G, *Involving children in shaping our work*, (2003) SCF-UK, London, internal SCF study

granted within communities. This is particularly true of many of the community development projects such as reforestation, promoting public hygiene and village clean-ups, in which children play a key part, but are rarely the initiators. It is a measure of children's invisibility as social actors with communities the contribution that they are making to these initiatives and its impact is not recognised⁹⁸.

4.4.11 It is also important to recognise that there can be negative reactions to children's participation. Children seeking to address drug abuse can incur the wrath of the dealers. Some employers react badly to children making demands for improved conditions of work. A point also worth bearing in mind is that acceptance of children's participation may be an indication that they are not yet fundamentally challenging the practices and attitudes of people in power within communities. As they become more demanding of respect for their rights, and more effective in their advocacy, they may encounter greater resistance.

The need for indicators against which to monitor and evaluate the impact of participation

4.4.12 There are, to date, no universal or agreed tools with which to measure or monitor the quality or effectiveness of children

and young people's participation. Hart's ladder of participation is widely known within the region and provides a helpful framework for conceptualising levels of participation⁹⁹. However, it does not provide any mechanism for helping evaluate participatory initiatives¹⁰⁰. Without criteria or indicators against which to assess what constitutes effective participation, it is much harder to monitor progress, and ensure that children and adults are working towards the same goals.

4.4.13 It is widely recognised in the child rights field that the development of indicators and models of participatory monitoring and evaluation is a priority. And, indeed, work is already taking place within the region to construct measurable indicators, for example by UNICEF in Bangladesh, in collaboration with WHO¹⁰¹. This work needs to continue as part of a wider dialogue between all interested NGOs, and of course, children themselves. It is not appropriate for supporting organisations to determine on children's behalf what is or is not measured or monitored.

4.4.14 While there is a need for common frameworks for monitoring in order that it becomes possible to evaluate the impact of differing participatory models and approaches, it is also important that children in individual projects are able to develop their own ideas on what needs to be evaluated. Children need help through provision of

⁹⁸ Rajbandary J, Hart R, Khatiwada C, (2003), *The Children's Clubs of Nepal: An Assessment of a National Experiment in Democratic Development*, Save the Children Norway/Save the Children US, Kathmandu

⁹⁹ Hart R (1992), *Children's Participation: From Tokenism to Citizenship*, Innocenti Essay No 4, UNICEF, Florence

¹⁰⁰ *Children as Partners*, a meeting of many of the leading practitioners and writers in the field of child participation was held in the University of Victoria in 2002 at which the development of indicators of good practice was identified as key area needing research.

¹⁰¹ Trasi R, *Measuring Adolescent Participation in Bangladesh*, (2003), under assignment to the Department of Child and Adolescent Health and Development, WHO, Geneva

different models for monitoring and evaluation from which they can then evolve tools appropriate to their individual project. In fact, many initiatives are already undertaking evaluation, not only of their activities but also their impact. Unfortunately, in many cases, this work is not being documented. Supporting organisations can play an important role documenting the models that are being developed and making them available to a wider constituency of children.

4.5 Promoting sustainable participation

4.5.1 A recurring theme throughout the study is the challenge of sustaining effective models of participation. A consistent pattern emerges as to the primary barriers impeding sustained activity – lack of financial resources, lack of trained adult supporters, competing demands on children's time, parental resistance, the erosion of participants as they grow older. The case studies also reveal a range of strategies that are being developed to promote sustainability. But sustaining and mainstreaming children's right to participate in decisions that affect them requires more than the maintenance of individual programmes, important though these are. It also requires strategies to promote a culture of respect for children's right to be heard and taken seriously throughout society. This will necessitate changes at all levels from national legislation down to the practice in individual schools and families.

Acknowledging the communities in which children live

4.5.2 Children do not exist as isolated individuals. They are an organic part of their families and communities. The case studies and mapping exercises demonstrate repeatedly that it is not possible to work effectively with children without enlisting the support of the key people in their lives. Those initiatives that shared information, ideas, problems and opportunities with the children's communities from the very beginning were able to make significantly more positive impact. The involvement of parents and communities in the analysis of children's lives and their role in supporting children in achieving beneficial change encourages their ownership rather than rejection of the process.

4.5.3 Children themselves also cite the importance of working with parents. Disabled children in Nepal, when identifying the priorities for ending discrimination against them, highlighted the need for parents to understand that their children had rights. They argued that little would really change unless parents accepted that their children had potential, could learn and must be listened to. This perspective was powerfully and eloquently expressed by two disabled children taking part in a consultation on their rights in Kathmandu on 2002¹⁰²: 'Parental rejection is standing in our way. They act as a barrier to participation', and 'The family is the first school, and if families have a negative view of us, how can we have hope?'

¹⁰² Lansdown G, Disabled Children in Nepal, (2003), Rights for Disabled Children/Disability Awareness in Action, London

4.5.4 Roger Hart encapsulates the importance of the family for all children: 'Ultimately we need to reach the family as the primary setting for the development of children's sense of social responsibility and competence to participate.....parents can best be influenced by seeing examples of their children's competence..... Productive collaboration between young and old should be the core of any democratic society wishing to improve itself, while providing continuity between past, present and future'¹⁰³.

4.5.5 Investment in the wider communities in which children live is also important. Its value is recognised by most of the supporting NGOs working in this field. For example, in those clubs facilitated by UNICEF in Nepal, teachers, the school management committees and members of the Village Development Committees are provided with orientation to help enlist their support. The Girl Child Project in Pakistan has also been very effective in mobilizing the community and gaining their confidence through open sessions communicating the nature of the project and how it proposes to work. The Working Children's project in Pakistan has engaged children in a process of creating 'circles' with members of their family and local community to explore injustices and inequity and identify strategies for addressing them. Many programmes have worked with children's employers to help them understand the value of children's activities. A growing number of children's organisations are being supported to gain recognition with local policy

makers and institutions. It is also important to build alliances with religious leaders. A number of case studies highlight the significance of their role within local communities and their potential to impede participation, particularly of girls, if they are not informed and sensitised to the value of proposed initiatives.

4.5.6 Another significant factor is the differential impact of communities in rural and urban areas. It seems to be the case that in rural areas, where there is a strong sense of community and children live relatively close to their peers, it is more possible to foster children's organisations that are organically linked with the social and political structures of the local environment¹⁰⁴. And in rural areas, despite gender, caste and community differences, the communitarian social environment means that children from all social groups become active members of children's organisations. However, in urban areas, where meetings can involve long commuting distances and which are characterised by a greater degree of impersonality, the only children who tend to get involved are those from vulnerable and at-risk groups. Children who are living at home and whose lives are more governed by adults are less likely to be afforded the freedom to participate in group activities – fears for their safety and security will often preclude their involvement. Furthermore, children living and working on the streets are often more open to the idea of developing a common cause and identity through NGO facilitators.

¹⁰³ Hart R (1992), *Children's Participation: From Tokenism to Citizenship*, Innocenti Essay No 4, UNICEF, Florence

¹⁰⁴ Singh N and Karkara R, *Children's participation in India*, in *Children in Globalising India: Challenging Our Conscience* (2002), HAQ Centre for Child Rights, New Delhi,

Building sustainable participatory programmes

4.5.7 Within particular initiatives, projects or programmes, the following issues arise in respect of creating sustainable processes:

- Funding - Financial viability is a key problem faced by many children's initiatives. Some supporting NGOs provide initial funding and then encourage the children to explore their own strategies for raising money. It is argued that this enables children to acquire the skills and become more self-sufficient. Children's associations and clubs throughout the region have evolved a range of approaches to raising the funding necessary for their survival. Some charge a fee for joining, although this has the downside of excluding poorer children. Accordingly, some use accumulated funds to facilitate entry of poorer children. Many undertake activities such as surveys or cleaning campaigns, for which they are paid small fees which contribute towards the costs of running the initiative. Some raise money during festivals and celebrations. A growing number of initiatives have sought recognition from local government – the Village Development Committee or Panchayat – and have been successful in being awarded a grant to enable them to continue their activities.
- Capitalising on young people's expertise - It is important to explore ways of harnessing the acquired skills and knowledge of young people as they reach the upper age limits of initiatives. Some projects engage them as advisers, or use them as mentors in the process of handing over responsibilities to younger participants. They can be used as trainers or to help develop guidance materials for younger members. There may be a need for them to be helped to make the transition from one of control to one limited to advice. Another possibility is to develop national networks of youth advocates who can provide training, sensitisation programmes, and advocate in situations where rights are being violated. There is also a need to explore methods of involving younger children, and helping the older members to create activities appropriate to their age and capacities.
- Networking - Children emphasise the importance to them of sharing ideas and experiences with other children. They want opportunities to learn from each others' successes and failures and to build on what works. Meeting with other groups of children provides stimulation and encouragement. It can also create opportunities for peer training, information exchange and strengthened advocacy. The creation of networks of projects is an invaluable mechanism for generating and renewing energy and supporting sustained programmes. Supporting NGOs need to explore means of building such networks.
- Training - Children also stress the importance of adult supporters who fully understand children's rights, and work within a framework of respect for their evolving capacities and entitlement to be

heard. Indeed, many of the adults involved also recognise their need for help in working in a participatory mode, which is significantly different from traditional ways of working with children. Children view training for themselves as a vital component in creating sustainable initiatives. They cite, for example, the need for help in understanding children's rights, developing speaking and writing skills, learning how to organise and facilitate groups, workshops and camps, leadership skills, developing the ability and confidence to communicate with people at different levels, planning and monitoring and undertaking social surveys. There are many ways of delivering this help. The input needed by adults is not only to provide training, but also to facilitate children in sharing their own accumulated experience through peer training, child-led workshops or systems of information exchange such as newsletters. There is a valuable role here for older children who are leaving programmes to provide training and support. Building children's capacities as trainers is a key strategy for building, strengthening and extending initiatives.

- Motivation - A number of children commented that the real key to sustainability was the continued enthusiasm and motivation of participants. And in order to maintain that motivation, children need to believe that their participation is achieving results. Clearly, the self-esteem and confidence engendered by participation is an important factor generating sustained commitment. But it is also necessary for

children to see that they are making an impact in achieving the external goals they have set themselves. Participatory approaches to monitoring and evaluation can be effective mechanisms for helping children assess and acknowledge the achievements they have made.

- Forging links with policy-makers - It is important for children's organisations to be able to forge links with both local and national policy makers and government agencies if they are going to exert a real influence in the realisation of their rights. This is an important strategy in terms of financial viability, but also in respect of the visibility and status afforded to the children's activities and their right to be taken seriously by politicians and policy makers. Adult supporters have a key role to play in facilitating these entry points into the political process. Building a dialogue with adults in positions of power will help children become effective advocates, promote greater public recognition of their work and thereby contribute towards their sustained activity. Children themselves feel that they need the support of parents, village elites, teachers and supporting NGOs to help them gain access to politicians. Without them, they do not consider that they get a sympathetic hearing. UNICEF is well placed to facilitate this process in view of its close and unique relationship with governments.

A continuing role for adults

4.5.8 Moving towards more child-initiated approaches does not diminish the role of

adults. There is a continuing need for adult involvement in projects and programmes, even those led by children. Experience indicates that while their role changes from guidance in the early stages to that of facilitators and advisers as children gain in confidence and skill, their support remains vital to effective participation by children.

4.5.9 Their contribution is needed in a number of ways:

- Access to information In order to be able to use decision-making spaces effectively to press for changes that will improve the quality of their lives, children need to acquire the skills to organise collectively, use information and access and utilise human and material resources. Adults have a role to play in facilitating that process by 'providing children with the knowledge and skills to organise themselves, access information and resources and understand structures, be they political, socio-cultural or economic'¹⁰⁵.
- Maintaining the skills base Whilst children taking part in participatory initiatives can acquire high levels of skill and expertise in knowledge of their rights, dealing with the media, developing campaign strategies, lobbying politicians and local policy makers, there is inevitably, a continual 'haemorrhaging' as the children reach 18 years of age and new and younger children become involved. Accordingly, there is a continuing need for training and support to maintain the skills base within the organisation. Children themselves can make an important contribution to this process, but given the other considerable competing demands on their time, it is not reasonable to leave this process entirely to them.
- Administration Limited availability of time can also mean that it is very difficult for children themselves to fulfil all the administrative chores associated with running a project – completing funding applications, the detailed tasks involved in production of publications, organisation of national meetings and so on.
- Access to policy makers Children themselves repeatedly stress their need for help in gaining access to influential decision-makers at all levels. As one boy who was an elected member of the District level Shishu Parishad (Children's Council) in Bangladesh expressed it, 'We need a process to enable us to reach the Government. We don't know how to reach them. At a local level we can have some sort of access through the help of NGOs, but we don't have access at a higher level..... We need help to get access to the higher people'¹⁰⁶. In a consultation with children in Bangladesh on sexual abuse of children, the children identified clear differentiations between action they could take for themselves and action where adult support was needed. For example, where children were at risk of sexual abuse, they

¹⁰⁵ Reddy N and Ratna K (2002) A Journey in Children's Participation, The Concerned for Working Children, India

¹⁰⁶ cited in O'Kane C, Children and Young People as Citizens: partners for Social Change (2003) Save the Children Alliance, South and Central Asia,

could give advice on how to protect themselves and other children. However, they recognised a need for adult support in creating a place where children could go to talk about abuse, or work with adults to provide appropriate supervision to prevent abuse by adults working with children¹⁰⁷.

- **Counselling and advice** In addition, where an initiative involves very poor, marginalised and excluded children, there can be a need for adult workers to provide a sense of continuity and care for the children. An adult support worker can play a key role in helping the children resolve crises between members of the group, and in enabling children to sustain the resilience needed when faced with the inevitable external disappointments, threats and crises which arise when seeking to create new ways of working and pressing for the realisation of their rights. Adults need to prepare for that role by developing the necessary awareness and skills to work with children

4.5.10 In other words, a long-term commitment from supporting agencies is vital to the sustainability of children's initiatives. What is needed is not management and supervision, but rather a commitment to working with children to help them acquire competencies based on a fundamental respect for them, for their views and their capacities to evolve through the experience of participation.

Working with governments

4.5.11 Ultimately, it is governments that have the responsibility for implementing the Convention on the Rights of the Child. Accordingly, it is governments that must take the necessary measures to ensure that the right to participate, as embodied in Article 12, is fully respected for all children in all areas of their lives. This will require legislation, policies and resources to introduce the right to be heard both for children as individuals and as a constituency. With regard to children as individuals, this means protecting children's rights, for example, to representation in the courts, access to the justice system in the event of violation of their rights, the right to be consulted, and when competent the right of veto, over decisions relating to medical treatment, custody or adoption. With regard to children as a constituency, it means ensuring children's rights to democratic participation in their schooling, and building rights of access to policy making processes from local to national level. It also involves promoting greater respect for children's views within families. UNICEF has played a key role in advocating for the realisation of these rights. Because of its close relationship with governments, it has been successful in creating forums at which children have been able to articulate their demands. However, there is scope for further developing this role, in partnership with children, and children's NGOs, to continue to advocate for change. In Bangladesh, for example, UNICEF is working towards the involvement of children in the Poverty Reduction Strategy Programme.

¹⁰⁷ Kabir R, Consultations with Children on the National Plan of Action against the Sexual Abuse and Exploitation of Children including trafficking, (2002), Ministry of Women and Children Affairs/UNICEF/Save the Children Alliance

4.6 Safeguarding children

4.6.1 Participation, whilst opening up significant opportunities for children, can also expose them to certain risks. These risks include potential exposure to abuse from adults within projects or initiatives as well as possible harm as a consequence of external activities, for example, hostile reactions from parents, backlash from community members in response to activities they are engaged in, and intrusive behaviour or negative reporting by the media.

4.6.2 The findings from the case studies indicate that it is generally considered that children are fully aware of their rights to protection and know what to do in the event of abuse taking place. However, it seems that few initiatives have actually developed child protection policies. Furthermore, the issue of sexual abuse is subject to strong taboos within the region and it is a difficult subject for adults to raise with children. This almost certainly means that it would be as, or even more, difficult for a child to raise it in the event of experiencing abuse. There is, in countries throughout the world, significant denial of the nature and extent of sexual abuse of children. Unfortunately, there is growing evidence that it is extremely widespread¹⁰⁸. And in some regions, for example, the US and Northern Europe, there is also growing evidence that paedophiles target children's projects and activities as a easy means of access to children. It is important that NGOs working with children, including UNICEF, anticipate these potential risks and take appropriate action to minimise them. They have a duty of

care to the children with whom they are working: safeguarding children from abuse and harm must be a paramount consideration in all aspects of participation.

4.6.3 In respect of external threats from parents and community members, most programmes recognise the importance of building links, providing information and involving them in order to minimise potential hostilities. The strategy is to engage them as allies in partnership with children rather than allowing participation to be perceived as a threat. As observed earlier, this approach appears to be highly effective in most instances.

4.6.4 On a more positive note, the case studies provide powerful testimony as to the role of many initiatives to provide a safe environment for children, and one in which their rights are protected and promoted. For example, in the Child Brigade in Bangladesh, children living in the dangerous and vulnerable environment of the streets are able to create for each other, a place of safety, where they feel supported and valued. Furthermore many initiatives create opportunities for children to acquire the skills, knowledge and confidence to begin to protect themselves against abuses of their rights. The many examples throughout the case studies of children challenging child marriages, parental violence and sexual harassment demonstrate the strength of child participation as an effective strategy for enabling children to contribute towards their own protection.

¹⁰⁸ see for example, Commercial Sexual Exploitation and Sexual Abuse of Children, (2001), UNICEF, ROSA, Kathmandu

Conclusions

A key objective of this study was to analyse the available evidence to date on children and young people's participation in South Asia in order both to strengthen the capacity of government institutions, NGOs, civil society and UNICEF staff in developing policy reforms and programming that support children and young people's participation, as well as to promote a more effective participation in the development of policies and programmes. Implementation of Article 12 of the Convention on the Rights of the Child in respect of all aspects of children's lives imposes a huge challenge to every society in the world. Real change will only arise with the engagement of a wide range of actors - governments, NGOs, development agencies, UN agencies, civil society, professionals working with children, parents and children themselves. Each has a major part to play. UNICEF has already made a significant contribution in its work throughout the region. However, in view of its unique relationship with governments, its human rights mandate, its resources and wide-ranging skills and expertise, it has the potential to further its commitment to children and young people's participation. The following conclusions draw on the findings from this study and provide an overview of the actions that UNICEF, in collaboration with

other relevant organisations, could undertake at regional and national levels in order to consolidate and strengthen their activities to promote greater respect for the right of children and young people to be heard at all levels of society.

5.1 Strengthening meaningful participation

5.1.1 A regional strategy needs to be developed, by a group of key region based organizations, in order to promote meaningful participation in which children are increasingly able to play a significant role in decisions and actions that impact on their lives. The strategy should include:

- Objectives in relation to children and young people's participation
 - Principles underpinning the direction to be taken in progressing this work
 - A framework for adopting the following three-tier approach to children and young people's participation, based on a commitment to strengthening children's opportunities to explore their own priorities and goals:
- Creating opportunities for children's participation throughout programme

process – situation analysis, strategic planning, programme design and implementation, monitoring and evaluation with clear identification of roles and responsibilities for integrating child participation in all programmes at different levels

- Promoting legislation, policies and practice that are supportive of children’s participation – both a) as individuals, for example, in respect of access to justice, health care decisions, and decision-making within families, and b) as a constituency, for example, in democratising schools and promoting children’s voices within local government. This process itself must be undertaken in collaboration with children.
- Helping strengthen children’s capacities for advocacy and participation – by supporting their own organisations, building networks, by dissemination of rights information and training, helping them access local and national political processes.
 - Operational guidelines on sustainable ways of involving children at all these levels
 - Development of indicators with straightforward benchmarks for measuring good practice in child participation – both within UNICEF and activities implemented by partners. This needs to be undertaken in collaboration with initiatives being explored by other leading NGOs in the field and with children themselves
 - Case studies developing different models

of good practice which can be shared across the region

- Identification of staff capacity development needs in pursuing this work

The strategy would enable children’s participation to move beyond an approach limited to events-based participation or support for individual initiatives. It would also focus efforts on strengthening processes and building participative democracy within civil society. Together, these strategies would contribute towards helping scale up projects from providing opportunities for the few, towards embedding participation as an organic process at all levels of society.

Collaboration need to be strengthened among UNICEF and ‘child rights’ NGOs with expertise in this field both at national and regional levels. A medium that enables good practice exchange, as well as a forum for sharing experience on issues such as equity and inclusion, sustainability, child protection within participation etc, would be valuable.

5.2 Ensuring child-sensitive participation

5.2.1 A considerable body of experience has been gained over the past decade, and is reflected in many of the case studies, as to the factors necessary to create child-sensitive environments within which children feel confident and supported in participating in initiatives. This learning needs to be applied into its practice through:

(i) Creation of practice standards for all work with children and young people which set out the expected level of performance, and ensure consistent and high quality practice throughout all programmes. Such standards would be invaluable in providing a framework to guide and direct staff toward a process of gradual improvements in practice. They would also provide a basis for accountability if practice falls below the standards expected. The standards should be directly based on the ideas children have themselves raised for ensuring that participatory initiatives are child-sensitive. They should address all aspects of participatory work including practical issues, such as using accessible language, appropriate time-scales and creating child-sensitive environments, as well as fundamental principles of equity, mutual respect and child protection.

(ii) Provision of training for staff, of both UNICEF and partner agencies, in the principles and practice of child participation. Many staff lack both confidence and experience in this field and require practical support to help them explore methodologies for working with children. Such training needs to address attitudes and behaviours as well as skills and techniques.

(iii) Programmes to provide rights based training for children and parents. A key theme emerging from the case studies is the value children place on learning about their rights, both in terms of empowering themselves to press for greater respect for their rights, but also as a means of building links with and support for other groups of children. All

effective participatory initiatives rest on a bedrock of children understanding that they have rights and are entitled to hold the adult community accountable for the protection of those rights. Effective use should be made of children's capacities as peer educators in this process.

5.3 Promoting principles of equity and inclusion

5.3.1 It is imperative that in promoting children and young people's participation, opportunities for participation to all groups of children, including the most marginalised is extended. This should apply in respect of on-going programmes, consultative exercises and strategies for enabling children. Consideration could be given to the following actions:

(i) Linkages need to be made among organisations, NGOs, UNICEF and networks supporting children's participation in all fields, including those working with street children, working children, disabled children, and children in refugee camps. So doing would provide a wider range of access to children, and would strengthen the involvement of children more effectively. It is not sufficient to rely on schools as the key entry point for participatory initiatives.

(ii) All initiatives need to be based on explicit principles of equity and inclusion. Training and support for supporting staff and children in the right to non-discrimination and strategies for its implementation need to be developed in partnership with children.

(iii) Systems need to be developed for monitoring both patterns of access to projects and programmes, as well as patterns of participation within them in order to identify which children are excluded and why. Where significant groups of children, such as disabled children, are excluded, strategies need to be developed, in partnership with children, to take pro-active measures to engage them.

(iv) Twin track approaches should be developed. Efforts need to be made both to include marginalised children within more mainstream projects and programmes, but with some marginalised groups of children, such as street children, or children engaged in sex work, consideration needs to be given to the establishment of initiatives directly targeted at their needs. In the longer term, however, efforts should be addressed to building links between these and other groups of children.

(v) Consideration should be given to encourage children to look beyond traditional hierarchical models of organisation to explore new approaches, which are more focused on participative democracy and opportunities for active involvement of all children rather than the leadership of the few – for example, increased emphasis on consensual decision-making, rotating roles with support mechanisms built in to allow younger or less confident members to play a part, more sub-groups to allow more children to take responsibilities. Supporting organisations can help children through sharing different possible models with them, from which they can evolve their own.

5.4 Enhancing and assessing the impact of participation

5.4.1 Meaningful children and young people's participation implies impact both in respect of the personal benefits that accrue to the children involved, but also in the realisation of the rights of children in the wider community. Ultimately, the Convention on the Rights of the Child demands recognition of children as citizens and rights-bearers. Strategies to promote their active participation need to be directed towards the fulfilment of all these goals. The following action could be taken towards achieving the cultural change necessary to promote respect for children within the political and social environment:

(i) Support initiatives that include a commitment to building children's capacities to take increasing responsibility for the development of their own agendas and their subsequent implementation.

(ii) In this regard, UNICEF can take advantage of its unique relationship with governments to play a key role in providing education on children's rights and child participation issues to politicians and officials, as well as working with other agencies to develop training and education for all professionals working with children, in line with the consistent recommendations of the Committee on the Rights of the Child.

(iii) Mechanisms need to be developed for building systems for monitoring and evaluating the impact of children and young people's participation. This will necessitate working with children to enable them to define

their own aims and objectives, criteria or indicators against which they can be evaluated, and the introduction of on-going methodologies for monitoring progress. Aims and objectives will need to span both children's personal development and direct experience of participation and the impact of their activities in their local communities and the wider political sphere.

(iv) UNICEF needs to establish close collaboration with NGOs in the field, nationally, regionally and internationally, in order to build on existing experience and expertise. For example, it should collaborate with initiatives such as Children as Partners, in order both to contribute and benefit from proposed programmes to develop indicators for assessing and measuring good practice in participation, support child-led initiatives and promote practice exchange.

(v) Article 12 of the Convention on the Rights of the Child places no age limit on the right of children to express their views and have them taken seriously. Listening to adolescents is vital. However, there is also need to recognise that very young children are also able and entitled to be listened to and their views respected.

5.5 Promoting sustainable participation

5.5.1 For participation to be effective in making a difference in the lives of children, it needs to be sustainable. Experience from existing UNICEF and NGO work in this field indicates the following strategies are needed at national level:

(i) A continuing commitment needs to be made to participatory initiatives through support, for example, in accessing financial and other resources, child rights training, identifying and overcoming skills deficits, accessing and maintaining links with policy makers and the media, encouragement and solidarity.

(ii) Consideration could be given to supporting the development of local resource centres to promote and sustain children's participatory initiatives.

(iii) Strategies should be explored to enable children to meet their own training needs through newsletters, exchange meetings, open meetings, street theatre, peer education. This will reduce the reliance on adult-based training.

(iv) Work needs to be undertaken with parents and communities in preparing the groundwork for developing participatory initiatives and enlisting their support. Their acceptance and understanding is a vital ingredient in ensuring the opportunities for children to maintain their involvement.

(iv) Strategies need to be developed for a continuing process of recruitment in order to address the inevitable 'haemorrhaging' of children as they grow older, and the loss of their skills and experience. This might include:

- developing policies to encourage younger members and adapting activities to attract their interest;
- supporting older members in appreciating

how to work with, and value younger members;

- exploring the creation of 'youth advisers' amongst young people who leave an initiative once they reach the upper age limit to in order to 'lend back' their experience and expertise. Consideration could also be given to establishing and supporting a national or local teams of youth advocates, who have acquired experience in children and young people's participation, to raise awareness of children's rights, support emerging initiatives and taking up cases of rights violations

(v) Support should be given to building and supporting networks of child clubs, organisations, or other initiatives in order that children can draw strength from each others experiences, build more effective training forums, and become more powerful and influential advocates.

(vi) Initiatives need to be supported and encouraged to establish formal links with local, regional and national policy makers both as a means of securing financial support, and in order to strengthen children's effectiveness in advocating for change.

(vii) Analysis needs to be undertaken, in collaboration with children, of changes needed to legislation and policy in order to achieve compliance with the right of children to express their views and be taken seriously. Some of these issues have already been identified by the Committee on the Rights of the Child in their concluding observations to

governments. This analysis can then form the basis of advocacy with governments to achieve the necessary changes.

5.6 Ensuring appropriate safeguarding of children involved in participatory initiatives

5.6.1 There is need to develop child protection policies, which address the following concerns:

(i) All adults working with children, and those in organisations supported by UNICEF, have clear guidance and orientation on the protection rights of children contained in the Convention on the Rights of the Child, and their responsibilities in ensuring that protection.

(ii) Child protection policies should address how staff are expected to behave towards children, what children are entitled to expect from staff in UNICEF and partner agencies, and what action should be taken in the event of abuse by a staff member. They should also include accessible complaints procedures in the event of children experiencing problems.

(iii) Children involved in participation work need to be aware of their rights to protection from all forms of violence and abuse and know where to go for help if needed. They need to be aware of any child protection policies and understand how to utilise them. Mechanisms should be in place in the event of children needing help or support.

(iv) Principles of confidentiality need to be established and agreed with the children involved. No information or photographs provided by children should ever be used without their consent and all confidential information should be respected as such at all times.

(v) Safeguards need to be in place to minimise risk and prevent abuse including adequate supervision and protection at all times. Consideration should be given to the potential risks to which children may be exposed in participating in an initiative or

activity, and assessment made on how to minimize risk. For example, negative reactions from parents or the local community might be addressed by undertaking preparatory sensitization work with them. Vulnerability to exposure in the media might be addressed by providing media training for the children and developing clear guidelines with children about when they will speak to journalists, under what conditions and on what issues. Maltreatment by a member of the supporting agency can be addressed through the development of clear and accessible complaints procedures.

Appendices

Appendix 1

Methodology for the study

The overall objectives of the study were to:

- address the lack of existing research evidence on the developments in participation within the South Asian region;
- provide evidence of what works, why and practical methods for replication;
- provide guidance for strengthening the capacity of government institutions, NGOs, civil society and UNICEF staff in developing policy reforms and programming that support children and young people's participation
- apply the findings for evidence-based advocacy in promoting participation in the development of policies and programmes.

The study was undertaken in three phases.

Phase one

Phase 1 involved undertaking a national mapping process of countries within the region, to document an overview of both UNICEF and non-UNICEF initiatives to promote children and young people's participation. This phase also involved a desk review, in each participating country, of existing legislation, government policies and regulations relating to children and young people's participation, and social practices and traditions impacting on its development.

The process for identifying initiatives to include in the mapping exercise was undertaken slightly differently in each participating country, although in each case, a range of initiatives spanning both UNICEF and non-UNICEF agencies were included. In Pakistan, for example, two related conferences were used to introduce the study to interested child rights organisations and form a network through which to identify examples of children and young people's participation. In Nepal, it was decided to link the regional study to a national evaluation of child clubs and to select a range of UNICEF and non-UNICEF child clubs for inclusion. In respect of non-UNICEF clubs, the selection was based on the perception of UNICEF staff that the supporting organisations were actively involved in child club mobilisation, facilitation and innovation. In Sri Lanka, organisations known to be strong in child participation were approached to identify examples for inclusion. In Maldives, where there are relatively few examples of participation, each initiative known to UNICEF was approached directly.

Information on each selected initiative was collected by conducting interviews with the supporting agency, staff directly involved in the initiative and in some cases, field visits to the projects themselves. In some countries, all included initiatives were asked to submit basic information relating to budgets, numbers of children involved and by whom they were facilitated.

Once the data was gathered, a review was prepared within each country on the legal, policy and cultural context, coupled with an analysis of developments in children and young people's participation.

Phase two

In phase 2, each participating country was requested to select a number of examples of good practices from the mapping exercise, based on the criteria developed by the regional consultant (see Appendix 2 for full details). These criteria were grouped under six key headings which involved assessment of:

- the extent of children's participation
- whether initiatives were child-sensitive
- equality and inclusion
- the impact of the initiative
- sustainability
- how well children were safeguarded in the initiative

Detailed investigations were then undertaken with each selected initiative. In each case, the process for gathering information involved interviews over 3-4 days with:

- Participating children

- Young people who were previous members of participatory initiatives
- Supporting adults
- Supporting agency
- Local community organizations
- Teachers
- Parents
- Community members

The collection of information was gathered through a range of approaches – individual interviews, focus groups, telephone calls, participatory rural appraisal techniques, tools designed specifically for working with groups of children¹⁰⁹.

The findings from each country were then written up providing the following information:

- Overall methodology employed including how the assessment was conducted, numbers of interviews and with whom, approaches taken to gather information from children.
- Outline of each example of good practice including:
 - Background to the initiative – its profile, history, aims, numbers of children involved and ages, range of activities

¹⁰⁹ see Appendix 1 Second phase of the study on good practices in children and young people's participation in South Asia: Guidelines for Country offices for illustrative examples of some of the suggested tools for gathering information from children

- Findings from the investigation organised under the six criteria for good practice
- Lessons learned, focusing, in particular, on what has worked and why, how barriers and difficulties were overcome, how initiatives have sought to enable children to play a progressively participative role, what lessons arise for replication and bringing initiatives to scale.
- Suggests practical strategies for replication and bringing to scale those practices which have proved effective in promoting children and young people's participation in UNICEF country programmes;
- Indicates strategic actions to strengthen the capacity of partners in the area of policy reforms and programming that support children and young people's participation in the region.

Regional synthesis

The final stage of the study was the production of the regional synthesis which:

- Provides a regional overview of the political, cultural, social, and economic context in which children and young people's participation is developing.
- Assesses the particular needs, in terms of policies, resources and programmes, to improve children and young people's participation in South Asia.
- Highlights the lessons learned from good practices in countries to improve policies and programming for promoting children and young people's participation at the regional level in South Asia;

Although the initial intention was to involve all countries in the region in this process, it was not possible, for a variety of reasons, for some of the countries to participate.

Accordingly, only Nepal, Pakistan, Sri Lanka and Maldives undertook both the mapping exercise for phase one and the follow up analysis of examples of good practices. Bangladesh was concurrently engaged in a country level initiative to examine and analyse child participation processes and practices within the country programme. Some of the findings from this initiative were used to inform the current study. Alternative sources of information were also sought from India. No information on practices in children and young people's participation are available from Bhutan or Afghanistan.

Appendix 2

Criteria for assessing good practices

1 Criteria for assessing the extent of children's participation

- Initiatives are of direct concern and relevance to children and build on their own experience, knowledge and expertise
- The aims of children's participation are clear and agreed with children
- Decision-making processes are transparent, explicit and clearly defined
- Children have opportunities to express their views freely and have them treated with respect
- Children are involved from the earliest possible stage of an initiative and are able to influence it, and inform its design, content, implementation and assessment
- Children have opportunities for acquiring experience of democratic decision-making amongst themselves
- Children play an increasing role in identifying and pursuing their own concerns and initiatives
- Participation is voluntary and children are able to give their personal and informed consent to participate, and their consent is regularly assessed

- Organisations and facilitators are accountable to children for the commitments and decisions they make and their accountability is known to children
- Children have the opportunity to participate in assessing the initiative against their agreed aims
- Children are able to use the assessment process to adapt and shape future activities
- Children feel that their aims have been fully or partially achieved

2 Criteria for assessing whether initiatives are child-sensitive

- Children acquire self confidence and self-esteem
- Children are provided with appropriate support and guidance to strengthen their capacities, as they feel necessary
- Time scales for activities reflect both children's own capacities and the other demands on their time
- Methods of participation are developed in accordance with children's evolving capacities and their preferred forms of involvement

- Adult facilitators and key actors in supporting agencies have appropriate training to understand the process of children's participation and to build capacity to develop it
- Children are provided with the information they need in forms which are accessible and appropriate according to age, ability and language, including information about their rights
- Children are supported in evolving structures and systems of organization which work for them, and which may be different from traditional adult models

3 Criteria for assessing equality and inclusion

- All children are treated with equal respect and without discrimination on any grounds – assumptions should not be made about what different children can and cannot do, for example on the basis of gender, age or disability
- All children have the opportunity to join the initiative and participate in activities without discrimination on any ground
- Particular attention is given to facilitating the participation of children from marginalized groups – girls, disabled children, working children, children from lower castes, minority ethnic groups – and where necessary or appropriate, opportunities should be provided for such children to participate in initiatives focusing on their specific concerns

- Selection and representation of children within the initiative is based on principles of democracy and non-discrimination
- Wherever possible, children themselves should select from amongst their peers, those children who will act on behalf of the group or represent them in other meetings or arenas

4 Criteria for assessing the impact of the initiative

- The initiative has contributed towards the realization of children's rights – whether in respect of, for example, education, protection, empowerment, challenging discrimination, opportunities for play and recreation
- Children have acquired skills and competencies, confidence and self-esteem through their participation
- Children play an increasing part in the initiative as their confidence and capacity evolves
- Parents have been encouraged to support children's participation and see the benefits associated with it
- Community attitudes are accepting and supportive of children's participation
- Children have established a visible presence in local, district, regional or national decision-making arenas

5 Criteria for assessing sustainability

- Children are supported in acquiring the necessary skills to take increasing levels of responsibility in child participation
- Supporting adults are provided with appropriate training in the principles of the Convention on the Rights of the Child and its implications for child participation
- Facilitating adults recognize the need for a gradually diminishing, but continuing role in supporting and advising as required by the children
- Links with local social and political structures are established to provide legitimacy, recognition, and potential financial and other forms of support to children's participatory initiatives
- Young people over 18 years are encouraged to provide continuing expertise and support once they cease to be members of an initiative
- Adults in the local community – teachers, parents etc – are trained in children's rights and participation in order to provide continuing support

6 Criteria for assessing how well children are safeguarded in the initiative

- Safeguarding children from abuse is given paramount consideration in planning initiatives and activities

- All involved adults have clear guidance and orientation on the protection rights of children contained in the Convention on the Rights of the Child, and their responsibilities in ensuring that protection
- Children are aware of their rights to protection from all forms of violence and abuse and know where to go for help if needed
- Consideration is given to the potential risks to which children may be exposed in participating in an initiative and assessment made on how to minimize risk. For example, negative reactions from parents or the local community might be addressed by undertaking preparatory sensitization work with them. Vulnerability to exposure in the media might be addressed by providing media training for the children and developing clear guidelines with children about when they will speak to journalists, under what conditions and on what issues. Maltreatment by a member of the supporting agency can be addressed through the development of clear and accessible complaints procedures.
- Mechanisms are in place in the event of children needing help or support
- Principles of confidentiality are established and agreed with the children involved in an initiative

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