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Local democratic government and the promotion of rights for children and teenagers: An experience in Argentina

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Abstract. This article reflects on the authors' efforts and experience in projects aiming to develop local democratic government and promote rights in Argentina. It discusses ideas about the main aspects that influence cooperation between the State and civil society organisations (CSOs) when implementing public policy in Argentina, with a particular focus on processes that aim to build citizenship and promote rights at a local community level. Using this conceptual basis, and to demonstrate the focus on intervention, the article introduces the "Participar por los Derechos de Niños, Niñas y Adolescentes" Project which ran between 2010 and 2012 in Misiones Province in northeast Argentina. The project was organised in conjunction with the government of Misiones Province and with financial backing from the European Union. Its target was to strengthen the capacity of local governments in policy management, and the role and capacity of CSOs in disseminating information about children's rights, monitoring and assessing public policy in this area, and generating methods for participating in and promoting the defence of rights. The article includes the main results and draws conclusions from this experience, with the hope of contributing to other initiatives in this field.

Keywords. Local democratic government, Promotion of rights, Local development, Community participation, Argentina

1. Introduction

The various political and institutional changes that Argentina has experienced during the past few decades have defined the framework for cooperation between the State and civil society organisations (CSOs) on public policy. On one hand, policies exist that aim to reform the structure, functions and management of the State. On the other, is the development and consolidation of civil society's practical, leading role, through its contributions to a return to democracy, and its remarkable participation in the fields of the promotion and defence of human rights, reform of the justice system, and initiatives that encourage citizens' control.

These transformations have increased interest in and debate around *democratic government* (understood as a society's capacity to define and establish policies and peacefully resolve its conflicts within an existing legal system¹) in Argentina, in relation to a growing demand

to be involved in decision-making and a heightened questioning of traditional governmental structures, given their limitations when providing a suitable response to new and complex social requirements.

Despite the developments described above, CSOs still have a limited role in debating and guiding public policy in Argentina. In general, the role of CSOs, as acknowledged by governments, is usually one of operating on the ground to organise programmes and projects within specific subject areas whose orientation and methods are defined by these governments themselves, and financial backers. The ability of CSOs to influence these aspects is limited or non-existent, meaning they are often ushered into the role of critical actors in a *fait accompli*, addressing problems in policies that have already been implemented. CSOs appreciate that available resources are increasingly scarce and understand that their faulty or inefficient distribution is unacceptable in view of the severity and urgency of the problems that must be resolved.

Through being interlinked with the basis of society

¹ Programa de las Naciones Unidas para el Desarrollo (PNUD), Gobernabilidad Democrática, www.regionalcentrelac-undp.org/es/gobernabilidad-democratica

and having a practical understanding of its problems, CSOs can make significant contributions during the public policy design stage, contributing to more accurate appraisals and the selection of the best alternatives and strategies. They also achieve correct prioritization and effective actions, while also obtaining commitments and satisfying communities. It is necessary to review the public management model and analyse different schemes for the decentralisation of decision-making and government coordination with other social actors in greater depth, encouraging their involvement in every stage of the public policy cycle, starting with its gestation. As was published in the Paris Declaration and Accra Agenda for Action², this contributes to raising the level of consensus, effectiveness and social legitimacy in public policy.

As has been discussed in different forums (for example, CIVICUS³), this raises two issues. First, the State has a centralist concept of the public policy process and an absence of civil servants who are trained as spokespeople for civil society. In turn, CSOs lack knowledge about how public policy is generated and implemented, and about the public sector's operating procedures in general, combined with a wariness of being co-opted by the governing parties which tend to marginalise them from political dialogue.

CSOs face the challenge of acting, as far and as effectively as possible, as actors in their own right that can orientate and control development processes, and explore new ways of coordinating with governments and other social actors to generate and maintain cooperative networks over time. They must also accept responsibility for strengthening their skills to be able to perform the duties established by these demands, as established in the Istanbul Principles⁴. The experience described in this article, in which a CSO generated and led a local development process with a multi-actor strategy, linking and promoting synergies between key areas of the Misiones Province government and 39 local authorities, tries to set a course along these lines.

2. The local development perspective

EyP, the Asociación Civil Estudios y Proyectos (Studies and Projects Civil Association) is a CSO with twenty-two years of experience in local development projects. One of the foundations of its work is influencing public policy to promote participative government and protect citizens' rights (in education, health, environmental protection and environmental risk management, employment and income generation), in particular the rights of children, adolescents, women and indigenous peoples. For this purpose, EyP collaborates in coordinating social actors, strengthening institutions and capacity development.

² OCDE (2008) *Declaración de París sobre la eficacia de la ayuda al desarrollo y Programa de acción de Accra*, OCDE, s/d. www.oecd.org/development/effectiveness/34580968.pdf

³ CIVICUS - GADIS - UCA (2011) *La Sociedad Civil Argentina en el Bicentenario - Índice CIVICUS de la Sociedad Civil Argentina (2008-2010)*, Buenos Aires.

⁴ Open Forum for CSO Development Effectiveness (2010), *Principios de Estambul para el Trabajo de las OSC como Actoras del Desarrollo* cso-effectiveness.org/IMG/pdf/principiosdeosc-estambul-final.pdf

One of the most important aspects of debate on State reform in Latin American countries during the 1980s and 1990s was decentralisation and the strengthening of local government, leading to a new vision and profile of local authorities, particularly in countries with less of a local government tradition, such as Argentina.

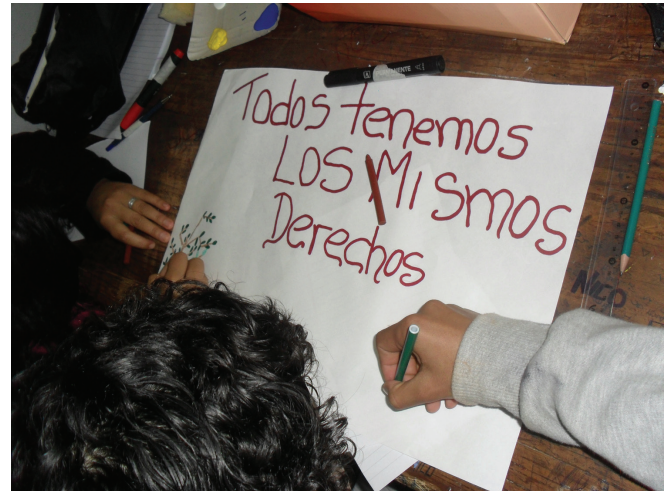


Figure 1. Capiovi workshop (Misiones)

Government naturally plays a crucial role in the area of local development. A local authority is in direct contact with citizens and it is both responsible for and has the opportunity to solve many of their daily problems, representing inalienable political capital. But local authorities have seen new challenges added to their traditional problems in recent years: polarisation and social exclusion, unemployment, extreme poverty and its feminisation, gender violence, insecurity, the growth of slums and, crucially, the need to ensure that citizens participate in fully exercising their rights.

However, at a local level, the capacity required to face these new challenges has not always been developed, nor has the capacity necessary to face the new responsibilities emerging from the institutional processes of decentralisation and social change. It is not merely the case that many local authorities suffer from a lack of technical and material resources, but that institutional and cultural resources, the social connections that build cooperative networks, have not been strengthened at a community level. It therefore becomes necessary to promote local capacities for effective participation in their own development process.

The United Nations Development Programme refers to the deep-rooted level of processes that contributes to strengthening local communities' capacity for their own development when it defines "capacity development" as "the process by which individuals, groups, organisations, institutions and societies increase their skills/abilities to: 1) perform key functions, resolve problems, define and achieve objectives, and 2) understand and take responsibility for their developmental needs in a broad context applying a sustainable approach".⁵ This implies a set of vital skills that assist

⁵ UNDP (1997), *Capacity Development, Technical Advisory Paper II*. In: *Capacity Development Resource Book, Management Development and Governance Division*, New York

endogenous development: a) the sense of civic responsibility, b) the existence of an active citizenry with an awareness of the rights it can exercise and demand, but also the commitments it must undertake. This is the path to true “empowerment”.

Naturally, the existence and strength of a civic culture is the result of a series of social processes and history. It cannot spring up from one day to the next; strengthening it is a task that must be accepted by all actors committed to sustainable development through active participation.

In this sense, local government includes the set of processes, institutions and mechanisms that can be used by citizens and their organisations to express their needs and interests, negotiate their differences and exercise their rights and obligations at a local level.

Therefore, constructing citizenship, with its variety of rights and duties, is a complex social and cultural process that involves dedicated work on the social fabric towards empowering people to recognise their economic, social and cultural needs, and to find solutions to these issues.

In this way, a key goal in development processes is for the communities involved to be capable of shaping their own processes and development projects and to be active in their promotion. This is not achieved by simply declaring and acknowledging citizens’ rights; it is necessary to generate enforceability procedures and spaces for proposals through which all of society, not just the government, commits to guaranteeing basic rights. This is the path towards empowering society through participation, where development strategies acquire social sustainability and over time, as they are appropriated by people, they become part of everyday life.

The conceptual guidelines summarised above have guided EyP’s participation in interventions that aimed to promote rights in different regions of Argentina, and they also influenced the design and implementation of the project described in this article as an experience at a local level.

3. The Misiones Province « Participar por los Derechos de Niños, Niñas y Adolescentes » Project

3.1 Origin and foundation

The origins of the project lie in an agreement established between EyP and the government of Misiones Province, stating that they would collaborate on disseminating and effectively implementing National Law 26.061 on the Comprehensive Protection of the Rights of Children and Adolescents, and Provincial Law II/16 on the Comprehensive Protection of the Rights of Children and Adolescents, which are equivalent to the International Convention on Children’s Rights in Argentina. The initiative received financial support from the European Union within the framework of the “European Instrument for Democracy and Human Rights (EIDHR): Argentinean support scheme” programme.

The northeast region of Argentina has one of the country’s highest vulnerable population rates, and the level of poverty and destitution severely restricts the probability of these people having children and adolescents who know and

fully exercise their rights. In Misiones Province, 37.1% of inhabitants live below the poverty line; almost 40% of the population is comprised of children under 14 years old and of these 60% are in poverty. A further 10% are between 15 and 19 years old, and there is a high rate of recorded teenage pregnancies.

Towns on the so-called “Triple Frontier”, essentially the cities of Foz de Iguazú (Brazil), Ciudad del Este (Paraguay) and Puerto Iguazú (Argentina) have become the backdrop to frequent violations of the rights of children and adolescents. In particular, child domestic labour, child trafficking (transporting children within the country or overseas in order to exploit them) and child prostitution are three closely related issues. Journalists and local social organisations often find themselves in an uneven battle against criminal networks that profit from these crimes, and that usually act in collusion with levels of authority and even partly with the complicity of society itself. Failings in the control of border crossings, a lack of specific public policies, poverty and complicity have meant that, for a long time, the area has been conducive to this type of crime.



Figure 2. Banner of the project Participar

Effectively enforcing the legal instruments currently in place to fight these crimes requires a significant commitment from local authorities and communities, with active participation from CSOs that operate in the area. Therefore, the project aimed, first, to strengthen the capacities of local

governments in this matter. Second, it aimed to strengthen the role of CSOs and their capacity to disseminate information about children's rights, monitor and assess public policy related to this issue, and generate ways for children to participate at a community level, with collaboration between children and those adults who play an important role in the defence of their rights.



Figure 3. Map of Misiones Province

At first, fifteen local authorities from among the most vulnerable were selected because a) they have few resources of their own, b) they have a weak social fabric, c) they are located in border areas, e) together they have the highest concentration of a population with a high rate of basic unmet needs (BUN) in the province, f) they have the highest proportion of indigenous peoples, and g) they have a high ratio of children in comparison with the total population. However, during the course of the activities new local authorities became interested and joined the project, until it totalled 39 across the province.

3.2 The intervention

Project Participar⁶ lasted for two years and included joint, simultaneous action by the Provincial State, local authorities and civil society organisations on:

- a) Training local actors (civil servants, social actors and workers, teachers, etc.);

⁶ Estudios y Proyectos, Proyecto Participar, participarmisiones.wordpress.com

- b) Inter-institutional cooperation and the development of networks;
- c) Community mobilisation and participation.

A participative analysis was performed that was used to determine, with the communities, the starting point for the project and the situation in terms of rights in the participating local authorities. Information was gathered on local resources, IT systems and the status of local protection systems.

Training took place in various face-to face workshops held in every region where the project was implemented. However, another key aspect was the organisation of a Virtual Course used for teaching due to the fact that many people with responsibilities in this subject matter were unable to travel.

This course was designed to offer actors in government bodies and CSOs introductory training on the meaning and scope of applicable laws, review the roles required for their full effectiveness, provide tools for reviewing objectives, institutional practices and the performance of organisations, analyse ideas about the enforceability of rights and tools that create an impact in the face of omissions or violations committed by public services, and encourage the interest and mobilisation of social organisations that support adequate provincial laws and public policies that are in accordance with the principles of the Convention on Children's Rights and the National Law on Comprehensive Protection of Rights.

The training network was supported by issuing calls and specific training, while all the actors participated in working to design maps of local resources and construct tools for obtaining knowledge about the actual situation in the areas.

Monitoring and assessing the project took place under direct supervision with visits to each area, continuous remote monitoring, interim and final assessment workshops, meetings with provincial civil servants, the monthly and final application of assessment tools by participants and 34 local leaders, an analysis of the information gathered by the whole project team, and the production of photographic and video records.



Figure 4. Mural Guarani (Misiones)

In general quantitative terms, the scope of activities can be summarised as follows:

- Direct beneficiaries affected by the project's actions: 16,623 children, 308 CSOs, 54 governmental bodies, 1951 adults (including 802 teachers, civil servants and families).
- Approximately 500 workshops that worked on training, murals, dance groups and children's theatre to promote their rights.
- 547 activities were held in towns as a result of participation by actors in activities related to the 32 Planes de Acción Local (PAL) (32 Local Action Plans Project) and the Plan de Acción Regional (PAR) (Regional Action Plan), both of which aimed to promote rights in the 39 municipalities, with involvement from all local actors.

The main obstacles to obtaining thorough knowledge about situations and their evolution are that a) information systems do not exist in all the local authorities, nor are they present at a provincial level where information is centralised, b) not all local authorities have administrative bodies for protection at a local level. However, by applying the information-gathering procedures established by the project, qualitative information was obtained from the actors and this made it possible to detect progress in the dissemination of (and access to) services, and an increase in the number of complaints regarding rights violations, particularly those related to violence and sexual abuse.

The actions taken during the project made it possible to bring to light cases of infringement (documentation, child labour, violence, abandonment) that were then channelled into and addressed by the respective areas of government at a local and provincial level by professionals and experts available to meet emerging demands. This means that during the course of the project, it had a direct impact on improving the situation of children and adolescents.

Procedures related to restoring rights or repairing the consequences of their violation were determined and applied, and maps of resources, strategies and tools were produced to optimise the use of local, existing resources via inter-institutional agreements for the prevention and restoration of violated rights. The participants received firm support from the project's technical team when designing and assessing their PAL and PAR projects.

The intervention encouraged an understanding between regional actors, between both the State and civil society, and the CSOs themselves. Governmental and political actors with greater awareness of the need to drive forward efficient public policies on this matter, and civil society representatives who were ready to commit to and collaborate on achieving this aim, started this process by structuring and setting up the Municipal Councils for Guaranteeing the Rights of Children and Adolescents and other coordination mechanisms (planned by legislation but still non-existent at a local level). They also promoted regulations and procedures, such as the construction of instruments for the protection of rights, many of which are already in operation. This was a direct impact on local

government planning and action in this subject matter.

The concept of "beginning with what we have", i.e. drawing up an inventory of local resources (used in every local development project by EyP), was also valuable for actors, as they could better understand and value their own assets, take actions from a more objective position and allocate the project's resources more efficiently. Examples of this included taking advantage of the capacities of institutional networks of organisations that already had experience in the field (but had not previously worked on this specific subject) and recovering knowledge (and incorporating it into the project's activities) from people who were trained on other projects previously run in the area.

Training was provided to public agents and to leaders in civil society and the organisational networks that were established in the towns, so that these people could be more effective in promoting and protecting rights, and repairing and restoring rights in detected cases of violation. The immediate impact was the identification and management of specific cases related to identity, child labour and violence, and the development of local resource banks that could become a highly valuable and effective instrument for their work in the future.

The project developed a large number of tools related to gathering and systematising information (files, working guidelines, protocols, instructions and manuals, reporting procedures and reports for assisting and monitoring activities, registration forms, participant activity satisfaction forms, etc.) which were used in the different stages of the project and sent to operators and local governments, and the governments of other provinces neighbouring the northeast region.

The final assessment of the project included: new knowledge and capacities learned, the creation of new mechanisms at a local authority level, the satisfaction level of participants in terms of the methods applied and the results obtained. Comments on all these points were highly positive.

91% of local authority representatives felt that through the PALs they had progressed in their protection of the rights of children and adolescents during the course of the project. This was evident, according to 23% of these representatives, in the creation or reactivation of, or drive to create, the Municipal Councils for Guaranteeing the Rights of Children and Adolescents. According to comments by the provincial authorities today, since the project, they are now asked by the municipal authorities to establish or strengthen these Councils, reversing the previous situation. Another noteworthy point is that the subject earned a significant place in the public agenda at a local level, together with the active participation of civil society organisations, the government and/or community leaders and teachers.

In terms of future projections, 53% of these representatives stated their intention to continue the actions performed under the PAL by including new schools and neighbourhoods, and seeking support from the community. As explained above, although it was not possible to carry out thorough research into the impact, it has been

confirmed by the provincial sources responsible for this subject matter.

The project demonstrated to provincial authorities the benefits of having more effective indicators and monitoring systems in place to assess the current situation and the progress made, and to monitor and assess interventions. Work also focused on the need to optimise recording systems, identifying and linking sources with information requirements. Project activity sought to deepen the relationships between operational areas (Under-Secretary for Women and Families, Multi-lateral Body for Social Policy and Internal Development, Ministry of Social Development, etc.). The Office for the Defence of the Rights of Children and Adolescents proposed to the project team that the creation of an assessment team should be analysed, that could monitor all actions (programmes, projects, application of laws, etc.) that are performed in the province.

In accordance with the Misiones Project experience, it also proposed to the governments of the remaining three provinces in the region (Corrientes, Formosa and Chaco) that each province should develop, in collaboration with the relevant civil servants, actions that would include a) the preliminary survey of current systems and information sources in relation to issues regarding the protection of rights, and the degree to which these are being used in decision-making processes on this subject, b) the identification of the areas with the greatest limitations, in relation to existing demands at a local level, and the action paths that could be adopted in this area, c) the preparation of an initial table of indicators for managing and monitoring the protection of rights, that can be used with available, reliable and valid information, and that can be completed and expanded in later stages by these bodies themselves.

According to the new legal framework, the State is responsible for structuring and driving forwards **rights protection systems**, which are established by policies, procedures, institutions or bodies that act and interact in a complementary fashion to promote and protect the rights of children and adolescents. Given this legal responsibility, the State must create an organisational system and measure its adequacy and performance according to a set of criteria. In general, three overall assessment criteria are applied:

- Creation (formal): specific existence and duration of parts of the system;
- Effective coordination (rationality): design and efficiency of the system;
- Effectiveness (operation): the system achieves its planned aims to the benefit of the receivers.

The proposal aimed to cover these aspects, was widely accepted and is at an analysis and implementation stage.

The points stated above indicate that, regardless of policy changes by respective governments, public policy on the protection of rights of children and adolescents in Misiones Province will continue to be strengthened, as has been recorded in the numerous statements gathered during the course of the project.

4. Main results

- *During the course of the project, many cases of rights violation were identified and directed towards their management.*
- *In the 44 local authorities where work took place, at the start of the project only 8 had a Municipal Council for Guaranteeing the Rights of Children and Adolescents. By the end, 22 local authorities had regularised their legal situation in this area.*
- *Actions were performed with the collaboration, at a local and provincial level of governments run by different political parties; this was not an obstacle to achieving objectives.*
- *The “bottom-upwards” approach meant that local actors could take control of the development process and participate in every stage of the public policy generation and implementation cycle. This is currently demonstrated by the level of participation that is still seen in the Councils for Guaranteeing the Rights of Children and Adolescents.*
- According to the responsible authorities, the project strengthened the provincial body specifically dedicated to this subject matter (Ministry of Social Development - Department for Children) so that it could offer technical assistance, from a central level, to help drive the structuring, reorganisation and updating of the Councils. The project also assisted in drawing together different participating social actors, and helped the Department for Children to establish contact with professionals, experts, and municipal leaders, and to obtain specific data about cases of rights violations, aiding their intervention and accompanying local authorities to restore violated rights.
- The project strengthened the existing social capital, generating synergies between local and provincial organisations, in addition to efforts by organisations that had not previously been involved and people who had participated in earlier projects. This strengthened local networks that work in the area of rights, developing mutual trust and knowledge.
- The 33 Planes de Acción Local (PAL) project was designed within the framework of the Virtual Classroom Project and was implemented in 39 local authorities thanks to the training received from the classroom and specific workshops. This benefited children and adolescents, for example, in issues related to sexual and reproductive health, following the creation of Departments in which they are involved.
- In the case of the experience described in this article, the following strategy (which could be reproduced in other contexts) proved effective:
 - Creating and/or strengthening local protection services.

- Creating community alliances and/or networks for the protection of the rights of children and adolescents.
- Local initiatives that involve children and adolescents in the defence of their rights.
- Participation, promotion and support of local actors and organisations.
- Dissemination of local protection services at a local and/or regional level.
- Training of local human resources.
- Generating information and analyses for appraisals that determine the situation in terms of the rights of children and adolescents at a local level.



Figure 5. Provincial Fair project closure

It seems apposite to conclude the discussion by quoting F. Barreiro⁷: “Community learning actions are social interactions that create social capital. This is why projects put into action cooperatively generate and accumulate learning processes, in addition to their specific results. The signs of this learning are the results of projects carried out jointly, through social interaction”.

This teaching is of great value to the activities that EyP continues to run with other projects on the same theme, in the same northeast region of Argentina, with the support of UNICEF.

⁷ Barreiro Cavestany, Fernando (2000) Desarrollo desde el territorio. A propósito del Desarrollo Local, redelaldia.org/IMG/pdf/Desarrollo_desde_el_territorio.pdf

