APPLICATION OF A HUMAN RIGHTS BASED APPROACH AND A GENDER MAINSTREAMING STRATEGY TO PROGRAMMING FOR WORK WITH ADOLESCENTS IN LATIN AMERICA AND THE CARIBBEAN
Application of a Human Rights Based Approach and a Gender Mainstreaming Strategy to Programming for Work with Adolescents in Latin America and the Caribbean

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This document provides UNICEF officials in Latin America and the Caribbean with a tool to support work on adolescence from a human rights based approach (HRBA) and with a gender perspective. It considers the recommendations and comments made by the UN human rights system treaty bodies and the inter-American human rights system on matters applying to girl and boy adolescents in the region.

The two part introduction (TACRO’s main tools on adolescence: brief overview and the General outlook on the promotion and protection of adolescent rights in Latin America and the Caribbean) provides two elements of background for this study. The first gives a synthesis of the main programming tools produced by The Americas and Caribbean Regional Office-UNICEF (TACRO) for work with girl and boy adolescents, underlining the key challenges faced when working with this age-group, while the second consists of a brief review of the context and the international framework for the protection of adolescent rights.

The first main section (Programming for adolescents: making the connection between the human rights-based approach and the gender perspective) focuses on how the principles and standards of HRBA and the gender perspective may be applied to all phases of programming on adolescents in the different areas of interest of UNICEF.

The second section (A practical guide on how to programme for the girl and boy adolescent) offers advice on how to programme for this sector to include a HRBA and a gender perspective. The section is subdivided according to the UNICEF thematic areas (Young child survival and development; Basic education and gender equality; HIV and AIDS; Child protection; Policy advocacy and partnerships for children’s rights). The proposed recommendations are taken primarily from the country recommendations made by the Committee on the Rights of the Child (CRC), the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Committee on the Elimination of Racial Discrimination (CERD), in light of the issues underlined by the main TACRO tools for adolescence. The general recommendations are understood to apply to all countries of the region; with variations offered to emphasize particular issues in a specific country or those in need of special attention.
Adolescence (defined as the period between 10 and 19 years of age by the UN) is one of the most complex and fascinating stages of human life, characterized as a period of change, vulnerability and opportunity. Today, adolescence is widely acknowledged as a stage in life separate from both early childhood and adulthood; a phase that requires special attention and protection. This definition of adolescence as the second decade of an individual’s life makes it possible for age-based data to be collected as a basis for analysis of this transitional period.

Investment in health, nutrition, basic education and protection for younger children has secured a significantly better start in life for many young people in recent years. But this achievement brings with it the responsibility to ensure continued support for children as they grow and develop. Lasting change in the lives of children and adolescents – a critical underlying motivation of the Millennium Declaration – can only be achieved if the commitment to the first decade of life is complemented with recognition of the importance of the second.

UNICEF is deeply aware of the importance of the rights of adolescents. Adolescence is listed among the UNICEF organizational priorities, meaning it has been identified as a cross-cutting issue with an impact on critical areas of work. UNICEF is conscious that even the existing international commitments will not be met unless there is a greater concentration of resources, strategic planning and political will on adolescent rights. Public policy towards adolescents – traditionally focused on relieving problems such as addiction, teenage pregnancy and violence must be universal, holistic and preventive. It must concentrate on developing the potential and capacities of adolescents, offering them opportunities to adopt healthy behaviour patterns, to live together in protective environments and to develop the skills needed for citizenship and adult life on an equal and non-discriminatory basis.

The main TACRO tools for adolescence list the following as key challenges:

1. Improve data collection and analysis. Major gaps in data on adolescents pose one of the greatest challenges to promotion of their rights. Indicators disaggregated by age, disability, sex, ethnicity, and urban and rural location are urgently needed to provide a foundation for programmes and policies and to serve as a measure of progress.
Invest in education and training. Developing the capacities and values of girl and boy adolescents through education can enable an entire generation to become economically independent and contribute positively to society. Investing in education and training for adolescents and young people, both girls and boys, is perhaps the single most promising action that can be taken in the next decade to end extreme poverty.

Investment in secondary education will require three key actions: a) extension of compulsory schooling to secondary level and consideration of a variety of post-secondary options such as job training programmes; b) abolishment of school fees for primary and secondary education (as these limit opportunities for the future and place adolescents at risk of negative outcomes such as child labour and child marriage), and; c) promotion of equitable access to post-primary education.

Additional efforts must be made to reach indigenous children, children with disabilities and other marginalized groups. Teenage mothers who are forced to leave school are also in need of special support.

Institutionalize mechanisms for youth participation. Active participation of the girl and boy adolescent in family and civic life fosters positive citizenship as they mature into adults. Furthermore, the contributions of adolescents enrich and inform policies that benefit society as a whole.

Guarantee a supportive environment. Conventions, legislation, policies and programmes for the rights of the adolescent girl and boy require a supportive environment to uphold them. The creation of an environment that is conducive to positive adolescent development entails addressing the values, attitudes and behaviours of institutions within the domain of the adolescent – family, peers, schools and services– as well as the broader context of norms established within communities, the media, legislation, policies and budgets.

Address poverty and inequity. Poverty is one of the biggest threats to adolescent rights. It catapults young people into adulthood prematurely by pulling them out of school, pushing them into the labour market or forcing them to marry young.

Moreover, an equity-based approach to adolescent development highlights the urgent need to identify the most marginalized and vulnerable adolescents in every society, to design and develop relevant and innovative approaches to reach and engage them, and to ensure that investments are targeted to give them equal access and opportunities for growth and development.
General outlook on the promotion and protection of adolescent rights in Latin America and the Caribbean
The Latin American and Caribbean region can be largely characterized by a single word: inequality. Countries across the region show unequal economic, political and social development and there are wide disparities within each individual nation. There are deep differences between urban and rural areas: urban areas show a wide divergence between poor and wealthy, marginal and central zones, while the situation in rural areas is largely determined by geographical heterogeneity.

Inequality mainly manifests itself as discrimination and lack of access. This is underlined by another characteristic of the region: population diversity. Although the particular details vary from country to country, the broad pattern in Latin America is for a dominant group of Creole descendants of Europeans to rule over minorities of indigenous peoples and Afro-descendants living in generational poverty and who may in fact outnumber the ruling classes. Relationships between the groups operate according to a range of discriminatory practices determined by elements such as race, sex, age, ethnic origin, disability and sexual preference. These practices result in disparities in the access to, availability and quality of education and health services, justice and work opportunities, among other elements.5

This general overview is cross-cut by key issues, mainly: violence and abuse, sometimes sexual in nature; sexual exploitation and the trafficking of children and women; family disintegration, single-parenthood; child labour; street children; drug abuse, illicit drug production and drug trafficking, and; internal armed conflicts.

While the term "adolescent" is not necessarily explicitly mentioned in international conventions, declarations or treaties, all adolescents have rights under the Universal Declaration of Human Rights and other major human rights instruments. Most of these are also covered under the Convention on the Rights of the Child.6 The comprehensiveness and far-sightedness of this treaty fulfils all the aspirations of children and adolescents for a life with dignity. The rights of all young children and adolescents under age 18 are expressed in a way that protects their welfare and gives them a central role as holders of rights, providing them with an ethical basis for active participation in all aspects of their lives.7

### The core international human rights instruments and their treaty bodies

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The Ibero-American Youth Organization (Organización Iberoamericana de Juventud – OIJ) is an international governmental organization created to promote dialogue, consultation and cooperation between the youth of Latin American countries. OIJ Member States include: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Spain, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Portugal, Uruguay and Venezuela. The OIJ has driven the development and consolidation process for the Ibero-American Convention on Young Peoples’ Rights. The Convention entered into force on 1st March 2008 and contains 44 articles that focus on issues such as sexual and reproductive rights, political participation and the right to be a conscientious objector.

Other provisions detailed in the Convention include: the right to peace and a life without violence; freedom from discrimination on the basis of language, religion, sexual orientation, physical aptitude, disability and economic resources; a specific article against the death penalty; the right to justice (including the right to report violations), free legal defence and equality before the law; the right to honour, intimacy and self-image; the right to form a family, including the free choice of a partner; the right to political participation, to sex education, work, social protection, professional training, housing, a healthy environment and the right to development.

The Ibero-American Convention on Young Peoples’ Rights has been ratified by Bolivia, Costa Rica, the Dominican Republic, Ecuador, Honduras, Spain and Uruguay. Any young person who experiences a breach of the rights established in the treaty can invoke the Convention as a legal tool in these countries.

There is currently no mechanism in place for monitoring the Convention, but ratifying States are required to submit a report to the Secretary General of the OIJ every two years.

An official English translation of the Ibero-American Convention on Young Peoples’ Rights is not available but the Spanish version can be accessed at:

There is significant crossover between the observations and recommendations of the CRC, CEDAW and other pertinent UN treaty bodies on the matter of adolescent rights—with particular importance placed on the Committee on the Elimination of Racial Discrimination (CERD). The principles and provisions of the inter-American human rights system follow similar lines and are equally important; especially in terms of rapporteurships on the rights of women, the child and indigenous peoples, the case law of the Inter-American Commission on Human Rights and Inter-American Court of Human Rights jurisprudence.

States Parties to these conventions are obliged to report any advancement made toward guaranteeing the rights contained within them. Hence, the number of reports filed can be seen as an indication of the level of responsibility of any given State. Ratification or adhesion to the optional protocols to both conventions is also a valid indicator (see Annexes 1 and 2).

A thorough reading of these reports indicates that some Latin American and Caribbean countries show weaker development of the institutional system needed to ensure adequate conditions for the protection of adolescent rights. The implications of this are that they have: legislation not fully compliant with the principles and provisions of the Convention on the Rights of the Child and Convention on the Elimination of All Forms of Discrimination against Women; incomplete development and implementation of a comprehensive national plan of action for the enforcement of these conventions; the absence of an independent and effective mechanism for the protection of the rights of children or the failure to appoint an ombudsperson, or; insufficient budgetary allocations to ensure implementation of the rights of children in a clearly prioritized manner or in accordance with a HRBA. Many countries have not yet designed, completed and enforced a system for data collection and the production of indicators disaggregated by sex, age and place of residence amongst other criteria. These indicators are needed for the formulation of laws, policies and programmes with specific emphasis on particularly vulnerable groups such as: children living in poverty, children with disabilities and children from single-parent families. Some others have taken initial steps toward ensuring institutional structures that will protect adolescent rights from a gender perspective and some are progressing toward institutional structures that meet mandatory conditions for the protection of the rights of adolescent girls and boys.

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PROGRAMMING FOR ADOLESCENTS:
making the connection between the human rights-based approach and the gender perspective
A human rights-based approach (HBRA) is a conceptual framework for the process of human development normatively based on international human rights standards and operationally directed to promoting and protecting human rights. A HRBA permeates throughout development practice to the point that the boundaries between human rights and development disappear as they become conceptually and operationally inseparable elements of the same processes of social change. When a HRBA is applied to development it alters the way in which programmes are designed, implemented, monitored and evaluated. The HRBA begins with the situation assessment and analysis, and this ideally forms the point of departure.

A HRBA focuses explicitly on discrimination and marginalization in the development process. It seeks to analyze the inequities and inequalities that lie at the heart of development problems and redress any discriminatory practices and unjust power distributions that impede progress in development.

A higher level of commitment is needed in the application of a HRBA and the challenges must be addressed in a more comprehensive manner. This means persistent patterns of inequity, inequality and discrimination must be confronted and the responses formulated must take into account any structural causes that allow a political and societal environment to foster exclusion and marginalization; a situation that ultimately results in the denial of human rights.

While there is no universal recipe for an ideal HRBA, United Nations agencies have agreed a number of essential attributes for such an approach:

1. **Aim for the progressive achievement of all human rights.** The main objective should be to fulfil all human rights in the formulation of development policies and programmes.

2. **Recognize human beings as holders of rights and establish obligations for duty-bearers.** A HRBA identifies holders of rights and their entitlements and corresponding duty-bearers and their obligations, and works toward strengthening the capacities of rights-holders to make their claims and of duty-bearers to meet their obligations.

3. **Give equal importance to the outcome and process of development.** Close attention must be paid to the results of development as the desired outcome and impact of any programme activity should further the realization of human rights. At the same time, care must be taken to ensure that the development process does not deepen inequality and discrimination and ultimately cause conflict.

The principles and standards derived from international human rights treaties should guide all development cooperation and programming in all sectors and in all phases of the programming process. Human rights principles and standards provide objective criteria for acceptable development processes, making them participatory, inclusive and accountable and able to prioritize the most marginalized and excluded groups. For example, human rights principles should inform the process of the formulation, implementation and monitoring of a poverty reduction strategy.
Human rights are universal. They apply equally to men and women, girls and boys. For instance: women are entitled to the same rights to life, education and political participation as men but, in practice, inequality and discrimination promote the violation of these rights in multiple manners every day in virtually every country of the world.

Gender equality and women’s rights are key elements of the Universal Declaration of Human Rights. In 1993, the World Conference on Human Rights brought about a consensus that recognized all rights as equally important and the resulting Vienna Declaration on Human Rights states that “all human rights are universal, indivisible and interdependent and interrelated.” The agreement recognized that there is no hierarchy of human rights, meaning that civil, cultural, economic, political and social rights all have equal status, and that the rights of women and girls are human rights that form an inalienable, integral and indivisible part of the human rights spectrum. It was later recognized that certain rights are specific to women, or require special emphasis in the case of women. These more particular rights are outlined in subsequent international and regional instruments; the most important of which are the Convention on the Elimination of All Forms of Discrimination against Women and the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women or “Convention of Belem do Para” in the international and Inter-American fields respectively.

Many advances have been made through strategic use of UN conferences and forums to place women’s human rights high on the international agenda. However, continued action is essential, particularly in terms of the following issues:

1. Failure to recognize human rights universally. Despite the progress made, many women and girls still enjoy far fewer human rights than men.

2. The public/private split. In many parts of the world, human rights stop at the front door; many of the most egregious violations against women and girls occur within the family home.
3. **Neglect of social and economic rights.** The enforcement of social and economic rights can present more challenges to many governments than the enforcement of the civil and political rights. Social and economic rights are essentially “progressively realized” as resources permit through the coordination of government action at many levels, while it can be argued that civil and political rights are easier to apply with immediate effect. In general it is these social and economic rights that often have the greatest impact on the daily lives of women and girls.

4. **Weak promotion, monitoring and enforcement of human rights at national and local levels.** The promotion and protection of the rights of women and girls through the full implementation of all human rights instruments must be made a priority at national and local levels. It is important to continue all efforts to promote mutually empowering relationships between girls and boys in order to provide cumulative strengthening of gender equality over time in both the public and private spheres.

Gender mainstreaming is the process of assessing the implications of any planned action for women and men, girls and boys (gender concerns). It can be applied during the proposition of a piece of legislation, the development of a new policy or the implementation of development programmes and projects in any area and at any level. Gender mainstreaming is not an end in itself; it is a tool that draws the concerns and experiences of both women and men, girls and boys, into the analysis, formulation, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres in order for women and men, girls and boys to benefit equally from any action and to avoid the perpetuation of any inequality. UNICEF recognizes the human rights principle of equality and non-discrimination as central to the consideration of gender equality. Gender-based discrimination is one of the most ubiquitous forms of discrimination faced by children. The achievement of all human development goals is underpinned by the elimination of gender-based discrimination, hence equal outcomes for girls and boys must be promoted in all areas in order to avoid inadvertent perpetuation of this pernicious element.
Gender mainstreaming and application of a HRBA to development have much in common. Both rely on an analytical framework that can be applied to all development activities and while gender mainstreaming analyzes the different situations experienced and roles played by men and women, boys and girls, in a given society, the HRBA provides a normative framework based on entitlements and obligations and takes gender equality as one of its main objectives. Both draw attention to the impact of activities on the realization of the human rights of specific groups and to the importance of empowerment and participation in decision-making. The two approaches apply to all stages of activity (from design and implementation to monitoring and evaluation) and to all types of action (legislation, policies and programmes). Finally, they both require the systematic adoption of new and different approaches to existing activities rather than the development of new and additional activities.\(^\text{18}\)

Gender mainstreaming calls for a gender perspective to be integrated into development activities with the ultimate goal of gender equality\(^\text{19}\) in terms of the long-term consequences of an absence of discrimination based on a person's sex.\(^\text{20}\) This approach can be applied in relation to laws, policies or opportunities, to the allocation of resources and benefits, or access to services. A HRBA integrates international human rights standards and principles, including women’s human rights and the prohibition of sex discrimination, to development activities, meaning that the combination of a HRBA and gender mainstreaming provides a complementary and mutually reinforcing contribution to development that can be undertaken without conflict or duplication.\(^\text{21}\)

To obtain a real impact, gender mainstreaming and the HRBA must be understood as more than a mere bureaucratic or technical requirement with no real implications. Strong internal incentive structures and clear lines of accountability must be put in place prior to implementation.

A human rights-based approach with a gender perspective can offer practical value to development in terms of:

1. Human rights for all. Universality means that all people are entitled to human rights, even where resource constraints imply prioritization. It does not mean that all of the problems of all of the people must be tackled at once. A HRBA focuses on the realization of the rights of excluded and marginalized populations and those at risk of violation of their rights, building on the premise that a country cannot achieve sustained progress without the recognition of human rights principles (especially universality) as core precepts of governance. Work with partners at all levels is essential in addressing all the overlapping forms of discrimination faced by children. This form of approach can help counter discrimination on the grounds of sex typically aimed at girls, and more rarely at boys in some specific situations, in addition to any other forms of discrimination they may experience.

2. Holistic development and active participation for an integrated response to problems. A programme guided by a HRBA takes a holistic view of the environment in terms of the family, the community and civil society, local and national authorities. It considers the social, political and legal framework determining the relationship between those institutions and identifies the resulting claims, duties and accountabilities. A HRBA lifts sectoral “blinders” and facilitates an integrated response to multifaceted development problems. A gender perspective guarantees that the relationships of men, women, girls and boys with the environment are taken into consideration, ensuring the integrated nature of any response to specific development problems.

3. Universal legal standards for a life with dignity. The international human rights instruments and other international agreements contain human rights standards and goals that constitute the minimum normative level or content of entitlements and obligations against which duty-bearers at all levels of society - but especially the State- can be held accountable. Adolescent girls are also protected under the Convention on the Elimination of All Forms of Discrimination against Women, the Beijing Platform for Action and regional instruments such as the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women “Convention of Belem do Para.” A HRBA assists countries in translating such goals and standards into time-bound and achievable national results.
4. Participatory process. Accountabilities for achieving these results or standards are determined through participatory processes (policy development, national planning) and they reflect the consensus between those whose rights are violated and those with a duty to act. A HRBA seeks to assist in the participatory formulation of the policy and legislative framework required and to ensure that participatory and democratic processes are institutionalized locally and nationally (partly through capacity-building to encourage the constructive participation of families, communities and civil society in relevant forums).

A HRBA entails the free, active and meaningful involvement and participation of individuals and social groups in the development process. In this context, participation means the “empowerment” of individuals and groups to take significant control over the decision-making processes rather than mere consultation or information sharing. In adopting a participatory approach to programme development, it is important to promote the involvement of both girls and boys in the definition of their own priorities and the development results that could deliver them.

5. Transparency and accountability of the Rule of Law. By voluntarily accepting the obligations of the international human rights instruments and the corresponding domestic laws, the State and all its actors have a duty to respect, protect and fulfil human rights, without discrimination. A HRBA helps to formulate policy, legislation, regulations and budgets that clearly determine the particular human right(s) to be addressed - what must be done and to what standard, who is accountable - and ensures the availability of needed capacities (or resources to build the lacking capacities).

The approach helps to make the policy formulation process more transparent and empowers women, men, girls, boys and communities to hold accountable those who have a duty to act, ensuring effective remedies are made where rights are violated.

6. Transparent mechanisms to monitor government efforts. A HRBA to development supports the monitoring of State commitments with the help of the recommendations of human rights treaty bodies and through public and independent assessments of State performance. It makes a fundamental contribution in identification of the most effective mechanisms for planning, monitoring and reporting upon efforts to promote equality between women and men, girls and boys, through programme cooperation, advocacy and partnerships in line with the principles and standards of the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination Against Women.

7. Sustained results. In a HRBA, attention must be paid to results as the desired outcome and impact of any programme activity is the furtherance of human rights. Results must aim for the protection, survival and development of girls and boys, women and men, on an equal basis. This approach leads to better-sustained results for development efforts and greater returns on investments by:

a. building the capacity of stakeholders to engage in dialogue, meet their own responsibilities and hold the State accountable;

b. strengthening social cohesion with participatory processes and focusing assistance on the excluded and most marginalized sectors;

c. codifying social and political consensus on accountabilities for results to be taken into laws, policies and programmes aligned with international conventions;

d. anchoring human rights entitlements within a framework of laws and institutions;

e. institutionalizing democratic processes and;

f. strengthening the capacities of duty bearers to fulfil their obligations as expressed in local, national and international laws, policies and programmes.
Programming in favour of the adolescent girl and boy through a HRBA that attends to discrimination on the grounds of sex, race, ethnicity, disability or any other cause necessarily entails the following considerations:

1. Data collection and analysis should consider a life-cycle approach.

A life-cycle approach to data collection and analysis implies that data must be disaggregated by age and sex although other elements must also be taken into consideration. Careful consideration of the particular issues affecting the different age-groups of boys and girls can lead to better targeted data collection that can provide the knowledge needed to tackle those issues. For instance, age-, sex- and race-disaggregated data on household composition in urban and rural areas is essential in formulating an appropriate response to the issue of unpaid child labour amongst indigenous girls from a life-cycle approach.

Broad disaggregation of data, however, is not desirable. For the data to be useful from a life-cycle point of view, it should ideally be disaggregated by biological year, leaving room for subsequent data aggregation according to the criteria needed for the issue in point. This method is helpful in uncovering changing behaviour patterns such as the tendency towards earlier pregnancies among young girls in particular. The technique is also useful in establishing meaningful relationships between different indicators, providing deeper understanding of more complex issues such as the interdependence between access to educational opportunities and patterns in early pregnancy.

2. Adolescence is more than a label: the meaningful inclusion of issues relating to adolescent girls and boys in legislation, public policies, national planning and institutions.

State and civil society institutions should pay special attention to the clear definition and description of matters that particularly affect the girl and boy adolescent. There is a clear tendency to incorporate the word “adolescents” into legislation, public policies, national planning and institutions, without any authentic distinction being drawn between their specific problems and those that impact younger children (referring to “children and adolescents”). A life-cycle approach to children’s issues implies thorough analysis of the range of risks they may experience at different moments in time, bearing in mind gender, race and other specific requirements. Sexual and reproductive matters, for instance, require very different approaches when dealing with adolescents rather than children; for instance, investment in sexual and reproductive health knowledge is a fundamental issue for adolescent girls as they are at high risk of experiencing early pregnancy.
3. Participation for the adolescent girl and boy: the right to be heard and its operationalization.

The meaningful participation of adolescents in decision-making and programming processes is an element in need of promotion. Their involvement can be guaranteed when the adolescent girl or boy is engaged for a specific purpose relating to health, education or any other issue, in an on-going, long-term process. Where programmes are not originally designed to work with vulnerable and marginalized adolescents, they should be adapted to include these groups; taking care to align the demands made to the skills and developmental levels of the groups. Programmes should have built-in monitoring and evaluation systems that are operational throughout, from the initiation of the programme until completion.

The gender perspective, the HRBA, the life-cycle approach and the meaningful participation of adolescents in decision-making should be considered in all stages of programming:

1. Planning and preparation, assessment phase.

Gender and life-cycle gaps should be identified through the use of available disaggregated data, taking into account the human rights claims of rights-holders and the corresponding human rights obligations of duty-bearers. The capacity of rights-holders to claim their rights and of duty-bearers to fulfil them should also be considered in the analysis. For example, in any analysis of educational opportunities for adolescent girls and boys, data on secondary school attendance and drop-out statistics should be studied in light of the needs and expectations of adolescent girls and boys, alongside the causes of their high drop-out rates, their views and their capacity to claim their educational rights, the obligations of the State in this matter and the capacity of the educational system to fulfil them. In order for the analysis to be oriented toward resolving gaps in the educational system, key questions on the level of knowledge of laws and policies, the rights of women, girls and boys and the principle of non-discrimination should be addressed at this stage of programming. Any voids in information should also be identified at this stage, underlining any elements of data the State might consider incorporating in their statistical systems. Adolescent participation should focus on outlining their needs and strategic interests.

2. Planning and preparation, analysis phase.

An in-depth evidence-based examination should be performed into the ways in which gender, ethnicity, disability, poverty and racial inequality are reproduced and how they affect this particular stage of life. This examination should also consider the influence of gender and racial relations, roles, inequalities and discrimination in legislation and policies, along with the access to and control of resources. For instance, when considering educational opportunities for adolescent girls and boys some of the key questions would be:

a. What is the nature and extent of access to and control over education services for adolescent girls and boys?

b. How do adolescent girls and boys participate in decision-making at the household, community and national levels? How does this participation relate to the larger questions of agency, autonomy and freedom for adolescent girls and boys?

c. What legal and institutional frameworks exist to promote, protect and defend the right to education of adolescent girls and boys? How effective are they?.

d. What are the different perspectives, roles, needs and interests of girls and boys in this area (including practical needs and strategic interests)?
4. Implementation and monitoring.
This phase should be guided by an action plan that clearly identifies areas of responsibility and secures gender and human rights specialists as integral members of the implementation team throughout. Monitoring of the on-going impact of the programme must contain an on-going overview of how it affects girl and boy adolescents, including those from excluded groups, in order to ensure meaningful participation. There must be continual monitoring of the indicators set during the action and design phase in order to ensure feedback during implementation and to allow those responsible to re-orient strategies if necessary.

5. Evaluation. Evaluation and assessment teams should include gender-equality experts, human rights specialists and girl and boy adolescents.

e. What other key differences (such as class, disability, ethnicity, race, poverty and sexual orientation) between girl and boy adolescents affect their respective circumstances, status, opportunities and resources with regard to education?

3. Action or design phase. This is the stage in which the findings of the previous stages are significantly incorporated into the programme. Special care should be placed on building:

a. Coalitions to advocate and work towards the guarantee of the rights of the girl and boy adolescent. Coordination between small-scale civil society efforts and the institutions in charge of policy-making is of the utmost importance and must be recognised as such.

b. Concrete accountability mechanisms should be established in the form of results-based frameworks for monitoring age-sensitive and gender-equality outcomes. Clear benchmarks and reporting mechanisms with measurable indicators are essential.

c. Reporting systems with measurable sex-, age- and race-disaggregated indicators. Responsive indicators must be developed to provide qualitative and quantitative data that will allow programme staff to assess their progress toward equality goals. Disaggregated data and analytical information must be collected at the community level in order for appropriate indicators to be developed. Adequate indicators will help programme staff to set objectives, design strategies and follow-up on projects and programmes in a way that will lead to improvements in gender and racial equality.

d. Capacity for and commitment to adolescent issues, with a gender and human rights perspective, among UNICEF partners, sections and officials.

e. Sufficient budgetary resources for implementation of activities related to adolescent matters.
A PRACTICAL GUIDE ON HOW TO PROGRAMME FOR THE GIRL AND BOY ADOLESCENT
In 2003, the CRC published General Comment No. 4, Adolescent health and development in the context of the Convention of the Rights of the Child. This important general comment identifies the major rights that must be promoted and protected “in order to ensure that adolescents [...] enjoy the highest attainable standard of health, develop in a well-balanced manner, and are adequately prepared to enter adulthood and assume a constructive role in their communities and in society at large.” It stresses that adolescent girls and boys face distinct health problems related to this particular period of human development.

The crucial health risks for adolescents today worldwide are accidents, sexually transmitted infections (STIs) –especially HIV and AIDS, early pregnancy, unsafe abortions, poor nutrition (persistent under nutrition and a growing tendency toward obesity), tobacco consumption and drug use, mental health issues and violence. Injuries caused by accidents (particularly road traffic accidents) and the increasingly important factor of violence (from chance encounters or organized gang conflict) are more common among boys while early pregnancies and unsafe abortions affect girls more directly.

In the Latin American and Caribbean region, adolescent health issues are associated to specific concerns on discrimination. Adolescent health risks are deeply intertwined with gender inequality, race, poverty and urban and rural disparities. Traditional gender roles express negative characteristics when linked with rural residence and poverty, encouraging traits such as early drop-out from school for girls. A report from Plan International states: “Fear that their daughters might become pregnant at a young age leads many parents [...] to restrict their daughters’ movement outside the home”. The same report quotes Jasmine, aged 20 saying: “Girls have more difficulty even going to school because girls are more vulnerable – our parents may not send us to school because of the risk of becoming pregnant [...] from Grades 1 to 9 parents are ok about it but the most difficult stage comes when they reach high school – girls have to leave rural areas for urban ones [because there are no local secondary schools] and parents are afraid”. In reality, however, the girls who leave the education system early become socially marginalized and they are deprived of information on sexual and other matters in a way that leaves them more vulnerable to early marriage and pregnancy. Both of these elements present major social risks to girls in Latin America and the Caribbean.
Tackling early pregnancy and early unions is an effective way to prevent related health concerns such as death due to unsafe abortion and the issue of maternal and neonatal well-being. Information on sexual and reproductive health must be provided to boys and girls, in conjunction with education on positive gender roles, to promote healthy lifestyles among adolescents of both sexes in the region.

1. The need for a better understanding of the depth and specific details of adolescent health risks

Many Latin American and Caribbean countries lack specific information on adolescent health problems in a way that prevents or limits their capacity to formulate non-discriminatory, rights-based policies and programmes. Efforts should be made to provide the technical support needed to achieve a better understanding of the situation of the girl and boy adolescent. This aim should be focused on the following outcomes:

a. Comprehensive studies to assess the nature and extent of the health difficulties facing the girl and boy adolescent. These studies should be made with the full participation of adolescent girls and boys in order to provide a basis for the formulation of adolescent health policies and programmes.

b. Formulation and implementation of adolescent health policies and programmes.

Special attention should be paid to:

- Access to quality health services, health education and counselling sensitive to the specific sex- and age-related needs of the adolescent girl and boy.

- Strengthening of youth-sensitive developmental and mental health counselling services.

- Prevention of STIs, especially through reproductive health education and youth-friendly counselling, including the promotion of male acceptance of the use of contraceptives.

- The particular situation and health risks of adolescent girls, including ways to provide special support to pregnant teenagers (e.g. through community structures and social security benefits). Specific consideration should be given to the reduction of teenage pregnancy and the provision of counselling support to enable these girls to continue their formal education. Any measures for this group must be sure to consider promotion of proper breastfeeding and weaning practice. They must be implemented with an understanding of possible discriminatory factors in order to avoid the furtherance of these.

The formulation of adolescent health policies and programmes should consider ways to incorporate sexual and reproductive health education in the school curriculum, particularly at the secondary level, in order to fully inform adolescents about their reproductive health rights and the prevention of STIs, including HIV/AIDS, and early pregnancies.

It should also take into account some practices which might increase these risks, e.g. transactional sex – sexual relationships where the giving of gifts and services is an important factor, a common practice in some Latin American and Caribbean countries, intimately related with poverty and lack of labour and education opportunities for girls. UNICEF, Adolescence, an age of opportunity.

● The situation of particularly vulnerable groups such as girl and boy adolescents living in poverty, members of indigenous or afro-American groups and adolescents with disabilities.

● Prevention of alcohol and drug abuse, including the provision of therapeutic, recovery and reintegration services for abusers and youth-friendly care, counselling and rehabilitation facilities for adolescents.

2. The need to work for the further implementation of policies and programmes already in force. In some countries where information on adolescent health issues is already available, the specificities and details are still lacking. Technical support should be designed to strengthen the policies and programmes already in place while increasing awareness of pivotal issues through public education campaigns and targeted efforts. The cited aims should ensure the full participation of adolescent girls and boys and be focused on the following results:

a. Production of specific studies to assess the nature and extent of girl and boy adolescent health and life-style related issues, according to needs.

b. Strengthened or improved efforts to implement policies and programmes that specifically address sexual and reproductive health issues and sex education.

These should include the collection of data on adolescent health concerns and aim to:

● Reduce the number of teenage pregnancies and assist teenage mothers and their children, including the provision of full health and counselling support on health risks for both baby and mother, the importance of vaccination and programmes to ensure and facilitate breastfeeding.

● Assure that pregnant adolescent girls are able to continue their formal education and are not subjected to discrimination and stigma by their peers, teachers, families, communities and society at large. This includes consideration of the important role that men play as fathers and implies educating them in positive parenting and supportive partnership skills.

● Promote sexual and reproductive health and family planning education for girl and boy adolescents in schools and other institutions, with a view to reducing the incidence of teenage pregnancy and STIs.

● Ensure access to sexual and reproductive health information and services to all adolescents, girls and boys, and vulnerable groups, including safe, legal, youth-sensitive and confidential counselling. This supposes particular emphasis on the specific needs of girls and boys with disabilities (in view of the fact that girls with disabilities are subjected to more abuse and violence) and indigenous girls and boys (with special consideration of their traditions, culture and language).
• Lead campaigns and education programmes to change attitudes towards fertility and sexuality by carefully addressing the issues of teenage pregnancy and including further awareness-raising among adolescents on the importance of the prevention of early pregnancy. Seek partnerships with relevant organizations for the implementation of these awareness-raising campaigns.

c. Provide girl and boy adolescents with accurate and objective information on the harmful consequences of drug and alcohol abuse, increase the availability and accessibility of counselling and support services, including the provision of specific rehabilitation services. These efforts should include:

• Collection of adequate, sex-disaggregated data on substance abuse among children and adolescents.

• Implementation of all necessary measures to fight drug, alcohol and tobacco addictions paying particular attention to pregnant adolescents and the inclusion of girls and boys from vulnerable groups.

• Allocation of resources for prevention and rehabilitation measures in order to combat increasing drug abuse among adolescents.

• Development of strategies for healthy lifestyles for girl and boy adolescents, including leisure and sport.

d. Provide adequate access to mental-health services for all children, strengthening programmes dedicated to issues such as child and adolescent suicide, underlining an appropriate understanding of the issues that trigger suicide among vulnerable girls and boys.
### Specific countries: Aspects to consider in programming

#### Chile and Colombia

The CRC and CEDAW have stressed the need for ensured access to sexual and reproductive health services for all adolescents in these countries, including sex and reproductive health education in schools, alongside youth-sensitive and confidential counselling and health care services. These should:

- Identify allies.
- Allocate adequate resources and design strategies for awareness-raising, counselling services and other measures to prevent adolescent suicide.
- Tackle inequalities between urban and rural areas, and indigenous/non-indigenous populations. In the case of Colombia, particular attention should be paid to the situation of internally displaced adolescent girls.

#### Costa Rica

Costa Rica adopted the Health Plan for Adolescents (2010-2015) and the National Gender Equality and Equity Policy (PIEG, 2007-2017) as part of a strategy for integrated adolescent health. The CRC and CEDAW have made recommendations to strengthen the national plan and policy. Programming for adolescent health in Costa Rica should therefore:

- Reinforce strategies for the prevention of early pregnancy, including support for child and adolescent mothers.
- Include systematic, comprehensive and scientific-based sex and reproductive health education in school curricula and ensure that adequate resources are allocated for this.

Ensure that the Institute for Alcohol and Drug Dependency extends its plans to care for child victims of drug and substance abuse beyond the recently created specialized centre for child drug users, including the use of appropriate diagnostic tools and rehabilitation services.

There should be broad appraisal of ways to promote the participation of adolescent girls and boys in these processes, bearing in mind the special needs of rural, indigenous and other vulnerable groups.

#### Guatemala

Both the CRC and CEDAW have emphasized the need to ensure the entry into force of the Act on Universal and Equitable Access to Family Planning Services and their integration in the national reproductive health programme.
International and regional human rights declarations and treaties recognize that education is a fundamental human right. Article 28 of the Convention on the Rights of the Child specifically indicates that “States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular: (a) Make primary education compulsory and available free to all; (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need; (c) Make higher education accessible to all on the basis of capacity by every appropriate means; (d) Make educational and vocational information and guidance available and accessible to all children; (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.” Furthermore, the CRC published General Comment No. 1, The aims of education, in which it explores the scope and implications of Article 28.32

Like all human rights, education is universal and inalienable. This means that everyone, regardless of sex, religion, ethnicity, nationality, language or economic status has entitlement to education in a manner that is interdependent with the other human rights. The right to education is critical to the human development of individuals and societies, and it helps pave the way to a successful and productive future. Despite that, adolescents are constantly pressured by economic factors to abandon formal schooling before they complete their education. For boys, entering the job market is one of the main causes of school desertion. For girls, early pregnancy and domestic chores are the predominant causes.33

The elimination of gender disparities in primary and secondary education by 2005 and gender equality in education by 2015 formed one of six goals approved by a broad coalition of governments, NGOs and development agencies at the World Conference on Education for All (EFA) in 1990. This goal was reaffirmed in the World Education Forum in Dakar, Senegal in 2000 and, later that year, two of the EFA goals were incorporated into the Millennium Development Goals (MDGs) for universal primary education in a move that promoted gender equality and empowered women. As a matter of fact, EFA goals are a crucial element in attainment of all the MDGs. The Ibero-American Organization for Education, Science and Culture (OEI) and the Ibero-American Conference of Education Ministers approved the “Educational Goals 2021: the Education We Want for the Bicentennial Generation” project. This project aspires to promote education as a generator of change in Ibero-American societies, most of which are heavily affected by poverty, social inequity and a new flood of uncertainty over the financial future of the World.34 Education can improve health, increase environmental sustainability and help eradicate poverty and hunger. In turn, achievement of the MDGs will help adolescents to access good quality education and benefit from it.
The gender equality perspective on basic education recognizes that gender is a socio-cultural construct that underscores social relations between boys and girls where women are systematically subjected to subordination. The core of basic education for equality therefore entails the “empowerment” of women and girls through the provision of a range of socio-cultural competencies and tools that go far beyond the narrow conceptualization of education as reading and writing skills. Only this type of approach is able to bring about the structural transformations needed to end gender-based discriminatory practices. Gender equality is an essential strategy in efforts to end discrimination and achieve justice in societies.

The following planned outcomes should be included:

- **Plan and manage all activities in line with a gender mainstreaming strategy**

Access to literacy programmes and income-generating activities for women and girls have been proven to lead to socio-economic improvement and higher status in the community. It is therefore important to improve and develop gender equality methodologies and to introduce innovative approaches in the planning and management of all programmes and activities. This approach can be used to equip girls and women with a range of socio-cultural competencies and tools that will empower them to transform unequal gender relations. It is therefore essential for gender-sensitive approaches to be integrated into the full range of education projects.

- **Working with the curriculum**

Teaching and learning materials, evaluation and assessment procedures and language policy are all components of the curriculum that have gender dimensions. The education curriculum consists of a set of documents combined with a set of practices. It is a key piece of national legislation that raises many rights-related questions in terms of who decides on the content to be taught and how it is to be delivered, and whether women and girls are included in the decision-making process. A gender equality perspective questions exactly what girls are being taught about themselves in formal schooling, whether educational institutions are allowing girls effective participation, and whether the existing situations of girls and women are enhanced or diminished by the schooling they receive. Human rights education, including the rights of the girl and boy adolescent, should form part of the school curriculum at all levels in a way that increases the quality and relevance of education. Comparative research on gender bias in textbooks is also needed if they are to adequately reflect the range of roles and occupations for women and girls in the real world.

1. **The importance of providing education opportunities for all**

Gender disparities can be eliminated and gender equality in education be achieved through equal access to gender-sensitive education combined with improvements in the quality to meet the basic needs. This aim should be focused on the following outcomes:

- **Formulation and implementation of basic education and gender equality policies and programmes. Special attention should be given to:**

  - Sufficient resourcing for pre-school education facilities to ensure adequate staffing and equipment. Emphasis should be placed on the different needs of boys and girls, particularly of those from vulnerable groups. Consideration should also be given to the special needs of children of adolescent mothers.

  - Guarantees that all adolescents, especially girls, have equal access to
educational opportunities, with special attention paid to those living in rural and remote areas. Access to education for street boys and girls, children living in poor urban areas, and children with disabilities should also be prioritized.

- Provision of educational opportunities for pregnant teenagers that ensure equal access without discrimination, giving them the opportunity to complete their education.

- Identifying the causes of high repetition and drop-out rates in primary and secondary schools, taking steps to redress the situation, so that boys and girls complete their schooling. Again, special consideration should be given to girl and boy adolescents from vulnerable groups.

- Stronger promotion of vocational education and training for girls and boys who drop out of primary or secondary school.

- Those measures necessary to guarantee access to curricula that are designed and adapted to vulnerable adolescents such as street girls and boys and over-age children or adolescents enrolled in school.

b. Transformation of education through the transformation of teachers.

The staff responsible for planning, developing and monitoring education programmes must possess or acquire the skills necessary for systematic use of gender analysis when a gender mainstreaming strategy is adopted. Only then can they ensure that the various needs of boys and girls, men and women will be adequately addressed and the barriers to their full development removed. To achieve this, there must be:

- Reforms in teacher training, focusing on teacher attitudes to raise the profile of adolescent rights. These should explore the issues of sex, age, race, disability, ethnicity, poverty, urban/rural disparity and other causes of discrimination and vulnerability.

- Improved quality of education by ensuring that teachers are well-trained and fully qualified in providing equal opportunity for participation to boys and girls and avoiding any kind of discrimination.
● Training of women and men teachers and adult educators to raise their status and self-esteem and empower them to pass these attitudes on through the teaching of their students.

2. Strengthening of efforts to bridge gaps in the coverage and quality of education

Transforming programmes that seek to actively change gender inequalities and to create positive, healthy relations between men or boys and women or girls and promote gender equality to achieve project outcomes.

● In the process of educational policy-making and budget allocation, special attention should be paid to ensuring that the needs of adolescents from vulnerable groups are addressed in order to safeguard their right to education at all levels. These groups include girls, adolescent migrants, adolescents with disabilities, working adolescents, adolescents living in poverty, adolescents deprived of their liberty, adolescents belonging to minorities and indigenous adolescents.

● Priority should be given to the progressive implementation of inclusive education for girl and boy adolescents with disabilities over education in specialized institutions. 35

● The educational needs of pregnant students and teenage mothers in schools should be addressed through mechanisms such as the introduction of a national policy on the equal treatment of all students.

● Measures should be taken to ensure that adolescents complete their schooling. These should take concrete action to address the causes of non-completion of schooling and include measures to ensure a smooth transition of adolescents from primary to secondary school and from school to employment. The reasons for non-completion differ from boy to girl adolescents, and they are also affected by other causes of exclusion, e.g., poverty and rural/urban disparities. Boys report lower satisfaction with school than girls, and they tend to spend less time on academic activities. However, they are valued as future wage-earners and parents may prioritise schooling for boys. Girls face the constraints of domestic labour and child marriage, as well as early pregnancy. 36

● Quality vocational education and training for girl and boy adolescents should be expanded and improved with special provision for those who leave school with no qualifications in a way that enables them to acquire competencies and skills to enhance their work opportunities. Some specific subjects are still viewed as being more appropriate for one group, e.g., maths and science for boys, history and languages for girls. Girls should be strongly encouraged into science and technology studies.

● Efforts should be made to improve the quality of education through the revision of school curricula, the introduction of adolescent-centred and active teaching and learning methods and the integration of human rights education.
Inclusion of systematic, comprehensive and evidence-based sexual and reproductive health education, including HIV and AIDS, and other sexually transmitted infections should be a priority in the core school curricula, ensuring that adequate resources are allocated for this. It is important to ensure that all girls and boys are provided with the specific knowledge and services they need for healthy reproduction and freedom from HIV and AIDS.

### Specific countries: Aspects to consider in programming

**Argentina, Bolivia, Belize, Chile, Costa Rica, Colombia, El Salvador, Ecuador, Honduras, Mexico, Panama, Paraguay, Peru and Venezuela**

The CRC and CERD have stressed the need for increased educational opportunities for indigenous children. Furthermore, they have indicated the importance of introducing human rights education at all levels of education in order to eliminate discriminatory practices and violence and encourage an understanding of diversity, interculturality, the gender approach and citizenship.

Some specific recommendations are:

**Argentina**

- The CEDAW has urged Argentina to disseminate information on the educational and vocational opportunities open to women and adolescent girls with a view to further expanding their professional choices and increasing access to higher-paying jobs. This should focus on adolescent girls, especially those excluded on the grounds of ethnicity, race, social group or other sources of discrimination.

- In accordance with CRC recommendations, the CEDAW has recommended mandatory gender training for teachers at all levels of the educational system throughout the country, with a view to eradicating gender stereotypes from the official and unofficial curricula. Special attention should be placed on the design of specific strategies to counter the prevalent patriarchal culture with a view to understanding the ways in which it is reproduced during adolescence and in consideration of both girls and boys, particularly those belonging to vulnerable and excluded groups.

**Bolivia**

The CRC, CEDAW and CERD have all recommended Bolivia ensure full realization of the right to education for indigenous adolescents, girls and boys. Afro-Bolivian communities are to be granted special consideration, due to their lack of visibility and high levels of social exclusion. Focus should be placed on the role of education in the promotion of human rights and anti-racism measures.

**Chile**

The CRC states that emphasis should be placed on the expansion of bilingual intercultural programmes for indigenous girl and boy adolescents, maintaining consultations with indigenous communities at large, and adolescents in particular, in order to evaluate the programme.

**Colombia**

- The CRC has pointed out that street girl and boy adolescents should be provided with recovery and social reintegration services, in particular through the proactive outreach activities of the Colombian Institute for Family Welfare (ICBF), in order to provide them with adequate educational opportunities.

- The CEDAW has stressed the need for prioritization of adolescents and rural, indigenous and afro-descendent women, and the provision of appropriate sex education, with special emphasis on the prevention of early pregnancy and sexually transmitted infections, as part of the mainstream education curriculum. Efforts should focus on specific issues raised by the armed conflict, giving particular attention to internally displaced adolescent girls.

**Costa Rica**

Specific recommendations made in accordance with the CRC, CEDAW and CERD include:

- Reinforce bilingual and intercultural education models for indigenous adolescent girls and boys by increasing the number of school teachers in the indigenous territories.
Expand the coverage and number of lessons on indigenous languages and cultures, from pre-school to secondary levels.

Develop specific training programmes and improved conditions for teachers both within and beyond the indigenous education sub-systems, in cooperation with public universities and in accordance with the specific cultural needs of indigenous adolescent girls and boys.

Make textbooks and adolescent-friendly education materials available in indigenous languages.

Include education on indigenous cultures in the national school curriculum with a view to promoting respect for diversity and eliminating prejudice against indigenous children and adolescents.

**El Salvador**

The right of adolescent girls and boys to an intercultural and bilingual education has been stressed by the CRC and CERD. All necessary measures should be taken to protect the rights of indigenous adolescents against discrimination and guarantee their enjoyment of this right.

**Ecuador**

The CRC has noted the need to address disparities more effectively through the allocation of specific budget resources and long-term support to target the most deprived adolescents (namely indigenous children and girls in rural areas) paying special attention to alternative informal education and ensuring vocational training that leads to employment and/or to further technical education.

**Mexico**

Some specific recommendations in accordance with the CRC, CEDAW and CERD, are:

- Strengthen measures to reduce the high dropout rate among indigenous adolescents, e.g., by providing them with bilingual and bicultural education.

- Take measures to identify the causes of the high dropout rate in schools, particularly in rural areas and in secondary schools, and take action to address the situation.

- Strengthen educational and vocational programmes, in particular for girl and boy adolescents who do not attend mainstream school, especially migrant children.

Ensure that all juvenile offenders have access to adequate educational and vocational programmes.

**Panama**

The CRC and CERD stressed the right of adolescent girls and boys to an intercultural and bilingual education, hence all necessary measures should be taken to protect the rights of indigenous adolescents against discrimination and guarantee their enjoyment of this right.

**Venezuela**

The CRC called attention to the need for greater efforts to increase enrolment in secondary school, particularly in rural and remote border areas and among indigenous adolescent girls and boys.
In its General Comment No. 3, the CRC underscored the impact of HIV and AIDS on the daily life of children, indicating that its effects increase victimization and marginalization, especially for those living in particularly difficult circumstances. The document notes: “in most parts of the world the majority of new infections are among young people between the ages of 15 and 24, sometimes younger. Women, including young girls, are also increasingly becoming infected. In most regions of the world, the vast majority of infected women do not know that they are infected and may unknowingly infect their children. Consequently, many states have recently registered an increase in their infant and child mortality rates. Adolescents are also vulnerable to HIV/AIDS because their first sexual experience may take place in an environment in which they have no access to proper information and guidance. Children who use drugs are at high risk.”

In 2001, United Nations Member States unanimously adopted the Declaration of commitment on HIV/AIDS (Resolution 26/2). Five years later they renewed their commitment to the fight against HIV and AIDS by adopting a Political declaration (Resolution 60/262). They also agreed to further their commitment to addressing the rising rate of new infections among young people through actions such as comprehensive, evidence-based prevention programmes to promote responsible sexual behaviour and educational campaigns through the media. In 2005, national governments signed up to cooperation with the Joint United Nations Programme on HIV/AIDS (UNAIDS), the World Health Organization (WHO) and other international organizations in the development and implementation of a comprehensive package of programmes for HIV prevention, treatment and care. Young people form an important focus within this strategy which includes the reduction of vertical transmission as one of its goals.

HIV and AIDS involve issues that make it far more difficult to guarantee many human rights, e.g., the right to non-discrimination, the right of the child to have his or her best interests as a primary consideration, the right to life, survival and development, the right to health and other civil, political, economic, social and cultural rights.
In the Latin American and Caribbean region the situation is no different. As in other regions of the world, prevention, care, treatment, protection and support must be pursued. Moreover, on this matter, support must be specially directed at the most vulnerable adolescents: those affected and orphaned by HIV and AIDS, victims of sexual and economic exploitation, victims of violence and abuse, and substance abusers. In general, this requires countries to:

a. Provide adequate information on this matter, raising awareness and focusing on preventive campaigns. Preventive measures should also be focused on discrimination against adolescents infected with and affected by HIV and AIDS and activities aimed at eliminating the stigma associated with this infection. They should be aimed at the general public and include safe sex practices. They should especially target adolescent girls as their risk of acquiring the disease is increasing, as is the risk of passing the infection on to their children. Moreover, discrimination affects them harder as they also carry the burden of gender discrimination. These efforts will require adequate allocation of human and financial resources.

b. Provide child- and adolescent-sensitive health services and facilitate HIV and AIDS counselling and testing. This requires the allocation of adequate human and financial resources for youth-friendly care, counselling, and rehabilitation facilities for adolescents that will target the differing needs of boys and girls. Access to youth-sensitive and confidential counselling for adolescents must be available without parental consent, particularly for girls as they are usually subjected to more sexual and social control.

c. Implement strategies to prevent HIV infection in infants and young children (vertical transmission). This will require adequate medical services and treatment for pregnant girls and women, including the provision of expanded antiretroviral treatment for the prevention of vertical transmission from mother to child.

d. Ensure that children and adolescents have sustained and equal access to comprehensive treatment and care.

e. Ensure that children and adolescents do not serve as research subjects.

Specific countries: Aspects to consider in programming

The Caribbean countries, Belize and Panama

The CRC country recommendations require efforts centred on a comprehensive and multidisciplinary study to assess the nature and extent of the health problems facing girl and boy adolescents with the full participation of adolescents themselves. The outcomes of the study can be used for the formulation of adolescent health policies and programmes with a particular focus on the prevention of STIs, including the special situation of those children infected with, affected by or vulnerable to HIV and AIDS, especially through reproductive health education and youth-sensitive counselling services.

Latin American countries

The CRC recommended most Latin American countries give high priority to the provision of adequate financial and human resources for the effective implementation of strategic national plans against HIV and AIDS.
Antigua and Barbuda

The CRC recommended that Antigua and Barbuda incorporate reproductive health education into the school curriculum, particularly at the secondary level, to provide adolescents with full information on their right to sexual and reproductive health, the prevention of STIs (including HIV and AIDS) and early pregnancies. The CEDAW drew attention to the lack of special measures for women with HIV and AIDS meaning the main recommendation was to prioritize the development and implementation of educational, preventive and treatment programmes targeted especially on adolescent girls and their partners.

Bolivia

The CRC called attention to the need for stronger efforts to combat HIV and AIDS, through measures including the ensured availability of sexual and reproductive health information and services throughout the country.

Costa Rica

- The CRC placed priority on the design and implementation of a cross-sector public policy for health, especially in terms of the right to sexual and reproductive health for girl and boy adolescents within and outside the educational system. This policy must consider healthy sexuality, the prevention of unplanned pregnancies, sexually transmitted infections, and HIV and AIDS, among others.
- The CEDAW called attention to the need for “a comprehensive programme on sexual and reproductive health and rights education for both girls and boys as a regular part of [the] school curriculum.”

Dominican Republic

The CRC stated that education and prevention campaigns among children and adolescents must be made more effective through the integration of awareness-raising and information within the school curriculum and other measures. Furthermore, the CEDAW recommended “the adoption of measures to ensure that women, especially young women, the disabled and women living in rural areas, have access to information and health services, particularly those relating to sexual and reproductive health.” It has indicated that such measures are essential in order to reduce the rate of maternal mortality. The CEDAW also has requested the State adopt measures to eliminate discrimination against women and girls infected with HIV and AIDS.

El Salvador

Both the CRC and CEDAW recommended El Salvador continue to enhance quality education on sexual and reproductive health as a fundamental tool in the prevention of HIV and AIDS, including culturally sensitive provision for indigenous girl and boy adolescents.

Grenada

The CRC recommended Grenada continue and strengthen its National Policy on HIV and AIDS, ensuring care and support for those children with the disease or affected by it.

Guyana

The CRC recommended Guyana integrate respect for the rights of the child into the development and implementation of its HIV and AIDS policies and strategies for children infected and affected, as well as their families. The CEDAW has stressed the need for greater focus on the gender dimension in efforts to combat the HIV and AIDS pandemic.

Haiti

The CRC recommended measures to prevent mother-to-child transmission (e.g., in combination with activities to reduce maternal mortality) and action to assess the impact of the HIV and AIDS-related death of parents, teachers and others upon adolescents in terms of reduced access to family life, adoption, emotional care and education for children. This is closely linked to the CEDAW recommendation to promote “the development of programmes on sex education for both girls and boys in order to foster responsible sexual behaviour.”

Honduras

- The CEDAW manifested concern about high HIV and AIDS infection rates in women and girls and the fact that there are no programmes and policies specifically targeted on this group. The CEDAW has recommended the
inclusion of a gender perspective in HIV and AIDS programmes and policies in order to ensure that the needs of women and girls from ethnic minorities are addressed.

- The CRC has advised Honduras to concentrate efforts on children and adolescents infected and affected by HIV and AIDS, and those orphaned through the death of HIV and AIDS-infected parents. This can be approached through the provision of adequate medical, psychological and material support and through community involvement.

- Furthermore, CONASIDA and PENSIDA II should be allocated sufficient human and financial resources.

### Jamaica

Both the CRC and CEDAW have advised Jamaica to further integrate respect for the rights of the child into the development and implementation of its HIV and AIDS policies and strategies on behalf of adolescents infected with and affected by HIV and AIDS. Also, they have called attention to the need for awareness-raising initiatives on the right to sexual and reproductive health targeted on adolescent girls.

### Nicaragua

The CRC has recommended Nicaragua ensure that children, adolescents and pregnant women have universal access to HIV-related prevention, treatment, care and support with the aim of eliminating vertical transmission and congenital syphilis by 2015. Special emphasis must be placed on prevention among girl and boy adolescents.

### Peru

The CEDAW has advised Peru to step up the provision of family planning information and services to women and girls and the CRC has recommended particular care for children infected with and affected by HIV and AIDS or those orphaned by the death of parents from AIDS, through the provision of adequate medical, psychological and material support and by community involvement.

### Suriname

The CRC has emphasized the need to:

- Pursue full implementation of the National Strategic Plan on HIV and AIDS and continue strengthening implementation of the “Prevention of Mother to Child Transmission” programme.

- Finalize the Ministry of Health special prevention programmes for young people, boys and girls, in the 10 to 19 year age group so that implementation can begin without delay.

- Develop policies and programmes to strengthen the capacity of families and the community to provide care and support for adolescents infected by HIV or affected by HIV and AIDS.
Many girls and boys worldwide - from all socio-economic backgrounds, across all ages, religions and cultures - suffer violence, exploitation and abuse every day. All children have the right to be protected from these hazards and millions are at risk. Higher levels of vulnerability are often associated with children with disabilities, those who have been orphaned, or children born into indigenous communities, ethnic minorities and other marginalised groups. Even greater risk is associated with living and working on the streets, living in institutions and detention centres, and living in communities with high concentrations of inequality, unemployment and poverty. Additional risks are related to exposure to natural disasters, armed conflict and displacement. Child refugees, internally displaced children and unaccompanied migrant children are also populations of concern.

Vulnerability is also associated with age and sex: risks differ as children get older and adolescent girls face different risks to adolescent boys. For instance, they usually face a higher risk of sexual violence and rape, both inside and outside of marriage, along with other forms of sexual abuse. Violent behaviours affect both girls and boys. However, since violence is related to power and to patriarchal social systems, it girls are disproportionately affected. Child labour also affects boys and girls adolescents in different ways: while girls are more likely to be involved in domestic labour; boys are more likely to be involved in child labour in general.

In the Latin American and Caribbean region, adolescent girls and boys are exposed to various forms of violence, exploitation and abuse, including sexual abuse and exploitation, armed violence, trafficking, child labour, gender-based violence, bullying, gang violence, child marriage and early union, physically and emotionally violent child discipline, and other harmful practices. In this respect, the CRC has been emphatic in proposing measures and actions to help guarantee the protection of adolescents at risk. Moreover, there are two additional protocols to the Convention on the Rights of the Child that tackle specific matters: the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and the Optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography. Nine Latin American and Caribbean countries have reported on these protocols: Argentina, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Mexico and Nicaragua (see Annex 1).
1. A comprehensive review of legislation

The CRC, CEDAW and CERD have all emphasized the pivotal importance of updating constitutions and legislations to guarantee compliance with the mandates of the pertinent treaties. States are under an obligation to respect, secure, protect and promote human rights, which necessarily involves the incorporation of international human rights into domestic law.

Many countries of the region have not comprehensively reviewed their legislative framework in order to ensure full compliance with the principles and provisions of these conventions. The main recommendation to these countries is therefore to include the rights of boys and girls in their respective constitutions and to take further measures to ensure that existing legislation conforms fully to the principles and provisions of these conventions. Furthermore, they are asked to ensure effective implementation with a guarantee of non-discrimination. Furthermore, they should:

a. Adopt appropriate legislation, where necessary, and a proactive and comprehensive strategy to eliminate discrimination on any grounds, including gender discrimination, against all vulnerable groups.

b. Promote and facilitate the participation of girl and boy adolescents in all those matters that affect them, amending legislation to ensure greater consideration of the principle of respect for the views of the child, e.g., within custody disputes and other legal matters affecting them.

c. Undertake comprehensive studies to examine:
   - the sexual exploitation of girls and boys, gathering accurate data on prevalence;
   - trafficking, including that of adolescents, gathering accurate data on prevalence and on the different ways in which this affects girls and boys;
   - the situation of girl and boy adolescents placed in institutions, including their living conditions and services provided;
   - the situation of adolescents living in the streets, underlining the particular risks implicit for girls and boys.

d. Enact public education campaigns to raise awareness of the consequences of:
   - ill-treatment of boys and girls and alternative disciplinary techniques, addressing the gender and socio-cultural barriers that inhibit victims from seeking assistance;
   - alcohol abuse and/or use of drugs and other harmful substances, providing access to effective structures and procedures for treatment, counselling, recovery and reintegration, including consideration of the different ways that these affect boys and girls;
   - gender stereotypes in the family, the socialization of boys and girls into inappropriate gender roles and the resulting determination of gender-based social attitudes concerning adolescents;
• all forms of discrimination, discriminatory attitudes and behaviours.

e. Review age of majority and minimum legal age for sexual consent, criminal responsibility, marriage and work, also eliminate differences between the legal age of marriage for boys and girls.

f. Establish effective mechanisms to receive, monitor and investigate complaints of abuse and neglect in a youth-sensitive manner, ensuring the proper prosecution of perpetrators, and provide training for law enforcement officials, social workers and prosecutors on how to receive, monitor, investigate and prosecute complaints in a manner that respects the privacy of the victim, in consideration of their sex and age.

g. Provide services for physical and psychological recovery and social reintegration to victims of sexual abuse and any other adolescent victims of abuse, neglect, ill-treatment, violence or exploitation, taking appropriate measures to prevent the criminalization and stigmatization of victims, e.g., avoiding the criminalization of adolescent victims of sexual exploitation and ensuring the proper prosecution of perpetrators.

h. Ensure that adolescents who engage in lawful work, are not employed in conditions that are harmful to them (in compliance with ILO Conventions). Also ensure that they have continued access to quality education and health services, and that unlawful work is prevented and eliminated.

i. Ensure the full implementation of juvenile justice standards.

j. Ensure that street children are provided with adequate nutrition, clothing, housing, health care and educational opportunities, including vocational and life-skills training, in order to support their full development.

k. Strengthen efforts to ensure the right of adolescent boys and girls to an adequate standard of living, placing special emphasis on comprehensive strategies to bring them out of poverty.

“As regards special protection obligations, the Court determined that special protection obligations imply the existence of an additional, complementary right of children, supported by the specificity of these obligations.

Thus, the protective measures referred to in Article 19 of the Convention should include special care for children deprived of their family environment, the guarantee of the child’s survival and development, the right to adequate living conditions, and social rehabilitation or reinsertion of all children who are victims of abandonment or exploitation.

In this context, the Court maintained that the State has the duty to adopt every positive measure to ensure the full exercise of the child’s human rights.”

Inter-American Court of Human Rights, Case Villagrán Morales v. Guatemala, May 2001
2. Continue efforts towards full implementation of protective measures, combat discrimination and consolidate programmes and policies

Many countries have initiated efforts towards completion of the issues raised above, but many must continue and strengthen enforcement and follow-up. These countries have reached the point where the campaign against discrimination will be more effective with accurate targeting of actions. Efforts should therefore be concentrated on ensuring equal access to education, health-care facilities and poverty alleviation programmes, paying special attention to the situation of girls.

Some countries in the region have achieved a high degree of compliance with the principles and provisions recommended by the CRC, CEDAW and CERD. In these cases, efforts should be directed to pinpointing specific matters and fine-tuning related to any persistent flaws and gaps.

Specific advice (taken primarily from the CRC and CEDAW country recommendations) is as follows:

### Specific countries: Aspects to consider in programming

**Antigua and Barbuda**

- Review the current practice of placing boys in the institution for juvenile offenders when they are in need of alternative care and consider establishing a Government-run care facility for boys, ensuring that their physical and psychological needs are appropriately met.
- Gather and systematize information on commercial sexual exploitation and trafficking in women and girls.
- Design and implement programmes that will encourage men to consider their family responsibilities.

**Argentina**

- Develop and implement systematic national data collection and research on violence against women, children and adolescents.
- Address the gender dimension of violence against adolescents.
- Continue efforts to guarantee the right of adolescents to appropriate information and promote legislative measures to protect children from harmful information and ensure respectful treatment of the image, privacy and dignity of girl and boy adolescents in the media.
- Continue efforts to support families in the effective fight against poverty and ensure that families are prepared for parenting roles. These efforts must particularly be directed toward one-parent families and those that face greater difficulties in access to services: families in remote areas, indigenous families, migrants and families of children with disabilities.

**Barbados**

- Strengthen activities and programmes focussed on sexual violence, sexual crimes, incest and sex work, especially sex work associated with tourism, and provide comprehensive training for the judiciary, the police, medical personnel and other relevant groups on all forms of violence against women and girls, including domestic violence, with a gender perspective.

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“In attention to the principle of equality and non-discrimination, the State cannot allow that its agents [perpetrate], nor can it promote in the society, practices that reproduce the stigma that poor children and youngsters are conditioned to delinquency, or necessarily related to the increase in public insecurity.”

*Inter-American Court of Human Rights Case of Servellón-García et al. v. Honduras, September 2006*
Devise a structure for systematic data collection on violence against women and girls, including domestic violence, disaggregated by sex and age.

Eliminate flogging as a judicial sentence and as a disciplinary measure within the prison system.

**Belize**

- Provide support and material assistance to economically disadvantaged families in order to guarantee the right of girls and boys to an adequate standard of living and evaluate the impact of the Poverty Reduction Strategy on children and adolescents.

- Strengthen efforts to improve the equal enjoyment of all rights of girl and boy adolescents from minorities and indigenous peoples, in particular, by prioritizing effective measures to reduce poverty among these groups.

- Take measures to promote respect for the views of adolescents, especially girls, from minorities and indigenous groups and facilitate their participation in all matters affecting them.

**Bolivia**

- Investigate allegations of torture and ill-treatment of girl and boy adolescents, including harassment due to their appearance, ethnicity or poverty and take all necessary measures to bring the alleged perpetrators to justice and to avoid impunity.

- Take urgent steps to address the issue of girl and boy adolescents in street situations in cooperation with these children, through measures such as the design of a national plan of action that must include prevention and response programmes and services linked to efforts to eradicate extreme poverty, with a gender perspective.

**Brazil**

- Develop a comprehensive strategy to address the high number of street children and adolescents, to reduce and prevent this phenomenon and ensure that they are provided with adequate nutrition and shelter, as well as with health care and educational opportunities, in order to support their full development and provide them with adequate protection and assistance, in consideration of their sex and age.

- Pursue measures to effectively address the gap in the life opportunities of indigenous girl and boy adolescents.

- Ensure that all rural development policies and programmes integrate a gender perspective and explicitly address the structural nature of the poverty faced by rural women and girls.

**Chile**

- Strengthen support for girl and boy adolescents who are victims of violence, abuse, neglect and maltreatment in order to ensure their access to adequate services for recovery, counselling and other forms of reintegration.

- Take affirmative measures to ensure that indigenous girl and boy adolescents gain de facto enjoyment of their rights, in particular in the area of education and health, with special consideration of gender discrimination. Furthermore, ensure that indigenous youth do not become the victims of police brutality and take both preventive and corrective action when abuse is suspected.

**Colombia**

- Prioritize effective measures and actions to protect the civilian population from all forms of violations, especially those affecting children and adolescents, given conditions specifically related to the armed conflict and considering the different situations experienced by girls and boys.

- Substantially increase resources for social reintegration, rehabilitation and reparations available to demobilized child and adolescent soldiers as well as for child and adolescent victims of landmines, underlining gender specificities.

- Take effective measures to prevent social cleansing and other violence directed at street adolescents, with consideration of the different situations faced by street girls and boys.
- Provide positively differentiated assistance for displaced adolescents of ethnic minorities, with special consideration of differences marked by sex and age.

**Costa Rica**

- Strengthen efforts to eliminate social discrimination and prejudice against indigenous, Afro-descendant and migrant adolescents, and adolescents with disabilities through legislative measures, awareness-raising programmes, the media and the educational system and provide in-service training for public officials, focusing efforts on the identification, description and targeting of gender differences and particularities.

- Adopt a comprehensive action plan for indigenous adolescents, including targeted programmes and investment in services and infrastructure in indigenous territories and rural and deprived urban areas in order to improve the socio-economic situation of indigenous and other minority children, with consideration of the different conditions faced by girls and boys.

**Cuba**

Take measures to ensure that adolescent girls and boys have appropriate access to information and materials from all available sources, especially those aimed at the promotion of social, spiritual and moral well-being, physical and mental health, and gender equality.

**Ecuador**

Provide local communities affected by conflict with secure access to quality services, especially for children and adolescents, and ensure the means of maintaining a safe and protected environment, with consideration of the special circumstances faced by girls and boys.

**El Salvador**

- Develop and implement a comprehensive policy to prevent violence against girl and boy adolescents, notably killings, and intensify efforts to guarantee their right to life throughout the country.

- Address the root causes of these violent acts, including impunity, poverty and exclusion, focusing efforts on the identification, definition and targeting of gender differences and particularities.

- Monitor the implementation of existing legislation that criminalizes violence against women so as to ensure that women and girl victims of violence have access to protection and effective redress and that the perpetrators of such acts are effectively prosecuted and punished and do not enjoy impunity.

**Grenada**

Continue and strengthen parental education efforts, including regular family education courses and awareness programmes covering a wide range of issues pertinent to parenting. Focus should be placed on education and awareness programmes promoting the role and responsibilities of fathers.

**Guatemala**

According to the Committees, Maya, Garifuna and Xinca adolescents experience an alarming level of discrimination. State efforts to eliminate the structural obstacles that prevent them from fully exercising their rights must continue. Efforts should be made to guarantee equal access to education, health-care facilities and poverty reduction programmes, taking measures to address the inappropriate gender characterization and stigmatization of children and adolescents. The sustainability and cultural suitability of these programmes must be ensured.

**Haiti**

- Ensure that child and adolescent domestic workers are offered services for physical and psychological recovery and social reintegration, including access to education and adequate approaches to the different situation of girl and boy domestic workers.
**Honduras**

Discrimination and stigmatization continue to exist in reference to vulnerable groups, such as indigenous adolescents, street adolescents, those living in rural and remote areas and groups of adolescents with a distinctive appearance (e.g. mode of dress, tattoos, symbolism). The persistence of traditional patriarchal cultural attitudes that discriminate against girls is also of concern as this makes them more vulnerable to human rights violations. In this respect, Honduras should continue efforts to combat discrimination by ensuring equal access to education, health-care facilities and poverty alleviation programmes, paying special attention to the situation of girls.

**Jamaica**

- Strengthen efforts to address and condemn violence in society, including violence against girl and boy adolescents, particularly in the context of the family, as well as in schools and other environments.
- Take steps to monitor and address any incidents of violence and sexual or other abuse against adolescents, girls and boys, and take measures to ensure the rehabilitation of traumatized and victimized children.

**Mexico**

- Continue efforts to reduce poverty and social disparities, and ensure that all children and adolescents have equitable and adequate access to quality health care, social services, food, shelter and education. In particular, Mexico is encouraged to take all necessary measures to ensure that social protection programmes, such as the Oportunidades Programme, reach all those adolescents in need of this approach and have a positive impact on the enjoyment of human rights for beneficiary families, focusing efforts onto the characterization and targeting of gender differences and particularities.
- Consider children and adolescents affected by the use of drugs and harmful substances as victims, provide them with easily accessible drug abuse treatment and social reintegration, as well as a degree of protection from criminal proceedings, and develop recovery and social reintegration services for adolescent victims of substance abuse with consideration of the special circumstances faced by girls.
- Formulate a rights-based plan of action to protect girl and boy adolescents from the dangers of drugs and harmful substances, involving them in its formulation and implementation.

**Nicaragua**

- Adopt appropriate measures to eradicate alleged torture and cruel, inhuman or degrading treatment, working with and for adolescents on the prevention of and protection from torture and other forms of ill-treatment, combating racist and gender-based attitudes and behaviours. Investigate allegations of torture and ill treatment of adolescents and take all necessary measures to bring the alleged perpetrators to justice.
- Undertake all necessary efforts to raise the standard of living by improving issues such as access to employment, housing, food, clean drinking water, sanitary services and electricity, especially to the extremely poor, female headed-households, girls and other at risk populations containing children and adolescents.

**Panama**

- Take all necessary measures to ensure that indigenous adolescents enjoy all their rights without discrimination, including equal access to culturally appropriate services including health, education, social services, housing, clean drinking water and sanitation, focusing efforts on the targeting of gender differences and particularities.
- Place special emphasis on guarantees to preserve the identity of indigenous and Afro-Panamanian children and adolescents, boys and girls through approaches such as implementation of the national plan for bilingual intercultural education.

**Paraguay**

Continue to eliminate the practice of criadazgo. In this regard:
- conduct a study to analyze all the negative effects of this phenomenon for adolescents, particularly girls;
- legally define the practice of criadazgo as an offence as a matter of urgency;
- develop policies and programmes to raise awareness of the negative consequences of this practice for children and adolescent girls.
Peru

- There are still discrepancies between some domestic laws and the Convention on the Rights of the Child. The CRC has expressed particular concern about the articles in the Code on Children and Adolescents that refers to “pernicious gangs” (Decree Law No. 899 on “pandillaje pernicioso”) and some elements of the “Begging Bill” (“Ley de Mendeicidad” No. 28190). Decree Law No. 899 allows individuals under 18 years-old to be detained for up to six years. Peru should increase efforts to fully align domestic law with the Convention and should consider repealing the “Begging Bill” and the article on “pernicious gangs” from the Code on Children.

- Adequately and effectively implement all the recommendations of the Truth and Reconciliation Commission, in particular those related to the Integrated Plan of Reparations for the victims of violence, and to pay particular attention to the consequences of the armed conflict for children and adolescents, in consideration of the special circumstances faced by girls.

- Undertake a survey of the number of working children and adolescents, girls and boys, including domestic workers and agricultural labourers, in order to design and implement comprehensive strategies and policies to prevent and combat economic exploitation of these groups, focusing efforts on the targeting of gender differences and particularities.

- Pursue measures to effectively address the gap in life opportunities for indigenous adolescents, girls and boys, and take adequate measures to provide protection for the rights of indigenous children as stated in the Constitution.

St. Kitts and Nevis

The large number of single-parent families impacts on children and adolescents, with different effects on girls and boys. Furthermore, there is no legal protection for the rights of children born out of wedlock (from “visiting” or common law relationships) in terms of issues such as maintenance and inheritance rights and little is known of the financial and psychological impact of “visiting relationships” on children and adolescents. The lack of sufficient support and counselling on parental guidance and responsibilities is also of concern. In this respect, St. Kitts and Nevis is encouraged to increase efforts to develop family education and awareness. A study on the financial and psychological impact of “visiting relationships” on children should be undertaken. The special circumstances of adolescent girls who become involved in such relationships is in need of particular attention.

St. Lucia

- Abolish legal provisions that allow a life sentence to be passed on adolescents aged 16 or 17 at the time of the crime. Ensure that they are not considered as adults and that they are afforded the same protection as younger children under the justice system.

- Establish a separate facility for the custodial care of female juvenile offenders.

- Improve the quality of the Boys’ Training Centre in terms of housing conditions and quality of care, and improve the level of education provided to the boys resident there.

- Develop and implement alternative sanctions such as community service or restorative justice, in order to make deprivation of liberty a measure of last resort.

Suriname

- According to the Committees, the use of force against children and adolescents in detention remain in spite of the advances made. These include: a mechanism for complaints of police brutality against children living or working in the streets in the Department of Youth Affairs of the Ministry of Justice and Police; training programmes in youth and moral matters for police officers and; inclusion of the rights of the child on the Suriname Police Academy curriculum. Suriname should continue and strengthen training programmes for police officers to ensure respect for the provisions of the Convention on the Rights of the Child and the Convention on the Elimination of All forms of Discrimination against Women in all contact between the police and adolescents, paying special attention to the situation of girls.

- Recognize and implement the rights of girl and boy adolescents from indigenous and minority groups, undertaking awareness-raising activities to address negative attitudes and prejudices towards adolescents from these groups. In particular, Suriname should ensure that adolescent girls and boys from indigenous or minority groups have equal treatment and access to education, health and other services.
Venezuela

- Initiate programmes to lower the sexual vulnerability of girls from indigenous groups.
- Increase efforts for the implementation of education strategies adapted to indigenous adolescents, paying special attention to the situation of girls.
- Create spaces for the participation of indigenous adolescents with other indigenous and non-indigenous adolescents.
The fight against poverty, inequality and gender discrimination will be incomplete without a stronger focus on adolescent development and participation, and its effectiveness will be compromised. The empowerment of girl and boy adolescents and young people is fundamental in preparing them for adulthood and citizenship, and investment is therefore needed to ensure the well-being, holistic development and active participation of this group. The rights of all young children and adolescents include the protection of their welfare in a way that places them centrally as rights holders, providing an ethical basis for their active participation in all aspects of their lives through efforts that target gender differences and related particularities and other differences arising from diversity in terms of race, ethnicity, rural or urban poverty, or disability.

The following outcomes are central in strengthening national capability to promote and protect the rights of girl and boy adolescents through partnership, the institutionalized participation of adolescents, data-driven advocacy and interventions geared toward improving national social statistics systems:

- **Community-based monitoring and advocacy activities.** These must involve young people in efforts to improve living conditions in their environments, particularly in decision-making on the issues that affect them. Consistent attention must be paid to the appropriate involvement of adolescent girls, with emphasis on the issues that affect them.

- **Youth participation in data collection is fundamental.** Young people should participate at all stages of the process, from development of the methodology, through the creation of appropriate survey materials and conducting of the research, to data analysis and recommendations for future action. The participation of adolescent girls and of both girl and boy adolescents from excluded groups must be guaranteed and actively promoted.

- **Networking among youth-led organizations** offers excellent opportunities for the sharing of best practices and the creation of a shared platform for advocacy, placing special attention on the promotion of equal participation with organizations that include adolescents from discriminated groups.

- **Determining roles between adults and adolescents in the partnership** has always been challenging, and requires an understanding that “youth participation” means adults should take a background role of monitoring, mentoring and facilitating, but should not be
in charge of the process. Both female and male adults should be involved in these processes.

- **Through the process of partnership**, adolescent girls and boys gain new awareness of their surroundings, empowering them to amplify their voices on critical issues as well as raising awareness and offering advocacy opportunities around issues that concern them.

- **Media - and technology - based communications** should be considered for use as they are popular tools for girl and boy adolescents in making their voices heard and because they play a powerful role in forming, influencing and changing public perceptions and opinions.

- **Policy analysis** must consider the economic and social environment of adolescents, promote partnerships to strengthen response, support interventions on the basis of non-discrimination and act in the best interests of the adolescent boys and girls. It is important to determine whether the issues of poverty, poor health or the absence of legal protection are being adequately addressed by the policy.

- **Many young girls live on the margins of society and therefore remain largely absent from the compiled statistics.** Even though adolescent girls are counted in the censuses available in all Latin American and Caribbean countries, gender equality considerations must be implemented during the analysis of census data. Special attention must be placed on prevailing discrepancies in order to contribute to the design of policies, plans and programmes. Reliable data and statistics are essential in tailoring and monitoring effective programmes sensitive to the different needs of the various populations.

- **Providing technical assistance, training, workshops, knowledge networking and policy advocacy** in order to increase opportunities for adolescent boys and girls to participate in school and community development. The participation of adolescents in national planning events and regional and sub-regional forums should be encouraged as should involvement with the media.

**Specific advice taken primarily from CRC and CEDAW country recommendations include:**

> “The Committee [...] recommends [...] strengthening the multisectoral institutions created at different levels [...] with the purpose of collaborating in the elaboration of culturally sensitive policies, assisting in monitoring their application and ensuring participation by all concerned, including children.”

*Committee on the Rights of the Child, Bolivia, CRC/C/BOL/CO/4.*

> “Adolescent participation allows the adolescent to self-manage his or her own projects, expectations, dreams, hopes and even disagreements in a channelled way. Through participation, adolescents are able to be the architects of their own lives and futures; developing themselves and the communities where they are involved and becoming a collective and creative force for new spaces and moments that generate a better future.”

*UNICEF, What works. Adolescent participation in Latin America and the Caribbean, 2010.*
Specific countries: Aspects to consider in programming

**Chile, Colombia, Dominican Republic, St. Lucia, Suriname and Uruguay**

Encourage active and systematic civil society involvement, including NGOs and children’s organizations, in the promotion and implementation of the rights of the adolescent girl and boy, with the full participation of adolescents and taking into account any gender issues that might prevent the full participation of girl adolescents, especially those belonging to excluded groups.

**Bolivia, Costa Rica, El Salvador, Nicaragua and Paraguay**

Utilize an adolescent rights approach in drawing up the State budget by implementing a tracking system for resource allocation and use for girl and boy adolescents throughout the budget, making investment in adolescents visible and enabling monitoring and evaluation.

**Costa Rica**

Strengthen the National System for the Comprehensive Protection of the Rights of Children and Adolescents (SNPI) in order to track and assess progress toward the realization of the rights of girl and boy adolescents, and design policies and programmes to that end. Costa Rica should ensure that data is disaggregated by age, sex, geographical location, nationality, education and socio-economic background in order to facilitate analysis of the situation of all adolescents. In this frame of action, concrete, targeted measures must be adopted to accelerate improvements in the conditions of indigenous and afro-descendant girls.

**Ecuador**

Ensure that the draft Organic Code on Territory, Autonomies and Decentralization allows for a coordinated approach between the various institutions and entities dealing with the rights of the girl and boy adolescent. This should in practice guarantee a comprehensive and specific approach that will bring the various child rights institutions together on central and cantonal levels, helping these institutions to approach appropriate specific competences and seek funding. Appropriate participation of girl and boy adolescents must be ensured at all stages.

**Grenada**

Take all necessary steps to establish a central system for comprehensive data collection, ensuring that the information collected contains recent data on a wide range of girl and boy adolescents in vulnerable situations, including adolescents with disabilities, living in poverty, in the juvenile justice system, victims of sexual abuse and living in institutions.

**Guatemala**

Allocate more resources to the Office for Children and Youth, which comes under the Office of the Human Rights Ombudsman (Procuraduría de los Derechos Humanos). Provide this office with the necessary power to effectively perform its mandated monitoring functions and take the necessary steps to correct its shortcomings, professionalize its work processes and ensure its independence. The Ombudsman’s Office should increase accessibility, strengthen local services provided through municipal defenders and create culturally adapted services in indigenous communities, or establish community defenders to work closely with the Ombudsman. The Ombudsman’s Office should promote the full participation of girl and boy adolescents in all matters affecting them.
### a. Latin American and Caribbean States parties to the Convention on the Rights of the Child and its optional protocols

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CEDAW - Committee on the Elimination of Discrimination against Women

CESCR - Committee on Economic, Social and Cultural Rights

CERD - Committee on the Elimination of Racial Discrimination

CCPR - Human Rights Committee

CMW - Committee on Migrant Workers

CAT - Committee against torture

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2 UNICEF, Advocacy tools and arguments for social investment in adolescents, Regional Office for Latin America and the Caribbean, Panama, 2006, p. 9.

3 UNICEF awareness of and commitment to adolescent issues is underlined by its programmes and publications. See, among others, Adolescence, an age of opportunity. The state of the world’s children, 2011, New York, February 2011; What works. Adolescent participation in Latin America and the Caribbean, UNICEF, Regional Office for Latin America and the Caribbean, Adolescent Development and Participation Unit, Panama, 2010; What works. Promoting adolescent development in Latin America and the Caribbean; Advocacy tools and arguments for social investment in adolescents, Regional Office for Latin America and the Caribbean, Panama, 2006; Early Marriage. A Harmful Traditional Practice. A statistical Exploration, 2005, New York, April 2005; Adolescents in Latin America and the Caribbean: Policy guidelines, Regional Office for Latin America and the Caribbean, Bogota Colombia, December 2001; Adolescent development and participation in Latin America and the Caribbean. Taking action to counter the “poverty of opportunities”, Regional Office for Latin America and the Caribbean, 2005.


7 Convention on the Rights of the Child, article 2.
The declarations and action plans arising from the World Conference on Human Rights, Vienna (1993), the International Conference on Population and Development, Cairo (1994) and the Fourth World Conference on Women, Beijing (1995) also involve important commitments to the matter on the part of the international community.

CRC also publishes its interpretation of the content of human rights provisions in the form of General Comments on thematic issues. CRC has issued general comments regarding adolescent health and development. See: General Comment No. 4, Adolescent health and development in the context of the Convention on the Rights of the Child.


Ibid., p. 15.

Ibid., p. 22.


Ibid., p. 8.


In its agreed conclusions 1997/2, the Economic and Social Council defined gender mainstreaming as "the process of assessing the implications for women and men of any planned action, including legislation, policies and programmes, in all areas and levels, and as a strategy for making women’s as well as men’s concerns and experiences an integrated dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and social spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality." Official Records of the General Assembly, Fifty-second Session, Supplement No. 3 A/52/3/Rev.1) chap. IV, para. 19.

Recommendations in this section are mainly drawn from a cross-reading of CRC, CEDAW and CERD country recommendations, in light of UNICEF recommendations on the matters. See References.

Article 24 of the Convention on the Rights of the Child specifically refers to health.

CRC/GC/2003/4, para. 4.
This section will not consider HIV and AIDS, which will be dealt with in section 2.C.

This section will not consider violence, which will be dealt with in section 2.d.


Ibid.

CRC/GC/2003/4, para. 20.


OEI, 2021 Metas educativas. La educación que queremos para la generación de los bicentenarios, 2010.


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Ibid.

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Ibid., p. 12.

See UNICEF website, especially <http://www.unicef.org/policyanalysis/index.html>