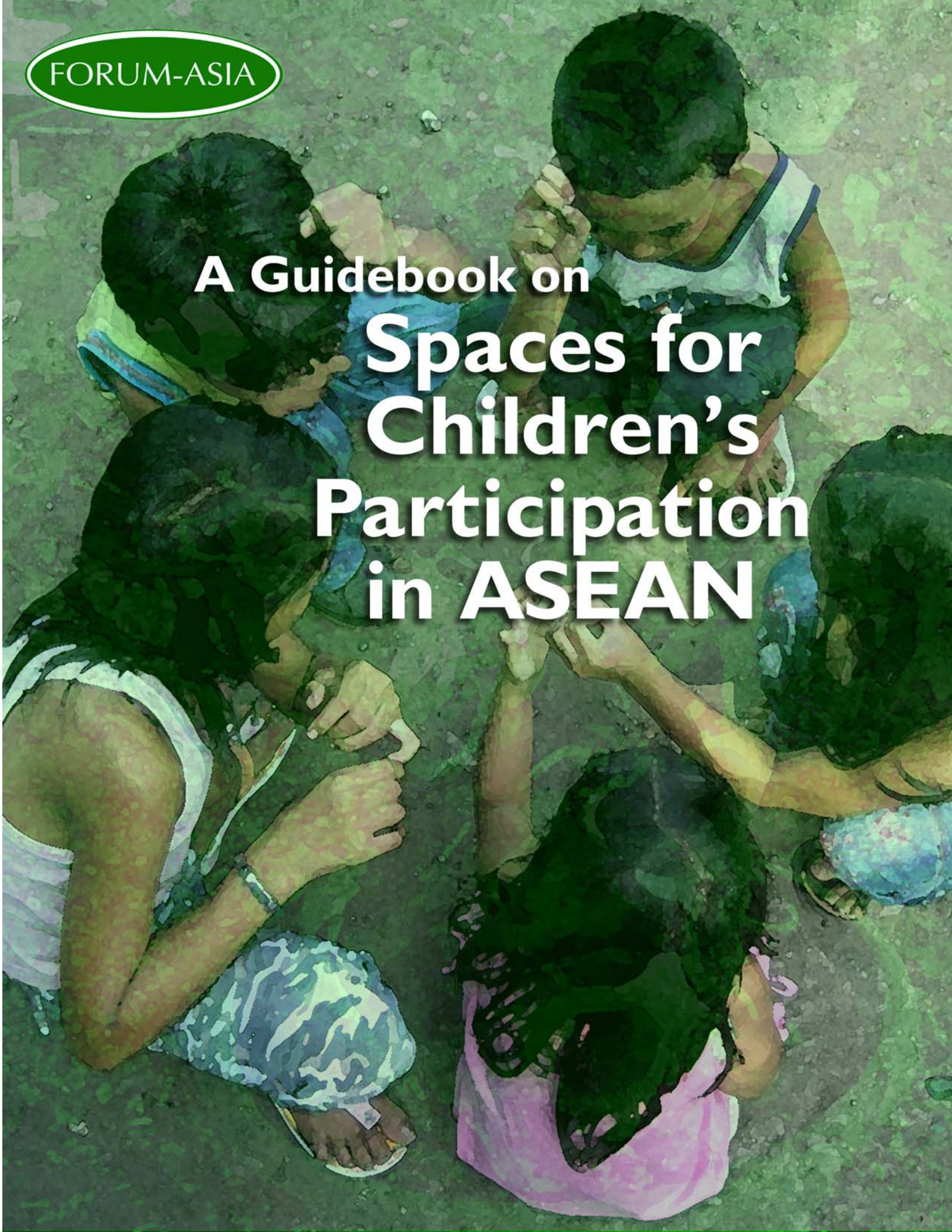




FORUM-ASIA



**A Guidebook on
Spaces for
Children's
Participation
in ASEAN**

Spaces for Children's Participation in ASEAN



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This guidebook is produced in collaboration with
Child Rights Coalition Asia (CRC Asia)



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Introduction



In 2010, the Association of Southeast Asian Nations (ASEAN) Heads of State of Brunei Darussalam, Cambodia, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam signed the "Hanoi Declaration on the Enhancement of Welfare and Development of ASEAN Women and Children" which created the venue for children's voice to be heard through the ASEAN Children's Forum (ACF). This is one of the major developments in civil society's and children's quest for children's right to participation be honoured and respected within the Southeast Asian region.

Even before ACF was created, children and adult advocates for children's rights have been opening spaces for children at the community, national and regional levels to voice out their perspectives and recommendations on issues that affect them. Anchored on the Convention on the Rights of the Child (CRC), advocacy efforts of children's organizations and networks of non-government and governmental agencies to institutionalize child participation at all levels in Southeast Asia is continuously gaining new ground.

The other important development is the establishment of the ASEAN Human Rights mechanism, namely the ASEAN Intergovernmental Commission on Human Rights (AICHR) in 2009 and the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) in 2010. These two institutions have laid institutional framework in ASEAN to promote and protect human rights, especially the rights of children in respect to the specific role of the ACWC.

This material is intended for children and young people as well as adult child rights advocates. It is hoped that this material will help them understand ASEAN and encourage them to come up with ideas how children can be involved in its work to promote and protect children's rights. This document which is based on available documents has two parts: (1) Introduction to ASEAN and (2) Introduction to Child Participation. In both discussions, concrete examples of spaces and activities that children have tried out before and those that can be explored in the future have been highlighted. Each country has different experiences and does have diverse circumstances that facilitate or inhibit children's participation. This material hopes that some of the documented experiences can inspire children's organizations to find their own creative and meaningful ways to participate in society.

This reference material is a product of collaboration involving various organizations, namely FORUM-ASIA and the Child Rights Coalition – Asia. Terres De Hommes Germany provided generous support for the success of this project.

Some Words & Names to Remember

Here is a short list of words and names that we need to understand as we begin reading this reference material. They will guide you in understanding the information we will be sharing with you. There are more words and names that we will introduce to you along the way. For now, this is where we should start.

● **Children and Youth**

You are a child if you are below 18 years old. That is the globally accepted definition. Some older children, usually those 13 years old up, feel strongly about being called a child so they would rather be called “youth or young person.” The term youth or young person is usually used by organizations to mean those 15 years old and above (usually up to 24-30 even 35 years old). For the purpose of this document we will be using children, youth and young person interchangeably, bearing in mind that our focus will be on those like you who are below 18 years old.



● United Nations

This is an organization of 192 countries. It is a special body where government leaders of different countries talk, negotiate and coordinate with each other. The United Nations officially came into existence on October 24, 1945. What does it do? Here is what the official UN website (www.un.org) say about its 4 main purposes:

- To keep peace throughout the world.
- To develop friendly relations among nations.
- To help nations work together to improve the lives of poor people, to conquer hunger, disease and illiteracy and to encourage respect for each other's rights and freedom.
- To be a centre for harmonizing the actions of nations to achieve these goals.

● Association of Southeast Asian Nations (ASEAN)

This is also an organization of countries specific to the Southeast Asian region. There are ten member countries: Brunei Darussalam, Cambodia, Indonesia, Lao People's Democratic Republic (Lao PDR), Malaysia, Myanmar, Philippines, Singapore, Thailand, Vietnam. These countries are also members of the United Nations. A whole section is devoted in this material to discuss more information about ASEAN.

● Human Rights

"... are basic rights and freedoms that all people are entitled to regardless of nationality, sex, national or ethnic origin, race, religion, language, or other status. Human rights include civil and political rights, such as the right to life, liberty and freedom of expression; and social, cultural and economic rights including the right to participate in culture, the right to food, and the right to work and receive an education. Human rights are protected and upheld by international and national laws and treaties. The Universal Declaration of Human Rights (UDHR) is the foundation of the international system of protection for human rights. It was adopted by the United Nations General Assembly on December 10th, 1948." (AMNESTY International, www.amnesty.org)

In simple words, human rights refer to everything that ALL persons are entitled to have, whatever their nationality and whether they are young or old, rich or poor. Some examples of human rights are the right of people to have a name, to be educated and to play.

Human rights can also be treated as a guide to how people should be treated and tell us what people need in order to live well. It can also be looked at as a set of rules that guide governments and its citizens on how best to live together and protect each other from being hurt.

Convention on the Rights of the Child (CRC)

“is the first legally binding international instrument to incorporate the full range of human rights—civil, cultural, economic, political and social rights. In 1989, world leaders decided that children needed a special convention just for them because people under 18 years old often need special care and protection that adults do not. The leaders also wanted to make sure that the world recognized that children have human rights too.” (UNICEF)

This is a legal document that lists the human rights of children that member countries of ASEAN and other countries around the world have agreed to and swore to respect in all communities that they govern. Quoted in full, the UNICEF website (www.unicef.org) grouped children's rights in the following categories:

- **SURVIVAL AND DEVELOPMENT RIGHTS** - These are rights to the resources, skills and contributions necessary for the survival and full development of the child. They include rights to adequate food, shelter, clean water, formal education, primary health care, leisure and recreation, cultural activities and information about their rights. These rights require not only the existence of the means to fulfil the rights but also access to them. Specific articles address the needs of child refugees, children with disabilities and children of minority or indigenous groups.
- **PROTECTION RIGHTS** - These rights include protection from all forms of child abuse, neglect, exploitation and cruelty, including the right to special protection in times of war and protection from abuse in the criminal justice system.
- **PARTICIPATION RIGHTS** - Children are entitled to the freedom to express opinions and to have a say in matters affecting their social, economic, religious, cultural and political life. Participation rights include the right to express opinions and be heard, the right to information and freedom of association. Engaging these rights as they mature helps children bring about the realization of all their rights and prepares them for an active role in society.



8 Things You Need to Know About ASEAN

1 What is ASEAN?

The **Association of Southeast Asian Nations** or ASEAN is a regional inter-governmental organization composed of countries in Southeast Asia. There are 10 member countries in this group which includes Indonesia, Malaysia, Singapore, Thailand, Brunei Darussalam, Viet Nam, Lao People's Democratic Republic, Myanmar and Cambodia.

ASEAN has been established in August 8, 1967 through the signing of the ASEAN Declaration, also known as the Bangkok Declaration which discusses the reasons, purposes and ways to operate the organization.

2 Who are the members of ASEAN?

ASEAN was initiated by 5 countries. These are Indonesia, Malaysia, Philippines, Singapore and Thailand. From 1984 to 1999, ASEAN membership expanded to its current 10 member countries. Brunei Darussalam joined in January 8, 1984; followed by Viet Nam on July 28 1995; Lao PDR and Myanmar on July 23, 1997; and Cambodia on 30 April 1999.



3 What are the aims & purposes of ASEAN?



Like any other group or club that binds people together, there are aims and purposes for putting up ASEAN.

The ASEAN Emblem would probably offer the best overview of the organization's aspirations. The colors used here represent the vision of a stable, peaceful, united and dynamic ASEAN. The colors blue, red, white and yellow are also the main colours of the state crests of all the ASEAN Member States.

The color blue represents peace and stability while red depicts courage and dynamism. The color white shows purity while yellow symbolises prosperity.

“The stalks of padi in the centre of the Emblem represent the dream of ASEAN's Founding Fathers for an ASEAN comprising all the countries in Southeast Asia, bound together in friendship and solidarity. The circle represents the unity of ASEAN.” (ASEAN CHARTER)

The ASEAN Declaration in 1967 also broadly states that members of ASEAN are joining forces in the spirit of friendship and cooperation.

Pursuing friendship with other nations was the strategic way to achieving goals of progress and peace by member countries. During the time of ASEAN's creation, there were conflicts between some Southeast Asian nations over specific interests. By becoming part of ASEAN, each member's primary motivation was to work in partnership with its neighbours. To do this, countries need to establish good relations with the others and that requires a working knowledge about each other. That is why activities to foster understanding of each member country's citizens, culture, heritage, political systems, and economy are embedded in the ASEAN Charter. By being part of the organization, conflicts between neighbouring countries have additional opportunities to be resolved peacefully through dialogue between members.

ASEAN countries are also committed to help each other progress and alleviate poverty through political, security, economic, and socio-cultural cooperation. More importantly, member states are also committed to respect fundamental freedoms, the promotion and protection of human rights including children's rights, and the promotion of social justice.

Cooperation between countries is guided fundamentally by the ASEAN Charter and also by relevant specific agreements or treaties which are signed by heads of state such as each country's President or Prime Minister. The ASEAN Charter serves as the constitution and by-laws of this organization.

“With the entry into force of the ASEAN Charter on 15 December 2008, ASEAN has henceforth been operating under a new legal framework and has established a number of new organs to boost its community-building process. In effect, the ASEAN Charter has become a legally binding agreement among the ten ASEAN Member States. It has also been registered with the Secretariat of the United Nations, pursuant to Article 102, Paragraph 1 of the Charter of the United Nations.” — (FACT SHEET: ASEAN CHARTER 2nd Edition, ASEAN Secretariat)

4 How does ASEAN operate?

- A. The **ASEAN Summit** is the supreme policy-making body that is composed of by Heads of State. They make the final decisions on key issues of the organization. They meet at least twice annually and these meetings are hosted by the country that holds the ASEAN Chairmanship.

The Chairmanship of ASEAN rotates annually, based on the alphabetical order of the English names of member states. For example, if Brunei Darussalam is the chair for this year, next year it will be Cambodia's turn unless the ASEAN Summit decides otherwise. In 2011, the ASEAN Chair is supposed to be Brunei Darussalam following Vietnam in 2010. However, Indonesia requested that it take the lead in 2011 instead of 2014 because the country will host other international meetings on 2013² and will hold its presidential elections on 2014.³ Brunei Darussalam agreed to this request.



B. The **ASEAN Coordinating Council** is composed of Foreign Ministers of each country. This body prepares the meetings of the ASEAN Summit; coordinates the implementation of agreements and decisions of the ASEAN Summit and; coordinates with other relevant ASEAN bodies. The coordinating council also meets twice annually.

C. There are three **ASEAN Community Councils**:

- (1) ASEAN Political-Security Community Council
- (2) ASEAN Economic Community Council
- (3) ASEAN Socio-Cultural Community Council

Each of these community councils are composed of "sectoral ministerial bodies" that focus on specific fields. Each sectoral ministerial body covers specific fields of interest where relevant discussions about specific issues are made and related recommendations for action are formulated. Example of sectors under the ASEAN Political & Security Community Council are Defense, Law, Transnational Crimes and Human Rights. These sectoral ministerial bodies are represented by experts and government officials of each country.

Aside from helping ensure the implementation of decisions made by the ASEAN Summit, these ASEAN Community Councils are required to coordinate the work of different sectoral bodies under their purview and submit reports and recommendations to the Summit.

The ASEAN Community Councils are guided by their own blueprint which is a document of specific objectives and action points that ASEAN countries shall implement in each country and guide the work the collaboration of member countries in the region.

D. The **Secretary-General** acts as the Chief Administrative Officer of ASEAN. He or she oversees the daily operations of the ASEAN Secretariat. The post is a 5-year non-renewable term appointed by the ASEAN Summit and is selected among nationals of the ASEAN Member States based on alphabetical rotation. For example, after former Secretary-General Ong Keng Yong's (Singapore) term ended in 2007, Dr. Suri Pitsuwan of Thailand took over in January 1, 2008.





- E. ASEAN Permanent Representatives** per country are appointed by their respective governments. They comprise the **Committee of Permanent Representatives**. All the Permanent Representatives are based in Jakarta. They generally support the work of the three Community Councils and other ASEAN Sectoral bodies. They coordinate with ASEAN National Secretariats, Secretary-General of ASEAN and the ASEAN Secretariat on all subjects related to their work. They also facilitate cooperation with partners outside ASEAN.
- F.** Each country has an **ASEAN National Secretariat** that serves as the focal point for information and coordination of everything related to the country's participation with ASEAN. A special office or department within the Ministry of Foreign Affairs of every country serves as the ASEAN National Secretariat.

5 Which ASEAN bodies deal with children's issues?

A. Under the ASEAN structure the issues of children are discussed within the **ASEAN Socio-Cultural Committee** and particularly by two sectoral ministerial bodies:

- **ASEAN Ministerial Meeting on Social Welfare and Development (AMMSWD)** is a gathering of ministers of each country's Ministry or Department of Social Welfare and Development which meets once every three years. AMMSWD is being supported by another gathering of top government officials also working on social welfare and they are called **Senior Officials Meeting on Social Welfare and Development (SOMSWD)**;
- **ASEAN Ministerial Meeting on Youth (AMMY)** a gathering composed of ministers of Ministry or Department of Youth Affairs or its equivalent in each country which meets once every two years. This gathering is supported by high ranking government officials of the same office and they are called **Senior Officials Meeting on Youth (SOMY)**.

Both of these sectoral ministerial bodies help to implement agreements and decisions from the ASEAN Summit, and submit reports and recommendations to their respective Community Councils. AMMSWD deals with issues of children below 18 years old and AMMY deals with youth 15 and beyond. Aside from coordinating efforts within ASEAN on their areas of concern, meetings of both bodies produce documents that speak of priorities and commitments moving forward. While AMMSWD and AMMY only meet every two or three years, SOMSWD and SOMY meet once a year.

B. The ASEAN Charter mandated the creation of an ASEAN human rights body. This took the form of what is now called the **ASEAN Intergovernmental Commission on Human Rights Commission (AICHR)** whose job is to promote and protect human rights and fundamental freedoms of the peoples of ASEAN.⁴ Among other functions, the AICHR shall help enhance public awareness of human rights among the peoples of ASEAN through education, research and dissemination of information. Member countries shall appoint a representative to this body with a three-year term (renewable for one term). Here are some of the other functions of AICHR:



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- To develop an ASEAN Human Rights Declaration that will serve as the basis for human rights cooperation through various ASEAN conventions and other ways to address issues on human rights.
- To encourage ASEAN Member States to consider acceding to and ratifying international human rights instruments.
- To develop common approaches and positions on human rights matters of interest to ASEAN.
- To prepare studies on thematic issues of human rights in ASEAN.

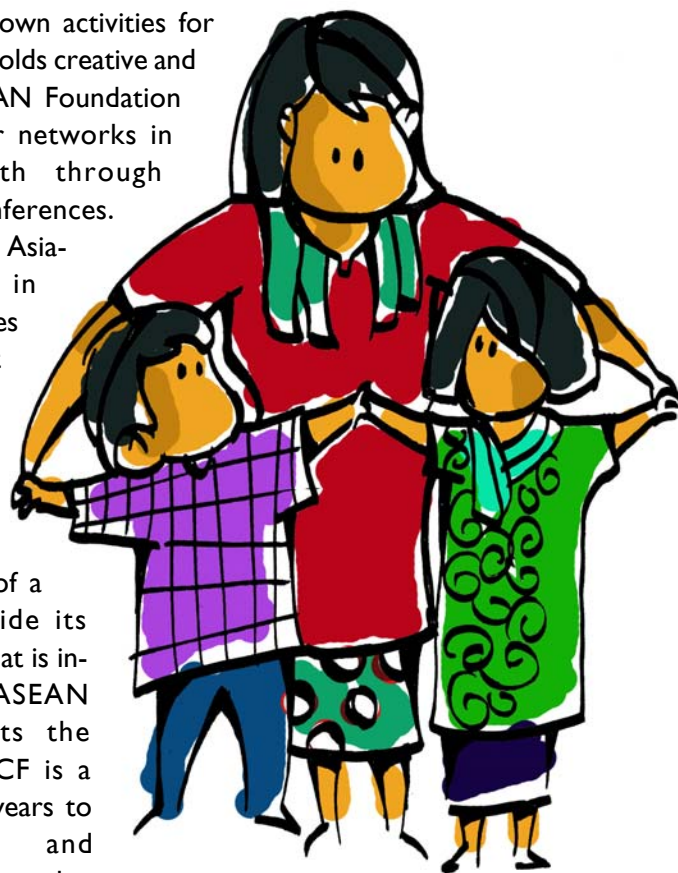
C. The **ASEAN Commission for the Protection and Promotion of the Rights of Women and Children (ACWC)** mandate is to “promote and protect human rights and fundamental freedoms of the women and children of ASEAN.”⁵ It was established in April 2010. Each member state has two representatives (one for women’s sector and one for children’s sector) in ACWC. This body shall champion children’s rights in ASEAN which includes supporting and institutionalizing child participation in the organization. ACWC shall be monitoring situation of children in the region and provide assistance to member countries that need help in resolving related issues and improving the children’s welfare. Some of the other functions of ACWC include:

- To promote studies and research related to the situation and well-being of women and children with the view to fostering effective implementation of the rights of women and children in the region;
- To encourage ASEAN Member States to undertake periodic reviews of national legislations, regulations, policies, and practices related to the rights of women and children
- To facilitate sharing of experiences and good practices, including thematic issues, between and among ASEAN Member States related to the situation and well-being of women and children and to enhance the effective implementation of Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and Convention on the Rights of the Child (CRC) through, among others, exchange of visits, seminars and conferences.
- To support the participation of ASEAN women and children in dialogue and consultation processes in ASEAN related to the promotion and protection of their rights.

D. The **ASEAN Secretariat** and the **ASEAN**

Foundation also conduct their own activities for children. The ASEAN Secretariat holds creative and cultural activities while the ASEAN Foundation partners with NGOs and other networks in engaging children and youth through consultative workshops and conferences.

One example was the Southeast Asia-Japan NGO Conference held in February 14-16, 2002 where issues of deprived children in Southeast Asia were discussed among youth and other members of civil society.⁶ This paved the way for the creation of a Southeast Asia-Japan NGO Network and the development of a regional plan of action to guide its partnership. The ASEAN Secretariat is in-charge of ensuring that the ASEAN Children's Forum (ACF) gets the resources it requires. The ACF is a gathering of children every two years to share their perspectives and recommendations on diverse issues that affect them.





SEASUCS

6 What are the relevant commitments of ASEAN to children and youth?

All 10 member countries of ASEAN have ratified the Convention on the Rights of the Child (CRC). And because of this, all governments as well as the ASEAN are expected to come up with agreements, policies and programmes to make child rights a reality in Southeast Asia. In previous years, ASEAN made commitments for children as well as youth as partners in reaching their goals in the region.

- A. Declaration of Principles to Strengthen ASEAN Collaboration on Youth (1983)** – Signed by Indonesia, Malaysia, Philippines, Singapore and Thailand, this document says that youth participation in development is recognized by ASEAN governments.
- B. Kuala Lumpur Agenda on ASEAN Youth Development (1997)**- In this document, ASEAN believes that governments should involve youth in developing their policies and plans to address peace in Southeast Asia,

economic progress and prosperity. The document proposes to countries in ASEAN to develop the skills of youth to enable them to be strong enough to face economic and social problems.

C. *Yangon Declaration on Preparing ASEAN Youth for the Challenges of Globalization (2000)* – Signed by ASEAN Ministers responsible for youth development in each country this declaration expressed ASEAN'S commitment to providing opportunities that will prepare and empower the region's youth by developing their knowledge and skills that can help develop their community and country. The declaration emphasized the need to promote access to information and communication technologies (ICT). The Yangon Declaration also mentioned the need for joint action to address problems faced by young people such as HIV and AIDS and drug addiction. It also recommended forging partnerships with NGOs, the community and the private sector.

D. *Declaration on the Commitments for Children in ASEAN (2001)* – Signed by Ministers of Social Welfare and Development this declaration reaffirms ASEAN's commitment in promoting the rights of the child and uplifting the conditions of children. Some specific commitments made were to:

- Protect, respect and recognise the rights of all children, including those of indigenous people, consistent with the customs and traditions of their respective communities.
- Recognise and encourage respect for children's rights through mutual sharing of information on the rights of the child by ASEAN members, taking into account the different religious, cultural and social values of different countries.
- Acknowledge that children with special needs should be granted opportunities to enable them to take their proper place in society and live as independently as possible.
- Create opportunities for children and young people to express their views, advocate their rights and concerns, and participate in community development.
- Protect children from all forms of violence, abuse, neglect, trafficking and exploitation while at home, in school and in the community.

E. *Manila Declaration on Strengthening Participation in Sustainable Youth Employment (2003)* – Signed also by the ASEAN ministers responsible for youth last September 4, 2003, this declaration seeks to address unemployment and underemployment among youth of ASEAN within the context of globalisation. It outlines strategies such as skills

training, entrepreneurship, regional networking, inclusion and access of all youth sub-sectors (out-of-school youth, youth-at-risk, etc.) in relevant policies and programs. One of the commitments is to “Strengthen the participation of youth volunteer groups and organisations in the socio-economic development process so that they would be able to augment and complement government and non-government resources and efforts directed at youth development.”

- F. *Hanoi Declaration on the Enhancement of Welfare and Development of ASEAN Women and Children (2010)*** – Signed by Heads of State on October 28, 2010, this declaration strengthens ASEAN’s commitment to ensure that women and children participate in and benefit fully from the process of ASEAN integration and community building. It established the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) and the ASEAN Children’s Forum.



7 What do the ASEAN BLUEPRINTS say about children?

Each of these blueprints Socio-Cultural, Political-Security and Economic contain a long-list of strategies and outputs. It was envisioned that when these goals are accomplished they shall facilitate improvement in the conditions of each country and at the same time shall strengthen ASEAN identity and cooperation.

Issues regarding children and youth are discussed under the ASEAN Socio-Cultural Community which means that strategies for their survival, development, protection and participation are outlined in the ASEAN Socio-Cultural Blueprint. Children are viewed as both beneficiaries and partners in achieving goals for well-being. Here are some examples of strategies that ASEAN wants to implement to address the rights of children:

- Implement programmes on child survival, development and protection consistent with the Convention on the Rights of the Child;
- Incorporate a gender perspective into national and regional policies and enhance the participation of women in programmes and projects;
- Promote and encourage participation of persons with disabilities in decision-making and recognise their accomplishments;
- Develop and implement programme to assist children living under disadvantaged and vulnerable conditions;
- Develop and support young people's capacity for original ideas and action in the area of culture and arts;
- Advocate policy makers to accelerate actions to increase accessibility to sexual and reproductive health information and friendly health services, and educate society especially parents and adolescent on reproductive and sexual health education;
- Promote wider opportunities for cultural creativity among youth and all sectors of the population, including the ethnic groups;
- Support youth volunteers undertaking emergency or humanitarian missions by giving them recognition;
- Work towards the establishment of an ASEAN Youth Programme Fund to fund the various youth projects and activities in ASEAN;
- Establish platforms for networking and sharing of best practises on ASEAN children and youth development strategies and tools;



SEASUCS

In the ASEAN Political-Security Community (APSC) and the ASEAN Economic Community (AEC) blueprints children and youth participation were not mentioned. What APSC has mentioned is that this community will “cooperate closely with efforts of the sectoral bodies in the establishment of an ASEAN commission on the promotion and protection of the rights of women and children.”

8 What is the ASEAN Children’s Forum?

The first ASEAN Children’s Forum (ACF) was held in the Philippines on October 19 to 22, 2010.⁷ ACF is a regional meeting of children that was organized to promote children’s rights and to share their thoughts and suggestions on issues that affect them. A total of thirty-two (32) children delegates aged 12 to 18 years old attended, representing the 10 member States of the ASEAN. Seven of these children were children with disabilities. Following the child protection policy, children delegates were accompanied by adult chaperones who served as mentors and translators during the event.

During the first ACF, children were given time to speak about various concerns including HIV/AIDS, children and the internet, environment, poverty, child labor, opportunities for children with disabilities and child

participation. They also identified internet communication via the ACF website (www.aseanchildrensforum.org) as a safe and accessible space for exchanging ideas and opinions as well as a means of networking with more children in the region. They are also hoping that through the website, they could directly communicate with leaders.

ACF was an idea that was conceived and recommended during the 1st South East Asian Children's Conference (SEACC) held in December 6, 2006. This conference was developed by the Philippines' Council for the Welfare of Children (CWC) and UNICEF-Manila office which was attended by 34 children representing ASEAN member States. SEACC delegates developed a "Call to Action" in which the proposal for an ACF was included.⁸ This was eventually presented by the children representatives to the Senior Officials Meeting on Social Welfare and Development (SOMSWD) and AMMSWD in 2007.⁹



The ASEAN Children's Forum will be held every 2 years and before the conduct of the ASEAN Ministerial Meeting on Social Welfare and Development (AMMSWD). ASEAN member States shall take turns hosting the ACF following the alphabetical order. Since the Philippines hosted the first ACF in 2010, it will be Singapore's turn in 2012 and then Thailand in 2014.

The idea is to consolidate children's concerns and recommendations in ACF and then present them to AMMSWD them to decide what actions to take. An output of the first ACF was the suggested Terms of Reference (TOR) of the forum which was presented by children representatives to and considered by SOMSWD and AMMSWD.¹⁰

How can children participate in ACF? Based on the country guide provided to all countries in preparation for the ACF, ideally every country should hold a National Conference of Children (NCC) where children themselves can have the opportunity to have a series of discussions on issues in their own respective countries. They shall elect among themselves representatives who will go to the ACF. Each country has different set of criteria and methods used to select the representative to the ACF. You are encouraged to contact your country's officials focusing on social welfare and development to know more how one can participate in the ACF.

5 Things You Need to Know About Children's Participation

I Children's Participation is a Human Right.

All 10 member countries of ASEAN are signatories to the Convention on the Rights of the Child (CRC). This means that governments are duty bound to honour these rights. One category of children's rights is participation rights.

Article 12 and 13 of CRC gives us an idea what participation means:

(Article 12.1)

State Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

(Article 13.1)

The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

Every young person has the right to think for him or herself. They are entitled to form their own ideas or opinions about issues or problems that affect them. They are also entitled to know and have a say about the solutions to these problems. They also have the right to be protected from harm whenever they express their opinions or take action to promote and protect their human rights.

Adults on the other hand have the responsibility to recognize and respect the rights of children to participate. This means that adults should listen to them, take their thoughts seriously, support them whenever they want to take action and ensure their protection and safety along the way.

One simple example is talking to parents about ideas on how to help a brother or sister study well or how the family can save money or share how they feel about the way other people are treating them. When parents give the opportunity for them to speak up and carefully consider their opinions and ideas that is one way of respecting their participation rights. If children are given the chance to act on their ideas and also receive support from them, that too is a good way of honouring their rights.

Indeed, there are adults who support the rights of children to participate. In Southeast Asia, a group of child rights advocates came up with their own understanding of child participation. During the Southeast Asian Regional Workshop on Children's Participation in ASEAN conducted by the Child Rights Coalition - Asia on February 22 to 24, 2010, the adult participants came up with a definition of child participation.¹¹

“Child participation is a human right that needs to be guaranteed. It entails the exercise of freedom of expression by children. It is a process where children participate in a critique or challenge the unequal power relations that exist between adult and children. Participation aims at empowering children and young people by allowing them to share their stories and influence decision-making. Adults and child rights advocates have the responsibility to provide a safe space for children to express their views and opinions.”



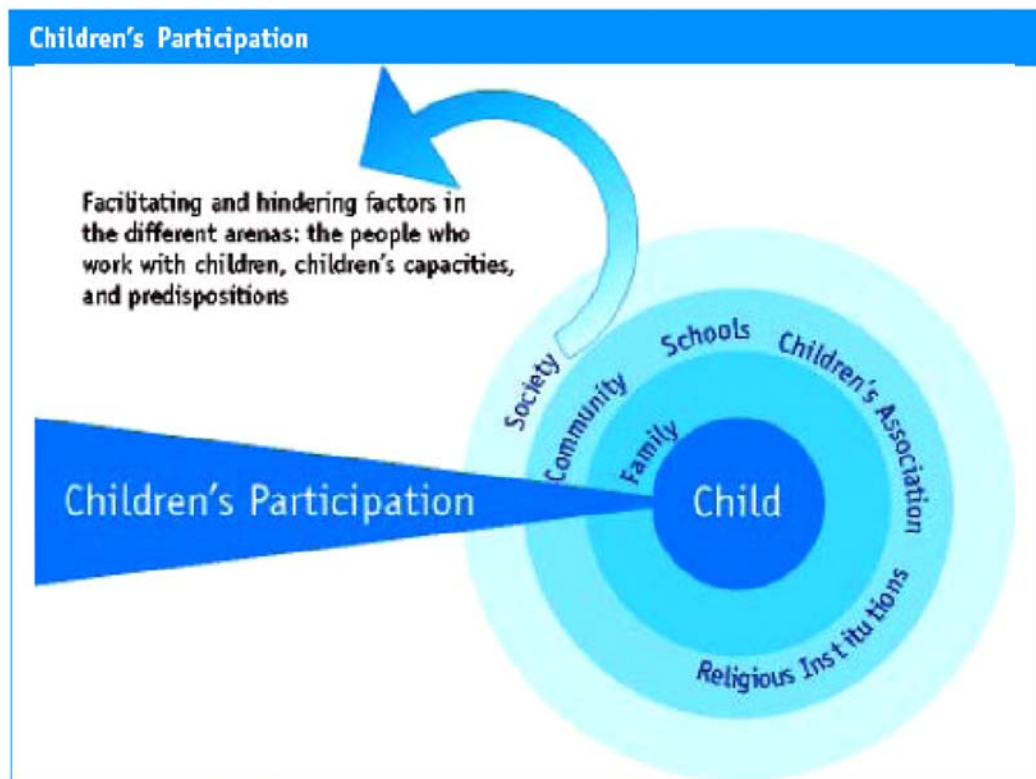


Illustration taken from the National Framework of Child Participation in the Philippines. (UNICEF)

2 Children can participate in various spaces.

Children's right to participation can be exercised in diverse spaces such as the home, school, immediate community & in society at large.

A. Home - Children even while inside the womb are engaged in a special interaction with their mothers. It is common to hear a pregnant mom to suddenly exclaim that her child is excited when it kicks, restless when it seems to be moving around inside for a long time or that the baby is hungry because she also feels hungry. Even as a born baby, a child's interaction with the parents allows the latter to care for him or her. If the baby cries out loud, it could mean that he or she needs to be fed or feels uncomfortable. If it smiles and giggles, the parents get a clue as to what it enjoys.

As the child grows, he or she expands his or her roles inside the home. Soon enough he or she will be sharing chores, will be asked about his or her opinions about family activities, food, home decors, incidents, etc.

B. School & Religious Institutions – In school, learning is expected to be an active and dynamic interaction between teachers and students and

among students themselves. Opportunities to exercise skills and talents are provided by student organizations and other activities in the classroom.

For some, their churches, mosques, synagogues or worship centers are spaces too for children to interact with other people. Through activities such as camps, study sessions, choirs, plays and the like, children share their time, talents and resources.

- C. Community** – In some small towns and big cities, the community provides spaces too for children to participate. Children are often seen as part of town celebrations, sports activities and talent competitions.

In the Philippines, children aged 15-17 are elected into local government positions in which they are allocated funds and technical assistance to initiate and implement their own activities in the community. The community is called *barangay*. A team of children leaders are elected by their fellow children every 3 years. This team of elected children is called Sangguniang Kabataan (SK) or council of youth. These youth leaders are in-charge of planning and implementing projects as well as bringing up issues of children in order to develop policies. Some councils focus on helping out-of-school youth, campaigning against drug addiction, and setting-up facilities and programs for recreational activities.¹²

- D. Society-at-Large** – On the national and international scale, spaces for children to voice their ideas and opinions have opened up. Forums, conferences, workshops and the like have been organized to enable children to exchange ideas and perspectives on issues and collectively think of actions to promote and protect their rights.

A good example of children's participation at the national and regional levels can be found at the Greater Mekong Sub-Region composed of Cambodia, Lao PDR, Myanmar, Thailand, Vietnam and China. Every 3 years since 2004, countries of this sub-region have conducted Mekong Youth Forum on Human Trafficking.¹³

An initiative of the International Labor Organization, Save the Children, World Vision and the UN Inter-Agency Project on Human Trafficking (UNIAP), the series of events started with national youth forums in each country and then culminated in a regional forum.¹⁴ In each country, young people discussed issues, recommendations and plans to help address human trafficking. Then they elected their representatives whose task is to share their collective input at the regional forum.

At the Mekong Youth Forum, all output of the national forum were synthesized by the participants and they developed a set of recommendations and a call to action. Their output were presented to

some of the ministers and senior officials of the Coordinated Mekong Ministerial Initiative Against Trafficking (COMMIT) – a government-led process of the 6 countries in the Greater Mekong Sub-region that aims to cooperate and collaborate efforts in addressing the problem of human trafficking.

This dialogue that transpires between government leaders and children regarding their recommendations is the highlight of the event. It hopes that through this dialogue, leaders will consider the inputs of children and learn to appreciate and integrate children's participation in the COMMIT process. Even during the national forums, the country's government officials were also invited to dialogue with children on this issue.

The Mekong Youth Forum take place before the COMMIT meetings in the hope of influencing the plans and policies that will be developed by the government representatives.

Save the Children UK



3 Children can participate in different ways.

In the publication, "Promoting Children's Participation in Democratic Decision-Making," by UNICEF Innocenti Research Center, meaningful approaches in children's participation were grouped in 3 categories:

A. Consultative processes – This is a common approach where adults initiate and manage the processes to gather inputs from children which may be used to improve and develop policies and programs. Consultative processes can also provide opportunities for children to be co-organizers.

On July 5-8, 2005, one girl child representative from Cambodia was sent to participate in the G8 Children's Forum in Scotland, shortly before the G8 meeting.¹⁵ G8 is an organization of 8 of the world's richest countries: United Kingdom, United States of America, Germany, France, Italy, Japan, Canada and Russia. C8 is the children and young people's version of the G8 meeting.

In the said forum 17 young people from around the world were gathered to discuss key issues of children. Some of those identified by the participants were poverty, HIV/AIDS, lack of clean water, health and hygiene, nutrition, child trafficking and exploitation, drug abuse, corruption, etc.¹⁶ The children's collective insights and recommendations were presented to the prime minister of the United Kingdom, who served as the messenger of children to the G8 meeting. One of the outcomes of the meeting is G8's commitment to provide aid in the amount of 3 million dollars to help address HIV/AIDS, elimination of poverty, education as well as to help Africa until 2010.

B. Participative processes – This approach means greater collaboration with children. While it is still initiated by adults, this allows for greater involvement of young people in the early stages of planning up to the management of the projects.

The 1st Southeast Asian Children's Conference (SEACC)¹⁷ held on December 10 to 14, 2006 was an event that involved children from Cambodia, Philippines and Vietnam as facilitators. Guided by one adult facilitator, they took charge of more than 30 other children participants from the ASEAN countries. Aside from leading the program they also conducted 11 workshops that facilitated discussions on topics based on the Millennium Development Goals (MDGs) such as poverty, child mortality, HIV/AIDS, child trafficking, gender equality and others. It provided the participants opportunities to share the situation of each country, their perspectives about issues and action points that children, government and civil society can consider moving forward.

This activity was jointly organized by the United Nations Children's Fund (UNICEF), Council for the Welfare of Children (CWC) and the National Committee on Children and Youth Participation (NCCYP). CWC is a government institution and NCCYP is a network of NGOs and government institutions. Both are based in the Philippines.

The highlight of this conference was a declaration that urged government and civil society to work on the different issues as well as a call to ASEAN to conduct a regional Forum of children on a regular basis. This was envisioned as the voice of children in ASEAN.

In 2007, some children from SEACC (with representatives from all ASEAN countries) met up again to finalize their statement and call to action. They presented this during the ASEAN Senior Officials Meeting and the 6th ASEAN Ministerial Meeting for Social Welfare and Development. This was also the first opportunity for children to participate and be included in this high level meeting. They got the support





from senior officials who attended and in 2008 their proposal to conduct an ASEAN Children's Forum was approved.

- C. Promoting self-advocacy** – This approach aims “to empower children to identify and fulfil their own goals and initiatives. It is a process where children themselves take action to address those issues that they see as important.” The role of the adult here is to support or to facilitate and not to lead.

Kabataan News Network (KNN) is a testament that children can initiate and develop their own projects. Kabataan means youth in Filipino. KNN is a network of around 160 young video journalists from ten areas in the Philippines.¹⁸

KNN journalists are given technical training on television production and provided the necessary equipment for them to produce their stories such as camera, tripod and microphone. These youth journalists are in-charge of the whole process. They plan and research their topics, shoot, interview, transcribe and write the scripts. They do all this with little help from their adult bureau managers.

KNN produces “Kabataan X-press,” a show that shares about what the youth care about from fun and hip stories to major issues such as teen prostitution, mining, election issues, etc.

KNN is implemented by Probe Media Foundation, Inc and is supported by the United Nations Children's Fund (UNICEF) Philippines.

4 Meaningful participation is good for children & society.

Gerison Lansdown, in a publication commissioned by UNICEF Innocenti Research Center in 2001¹⁹, clarifies that:

*“Article 12 is a **substantive** right, saying that children are entitled to be actors in their own lives and to participate in the decisions that affect them. But, as with adults, democratic participation is not an end in itself. It is the means through which to achieve justice, influence outcomes and expose abuses of power. In other words, it is also a **procedural** right enabling children to challenge abuses or neglect of their rights and take action to promote and protect those rights. It enables children to contribute to respect for their best interest.”*

Whenever children are given the opportunity to speak out, adults are informed about the needs, aspirations and concerns of children. These can guide both adults and children in coming up with ways to address their situation. Furthermore, duty-bearers are reminded that there are obligations to children that they have to fulfil.

In a school where the teacher hurts children through harsh words or physical punishment, children should be able to feel safe to go to another school authority like the principal or guidance counsellor to report the wrongful act. Respect for participation rights of the children can be expressed when school officials listen, acts on the complaint and protects children from further harm.

The process of reporting by children also empowers the school with information that can help them resolve the situation and make their learning environment safe and happy. So when adults listen and allow children to participate, they get good ideas on how best to take care of them.

In the Philippines, a hotline number to report child abuse is available. Bantay Bata 163 is run by ABS-CBN Foundation which is the corporate social responsibility arm of a media network. The accessibility of a service where children and young people can call for help empowers them (and the concerned adults) to put a stop to abuses. Soon as their call is placed and verified, a rescue team will be dispatched to check on the validity of the complaint.²⁰

On October 18 to 23, 2010, the “Regional Workshop to Promote and Support Children and Young People's Participation in ASEAN” was conducted by the Southeast Asia Coalition to Stop the Use of Child Soldiers (SEASUCS) and the Child Rights Coalition - Asia. Children and young people

from 8 ASEAN countries got together and one of the discussions focused on child participation: its forms, results, difficulties and the assistance children need from adults. To summarize the outputs, children mentioned that their experience in participation has led them to:

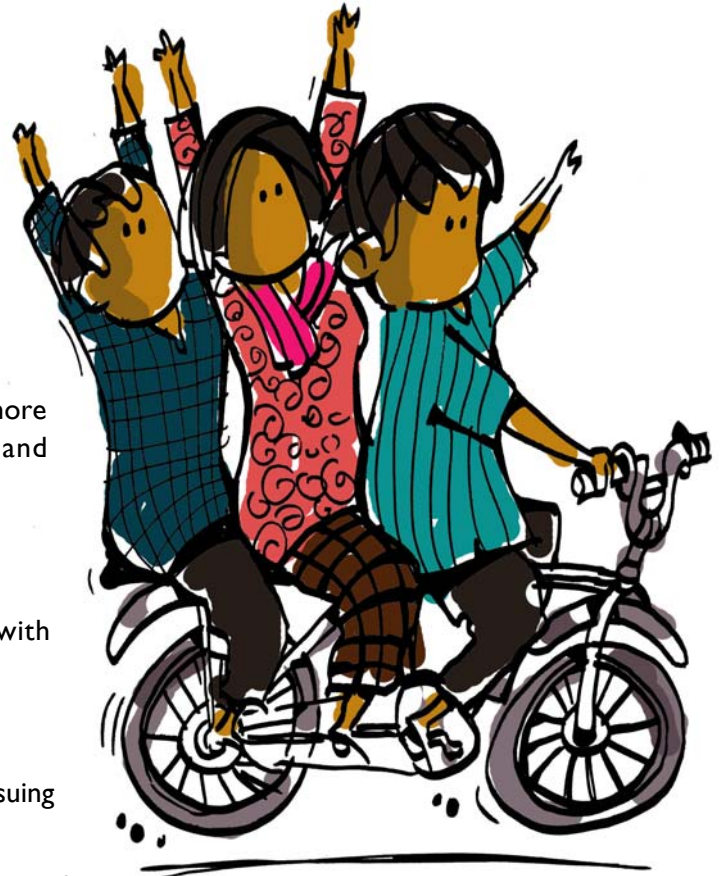
- Gain knowledge and become more aware about different issues and experiences of other children.
- Form new friendships.
- Increase in confidence.
- Have this sense of solidarity with children from other nations.
- Feel appreciated and respected.

The difficulties they encountered in pursuing participation are as follows:

- Adults may need to change their mind set about including children in the process.
- Access to information regarding opportunities to participate maybe limited.
- Lack of resources to participate is also a factor.
- Some children may be discriminated or marginalized just by being a child or because of disabilities, gender identity, ethnicity, etc.

Children also identified facilitating factors that help them participate are:

- Support from government agencies, non-government organizations, parents and other family members.
- Accessibility to the internet to gain new information, participate in discussions on the web and share their experiences through blogs and social networking sites.
- Availability of resources including financial resources to participate in workshops, conferences, project implementation and the like.
- Presence of mentors who can guide them as well as peers whom they can consult with.



5 Participation should be fun and safe for children!

During the Southeast Asian Regional Workshop on Children's Participation in ASEAN last February 2010²¹, a set of minimum standards concerning children's participation was developed. Minimum standards serve as guide posts when events or activities are conducted for and with children. These standards should be in place before planning activities and should be followed by everyone participating.

- I. **An ethical approach: transparency, honesty and accountability**
 - Adults should have children's best interest at heart and it should always be the primary consideration. Transparency means that everyone involved including children should be aware of how things are progressing. Honesty facilitates trust in the relationship between adult and children. Any



important information that will equip the child to make good decisions regarding his or her participation should be given. There should be measures and processes in place to check if everything was done according to plans and existing policies.

- 2. A children friendly environment** – In order for children to be comfortable participating in activities, the place should feel safe and the over-all atmosphere should be friendly. Even the process of participation should be developed in a way that is accessible and easy to follow considering the capacity of the child. Children should be aware of possible dangers that may happen to them, e.g. when talking to adult strangers or going out of the venue of the activity. They should also be aware about the persons or groups they can approach to and report untoward incidents that may happen.
- 3. Equality of opportunity** – Every child should be given the chance or the option to participate regardless of physical capacity, gender, ethnicity, economic capacity or other status. In some cases, adjustments to the design of an activity or provision of additional support should take place in order to allow everyone to join. It is also important that the design of activities or projects do not reinforce discrimination and violence between and among children.
- 4. Participation promotes the safety and protection of children** – Every endeavour where children are involved is a potential contribution to make their world a better place to live in. They are encouraged to share their views and experiences in the hope that there will be prompt and appropriate action from adults and authorities. As part of ensuring a child-friendly environment, all efforts must be made to ensure the safety of the child wherever he or she is engaged. Measures to prevent them from being exposed to harm or abuse should be made.
- 5. Ensure the commitment and competency of adults involved in the process** – Whatever role adults play in an activity that involves children would require them to be patient, skillful and sensitive to the needs of the child in order for him or her to have the optimum participation experience. The adult can be the partner, the mentor, the protector and the role model of the child in his or her quest to be involved in society.

Notes

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- ⁹ Department of Social Welfare and Development (DSWD) Philippines, Annual Report 2007
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- ¹⁵ C8 Children's Forum-C8 Report, <http://www.camp2000.org/document/C8.pdf> (2005)
- ¹⁶ "Scotland: UNICEF's first-ever C8 Children's Forum brings together young advocates from around the world" http://www.unicef.org/policyanalysis/index_27553.html (July 2005)
- ¹⁷ United Nations Children's Fund (UNICEF), "1st Southeast Asian Children's Conference: Towards One Caring and Sharing Community for Children" Documentation Report, 2006
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- ¹⁹ Gerison Lansdown, "Promoting Children's Participation in Democratic Decision-Making" UNICEF Innocenti Research Center, <http://www.unicef-irc.org/publications/290> (2001)
- ²⁰ ABS-CBN Bantay Bata 163, <http://www.bantaybata163.com>
- ²¹ Child Rights Coalition - Asia, "Southeast Asian Regional Workshop on Children's Participation in ASEAN" Documentation Report, February 2010

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ANNEX 3

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