THE IMPLEMENTATION OF CHILDREN’S RIGHTS
WORKING WITH WORKING CHILDREN IN SOMOTO NICARAGUA

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Abstract
The United Nations Convention on the rights of the child presents a legislative framework that nations worldwide through their ratification have promised to aim for. Going from theory to practice this field study intends to investigate how the work to implement the children’s rights is carried out in reality by social institutions in Somoto Nicaragua. This essay specifically looks at how a children’s rights approach is performed in the work with working children and will therefore focus on two rights that protrude as relevant to the target group; the right to education and the right to be protected from hazardous work and economic exploitation. Furthermore, this paper considers existent criticism towards the human rights conventions for being Eurocentric in its visions and not always applicable to local conditions. Therefore the perception of working children locally in Nicaragua is examined to see how well this is in accordance with the legislation on children’s rights or if the social institutions have met difficulties in the implementation.

Fundamental in the work carried out by the social institutions has been to raise awareness in the society on the children’s rights. The conclusion is that attitudes to working children have gone through a change since the introduction of a children’s rights approach in Somoto, but what remains the major obstacle to implementation is the restricted access to economic resources.

Keywords: Childhood, Economic exploitation, Nicaragua, United Nations Convention on the Rights of the Child, Working Children
TABLE OF CONTENTS

1. INTRODUCTION....................................................................................................... 5
   1.1 Background- Working children in the informal sector of Somoto........... 5
   1.2 Working children or child labor?..............................................................6
   1.3 Statement of the problem........................................................................6
   1.4 Objective of study...................................................................................7
   1.5 Research questions.....................................................................................7
   1.6 The research context...............................................................................8

2. METHOD AND MATERIALS.....................................................................................9
   2.1 The research method...............................................................................9
      2.1.2 Selection of informants...................................................................9
   2.2 Semi-structured interviews......................................................................10
   2.3 Participant observations.........................................................................10
   2.4 Validity of the study................................................................................11
   2.5 Considerations..........................................................................................11
      2.5.1 Ethical considerations......................................................................11
      2.5.2 The impact of my presence as a researcher.................................11

3. THEORETICAL FRAMEWORK..............................................................................12
   3.1 A socio-legal theoretical approach.........................................................12
   3.2 The concept of childhood.........................................................................13

4. LITERATURE REVIEW..........................................................................................13
   4.1 Childhood-a global or a globalized concept?.........................................13
   4.2 The implementation of the Rights..........................................................15

5. RESULTS................................................................................................................16
   5.1 The Right to education.............................................................................16
      5.1.1 How do social institutions work with school assistance as a way to improve living conditions?.................................16
      5.1.2 What role do the Children’s Rights play? Working with education...18
   5.2 The Right to be protected from exploitation and hazardous work........19
      5.2.1 How do social institutions work to improve living conditions, with focus on economic exploitation of children.....................19
      5.2.2 What role do the Children’s Rights play? Working against economic exploitation..................................................21
   5.3 The normative reality; the perception of children working.....................22
   5.4 What are the difficulties and successes in the implementation of a children’s rights approach...................................................23

6. DISCUSSION..........................................................................................................25

7. REFERENCES.........................................................................................................28

APPENDICES – Interview questions.......................................................................30
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The implementation of children’s rights - working with working children

1. INTRODUCTION

1.1 Background - Working Children in the Informal Sector of Somoto

My field study was carried out in Somoto Nicaragua, a small sized town of approximately 15,000 inhabitants. Nicaragua is considered the third poorest country in Latin America. Figures from 2005 indicated that 75.8 per cent of the population lived under the international poverty line (living from less than 2 US dollar a day) while 39.4 per cent of the population were even defined as extremely poor, which is less than 1 US dollar a day (Regeringen). In 2005 it was calculated that 13.4 percent of Nicaraguans aged 5 –17 years are working (UNICEF 2). According to an UNESCO survey in Nicaragua fewer children than in any other Latin American country pass the fifth year of schooling; only 53.5 percent get this far in the educational system (Grupo alianza para la inversión en la niñez y la adolescencia 2009). This they report is due to the high figure of passing and school drop outs already during primary school. The connection is drawn between low schooling and low remunerated jobs, a figure from 2005 tells us that individuals older than 15 belonging to the 20 % of lowest income in Nicaragua had an average schooling of 2.7 years, while the 20 % of highest income counted with an average schooling of 8.3 years. However, they add, in order to build up a good safety, seen in years of education, a minimum of 10 to 13 years of studies have been calculated as a requirement for not falling into poverty (ibid.). In 1998 Nicaragua implemented their National Children’s Code, law 287, an adaptation of the legal framework of the UN: s Convention on the Rights of the Child (from now on also referred to as UNCRC) which the country ratified in 1990.

The most frequent field for children’s labour activities in Somoto is within the informal sector. This is an important fact to take into account when reading this essay since the concept of working children, depending on the reader, might give widespread associations according to what has been shown in media. In order to get a better understanding of the context in which this field study has taken form it can be of advantage to know a little more about the general working conditions of the actual children and youth in this study. According to Aragão-Lagergren in her study from 1997 of working children in Managua, the capital of Nicaragua, the informal sector is the most frequent form of making a living for the population in general, not specifically to the children. She defines the informal sector as a sector that is not taxed and does not contribute to the gross national product (GNP). Her explanation to this is the high unemployment which has pushed more vulnerable groups (youth and elder) out of the formal sector. In the informal sector little investment capital, few qualifications are required and employment is often facilitated by contacts, in general the own family (Aragão-Lagergren 1997).

While the informal sector on the countryside generally involves agricultural work for the children, in an urban region such as Somoto the informal sector is represented by work on the streets such as selling, shining shoes, bearing, car warding or by domestic work. Activities that the child perform is principally ambulatory or fixed sales of fruits and vegetables which often take place in the booth of their family, selling and preparing food such as tortilla-breads or the beverage atol (INPRHU/PANT). They also work in bearing or any job opportunity that is related to the market-sphere. There were also cases of girls working within prostitution and children working at the local garbage dump. Although children mainly
The implementation of children’s rights- working with working children

worked in the marketplace those working activities can be considered typical for the town’s working children; if it is not selling at the marketplace then the work takes place at the streets in the town’s city center or at the bus terminal. Noticeable is that shoe shining among boys was next to nonexistent in Somoto today in difference to my previous visit four years ago. The amount of working hours among the children and adolescents varies. Some of them work 7 days a week all day, others in the morning while a few of them work occasionally; when the family needs them or when they are offered a job for the day.

1.2 Working children or child labor?
There are several concepts for children that perform some kind of work activity: child labor, child work, working children and children participating in work activities to mention some of the most frequent. When I carried out my field study in Nicaragua the most frequent terminology was that of niños y niñas trabajadores which is best translated into working children (literally boys and girls). This essay does not have the intention of focusing on the use of a specific concept, however I have decided to use working children. Foremost this is the most frequently used term in Nicaragua and changing the terminology from their own include the risk of changing the significance of the content and apprehension of the theme of the essay. Second, the terms of child labor and child work tend to remove the focus from the children as subjects and rather place them as objects of a social phenomenon (Hungerland et al. 2007 p 11). My intention is foremost to emphasize that they are individuals and due to performing work activities at an early age they belong to the category that is treated in this essay. I associate the term of child labor with the prohibition and condemnation of the existence of children working which I perceive has an connotation of pity and devaluation. The term child labor suggests that there are only two options either it exists (and clearly has a negative association) or it is eradicated. Working children on the other hand opens up to more levels and allows questions such as; what kind of work activity? For how many hours? With which risks? Is it according to the interest of the child to perform the work? And perhaps more important; what can be done to change the circumstances and improve the child’s living conditions in case eradication cannot be achieved? Therefore I will use the term working child which also is accordingly to the context of Somoto as I have perceived it.

1.3 Statement of the problem
The phenomenon of working children has for a long time drawn my interest. Great is the injustice that I have seen in that there are children carrying out work I have considered not suitable for their age and missing out in what I consider to be “normal” child activities, normal for the context I have grown up in; to go to school in order to have a good education and to have time reserved for leisure such as sports and play. This opinion was fortified when I studied a course on children’s rights and found that the UN’s Convention on the Right of the Child confirmed the child’s undeniable right to leisure, the right to an education and to not have to participate in inappropriate work activities before an acceptable age. Although I was aware of that the convention was only a convention and that it was still a long way to go to have it fully implemented it all seemed very clear in what direction we should go.
The implementation of children’s rights- working with working children

In fact it was not until I ran over an article that criticized the UNCRC for being a settlement of mostly western leaders and that this resulted in that the desirable regulations often fail to take into account both local circumstances especially relevant to what often is referred to as the developing countries, but also that it did not consider whether this aims that include values were actually shared by all nations, groups as well as individuals. One of these values could be a desirable childhood. But which factors make up a good and safe childhood that permits the child to develop fully? And how do we know that the political representatives that met up to write the convention on the rights of the child hold the “truth” of what an optimal childhood is like and how this is to be achieved.

1.4 Objective of study

My objective of this study is to examine how the work to improve working children’s living conditions is carried out in Somoto Nicaragua. This I will do by looking at how social institutions, both governmental institutions and nongovernmental projects, confront the task. Furthermore I will have a look at the connection the work of the social institutions has with the rights of the child in order to investigate its accordance to the Nicaraguan legislation (UNCRC and the Nicaraguan Children’s Code). Particularly two rights appear to be relevant for this context and will thus be taken into account:

1. The child’s right to education, since work is often seen as an impediment for the child to finish school
2. The right of the child to not be economically exploited which stands out as deeply relevant in a context where children incline in work activities before they have reached the legally permitted age, which in the case of Nicaragua is 14.

Education and liberation from hazardous work are factors that are widely attributed to the period in life called childhood. Studying the theme of working children I have more than once met criticism in the literature of the UN:s International convention for in fact not being that International but rather Eurocentric in its content and visions. I will therefore look at the “normative reality” in Nicaragua to see how working children and childhood are perceived. My intention is not to deny the importance of the convention but rather to apply a critical approach to it in local circumstances, in this case Somoto Nicaragua and to examine how the feasibility of the implementation of the children’s right is perceived by local social workers.

1.5 Research questions

How do social institutions in Somoto Nicaragua work with education and protection from economic exploitation as a way to improve working children’s living conditions?

What role do International conventions and National legislation on the right of the child play in the work the social institutions carry out?

Is the “normative reality” in Somoto in accordance with the international conventions and national legislation?
What are the difficulties and successes in the implementation of a Children’s Rights approach?

1.6 The research context

The working children and adolescents that I have met during my field study have in common that they are inscribed in some supportive activity. The majority are enrolled in the project where I did my participant observation; Escuelita del Mercado – or ‘The little school on the market’. The project is situated just next to the local marketplace in the small sized town of Somoto and has a proclaimed focus of attention on the children and adolescents working at the market. The aim of Escuelita del Mercado is to strengthen and improve the lives of children working in the market and other young people in great risk due to factors such as domestic violence or abuse. Their work is carried out by offering recreation, individual and group support, handicrafts, workshops and monitoring with school and family to encourage school assistance. Other arenas where I have come in contact with working children are through the Ministry of the Family and an organization called DINAMO. With these two organizations interviews were carried out. DINAMO is a Spanish led project with the two main objectives being to prevent school dropout and to defend the children’s rights. A fourth organization that provided material for this study is Movimiento Comunal Nicaragüense (MCN), a community based social organization working to improve living conditions by focusing on the human rights to health, the right to education and to decent living standards.

The children and teenagers enrolled in the project Escuelita del Mercado are in the age span of 2-19, my main focus however has been on the older children and teenagers as they were the ones who assisted in workshops I observed, who participated in my interviews for this study and in general was it to the older children that I developed a trust to and shared talks to when I visited the project. The great majority of the children and adolescents attending the project do attend school or did at least finish primary school before dropping out. I am not sure whether the relative high figure of school assistance can be adopted to Somoto in general or whether it should be attributed to their participation in a supportive project. As far as I am concerned all of the enrolled children had a home (to avoid confusion with children living on the streets), in general living with at least one of their parents or a grandparent/aunt, in exceptional cases with a substitution family. It should however be taken into account that the family’s situation in many cases was described as unstable and that the economic resources were scarce, not all children knew if they would have a meal when they came home that same night. Also, from talking to children and to the staff I learned that domestic violence is very frequent in the children’s homes; there were also several cases of children that were known to be sexually abused and others whose parents were temporarily absent.

2. METHOD AND MATERIAL

8
2.1 The research method

My field study in Nicaragua fore and most has the nature of investigative research. Due to the study’s aim to discover attitudes and examining the role the children’s rights play in the social institutions work the challenge had to be faced by typical research methods for a investigative study such as observations and interviews (Rosengren & Arvidson 2002). Especially important has it been to adopt to this approach since the field and the environment to me was relatively unknown and to investigate it has been necessary in order to gain basic knowledge about the working children’s conditions and possibilities in Nicaragua. Since I could possibly not have known exactly what I was to expect the investigative research approach has been advantageous since I trusted that the research process would lead me forward which was especially obvious in choosing the sample of this study. Before entering the field I did not decide on what social institutions I would turn to for information, with the exception of the project where I carried out my main observation. During the field study I discovered however which institutions that were key informants. By developing contacts within the social field in Somoto this also led to unexpected invitations to workshops and reunions that retrospectively appear to be of great importance to this essay. Contributions I never could have planned on forehand.

2.1.2 Selection of informants

In Somoto there is a considerable amount of social institutions working with children. I have in my study limited the research to involve four institutions that I considered as highly relevant in the work with working children. The ones that have been studied in the end can be said to have been chosen through the “snowball effect”, a term Denscombe (2000) uses to refer to how a researcher gets in contact with your informants through other informants; one contact leads to another. My base in Somoto was the project Escuelita del Mercado and from here I was introduced to other social organizations, that all cooperated with the project in one way or another. An overlook of the cooperation has also facilitated for me to see the whole picture since each institution aims at different needs of the individual and each is working with different methods.

Key informants in this essay have also been a few of the teenagers from the project Escuelita del Mercado. They were asked if they wanted to participate and be interviewed. My sample of teenagers was taken with respect to; their age and maturity since I had chosen not to interview younger children and secondly I took into account their availability in that the interview would not mean an interruption in their work. All children and teenagers that have been included in this essay, both in observations as well as in interviews are all connected to, or member of one of the social institutions included in the study.

2.2 Semi-structured interviews

In this field study a total number of five people have been interviewed. Three of them were teenagers enrolled in the project Escuelita del Mercado and two were social workers employed at two different social institutions working with working children in Somoto.
The implementation of children’s rights- working with working children

The interviews I carried out can best be defined as semi-structured (Denscombe 2000). On forehand I had planned the content of the questions according to the problem I wished to examine. Thus in the interview situation I had a list of questions I wanted to discuss with the informant. The questions asked to the social institution were equal and so were the ones I posed to the teenagers. I wanted to avoid staying too strict to my questions and was open to temporarily leave the focus if something else of interest was brought up by the informant. Having a prepared list of questions did however facilitate for me to get back on track again so that none of the parts I was there to investigate would fall out. Another major reason to use already prepared questions was due to language limitations. Both in the sense that this gave me a chance to prepare the questions in a language that would be well understood and also that my experience is that it is slightly harder for me to be spontaneous and ask attendant questions when carrying out an interview in Spanish, but the list served as a backup for me. The interviews were recorded and once back in Sweden transcribed to profit the maximum from its contents. The content of the interviews as well as the field notes from the observations have been coded according to their central ideas.

2.3 Participant observations

My main objective when deciding to do a participant observation was that I found that the social phenomenon of working children, and that the Nicaraguan social system to me was next to an undiscovered field. To carry out a field study of approximately 2 months without gaining awareness of the children’s point of view would be missing a great deal of reality, I thought. The observations have contributed to discovering attitudes towards working children and especially the children’s own perceptions of childhood. Furthermore the observations were crucial to find out how the work at the project is carried out.

Henriksson and Månsson (1996) write that participant observation is a way to examine a phenomenon by striving to see it from the same perspective as the group that is being studied. By approaching the subjective importance of the phenomenon the researcher can understand how it is perceived by the specific group itself. I drew the conclusion that the only level of observation that would be realistic to carry out among children would be by participating in the group. To perform observations on a distance I believe would have been met with suspicion among the children even though, of course, the purpose had been explained to them. More importantly; integrating into the group enabled me to get a good understanding on those children’s living conditions, which my research method complied with to a satisfactory level. My position at the project thus became that of a volunteer worker.

Henriksson and Månsson underline the necessity of considering the ethical perspectives when carrying out observations and also to take into account what impact your presence, on the group you are observing could have. I will get back to this under ethical considerations.

2.4 Validity of the study

In order to strive for a trustworthy result of my study I will use several research methods, a technique that Watt Boolsen refers to as triangulation (2007). This method can be considered to be a way to strengthen the validity of the result of a
The implementation of children’s rights- working with working children

qualitative study. My participant observations and interviews are complemented by existent research on working children in the informal sector in Latin America and literature on the convention on the rights of the child. To compare one’s results with, and take into account similar studies that have been carried out is what Svensson & Starrin (1996) refer to as external validity. Furthermore this result will be seen in the view of an appropriate theory which will further strengthen its validity.

2.5 Considerations

2.5.1 Ethical considerations

My principal ethical consideration during the whole research process was to decide to which extent I would let children participate in my study. Initially I saw this as an obstacle and wanted to avoid it, but I soon came to the conclusion that a study of working children cannot exclude the group that is treated in the research. To grasp the living conditions of the working children I had to be around working children, or my essay would have lacked human touch.

Looking at the interviews I decided to actively include three teenager’s voices (of which one was 19 years old and therefore no longer a child according to the law though). On the one hand one can argue that they are still minors according to the law and should be protected. Yet on the other hand the teenagers I chose for the interviews had been working since the age of seven or eight and one of the informants will now at fifteen become a father. Their experiences normally associated with adulthood do not make them less vulnerable or more grown up than other teenagers, but to me these factors put the situation in a new light. Furthermore I found my questionnaire not to contain especially sensitive questions to answer. Fore and most it is important to take into account that excluding the youth would add up to make them the objects without their own voice, a research I would not like to take part in.

2.5.2 The impact of my presence as a researcher

The presence of European volunteers at the project and in the town was not a new phenomenon and I did not perceive that I was met with any suspicion from the children nor the social institutions. In the case of the children I did not hide my intention for being at the project but put it as such: “I’m here to learn more about your lives for an essay I am writing for my University”. It should be mentioned however that it was only teenagers that posed the question of what I did there and never the younger children. In one case during my observations I realized that my presence affected the group in that one employee at Escuelita del Mercado once had put forward preoccupations to the coordinator of the project of how she was perceived as a teacher by me. This should be seen in light of that this project is economically supported from Sweden and she might have seen me as a supervisor of how she performed her job which was not the case. That was a situation that I pitifully regret and I realized that I could have been clearer about my position and aims when introducing myself.

Considering how I was perceived in the group I believe that there are several factors to take into account. One being for as an adult, which in this project sometimes equaled to being named “profe” (teacher) - a term that I with time learned to accept although it was misleading to my objective of being there but correct in the
The implementation of children’s rights - working with working children

sense that I took the role of a volunteer *profe*. A second factor is my origin: me being a foreigner (especially for being Swedish in the case of the employee that felt supervised), which in my perception in Nicaragua increases your status noticeably. Third and last my Spanish affected not just how well I was understood but also how I perceived things around me, which could have led to misunderstandings.

I do acknowledge that my active participation in one of the projects included has had an impact on this paper. As a participant observer I took part in the work of one of the social institutions of Somoto. It is therefore likely that I share, and have been influenced by the young people and the colleagues regarding perspectives of the issue studied, an influence that I never intended to avoid. However, the observations as a research technique applied by me for the first time had me puzzled at moments, especially in understanding my role at the project. Questions such as:
- When am I a researcher and when am I working at the project?
- And if the two always coincide, what is the information that I can leave out in an essay without breaking a loyalty that has been developed during two and half months?

These are examples of questions that I have asked myself and dealt with during the process of this study.

**3. THEORETICAL FRAMEWORK**

**3.1 A socio-legal theoretical approach**
According to the legal sociologist Håkan Hydén (1999 p 9) norms can be understood from different aspects; either as an expression of what is an accepted and normal behavior, but can also serve as a guidance for how the individual should act in certain situations. Within the field of law and legislation, normative systems can develop from an intentional construction of legislation. This development however, cannot take place if there is no reciprocal dependence between the system and the operator. Hydén draws a connection between power and norms, and shows that values and norms when being formulated by holders of power can take the shape of being neutral (Hydén 1999 p 13).

Patrik Olsson has been studying working children and normativity in the Paraguayan society from what he defines as a socio-legal perspective. He claims that not only is the realization of the children’s rights dependent on the national political will or legal systems, which according to Olsson are relatively easy to carry out but the difficulty lies in implementing a new normativity since the children’s rights are strongly dependent on the prevalent social norms and the norm-structure in the society. The writer also presents the Convention on the Right of the Child as an example of agreement under the legislative system that with its implementation is supposed to change the prevailing norms. Its intention is also to form an International standard for what is to be considered the best for the child (Olsson 1999 p 83). Also the UNCRC as an International legal framework has the function to serve as guidance when implementing a national version into the legislation (Olsson 2003 p 27). The legislative system represents collective interests made up by political and social systems. Apparently there exists a need for a common agreement, which in its turn affects values and norms, creating socializing norms
The implementation of children’s rights- working with working children

which in their turn are being reproduced. This is possible according to Olsson because the human being is subordinated to prevailing norms.

It is not a new phenomenon that children are being economically exploited, to Olsson, the only difference today is that there exist International agreements and National legislation that have been set up in order to protect children from the exploitation. Since legislation and reality are sometimes widely drifting apart he says that this provokes a situation where children live in a surrounding where the law, and the current socio-legal system tell them one thing but the prevailing norms might say something else. The latter being what Olsson refers to as the normative reality. It is this normative reality, when it opposes the implementation of a legislative system that makes up an obstacle, what Olsson calls; a normative contra force (Olsson 2003 p 3).

3.2 The concept of childhood:

During the 20th century the idea of the child as innocent and unconscious gained ground in the Western world. Children have been seen as holders of a natural goodness and the aim of parents as well as the school’s education should be to maintain as much as possible of this innocence and not let the dark influences in the society affect their nature. Since the innocent child must be protected from negative influences this has also involved that the adult must take responsibility of the defenceless child and protect it (James, Jenks & Prout 1998 p 14).

4. LITERATURE REVIEW

4.1 Childhood- a global or a globalized concept?

Jo Boyden (2001) points out that from depicting the child as innocent and defenceless a necessity to defend the child from harmful circumstances has led to the introduction of their own special legislation. The most well known today ought to be the UN:s Convention on the Rights of the Child. This convention’s objective is to promote safety, happiness and security to the child (Boyden 2001 p 190). The author states that the objectives that lay ground to the convention represent a protected childhood with values originating from Eurocentric ideas (Europe and North America) of what is best for the child- ideals that are not automatically applicable in all contexts (ibid, see also Hungerland 2007 and Lyons et al. 2006). Not only have the ideas of childhood been considered Eurocentric in its construction, but also predominantly individuals from what is often referred to as the western countries where those who set up the Human Rights Conventions (Lyons et al. 2006). The ideal childhood would be implemented through education in schools and through the family. Here the child would be fostered socially responsible and their productivity would increase if the introduction to the labor market was postponed (Boyden 2001 p 193). However, this came with the risk that the youth would end up in immoral behavior if they did not receive the appropriate training in school nor at home. This is an idea that has been kept, claims Boyden, and up to today children’s development problems are ascribed to the families for being dysfunctional by neglecting, abusing or the collapse of a family. For instance when accusing parents of exploiting their children economically when they send them out to work, as a commodity for themselves (ibid p 194). Not only were the children to be trained to good citizens in school and at home,
but another important factor in the Western vision on child development was to keep the children away from the streets that represented danger and social chaos (Boyden 2001 p 196). Boyden continues with saying that this Eurocentric perception of the innocent child that should be protected from the streets has been set up as a norm in the construction of the human rights. The norms of a European and North American ideal childhood have been exported to the South and besides being vital in human rights legislation has it also been implemented in the National social policies through which the welfare agencies and schools of many Southern countries today work (ibid. p 197). Ratifying the convention put the main responsibility on the State, but adds Boyden, leading institutions in the debate and promoters of the children’s rights have been the non-governmental agencies (Boyden 2001 p 216).

Boyden writes that when working on the draft to the UNCRC, there were voices raised from leaders of Southern countries, expressing discontent due its far too Western orientation and that little account was taken to diversity in culture and economic possibilities (ibid. p 204). One factor could be that the human rights to a large extent focus on the individual whereas in some communities the best for the whole group is of larger importance than the individual’s interest. Another example of when local circumstances are not being taken into account is where work at an early age in fact is seen as a natural introduction into the community or when the families’ subsistence is dependent on the income of the child. But, the author reminds us, the conception of rights is closely connected to political systems and cultural traditions, as well as economic circumstances (ibid. p 218).

The view that equality of opportunity should exist for all children is very attractive and is certainly extremely just and humane – especially in light of the widespread exploitation and maltreatment experienced by so many young people in the world today. However, research in sociology and social anthropology suggests that childhood, within certain biological constraints, is a social construct which appears in a variety of forms.

Boyden 2001 p 203

School is often seen as the main alternative to work in improving the child’s possibilities and keeping it off the street with its risk of sluggishness, but Boyden also points out a few negative factors or consequences of schooling. First, the counteractive effect it sometimes has in that children in fact have to work in order to afford school uniform and utensils (Boyden 2001 p 212). Secondly, there is a frequent problem of poor quality of education and a lack of opportunities to upward social mobility given although the child assists school. These are examples of circumstances that need to be taken into account when understanding why parents decide not to send their children to school. To conclude, Boyden questions whether this model of ideal childhood that she perceives has been imposed on the South is always better for the child’s welfare than other perceptions of childhood. Instead of focusing on what is best for the child, the main attention is given to whether nations are complying to what they have ratified or not.

In one of the most potent models of globalization emerging at present, the Convention is used as a policing mechanism to bring governments and others to account. In these cases, so confident are the enforcers of international standards that they inhabit the higher moral ground, that they believe unilateral action to be fully justified.

Boyden 2001 p 220
4.2 The implementation of the rights
Grugel and Piper (2007) write that the Latin American countries were all very quick at ratifying the UNCRC. This they to a large extent ascribe the political situation after the 80s when the majority of the continent was stepping out of an époque of dictatorships. They wanted to show their good intentions and not exclude themselves from an International community, as the authors put it (ibid p 144). However they conclude, the ratification has been followed by few policy responses due to weaknesses in the democratic institutional system and the fact that the continents conservative elite tend to show resistance to reinforcement of the children’s rights. As they put it; the children are very much visible on the streets, but in the politics they are invisible. In their analysis of implementation and regulations of rights they find that the poverty of the continent should not be seen as due to lack of material resources but in fact for having the world’s worst distributed resources. Differences between the higher and middle classes and groups living in poverty are huge, an injustice in the society that Grugel and Piper say has been normalized, and the poverty is especially deeply rooted among children (ibid p 131):

These myths of childhood as a universal experience of cosseting, pleasure and learning have served to reinforce the differences between the lives of some children in the North from most of those in the South, and the children of poor families from those of the well(-)off or rich. Along with material processes of impoverishment, they have contributed to the global social marginalization that now characterizes the lives of most children in the developing world

Grugel & Piper 2007 p 90

Despite the difficulties, Latin America is being held forward as a region where the Children’s rights convention has been important and has changed the advocacy for children. It has been fore and most the nongovernmental organizations that have used children’s rights approach in their work by setting up campaigns and improving the cooperation between NGOs in the local societies. This has been successful in increasing the awareness and putting the children’s rights and problems on the agenda (Grugel & Piper p 129). Nevertheless even if the campaigns have been successful in creating awareness, they still lack the economical resources to change the conditions of the poorest communities. According to article 4 of the UNCRC the governments are supposed to implement to the maximum extent of their available resources (UNICEF 1).

5. RESULTS

In this section the examination of the work of the social institutions is divided into two subtitles; topic 5.1 focus on education, and topic 5.2 focus on economic exploitation. The two topics are initiated with the legislation which is followed by a presentation of how the social institutions work and separately what role the Children’s Rights play in their work. In 5.3 and 5.4 the normative reality and the implementation of the rights are dealt with.
The implementation of children’s rights- working with working children

5.1 The Right to education

The article 43 in the Nicaraguan Children’s Code claim the right of the child to an education that fully develops the child’s possibilities. The Nicaraguan state assures a compulsory primary education, free of charge to promote availability to, and continuance in school. No child or adolescent within a state owned school will be not registered, nor carry out their exams nor receive his or her diploma due to economical reasons. Additionally, according to article 47 the Nicaraguan state ought to adopt measurements to promote regular school assistance and to reduce retention and dropout rate. The articles 43 and 47 have much in common with the article 28 in the UNCRC, with an additional part in the UN convention worth mentioning: The state shall take appropriate measures such as the introduction of offering financial assistance in case of need.

5.1.1 How do social institutions work with school assistance as a way to improve living conditions?

An organization focusing on working children that is very much related to school assistance is DINAMO. Fundamental in their work is that they offer grants to working children and maintain contact with the child and its family to guarantee that the child’s rights are not being abused. A condition that the family is to agree upon in order to receive the grant is that the child stops working as far as that is possible, or at least that the number of hours of working activity is reduced. That is; the grant, in this case of 15 US dollars a month is supposed to replace the income the child has from working so that she or he instead can dedicate this time to studies.

I was also informed that there is cooperation between DINAMO and the head teachers and the teachers at the schools these children go to. The agreement gives the social educators at DINAMO the right to enter the schools while the school teachers are asked to fill out a monthly form of how the child is proceeding in school, to make sure he or she still attends classes and to act as a reference to DINAMO in case something happen to the child. When directing a question of whether this cooperation with the schools is successful I perceived a certain hesitation, but then the social educator pointed out that there are school teachers that have shown great interest in the project and that on the side of DINAMO they have observed how some of the teachers have started to show more comprehension for the child's life situation and are eager to help them out.

A second institution in Somoto that has education as their central core is Escuelita del Mercado. Its main objective concerning the education is to make working children aware of the importance of having an education. One of the ways of promoting their aim is by offering daily reinforcement lessons which are given by a school teacher to an inscribed group of some 15 children that need extra help to advance in the school system. Having a school teacher working at the project has also opened up for cooperation with the schools; the woman working with the reinforcement lessons regularly participates in workshops and thematic training with the other school teachers facilitating an exchange of experiences and methodology, which is complemented with recurrent and planned visits at the schools the working children attend. It is only since June 2009 that they have a school teacher at the project and are offering organized lessons in the afternoon. In a chat with the woman working there I found out that the reactions among the children’s regular school teachers have been very positive, whereas many of them had com-
mented that they had seen a difference in the child’s learning process since it started to assist the reinforcement classes. During my interview with a representative for the Ministry of the Family she mentioned an example of a child that they attended and that had huge problems to keep up with his school comrades and that did not learn to read and the adults were starting to give up on him. The Ministry of the Family had then recommended that the child was inscribed to Escuelita del Mercado’s school reinforcement. Three months later when the family ministry paid a visit to the school the teacher told her of the astonishment over the boy’s improvements lately, which she fully attributed to the project. Beside the lessons there was always a possibility to receive help with home work when necessary. Talking to a teenager at Escuelita he told me that they always got the help they needed with school reinforcement and help with their homework. This was also my impression from my observations. When a child or teenager came in during the day asking for help with school work this was in general prioritized by the staff that would leave other activities aside.

During my observations at the project I often heard children asking the social promoters whether they could spare them a notebook for school which was always handed out even though the resources were scarce, and if it was not a notebook few were not the times they asked for a pen or something else that was needed for their studies. As the projects coordinator commented upon it; how could I not give a child a notebook for school if that is the one thing they ask for when what we want is for them to study? Another important contribution to school assistance that has been pointed out as a main objective and that is of great importance is the encouragement. During my two months at the project I frequently heard the staff talking to the children with commentaries of how important it was to have a good education and motivate the children not to drop out. This was often done by putting forward teenagers from the project that functioned as good examples; children that initially had not even been inscribed in school but that now in a late childhood struggled to finish both primary and secondary school, or the young people that had fought despite hard working hours and other misfortunes and now had reached University et c. It is all part of the constantly, both by the children as well as the adults used term: “Seguir adelante”; to go on, to keep up the struggle. Also there were a few warning examples being brought up, such as the kids dropping out of school and then soon got involved in drugs, hanging around on the streets neither studying nor working and not seldom getting into one of the towns several teenage gangs; “vagancia” – sluggishness.

My impression was that the project had a function of control in making sure the children went to school. Classes in Nicaragua are divided into either morning, afternoon, evening, Saturday or Sunday-classes, most of the children however take either morning or afternoon classes. If a child that takes classes in the morning hung around the project at 10 a.m it could very well expect to be asked why he or she wasn’t in school. At the same time I would like to add that when I use the term “control” it was rarely followed by reproach or accusations but an explanation as “I got away too late this morning so I decided it was too late to go to class” or “I don’t feel well so I can’t go to school” (and illness that however did not stop anyone from spending a full day at the project) were usually nodded at but it became a preoccupation when it turned out that the child was about to leave school for having missed classes, or when it came to the knowledge of the staff that the youth had family/ work related problems or was involved in some behavior considered inappropriate (in the case of young girls for “hanging out with boys” instead
The implementation of children’s rights—working with working children

of studying and in the case of boys for hanging out with teenagers known to be involved in drugs or gangs) and therefore did not go to school.

5.1.2 What role do the Children’s Rights play? Working with education

As the social educator at DINAMO put it; by offering the grants and thereby either decreasing the hours of labor or in the cases when the children totally stop working, the project of DINAMO defends the right of these children:

A condition to receive the grant is that the number of working hours are cut back on or that the child stops working permanently, in this we are defending their rights. We are promoting the Right to education, the right to not be exploited... Also we are enabling them to finish [school] without obstacles because when they have to go out to work or to sell, this reduces the ability to learn in the school system.  
Social educator at DINAMO

It is not rare that the result of long working hours result in deficiency in classes and loss of motivation to attend school, but thanks to the grants children get the opportunity to dedicate fully to their studies, says the representative of DINAMO.

The informant at the Ministry of the Family told me that what marks the working child is that it is practically violated in all its rights, which she clarified by saying that the working child has less time with his or her family and they know that they have to work to survive which injures the youth. She also added that the working child attends school less than other children due to working hours or exhaustion from work. Working children have worse alimentation and are likely to be exposed to humiliations and risk of robbery on the streets.

Sometimes the ways of carrying out the rights can be even more direct. When talking to a 19-year old male student that visited Escuelita del Mercado daily, I was told that as a small child he was not registered at school. He started to go to Escuelita del Mercado at an age of nine and the coordinator of the project had then personally brought him to school to have him enrolled. So it is not only a matter of maintaining the children at school, but some children are encountered that have not even been registered at the school system (and in some cases neither in the civil register and are literally brought to register at school).

5.2 Right to be protected from exploitation and hazardous work

In the Nicaraguan Children’s Code we find the articles 73, 74, 75 and 76 that regulate the prevention of economic exploitation and hazardous work. According to the Code it is forbidden in Nicaragua to hire an adolescent under the age of 14. Further on adolescents may not carry out work in hazardous environments, work that may be a risk to their own life or that interferes with their health, physical, psychological or moral integrity. Given examples are: Work at garbage dumps, at mines, night entertainment or during nightly hours in general. The state, private and public institutions as well as family and school are expected to offer special

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1 la condición de recibir la beca es que disminuya las horas laborales o definitivamente que deje de trabajar, entonces hacemos defensoría de sus derechos. Estamos promoviendo el derecho a la educación, el derecho a que no sean explotados... Estamos también permitiendo que se prepare sin obstáculos porque el salir a trabajar y tener que ir a vender disminuye la capacidad de aprendizaje en el área escolar
attention and protection to children working and/ or being economically exploited. In the United Nations convention on the right of the child the article 32 regulates the protection of children carrying out labor activities. Here specifically is mentioned prevention of work that is hazardous to the child’s education.

5.2.1 How do social institutions work to improve living conditions, with focus on economic exploitation of children?

The project DINAMO besides working to facilitate the school assistance of the children, parallel work with raising an awareness of the consequences that the exploitation of the children might cause. As the social educator at the project working with working children pointed out; if the children do not reach a decent level of life then it will also be necessary, not only to direct the promotion of the rights to the children but also to work with the community and the children’s families. In this case especially the mothers become focus of the work by offering conversations and workshops. Examples of themes that had been up were personal hygiene, problems of the mothers and commonly the problem of violence within the family. The social educator was of the conviction that it was more common for the families she met in her work, living under conditions of extreme poverty to live in a situation of violence than families that do not have the necessity to send out the children to work. She also meant that it is all connected to a vicious circle of violence; not only do the young people live in at home but as they are working on the streets they witness a lot of violence and this is what they learn and reproduce in school and with their own friends.

Another issue to encounter when working with the community and the families brought up by my informants is the role the child has been given. The social educator at the Ministry of the Family that I talked to said that a major problem is that the children, from working at such an early age assume responsibilities of an adult, and miss out on the right to be a child. She said that they had taken on the responsibility to inform the parents about their child’s right to be a child; that they have the right to recreation, social participation and to do sports et c. Activities that the children sometimes are prohibited to participate in, said the social educator because the parents fear that they will ruin their shoes. The informant of DINAMO also talked about the imposed adult roles the children get. How, the way she perceived it the children were made an object for the family to have an income which put them in an adult role that was not theirs and that impeded them from getting an adequate learning for a child of his or her age.

Working with the community also includes the employers. It is true that many of the working children in Somoto work with their parents, for instance selling the tortillas the mother or sister have baked or selling fruits and vegetables in the family’s booth. There are however also children working for larger scale employers. An example of this was mentioned by the representative of the Ministry of the Family. The town of Somoto is famous for their baked corn cookies named rosquillas and often one can observe children selling these cookies at the bus terminal and on the buses. At the Ministry of Family I was told that the rosquilla cookies in general are baked at larger bakeries and then children sell them with a very low personal profit. The Ministry had led a campaign with the town’s employees and the work intermediaries of rosquillas to impede that they engage the children in selling the cookies, or at least decrease the number of working hours to assure that they can assist school. This job of raising awareness has been carried out not only
The implementation of children’s rights - working with working children

with the rosquillerías, the producers of the cookies but I was also told about how children and adolescents gambled with their money. The Ministry of the Family in coordination with the police had worked with the casinos to impede the children’s involvement in gambling. As the employee I interviewed concluded the theme; it seems now that the society assumes a greater responsibility and even more; they are aware of that the liability falls back on themselves as well in case something happens to these children.

Escuelita del Mercado’s location close to the market, where the majority of the children work, is put forward as an advantage by themselves as well as by other social institutions. Their presence directly at the working site makes it possible for them to intervene when they spot children that are in risk due to hazardous work. A first step when abuse or exploitation was detected among children at the market was to contact the employee or/ and the parents. The project’s coordinator told me of cases when she had arranged meetings with the child’s employee and persuaded him or her to decrease the burden of work or the working hours and ask them to take the child’s age into account. There were also cases when the exploitation could not be easily solved and the project then reported unsatisfactory conditions to the institutions such as the Ministry of the Family or the Women’s commission. This had especially been the case when girls had suffered sexual abuse for commercial purposes.

However, Escuelita del Mercado’s main objective is to work preventative, not only do they work with children on a daily basis directly in the field and can thereby early spot mistreatments at an early stage by trying to keep a communication with the children, but also did they carry out workshops with the children and the adolescents. Among these topics were violence, sexual abuse and self esteem. To some of the workshops parents had been invited in order for them to learn what rights the children have and to persuade them of the importance of school assistance. In addition, the prevention of abuse and exploitation was daily directed by the staff to the children in informal conversations and subtle signs as the room’s wall decoration of posters saying no to abuse of children. Another form of reinforcement of the children’s right is through organizing a board of children and adolescents with the intention that the participants are supposed to prepare themselves for adulthood and to learn leadership. As the teenagers taking part of the group pointed out; they saw themselves as a support to the coordinator of Escuelita, the board would back her up when some project turned up.

An organization that organizes activities for children working is the social movement Movimiento Comunal Nicaragüense (MCN). At two occasions I had the opportunity to accompany a group of youth to activities led by MCN. The first time was a workshop discussing sexuality. At the second occasion they organized a half day workshop only for the children going to the centre Escuelita del Mercado, on the theme leadership. It is through this kind of educational and fortifying workshops that Movimiento Comunal carry out their work with youth in Somoto, whether they are active in working activities as well as the youth from the middle class. Not only Movimiento Comunal offers trainings and workshops, but this is also organized by other social institutions and themes that had been treated were HIV/AIDS, domestic violence and child abuse.
5.2.2 What role do the Children’s Rights play? Working against economic exploitation

I was informed that DINAMOS work was based in the legal framework of the Children’s Code. Not only do they work to strengthen and defend the right to an education but they also aim at empowerment of all human rights and try to create an awareness of the consequences for the child of carrying out a work that brings out child exploitation. A task that requires that the family and the community are included since according to my informant the working children are victims of their circumstances, for being working children they are not being accepted and are exposed to violence in all spheres; within the family as well as in the streets working.

One adolescent I interviewed evaluated the rights as positive because they will, as he put it, defend the child from any kind of abuse and violence. The importance of reinforcing the rights in order to prevent children from suffering violence was also brought up several times when I talked to one of the teenagers at Escuelita. He thought it important that there existed institutions that informed about the rights of the child when they were being mistreated. In his view, a main preoccupation is that those parents are who do not understand, who are not aware of the rights the children have, are the ones that often mistreat and beat their child. Not only does the teenager mention mistreatment of children but he also brings up what he calls; “the example that never fails”; the mistreatment of the mother by the father. He said he was enabled to learn and defend the rights of the children from what they had been taught but now when getting older, he had also learned what rights the mother had. In this context he put forward the social institutions that he had got to know and said that they have helped by making the children and their families understand what the children’s rights mean. The interviewed boy meant that the teenagers could use the rights of the mother to put up against the father, tell him to stop beating the woman and hopefully by conversations they would manage to get him to stop beating. He said that the defending their rights and intervention was one important thing that he had learnt from the coordinator of the project Escuelita. Not only do we children learn from our parents, said he, but our parents learn from us:

You can say that Escuelita is like a door that makes things easier, it is like a door into the future. From now on things will not be the same; the family, the studies and all that, but easier².

Teenager at Escuelita del Mercado, 15 years

At the Ministry of the Family I was informed that two articles in the Children’s Code forming the foundation of their work is article 76 on social protection and the article 24 about parents assuming the responsibility for their children. The social educator pointed at the responsibility that initiates from the day the child was born with the registration of the child and includes the liability to enroll the child into school as well as sustaining economically for the child. A major problem that the representative at the Ministry of the Family saw in the economic maintenance of the child was that the father, to a much larger extent than the mother did not assume their responsibility and often left the other alone as the

² Es como decir que la escuelita es como una puerta más que da facilidades, es como una puerta hacia el futuro. Ya no va a ser como antes la familia, los estudios todo eso, más fácil.
head of the family. Therefore their work was directed to assure that in firsthand
the parents assumed their full responsibility for the child. Article 76 embarks not
only protection from economic exploitation but guarantees the governments and
both public and private institutions protection to children in any condition that
requires extra protection; such as neglect by the family, abuse or drug addiction.
The articles are fundamental in the work with parents in creating awareness when
they found that they were not assuming their full responsibility for the child, said
the representative for the Ministry of the Family.

5.3 The normative reality; how is working children perceived in
Somoto?

When asking the teenagers of how working children are perceived in Somoto the
three of them agreed upon that it is seen as something completely normal. Which
was also the first reaction when I posed the question to the social educator at the
Ministry of the Family, she said: *It is something normal, what is most common*. A
teenager said that it is seen as any work, performed by any person; they don’t
make a difference between child and adult. However as another youth reported
there is one exception:

On one hand it [the work] is accepted since we are helping our moth-
ers, but on the other hand it is not accepted, for instance the people
from other parts, they don’t look good at it, people from places that
are not close to here. They say that the duty of the child is to attend
school and not to work on the streets, this is one’s duty, to help our
parents so that they can take us forward in our studies.

Teenager at Escuelita del Mercado, 19 years

The other teenagers also confirmed that it was their duty to help their mother and
father out by working. The argument that the teenagers feel pleased to work since
they know that this is to help their mother is a common opinion among working
children said the social educator at the Ministry of Family. Bringing in an income
to the family and being the one that assures that there is dinner on the table she
says makes them feel like they are the king of the household, they feel useful to
their family. The same teenager also told me that his work has been a great advan-
tage to him for giving him a good reputation in the community:

The work has been important to me because, for instance neighbors
do not treat us like gang members but as good people, because we are
not hobos hanging around in the streets...yes, it is seen with respect at
home and in the streets that we are workers.

Teenager at Escuelita del Mercado, 19 years

But parallel to this respect that the teenager has experienced being a working
child, other sources tell the opposite and point to the humiliation the working
children have to go through and how their rights are not being taken into account.
At the Ministry of Family I was told that the problem of maltreatment continues
and that these children’s position is seen as quite the opposite of the boy’s experience. Instead of being met with respect I am told that the children that work as sellers on the streets are sometimes seen as thieves.

The teenagers’ appreciation that work performed by children is considered the same as work carried out by adults is contradicted by the institutions. Instead I am told that the phenomenon of working children once used to be seen as completely normal, as a learning process, but that this attitude has gone through a change the last years. Both DINAMO and the Ministry of the Family appreciate that it is thanks to governmental and non-governmental institutions that there has been a change in attitudes. This change in attitudes they attribute to groupings of organizations, NGOs that have worked in Somoto, that there has been an efficient cooperation. The number of working hours and the risks during work have decreased, said the representative of the Ministry of the Family. She continued with saying that today there are fewer children in the corner streets of Somoto selling or shining shoes. That this latter group had gone through a drastic change in its existence was being brought up several times during my stay in Somoto, today it was considered a work that had almost been eradicated among children in the town.

5.4 What are the difficulties and successes in the implementation of a children’s rights approach?

I asked the social institutions whether there are parts of the Children’s Code they have found difficult to implement in real life. I was met with a yes, but also with gratitude to what the Code had made possible. At DINAMO the representative saw the Code as juridical instrument for protection of the children, but as she put it:

_I believe that the code has helped out on the surface. It has helped us as institutions to promote the rights of the children but it has not helped us to cure, what could be said to be an illness. Because the illness is real, it is all the conditions that these children are living and their rights are not being fully fulfilled_.

Social educator at DINAMO

What is repeated by the social institutions is the insufficient capacity and the lack of funds to implement a work with a children’s rights approach. The representative from DINAMO added about the Children’s Code:

_It is not really landed in our context. A huge investment of millions and millions of money would be necessary to create the conditions that the Code speaks of for these children_.

Social educator at DINAMO

At one occasion I was invited to participate in a reunion on the governmental investment in areas concerning children held by CODENI; the Coordinating Nicaraguan Federation of NGOs working with Children and Adolescents. At that time
they were working on a campaign called *Ponete en mis zapatos* or “Put yourself in my shoes”. They demanded more public investments into areas affecting children. CODENI saw that as a result of the financial crisis the government had seen itself obliged to cut down in public spending. CODENI concluded that a total of 31.2 per cent of the public spending reduction will be connected to institutions working with the basic rights of children and youth. Heavily affected institutions are: the Ministry of Health, the Ministry of Education and the Ministry of Family (CODENI 2009 p 7). The conclusion is drawn that the crisis will for and most affect children and youth from the poorest households. They would hold no way to encounter the sudden economic difficulties, especially in urban sectors since prices in food, gas and other basic products have risen and assimilation would not be as easy as in rural areas. Furthermore, they suggest that the impact of the crisis was depending on the parents job, where service and the commercial market were two of the most affected areas (ibid p 9). They also state that the decrease in activity within the commercial and service sector would be very noticeable to the people active within the informal sector depending largely on these sectors. As a result of the economy they predict an increased risk for children to suffer from malnutrition and also an increased school dropout rate as a result of the families’ economic difficulties, which will lead to more children participating in work activities to compensate the income loss of the families (CODENI 2009 p 10).

Another problem that the social educator at DINAMO brought up during the interview is that the child is still being seen as a subject that belongs to their parents, that it is still only the adults that hold the power while the interest of the child is set aside. Another disadvantage they had discovered at the Ministry of the Family was how the right of the child in the Code had been used as an excuse of the parents to not assume responsibility for the child. The Code was blamed when the child became a rebel. Arguments they had met was that ever since the introduction of the Children’s Code the children did what they wanted to and the parents did not have a say about it nor were they allowed to correct the child. This attitude the Ministry of the Family regarded as important to change.

Nevertheless, not all being said about the implementation of the Code was negative but quite the opposite. As the representative of the Ministry of the Family put it; there might not be sufficient resources, but there is a strong will to change. She observed that the Code had helped them a lot as an institution to progress in their work. Nowadays the community was much more aware of the child’s right and people reported to the Ministry of the Family when they saw a child in an inadequate situation (e.g. a child being at risk or left alone the whole day) She added that the number of working hours among children over all had decreased and that you do not see as many children selling in the streets. The parents she reported, no longer send their children to work in the most risky sectors such as picking coffee and just as important, they don’t send their children to work for strangers. These improvements she attributed to the Children’s Code.

**6. DISCUSSION**

The core of the social institutions work from a children’s rights approach appear to be information about the specific rights of the child. It is through creating an awareness and spreading information that it is believed to best change the children’s living conditions. It is important that the children become aware of their
The implementation of children’s rights- working with working children

rights in order to defend themselves, but also it is decisive to reach the family and the society; employees as well as all the habitants can take part in the prevention by reporting if they in public spot a child under unacceptable conditions.

I perceived that there is a great faith in the rights, both among the young and the social institutions that I have included in my study. Perhaps it can be said that this complete faith of the superiority was especially obvious among the adolescents. If there is mistreatment of a child, this was explained by that the parents simply were not aware of the child’s rights yet. I interpret that as a result of the teenager’s empowerment from knowing their rights this knowledge provided them with a strength that in its turn gave them power. The children’s rights were carried as a tool (or call it weapon) used to defend children against maltreatment. By knowing their rights they found that they could stand up against adults and inform them or convince them to stop an unwanted behavior. As the adolescents that said that he found everything about the rights to be good since they will defend the child from any kind of abuse. There is a huge confidence in that the children’s rights can improve living conditions, protect all children from mistreatment and guarantee possibilities.

Turning to the normativity concerning childhood we saw that the idea of childhood associated with innocence and defenseless has been pointed out as being a Western definition of the initial period in life and that it does not necessarily respond to all local perceptions. Patrik Olsson (2003) gave the UN:s Convention on the rights of the child as an example of an International agreement that had the task, among others, to change prevailing norms on what is best for the child in the society in which it was implemented. From my informants I received the information that the society of Somoto was going through a change lately in how working children was perceived. Earlier, they told me, working children was a phenomenon met with little condemnation in the town of Somoto, but nowadays the society report mistreatment and are more aware of the children that work in the streets. It had earlier been seen as a natural process in life, a learning process preparing the child for adult life. However a social educator told me, nowadays it is no longer seen as natural but instead a defense of their right is carried out by social institutions which have changed how it is perceived. This commentary is interesting since it presents the children’s rights approach in contrast to how it used to be before the introduction of the children’s Code. In this light Nicaragua’s ratification of the UNCRC and the introduction of the National Children’s Code contributed to a change of the perception of working children is perceived at local level. With other words; the legislation has changed the normative reality in Somoto.

However it should be added that the normative perception of working children differed when I talked to the working teenagers themselves. They did not believe that the society made a difference between children and adults working and they put forward the importance of their duty to help their parents out economically. That is, their normative reality and the legislation is still widely separated, a situation of discrepancy Patrik Olsson (2003) writes that working children often find themselves in. So how come that the normative reality differs between the social educators at the town’s institutions and the working adolescents? Possibly the closeness of social educators to the children’s rights legislation has an impact on their perception of the changes in the society. Working with changing attitudes in the society they observe changes that have taken place whereas the families that have children working still have not experienced a noticeable difference in their
living conditions; they still have to send their children to work to guarantee the family’s maintenance. This could mean that the changes of the normative reality and how working children is perceived in Somoto Nicaragua is yet not so profoundly changed as to dominate the perception among families that have children working. Furthermore, not only is it the normative reality that controls in sending your children to work, but we need to keep in mind that despite normative changes, the economic reality for most of these families has not changed which naturally impedes the full implementation. Here the grants DINAMO offer to working children is a good example of how the economic circumstances are dealt with parallel to working with attitudes and promoting children’s rights to education and not being economically exploited.

The implementation of a children’s rights approach had met both limitations and successes. A huge achievement was seen in Somoto among the social institutions to implement a children’s rights approach to guarantee the child’s living conditions. According to my informants it had been governmental and private institutions as well as NGO’s that had been dominating the work of implementing the UNCRC and the Nicaraguan Children’s Code in the work with children. This had not been possible without a successful coordination between the different institutions. Grugel and Piper (2007) describe the work of children’s rights implementation to fore and most be put into action by nongovernmental organizations. Fundamental in a successful implementation, had been a well functioning cooperation between different organizations.

The greatest obstacle that persists among the social institutions however is the lack of economic resources to implement the Code. The state has assumed to invest in appropriate measures according to economic capacity and there are figures of how the Nicaraguan investments in education and health will suffer severe cut backs due to the financial crisis. An indicator of that the discrepancy between the reality where families are dependent on a child’s income and where the education often have lacks of quality and the legislation continues to be a challenge to the social institutions working to implement the children’s rights in Somoto Nicaragua.
The implementation of children’s rights- working with working children

7. REFERENCES


The implementation of children’s rights—working with working children


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28
The implementation of children’s rights - working with working children

2009-12-20

APPENDICES

Appendix 1: Interview questions social institutions

El trabajo que realizan: /The work they carry out:

- Cuál es el objetivo general del trabajo de ***? /What is the general objective of the work of ***?
- Como trabaja *** para mejorar las condiciones de vida de los niños que trabajan? / How does *** work to improve the living conditions of the working children?
- Cuál es la meta que se ha puesto en el trabajo que realizan con estos jóvenes? / What is the goal that has been set up in the work with these children?
- En qué manera cree Usted que eso les mejora las posibilidades? /In what do You think this will improve their possibilities?
- Con qué organismos cooperan Ustedes relacionados con el trabajo infantil o jóvenes en riesgo?/ With what organisations are you cooperating in the work related to child labor or youth at risk?
- Qué función cumple Ustedes en esa coordinación? What is your function in this cooperation?
The implementation of children’s rights - working with working children

- Cómo es la coordinación que Ustedes tienen con la Escuelita del Mercado? Cómo ve Usted al trabajo que realizan allá con los niños que están en riesgo? / How would You describe the cooperation you have with Escuelita del Mercado? How do You look upon the work that they carry out with these children?

- Qué diferencia en general puede ver Usted en las vidas de estos jóvenes comparado con los jóvenes que no trabajan en: /What differences can You see between the children that work and the children that do not work in:
  - Su asistencia escolar? / Their School assistance?
  - Su situación de familia? / Their family situation
  - Salud? / Health
  - U otros obstáculos o aventajases? / Other disadvantages or advantages

Las convenciones en Nicaragua: /The conventions in Nicaragua

- Qué importancia tiene el código de los derechos de la niñez en su trabajo? /What importance does the children’s code have in your work?
- Por qué, opina Usted es este código relevante por su trabajo? /Why would You say is the code relevant to your work?
- Hay artículos o partes de la convención/ el código que a Usted parecen irrelevantes o difíciles a aplicar en la situación de la niñez aquí en Nicaragua? /Are there articles or parts of the convention/the code that according to your opinion are irrelevant or hard to apply to the circumstances of the child here in Nicaragua?
- Cuál es la actitud aquí en Somoto en general diría Usted hacia niños que trabajan? / What would You say is the general attitude in Somoto to working children?

Appendix 2: Interview questions adolescents Escuelita del Mercado

Los derechos: /The Rights

- Qué significa los derechos humanos de los niños para ti? /What do the children’s rights mean to you?
- Si los conoces, dónde los aprendiste? Dónde se habla de los derechos de los niños y adolescentes? /If you know them, where did you learn them? Where do they talk about children’s rights?
- Cómo los encuentras? /How do you find them?
- Cuál es la actitud aquí en Somoto en general dirías tu hacia niños que trabajan? / What would you say is the general attitude in Somoto to working children?

Niño trabajador, impacto en la vida: / Working child, impact in life:

- Cómo crees tú que el hecho de haber trabajado ya en temprana edad te ha afectado, y te va a afectar en la vida futura? /How do you think that working from an early age has affected you, and will affect you in the future?
- Cuál crees tu es la diferencia en la vida entre tú que has trabajado y un(a) joven que no ha trabajado? /What do you think is the difference between a child that has worked, like yourself and a child that has not worked?
The implementation of children’s rights- working with working children

- Qué para ti ha sido lo peor de ser niño trabajador(a)? What has been the worst about being working child?
- Qué encuentras tú es lo positivo que el trabajo ha llevado a tu vida? What is the good things that it has brought to you?
- En qué sentido has podido aprovechar y aprender por la vida? In what ways have you learnt and profited from the work in your life?

Escuelita del Mercado:

- Qué has aprendido por atender la casita/la escuelita (en general, y con referencia a: )? What have you learnt from attending la casita/escuelita in reference to:
  - Reforzamiento escolar /School reinforcement
  - Aprendiendo de los derechos humanos /Learning the human rights
  - Apoyo individual /Individual support
  - Recreación /Recreation
  - Capacitaciones /Learnings and Workshops
  - La directiva /The board
- Estás en la directiva? /Are you in the board?
- Qué función cumple la directiva de la Escuelita del Mercado? What is the function the board aim to fulfill?
- Qué significado ha tenido la Escuelita en tu vida? /What significance has Escuelita had in your life?
- Qué otros organismos e instituciones has conocido que trabajen con niños trabajadores en una manera u otra? /What other institutions have you met that work with working children?