



Putting children's rights on the local agenda

The experience of the
Demuna model in Peru

Cathrine Terreros and Anna Tibblin

"The challenge is to make the community aware of and active in the fight for children's rights. We have to work harder to change prevailing attitudes within authorities and institutions, as well as among people themselves."

Ysabel Castro, Demuna Director in Baranco, Lima



"We have to educate people in human rights and laws, but the institutions are too weak."

Mario Soria Peña, police official in Sauce, San Martín, where the Demuna has worked closely with the police on issues related to children's rights



"The greatest challenge is empowering children in defence of their own rights. If we want to change society, we have to start with the children. The Demuna is a tool in this work."

Jorge Valencia,
Demuna Project Coordinator at Acción por los Niños



"The Demuna is a place where children can come and talk about their problems."

Tania Isabella Pinedo, Picota



"The challenge is to make the Demuna disappear. Since I'm an optimist, I want to see that children live happily and without discrimination and with no need for a Demuna."

Jaime Zea Usca, Mayor in Villa el Salvador, Lima



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Contents

THERE IS NO STATISTICAL database on the precise number of Demuna centres, or on the cases that these centres deal with. The numbers presented in this report have been taken from evaluations, other written sources and in some cases interviews and are difficult or impossible to verify. Considering that all parties involved (the collaborating NGOs, Mimdes and the Demuna centres themselves) stand to gain from inflated numbers, all statistics should be interpreted fairly critically.

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Project management: Agneta Gunnarsson and Birgitta Jansson

Language review: Anne Froude

Production management: Jan Sandberg

Graphic design: Annelie Rehnström

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Photos: Anna Tibblin

Introduction	7
Making a difference	9
A place to turn to	10
Learning by doing	13
Massive coverage	13
Consolidation and development	14
Reality on the ground	19
Personal commitment in Picota	21
Financing the Demunas	24
Depending on the Mayor	25
Coordinating with local authorities	27
Pioneer spirit in Villa El Salvador	28
State institutional capacity	33
Weak administration	35
Staff training	35
National reference group	36
Trainee programmes	37
Other defence centres	37
Different centres complement each other	39
Benefits for children	41
Children's participation	41
Vulnerable groups	42
Alison's right to her identity	43
Some typical cases	44
Case 1: Custody dispute	44
Case 2: Child support and shared responsibility	44
Case 3: Advice and counselling	45

Introduction

With an eye to the future	47
Major achievements	49
Challenges for the future.....	50
Persuading the state to take over	51
Decentralisation – a wildcard worth playing	52
Professional conciliation centres.....	53
A voice of its own	54
Lessons learned	55
Governance aspects	55
Save the Children Sweden and partner organisations	56
Effects on children	57
Literature	58
A short glossary	59

“THE LADY AT THE DEMUNA looks after the children who live here. That’s a good thing,” says 7-year old Karolin Morales who lives in the small jungle town of Picota in Peru.

In 1992, a new Child Code, based on a rights perspective was adopted in Peru. Among other things, it stipulated the creation of defence centres aiming at safeguarding children’s rights. Save the Children Sweden (SCS) decided to seize this opportunity and launched the idea of municipal child defence centres (Defensorías Municipales del Niño – Demunas) that were to offer free, rights-based assistance to children and families in the local community. The first six Demuna centres were opened in 1993. Now, a decade later, there are roughly 600 Demunas working all over the country. Hundreds of thousands of children – and adults – have benefited from the system and the experience has served as a point of reference for similar initiatives in other Latin American countries.

In 2002, Save the Children Sweden’s support was concluded. But the Demunas are still there, protected by a legal framework, public awareness and social recognition. This does not mean there were no problems in the ten-year period during which the model was established, or even when SCS withdrew its support. There are several issues that can be raised regarding the responsibilities of the Ministry, which is formally in charge of the Demunas, the capacity of the municipalities, the roles played by SCS and its collaborating partner organisations and the effects on children. In other words, as in all innovative and complex projects there are issues worth reflection and lessons to be learned.

Making a difference

Many of the lessons learned relate to governance aspects, that is how the state – or its decentralized entities – assume their roles as primary duty-bearers. From a rights-based approach this is a crucial issue. With this in mind we have considered it important to document the experience of the Demuna model in a short and easy-to-read manner. We hope that this documentation will serve as a source of information, a basis for exchange of experience and a contribution to the build-up of knowledge on how Save the Children Sweden can further enhance one of its central programme areas: Good governance in the best interest of the child.

Good governance in the best interest of the child is well defined by Bety Laurel Ayllon, coordinator of the Demunas programme at the NGO Cedisa in Tarapote: “Defending children’s rights is an ideological, political and financial issue. We have to work harder, on all levels, to make politics and formulate policies. The local, operative Demuna level is not enough.”

Alfhild Petré

Alfhild Petré

Head of section for policy, research and development
Save the Children Sweden

SLIGHTLY MORE THAN a decade ago, the UN Convention on the Rights of the Child had just been signed and the concept of children’s rights was something new and groundbreaking. Children were no longer to be seen as objects in need of assistance, but rather as the owners of rights, with opinions and a will of their own.

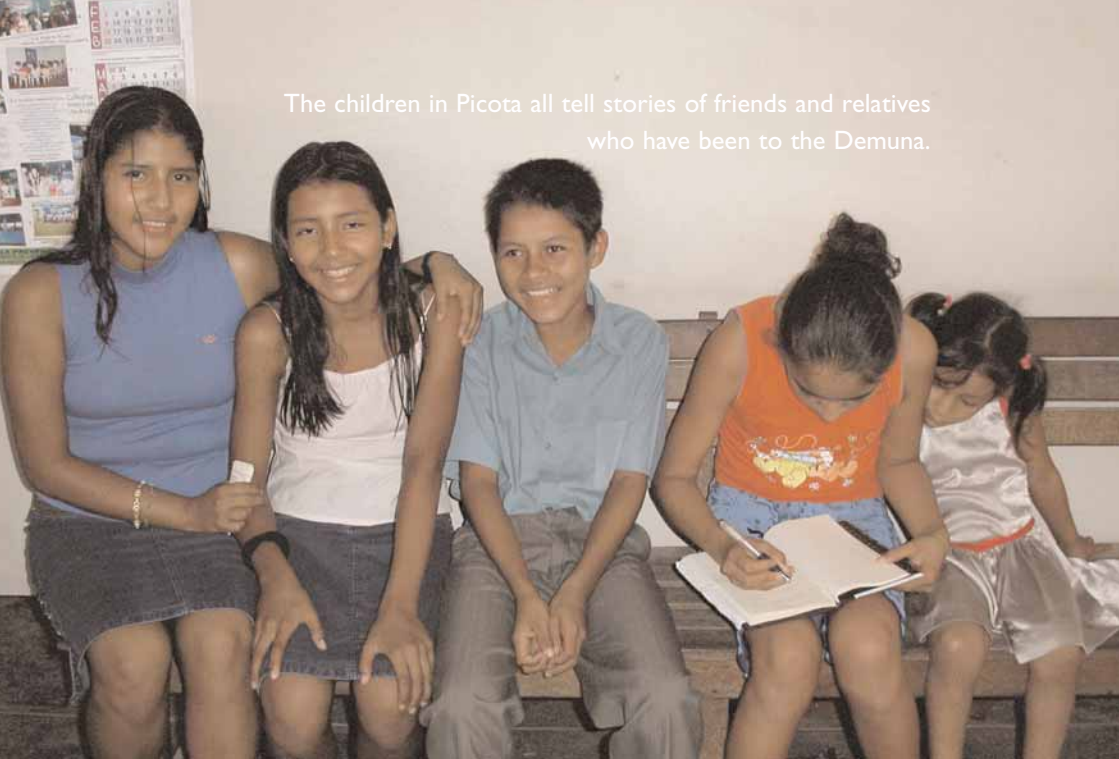
At the same time, political changes in Peru had opened the field for reform of national legislation. A small group of dedicated people at the Save the Children Sweden (SCS) office in Lima decided to seize this opportunity. A system of municipal defence centres for children and adolescents, known as the Demunas, was launched.

Today there are roughly 600 Demuna centres functioning nationwide and their experience has served as a point of reference for similar initiatives in several other countries. Hundreds of thousands of Peruvians have benefited from the Demuna system – either as clients or as staff receiving training and day-to-day experience in the protection of children’s rights.



FACTS ON PERU

Government: Constitutional republic
Area: 1,285,216 sq km
Population: 26,500,000 / 40 percent under 18 (2002)
Capital: Lima 7,500,000 inhabitants (2000)
Ethnic groups: Indian 45 %, Mestizo 37 %, European 15 %, other 3 %
Infant mortality rate: 3.9 % (1999)
(Source: Swedish Institute of International Affairs 2003)



The children in Picota all tell stories of friends and relatives who have been to the Demuna.

A place to turn to

It is Thursday morning and already steamy hot in the small jungle town of Picota, San Martín. A group of children are patiently waiting on the bench outside the Demuna centre in the municipal building. Everything is quiet, apart from the vendor calling out the prices of the sunglasses he is trying to sell. The contrast to the noisy mega city of Lima could hardly be greater.

“It might be still, but it’s not very peaceful. There are a lot of problems here”, says 14-year old Nelly Stephanie Pinedo.

She points in various directions while explaining that there are different kinds of social problems depending on where you live, and where you live depends on how poor you are.

“There is more crime in the poorer areas, and there the children have to work more in the fields. But it’s hard all over the place.”

The children have been summoned by the Director of the Demuna to speak with the visiting foreigners. They have left school in order to do so and they claim that their teachers do not mind.

“Mine is very keen on anything that has to do with children’s programs. We work with rights and stuff at school all the time”, explains Dante Javier Savedra Tananta, 11 years of age.

So, what exactly is the Demuna?

“Families can go to the Demuna if they have problems, like violence and things like that,” says Dante Javier.

“It’s a place where children can come and talk about their problems,” adds Nelly’s little sister Tania Isabella, 10 years old.

None of the children have been to the Demuna seeking help or advice, and they are not sure if they would have enough courage to go by themselves... but they all tell stories of friends and relatives who have been to the centre. A cousin that was abused, a neighbour who left his wife and children with no house or money, a class mate that needed help because his mother was drinking too much...

7-year old Karolin Morales looks shyly down at her hands, and then she says:

“The lady at the Demuna looks after the children who live here. And that’s a good thing”.



“The Demuna is a place where grown ups talk about problems that affect children”, say José del Aguila, Sigundo Pedro Flores, Alejandro Camaya and Job del Aguila, who work as boat guides in Sauce, San Martín.

Learning by doing

IN 1990, AS ONE OF the first countries in Latin America, Peru ratified the UN Convention on the Rights of the Child. Two years later, new national child legislation (Child Code) based on a rights perspective was adopted. Among other things, the new law stipulated the creation of a national system of care for children and adolescents in difficult circumstances. The system included the creation of defence centres aimed at safeguarding children's rights.

The legal opening proved to be a unique opportunity. When the new Child Code came into force in July 1993, SCS and the Peruvian Ministry of Justice jointly launched a pilot project in six municipalities in metropolitan Lima. The idea was to create municipal children's defence centres (Demunas) that were to offer free and rights-based assistance to children and families in the local community. The Demuna presented an alternative to a judicial process.

The municipalities provided office space and staff salaries, while the Ministry of Justice financed law students to do their job training at the Demunas. SCS guaranteed training in children's rights issues and project management. It was a process of learning by doing, according to several of the Demuna directors and SCS staff who were involved at the time. Through the pilot project, a generalised Demuna model was moulded. The next step was to spread this experience to the rest of the country.

Massive coverage

In 1994, Demuna centres opened in the departments of Lima and Arequipa in the southern Andes. By the end of the year, 35 centres

were functioning and the project entered a rapid expansion phase. Children's rights organisations, politicians and institutions were enthusiastic and many showed strong commitment to opening "their own" Demuna.

While gradually expanding across the country, SCS contracted regionally based non-governmental organisations (NGOs) to support and promote the development of Demuna centres at local level. A total of six organisations were linked to the project, thus receiving status as SCS counterparts. Most of these NGOs had previously worked with children's issues, but not all of them. They now received considerable training and support in these matters.

The Demunas project was initially managed directly by SCS staff in Lima. As the project grew, extra personnel were employed and a specialised project team was formed. This group, called the Lima team, was the intermediary link between SCS and the NGOs contracted out in the country. In addition to coordinating the group of collaborating NGOs and producing information materials, the Lima team was also responsible for the Demunas project in metropolitan Lima and the surrounding municipalities.

DEMUNAS IN FIGURES

- ▶ There are approximately 600 Demuna centres in Peru.
- ▶ Demuna centres exist in 148 of the 194 provinces and in an estimated 547 of the country's 1,826 municipal districts.
- ▶ As of 2002, practically all municipal districts in Lima have their own Demuna.
- ▶ The centres have dealt with an estimated 300,000 individual cases since 1993.

Consolidation and development

In 1997, the project entered a new phase. Thus far, the main focus had been on the opening of new Demuna centres. Less attention had

been paid to defining the role of the Demuna in the local community. A planning workshop, where SCS and the relevant NGOs participated, had also concluded that the Demuna project lacked clear goals and measurable results. In addition, it had become clear that the actors involved possessed different views on what they wanted the Demunas to be.

A problem analysis led to a reorientation of the project. From this point, goal-orientated planning according to the Logical Framework Approach (LFA) was used. Although project goals were discussed and defined, they still remained vague and too broad to actually allow measurement of compliance and real effects as concerns benefits to children.

This modified focus, however, led to several concrete changes. Priority was given to building a broad social movement for children's rights in which the Demuna centre was meant to play the role of promoter. Several public awareness campaigns were carried out, local leaders were targeted for training activities and community organisations were incorporated in different ways.

Also, SCS and the NGOs encouraged the Demuna centres to create municipal children's rights networks headed by the mayor, so-called Comudenas. The objective was to institutionalise coordination of children's rights issues between public institutions for example representatives of the judicial system, the police, schools and health centres, the church and other non-governmental organisations.

Around the same time, Demuna directors in different parts of the country had begun to coordinate themselves, more or less spontaneously and across political parties boundaries. These coordinating networks, named Codemunas, succeeded in articulating a voice of their own, at least in Lima. This was more difficult in the other regions, mainly due to the long travelling distances between centres.

The Demuna system won fundamental legal recognition in 1997 when a new paragraph was introduced into the law on municipalities, making the establishment of a Demuna centre an obligatory

function of the municipality¹. This meant that local governments were obliged by law to “defend and promote children’s rights through counselling families and educating the community”. Although many Demuna centres had already been set up, the new law provided them with a solid legal basis and credibility – and also paved the way for new centres to open in municipalities that had still not taken this initiative.

This legal amendment was a direct result of advocacy from SCS. The legislation proposal was drawn up by the Lima Team and subsequently presented at a national meeting of Demuna directors, where the proposal was accepted and later presented to Parliament in the name of the Demunas. The original proposal consisted of several articles, but only one – the most important – was passed.

The same year, the Peruvian Parliament also approved the conciliation law that promotes extra judicial conflict resolution as an alternative to legal processes as the latter are too costly for most Peruvians. Although the Demuna centres had, from their initiation, used mediation as a working method, the new law enabled them to be accredited as conciliation centres, giving their agreements legal status.

Parallel to the Demuna projects’ own development, SCS experienced considerable policy changes during the second half of the 1990s. From being a project-implementing organisation, SCS decided to take a step back and instead focus on its role as a financing and dialogue partner. As a consequence, the Lima Team left SCS and became a counterpart NGO in 1999. The new organisation, Acción por los niños, assumed responsibility as manager of the Demuna project, while maintaining the tasks of the Lima Team.

SCS has financed the Demuna project to a total of 3.8 million USD 1993–2002. Most funding has been used for training of Demuna and NGO staff, as well as university students doing their job placement at the defence centres.

1. Ley Orgánica de Municipalidades.

POLITICAL CHANGE WAS TRANSFORMED INTO OPPORTUNITY

Facing severe political, economic and social crises, the 80s was a lost decade for most countries in Latin America. Peru was no exception. The situation was further aggravated by a violent armed conflict primarily involving the *Sendero Luminoso* guerrilla, with an estimated toll of 20,000 deaths and disappearances.

National insecurity and economic instability were also reflected at local level. There was no political interest in state decentralisation and few municipal governments were able to function properly during this period. The generalised violence and lack of social security primarily affected the most defenceless part of the population, the children.

By the early 90s, prospects were looking brighter. The terrorist movements had been punctured and a certain economic stability was emerging. The UN Convention on the Rights of the Child and subsequent national legislation also helped to improve national standards for the protection of Peruvian children.

It was in this context that SCS, in 1993, opted to introduce the Demuna program. Today, ten years after the first centres were established, the Demunas have achieved a good level of social recognition. Especially in smaller municipalities, people on the street know what the Demuna is. This popular acknowledgement has, however, not been reflected in political support from the central governments nor in state funding.



Reality on the ground



“We must maintain the prestige and credibility that the Demuna has gained”, says Norma Bancallan at the Demuna office in Tarapoto.

THE DEMUNA IS A LOW-COST, institutionalised municipal centre that offers orientation and help in solving conflicts on children’s rights issues – free of charge for the clients. The Demunas increase access to justice for those too poor or too vulnerable to turn to the judicial system, which is costly, slow and often corrupt. In many places, the Demuna is also the first attempt to put children’s rights on the agenda of the municipality as well as of the community as a whole.

The Demuna centres receive complaints where children’s rights have been violated or put at risk. Anyone can file a report or simply seek advice. Most cases concern shortcomings in fulfilling parental obligations such as alimony, children without birth documentation and custody problems. Other common problems are domestic violence and corporal punishment and abuse in schools.

Intervention begins when the case is reported to the Demuna. Complaints are mostly made by mothers or by neighbours who know about the problem. Information about the case is collected and it is decided whether the case should be solved at the Demuna or sent on to another authority. The Demuna centres can offer conflict resolution based on voluntary agreements, orientation, counselling and information. Also, when it comes to child support, the Demunas themselves offer to channel the payment: every month the father leaves the money or food supplies at the Demuna, where the mother goes to pick them up.

The centres are supposed to follow up on cases to assure that agreements are kept and that the best interest of the child is in the forefront, but lack of human and financial resources makes this dif-

ficult. In some cases and especially in smaller communities, follow up of commitments is helped by social control exercised by the inhabitants themselves. Parents do not want to “look bad” in the eyes of their neighbours.

The Lewin evaluation of 1998 studies how well these obligations were fulfilled. The team followed up 143 records of successful mediation in 12 municipalities in three different regions by visiting the complainant to verify whether the commitments made in the mediation process were complied with. Most acts of mediation had been signed 6–12 months prior to the evaluation. The evaluation found that 48 percent of the obligations to financial support, 30 percent regarding maltreatment and 26 percent of the recognition cases had been met.

The vast majority of Demuna centres have only one employee to carry out all their tasks. In Lima and other larger cities, the Demuna may have several employees, mostly depending on the degree of interest that the relevant mayor has shown for the centre. In larger Demunas, the Director is most likely a professional, i.e. lawyer, psychologist or social worker. In smaller centres and especially in rural areas, the Director might at the best be a person committed and dedicated to children’s rights issues.



Selmith Grandez Tellos has been Demuna Director in Picota since 1998 and has survived several mayors in the municipality: “My work is recognized and wherever I go, people know me.”

Personal commitment in Picota

Two young women, Karina Garcia del Castillo and her sister Maribel, each one of them carrying a child, enter the Demuna centre in the small jungle town of Picota in north eastern Peru. The centre consists of a booth in the municipal office, separated from other offices by low walls that allow ventilation while depriving visitors of privacy.

The Demuna Director Selmith Grandez Tello points to the chairs in front of her desk and asks the women to take a seat. Selmith prepares her notebook and Karina starts talking. She is upset because her husband did not come home last night.

"I couldn't sleep and early this morning I went looking for him. Finally I found him coming out from a hostel, drunk and with another woman. We started fighting and now I don't know what will happen," she explains as her four-month-old baby Nieves starts whining and receives her mother's breast in response.

Selmith listens carefully before replying: "Today there isn't much you can do, your husband needs to get sober first. But I'll summon him so that the both of you can come here tomorrow to talk about what has happened and what kind of solution the both of you are interested in. You have a wonderful little daughter that you both have to put first, no matter what problems the two of you as a couple might have."

Karina agrees to the idea and explains that it was her sister Maribel who convinced her to come to the Demuna centre. Maribel is grateful for the attention she received a couple of years ago.

"My husband had beaten me and I was covered with blood when I went to Selmitas house on a Sunday morning. I didn't want to go to the police", Maribel explains and goes on, "Selmita has helped me a lot and my husband changed after the counselling he received".

To Selmith Grandez Tello there is nothing unusual about the two sisters. Marital problems affect the children and are therefore important to deal with at the Demuna centre.

In addition to dealing with cases, Selmith puts considerable effort into coordinating with other institutions and authorities in the community. Most of them are active in the municipal network on children's rights issues, but Selmith feels that much work remains to be done. Activities include schools arranging an annual children's rights week and participation in other nation-wide efforts such as the "recognise your child" campaign aimed at fathers.

Selmith feels that she has been recognized and respected in her community for her work as a Demuna Director. It is also thanks to this recognition of her work that she has managed to survive several different mayors.

"People know me wherever I go, which is a great advantage. This also means that people might come to my house at nights and on weekends, but that's part of the job. I can't let them down," she explains.

Maria Nieves is 19 years old and lives with her almost two year old daughter Yasmin, together with her mother and stepfather. She makes some money taking care of other women's children. When she told her boyfriend that she was pregnant, he did not want anything to do with her.

"He said he couldn't know for sure who the father was, so he wouldn't recognize the child as his. I didn't want to denounce him at the Demuna, but since he didn't give me money on a regular basis I didn't have any choice" explains Maria Nieves.

The former couple met at the Demuna centre and through conciliation they now have an agreement stipulating that the father will pay child support. A sum is to be left at the Demuna centre once a week. Selmith will then pass the money on to Maria Nieves.

The province of Picota is divided into 10 municipal districts. Each one of them has its own Demuna centre, a situation far from common in rural areas of Peru. A few weeks after the municipal elections in late 2002, Selmith held a workshop with the newly elected mayors, municipal council members and new Demuna directors on the work of the centres and on children's rights. Selmith hopes to continue organising provincial workshops on different topics, but this depends on the financial goodwill of the Mayor. Except for her salary and small office, there are no funds allocated in the municipal budget for the Demuna centre. Every time the Director needs money for a bus ticket or

office materials, she has to present an application directly to the Mayor.

The teacher Catalina Paredes Gonzales and the nurse Teresa Rodriguez are two of seven members of the Municipal Council of Picota. After the elections, women made up the majority on the Council and that will make a difference, they both assure with enthusiasm.

Through their jobs, both women have come into contact with the work of the Demuna and value its existence.

“We have to give more resources to the Demuna office”, says Catalina. “And a psychologist would help solve more cases and then we would have less social problems”.

“But the biggest challenge is to make everyone in the community participate to improve the situation for children and adolescents”, Teresa adds.

Financing the Demunas

Although the new law on municipalities from 1997 meant legal recognition from central government, the financing of Demunas was still left entirely to the municipalities. The state has to date not allocated any resources to local governments designated for social spending. In general terms, central funding for municipalities is provided for public works, such as infrastructure projects, only.

There is, however, one exception to the rule. The social program Vaso de leche, that by law guarantees all Peruvian children a glass of milk every day, is funded by the state and resources are channelled to the municipalities. This program is proof that the state can be convinced to assume financial responsibility and that it is administratively possible to transfer this sort of funding to municipalities.

The lack of state funding for the Demunas is the result of lack of

political will and interest on behalf of the government – but it is equally the result of lack of popular and political pressure to supply such funding. Although sporadic proposals have been presented over the years, neither the collaborating NGOs nor the Demunas themselves have ever developed a strategy to demand central funding.

Municipal spending on the Demuna centre is also a question of political and financial priorities and depends on the goodwill of the municipal council. The Mayor ultimately decides on the number of staff the centre will employ as well as its operative budget. No matter what the financial situation of the municipality, the Mayor’s interest and will is crucial for the development of the Demuna.

For the municipality, the services provided by the Demuna constitute something different from its traditional tasks of tax and fee collection. The municipality primarily assumes responsibility for community services, such as building permits, garbage collection and birth and population registration. In many cases it has been difficult to convince mayors and municipal councils to assign resources to a service that will not render income to the municipality.

In Lima and larger provincial cities, the Demuna offices are often encouraged to seek project financing from local and international NGOs. External financing is, in most cases, the only way the Demuna will receive funding to carry out preventive projects in the local community. These projects could take the form of campaigns and work with especially vulnerable groups such as adolescents at risk or children with disabilities.

Depending on the Mayor

Financial and political insecurity forms a major obstacle in the development of the centres. The Demuna Director is appointed directly by the Mayor – the case with all leading posts within the municipality. This means that the Demuna Director is, in most cases, replaced after every election at least if the new mayor is from a different polit-

ical party. But the truth is that the Mayor can, at any time, replace the Demuna Director.

There are also municipalities where the Demuna Director has survived several mayors. In general terms, this seems to depend on the level of credibility and recognition that the Demuna has gained among the population, along with the professional profile of the Director concerned. On the other hand, there are also municipalities where an unemployed member of the new Mayor's family has replaced Demuna directors with years of experience.

One attempt to depoliticise the post as Demuna Director was made when SCS and the relevant NGOs presented a legislation proposal to Parliament suggesting that minimum professional requirements should be established for the post as Demuna Director. This proposal has, however, never been debated nor considered by the legislative body.

Coordinating with local authorities

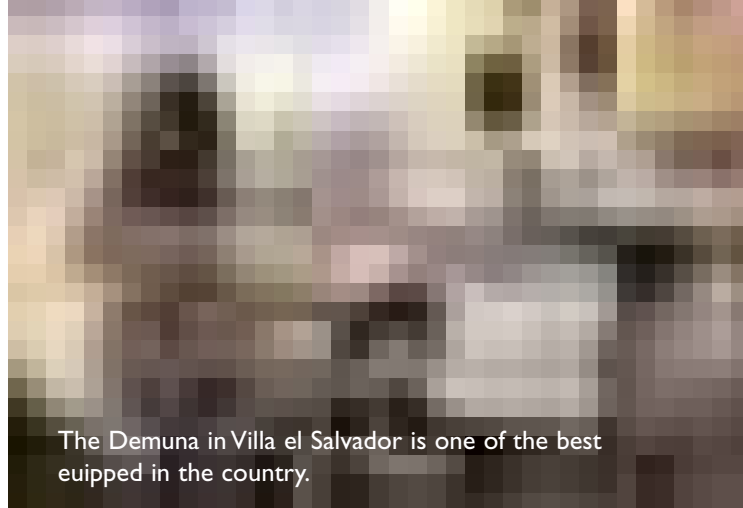
The Demuna centre has collected unique experience of the reality facing children and adolescents in the local community and, in many cases, it plays a central role in local networks that defend and promote children's rights by means of campaigns, coordinated activities etc. Especially in small communities, the Demuna Director is recognized as a local child rights representative.

In many cases, Demuna centres have succeeded in coordinating with other public institutions and other actors at municipal level. However, this has usually been the result of personal contacts and commitment on behalf of the heads of the individual Demuna centres rather than the result of a strategic municipal policy.

In the late 90s, SCS and the collaborating NGOs encouraged the Demuna centres to initiate Comudenas which are municipal networks headed by the Mayor and with the purpose of institutionalising coordination between public institutions and others on issues

regarding children's rights. To date, some 100 Comudenas are reported as existing throughout the country.

In many cases, however, other types of coordinating networks fill the same function even if they are known by other names. The Comudena as a strategy was relevant in municipalities that did not have other coordinating bodies to fall back on. One reality seldom recounted in reporting and evaluations is the fact that competition that sometimes exists between different municipal authorities, making coordination difficult for fear of losing municipal funding etc.



The Demuna in Villa el Salvador is one of the best equipped in the country.

Pioneer spirit in Villa El Salvador

Villa El Salvador is a young municipality on the outskirts of Lima. Some 30 years ago, poor settlers looking to build a new future in the capital occupied this dry, dusty land. Today nearly 400,000 people live here. The municipality is relatively poor and experiences many, severe social problems – but there has also been a pioneer spirit and a will to solve problems, making Villa El Salvador a favourite among international development agencies.

Gloria Durán has been Demuna Director since 1995. When Gloria took over after the former Mayor's sister-in-law, the lawyers at the centre were charging for their services – despite the fact that the Demuna concept was that it was to be free of charge. Gloria did not know what to make of the situation.

“So I paid a visit to SCS and asked what a Demuna was and how it was supposed to function. Then we changed both staff and policy and started to turn this centre into what it was meant to be”, explains Gloria with a proud smile. The new staff started off by painting the office in their spare time.

The Demuna in Villa El Salvador is one of the best equipped in the country, with three offices spread out in the municipality and a staff of eleven professionals. The centre deals with cases three days a week. The other two are dedicated to prevention and promotion within the local community.

“The devotion of the staff is probably the most important thing of all. Most of us who work here also live in Villa El Salvador; we are a part of this community and every single one of us is personally committed to defending children's rights. Otherwise we wouldn't do a good job”, she explains.

Apart from the office space and the staff salaries, Gloria has a small budget for operative costs. This sum is, however, far from enough. In order to be able to work with preventive measures such as campaigns and actions targeting, for example, schools the Demuna is left with the option to seek other funding, international donors being one possible source.

“Combining municipal and external financing is like balancing on a tightrope”, explains Gloria. There is a definite risk that the often socially dynamic preventive projects, which also improve the Demuna economy, receive higher priority than the daily office work of receiving and dealing with complaints. Another risk of external financing is that the community might start to regard the Demuna as more of an NGO than part of the municipality. This inevitably opens the door for the municipal government to discuss budget cuts – since the Demuna can survive on its own.

“There are loads of international donors here in Villa El Salvador and there is always someone willing to help”, says Gloria. “And although the Demuna doesn't generate income for the municipality, our work and our contacts definitely generate political interest. At election time, all the political parties want to be allied with the centre.”

Gloria Durán also explains that even though she has more human and financial resources at her disposal than most other Demuna centres nationwide – this is still not enough to systematically follow up cases. In some instances, people return to seek help from the Demuna when previous mediation agreements are not being fulfilled. This helps to give an idea about fulfilment over time, however Gloria and her staff have no means to systematically follow up on the medium or long-term outcome of their cases.



Some 30 years ago, poor settlers looking to build a new future in the capital occupied the dry, dusty land of Villa el Salvador. Today nearly 400,000 people live here.

In Villa El Salvador, approximately one-third of all reported cases are withdrawn at an early stage, often because complainants either change their minds, or because the problem has been solved. Among the cases that remain in the system, roughly 25 percent are resolved by the Demuna by means of mediation agreements. The other cases are either referred to other authorities – such as the police and health centres in cases of abuse – or become judicial processes.

The Demuna in Villa El Salvador was one of the first in the country to receive official status as a conciliation centre. This means that the agreements reached are legally binding.

“However to date the true value of this option has yet to be discovered,” explains Gloria Durán.

She herself and several members of her staff have participated in the obligatory training course in mediation technique. The municipality has provided additional office space and Gloria has just ordered the forms needed for the expected paperwork. However so far, the Demuna has not received any cases in need of legal process, so it is too early to speculate on demand.

Gloria also fears that, for reasons of competition between institutions, the courts will not actually take notice of the work being done by the Demuna. In the worst case scenario, the judicial authorities might simply repeat the same process of mediation all over again. This could be in the interest of some lawyers, considering that the parties will have to pay for legal assistance.

The Demuna centre is also a central reference point for a municipal network of more than 30 institutions working to coordinate efforts on issues regarding children’s rights. Unlike the Comudena model which is based on the Mayor taking full charge, the network in Villa El Salvador is based on shared responsibility between a broad spectrum of organisations.

Gloria Durán believes that the Demuna has been successful in involving institutions, churches and NGOs, but that much remains to be done in order to activate children and adolescents through their own organisations.

THE STRATEGY BEHIND THE DEMUNA MODEL

- ▶ Massive coverage. The Demuna centres would make up a national system, reaching from municipal district to national level. From the outset, SCS had decided that a national system was necessary in order to increase sustainability.
- ▶ A model that can be transferred and replicated. The Demuna centres were to be run and managed by municipalities, they were to be primarily responsible for the defence and promotion of children’s rights. Regional NGOs contracted by SCS would provide technical support in setting up and developing the Demuna centres and training their staff.
- ▶ Alliances and coordination. The system of Demuna centres would link up and coordinate their work plans with other institutions and organisations involved in work with children and adolescents.
- ▶ Primarily deal with cases of violations of children’s rights by way of conciliation. The Demuna centres would introduce mediation as a method for resolving conflicts involving children’s rights, as a complement and an alternative to the judicial process.
- ▶ Social mobilisation. The Demuna centres would instigate a social movement for children’s rights by working in coordination with broad sectors of the community, including public institutions and private organisations.
- ▶ Combination of protection and promotion of children’s rights. Cases of violations of children’s rights would be dealt with at local level, but this work should be combined with activities to promote children’s rights at community level.

(Source: Lewin, Ramos and Chipoco, 1998)

State institutional capacity

In Peru, central government exerts practically all power. State institutions are generally weak, bureaucratic and often face problems resulting from severe corruption. Focus is on the capital Lima and the departments are politically and economically isolated.

The Ministry for Women and Human Development, Mimdes (formerly Promudeh), is the government entity responsible for the

defence and promotion of children's rights. Among other functions, the ministry is to supervise all defence centres in the country. According to relevant guidelines, Mimdes is to "promote, orient, coordinate, conduct, supervise and evaluate" the work of the Demunas, although these form part of municipalities which are politically, economically and administratively autonomous by law.

Although the Demunas are incorporated into the state structure by means of the municipalities, the centres have not benefited from any special status within Mimdes. On the contrary, Demuna directors and others testify that Mimdes has shown a total disinterest in the Demunas. This is primarily explained by institutional jealousy. Staff interviewed at Mimdes goes as far as to say that the presence of SCS was too strong, thus limiting the participation of other actors.

Another factor worth bearing in mind when analysing operative difficulties at governmental level is that Mimdes, as the ministry in charge of the government's social programs apart from education and health, is heavily politicised. In Peru, as in other countries facing corruption and weak state institutions, social programs may conceal political interests and are often used to manipulate peoples' interest, buy votes etc.

Mimdes also lacks professional capacity. Not only are children's and adolescent rights low in political priority, there is little academic and practical expertise on these issues among civil servants. Moreover, there is high staff turnover, especially at decision-making level, making it even more difficult to achieve institutional stability.

In 2002, the Peruvian government adopted a plan of action on how to improve the situation for the country's children. Less than one year later, Unicef estimates that 80 percent of the government officials who had participated in the elaboration of the plan had been replaced. This is unfortunately no exception, merely a striking example of prevailing institutional difficulties.

Weak administration

It is the task of Mimdes to provide up to date statistics regarding the number and types of cases reported to the defence offices, their follow-up capacity etc. The Demunas are obligated to report directly to Mimdes, but most centres either lack such administrative capacity or simply do not bother. As the state entity responsible, Mimdes lacks administrative ability to carry out this chore. For several years, the relevant NGOs made serious attempts to collect and systematise this data – but the task proved to be too time-consuming and statistically uncertain.

Mimdes maintains that there are approximately 1,200 defence centres in the country and that around half of these are Demunas. The number of centres that are registered, however, does not exceed more than a couple of hundred. This implies that the majority of all Demunas are, in fact, operating outside the law.

The main reason is the cumbersome red tape procedure: registration has to be regularly renewed, and requires an impressive amount of paper work, such as a working plan, an organisational chart, documentation on internal procedures, a presentation of staff members and certificates of staff training. In addition, the forms have to be correctly filled out.

Staff training

Over the years, most of the training of Demuna staff has been offered by collaborating NGOs with financing from SCS. The central SCS strategy has, from the very beginning, been to convince the state, through Mimdes, to assume full responsibility for the Demuna centres. This responsibility includes training of Demuna staff – both on a curricular, but also on an implementation level. Mimdes' regulations, however, state that the ministry may entrust training to other institutions, which in practice means the collaborating NGOs that receive external financing.

Regarding the Demuna directors, it is worth mentioning that although people trained within the system might be replaced, they are not lost. Many become ambassadors for Demunas and children's rights, especially in larger municipalities; the Demuna can form a carrier opportunity. Former Demuna directors have, in some cases, gone on to other jobs in the municipality, formed their own NGOs or become independent consultants on children's rights issues.

National reference group

Several years ago, the department in charge of defence centres within Mimdes set up an external reference group (*mesa de trabajo*), where different actors in the field of child and adolescent rights were invited to participate. This group does not have any official status, nor have guidelines for its functioning been established.

Although this working group has, without doubt, formed an interesting forum for discussion and contact, the participants have been selected at random and lack major representativity. The Demunas were, for example, not invited to participate until 2001 and only as a result of direct pressure from Demuna directors in Lima. Other participants in the working group are NGOs such as *Acción por los niños*, Unicef and the Catholic Church.

The reference group has been used as a forum to present legal and other proposals from different NGOs and other parties involved. Over the years, some 20 proposals regarding legal reform and normative regulations regarding the Demunas have been presented, none of which have been approved by the ministry nor sent on to Parliament. These proposals include minimum professional criteria for the heads of the Demuna centres, norms regulating Mimdes' role in relationship to the defence centres, etc.

Trainee programmes

From the beginning 1993, the Ministry of Justice made it possible for law students to do their job-training placement in the Demunas system with a small allowance from the state. This trainee support ended in 2002 due to lack of resources. Many agree that more focussed social pressure would have made it difficult for the Ministry to cut this funding. However, in reality, there is no functioning coordination aimed at articulating the interests of the Demunas.

Currently, a couple of hundred university students, mainly psychologists and social workers, carry out their undergraduate internships at Demuna centres. These students are generally hard to come by and rarely go anywhere outside metropolitan Lima and other major university cities, according to the Demuna centres.

Several of the evaluations that have been carried out state that these students have been important for the functioning and development of the Demuna centres, not least regarding professional aspects. Also, the experience for the students has been described as quite unique, having provided an opportunity for middle class students to confront reality in poor communities. In some cases, like that of Villa El Salvador, students have stayed on at the Demuna, despite low salaries.

Other defence centres

The Demunas constitute roughly half of all defence offices in Peru. The rest are mainly voluntary services in schools (the students elect representatives who coordinate with school authorities, working closely with parents' organisations etc), community groups/promoters (neighbourhood associations, community kitchens etc. that organise and train their members in children's rights, help each other solve family conflicts etc; a model promoted by Unicef), as well as centres installed by churches or NGOs.

The quality of services and long-term sustainability differs greatly between the various initiatives. The most important difference between the Demunas and the others is that the Demuna is an institutionalised part of the municipal structure, open to all and free of charge.

The Demunas are generally positive to the existence of other kinds of children's defence centres. Although most agree that the Demuna is in a better professional and legal position to help solve family conflicts, the generalised perception is that there is a need for more actors to work with orientation, prevention and promotion at community level. This was also concluded in the Lewin evaluation of the Demunas from 1998.

Different centres complement each other

In Tarapoto, the NGO Prodemu is specialised in the promotion of women's rights and works with a wide range of projects and programs. As early as 1987, the organisation opened a defence centre to assist women who needed help to solve family problems but who did not possess the financial resources to employ an attorney.

Prodemu decided to promote conciliation as an alternative to the official judicial system. In most cases, it was a question of convincing the father to pay child support for his children. Cases of abuse and maltreatment were directly referred to the police, the health centre and other public institutions. The office has been financed by international NGOs and has received support from Unicef.

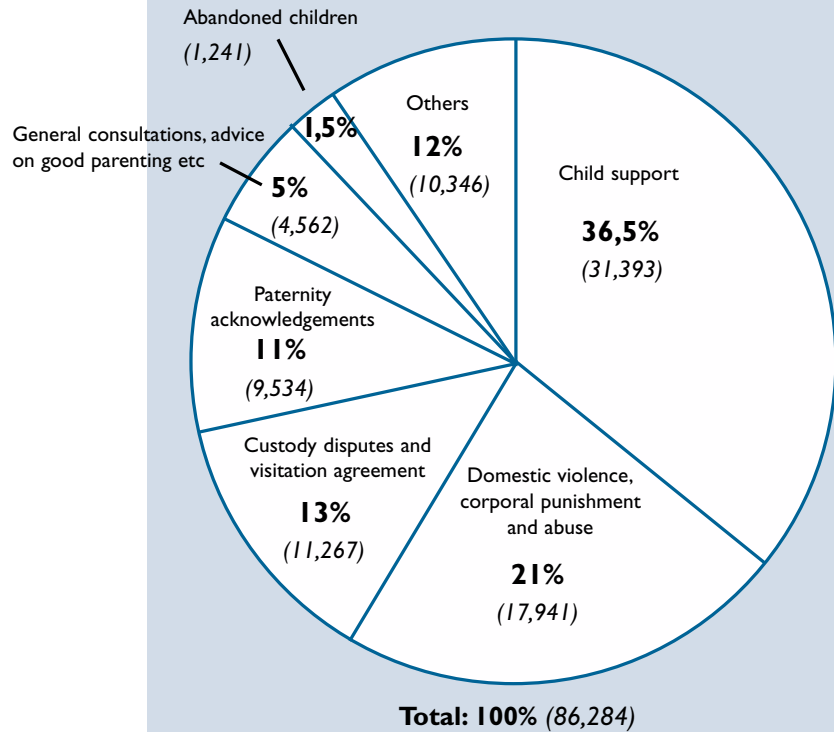
Elvira Angulo Tuesta is head of Prodemu. She believes that the Demuna system is an important advance as it implies an institutionalised approach in the defence of children's rights and is at the same time directed towards the poorest sectors of the population. Although the fact that a Demuna now exists makes it more difficult for Prodemu to find external financing for its own centre, Elvira Angulo Tuesta maintains that it is not a question of competition.

"We were very active in the work to install Demunas in this department and we firmly believe that provision of this sort of service is something that has to be assumed by the local and central government" she says.

In Tarapoto, NGOs such as Prodemu work together with public institutions and the Demuna in a network against family violence.

CASES AT DEMUNA CENTRES

Number of cases in 2001



Source: Accion por los niños, numbers based on reporting from the Demuna centres to the relevant NGOs. Considering the lack of reliable data the numbers should be interpreted critically.

Beneficiary population

Children younger than 5	45%
Children 6–11 years old	34%
Adolescents over 12 years old	22%

Source: Lewin 1998.

Benefits for children

IN THE LAST DECADE, the Demuna centres have taken action in an estimated 300,000 individual cases where children's rights have either been threatened or violated. In most instances, the centres have encouraged fathers to assume financial responsibility for their children or intervened in cases of domestic violence. According to available data, cases concern roughly the same number of boys and girls.

The users of Demunas are, in most cases, mothers. A vast majority of them would not have been able to pay a lawyer, making the Demuna the only real option for them to obtain professional, outside help. But the Demunas are more than alternative lawyers. The Demunas' point of departure is what is best for the child. While the judicial system focuses on the law, the Demunas address the social aspects underlying the problem.

In addition to the attention given on individual level, the Demuna is a point of reference within the community. The centre is a place to go for help and advice, but it also serves as a constant reminder for politicians, institutions, parents and children themselves. The mere existence of the Demuna helps to make visible children's rights as well as the need to defend them.

Children's participation

Although the legal framework in Peru is relatively comprehensive and theoretically inspired by the Convention on the Rights of the Child, society continues to view children as objects or beneficiaries of protection. Children's views are seldom taken into consideration.

The Demuna centres have increasingly focussed on mobilising local authorities and organisations on children's rights issues. In recent years children's own participation in these activities has increased, although this appears to vary greatly from municipality to municipality. And even if children are represented in municipal committees or working groups of different sorts, it is rare to note that children's own organisations are represented.

Some Demunas report that children rarely approach the centre to file a complaint or seek advice, while others report daily contacts with children and especially adolescents, often seeking advice on how to tackle problems, rather than filing complaints.

The number of children and adolescents who apply to the Demuna would appear to directly depend on the level of awareness and ongoing children's rights-related activities in each particular municipality. In the municipalities of Independencia and Chorillos in Lima, for example, the Demuna has worked closely with children's rights promoters in public schools. This has led to direct contact between the Demuna staff and the schools, making it natural for children to approach the centre.

Vulnerable groups

The lack of reliable national data makes it difficult to make any statements on how the Demuna centres work on a general level with especially vulnerable groups of children, such as working children and teenage parents. Also, the existing reporting formats exclude several groups entirely, groups such as disabled children.

In many cases, the work that a Demuna centre carries out with a special group of children is dependant on whether external financing has been received for this purpose. In Villa El Salvador, for example, the Demuna works with young offenders and working children – not because these groups have been found to be more vulnerable than others but because foreign NGOs have chosen to finance these projects.



Allison has come to the Demuna centre in Villa El Salvador with her mother and puppy dog.

Alison's right to her identity

Six-year-old Alison has come to the Demuna centre in Villa El Salvador with her mother Cecilia Quispe Choque. The puppy dog was also allowed to come along.

"Alison's father doesn't help out, so we're here to see if the Demuna can help us settle an agreement on child support", says Cecilia and explains that she has been to the centre before.

"When we separated, Alison's father initially claimed full custody, so he turned to the Demuna. I won the dispute, but it was an unpleasant experience to be summoned, even if the people working here always treated me well," she says.

Besides seeking help with the child support settlement, it appears that Alison's birth certificate has disappeared from the public register. This documentation is necessary in order to enrol Alison in school.

"How is it possible that those papers can disappear? I hope that the Demuna can help me with the procedure so that Alison can go to school," says Cecilia.

SAME IDEA – DIFFERENT STRATEGIES

Although the idea behind the Demunas is clearly based on the concept of the human rights ombudsman – there are fundamental differences between the two entities:

- ▶ In Peru, the human rights ombudsman (the people's defender) is appointed by Parliament and represents an independent non-political body. The ombudsman's task is to report on how the state fulfils its obligations towards its citizens, thus safeguarding the human rights and interests of all Peruvians.
- ▶ The Demuna directors are appointed directly by the Mayor of each municipality and are financially dependent on the political priorities of the municipal government. Their role is to protect and promote the rights of children and adolescents in the municipality.

Some typical cases

Case 1: Custody dispute

Rodolfo Gutierrez is sitting on the edge of the chair facing the lawyer's desk at the Demuna office in Villa El Salvador. His arms and face show signs of bleeding scratches and he is very upset. Two days ago, Rodolfo's wife left with the couple's two children and moved in with another man. She will not let Rodolfo meet his children and says that he no longer exists for them.

After first consulting the police, Rodolfo was sent to the Demuna office where he is given advice on how to proceed. The lawyer has listened to his story and taken note on where the wife can be located. The next step will be to call her to a meeting at the Demuna, explaining that whatever problems adults may have; this cannot interfere with parental obligations towards their children. After that, both Rodolfo and his wife will be summoned to discuss and sign an agreement that regulates child support and visitation arrangements.

Case 2: Child support and shared responsibility

After several years of quarrelling, Rosa Sanchez' ex-husband has finally agreed to help with the raising of their two children. Rosa,

who lives in a settlement and makes her living by washing clothes or cleaning houses, has great difficulty in putting her children through school. There just is not enough money.

"I have to work long days, but I can't afford to pay anyone to take care of the children after school. Since I don't want to leave them by themselves, I have to find jobs that let me take the children along. And that's hard", she explains.

So now Rosa is going to send her children to stay with her ex-mother-in-law, who lives in the countryside. There, the children will be able to go to school and receive proper attention while Rosa hopefully will be able to work to improve the family's vulnerable situation. Rosa's ex-husband has agreed to pay for this arrangement.

Rosa turned to the Demuna office to have an agreement drawn up, stipulating that the current arrangement has been agreed by both parents and is for one year only.

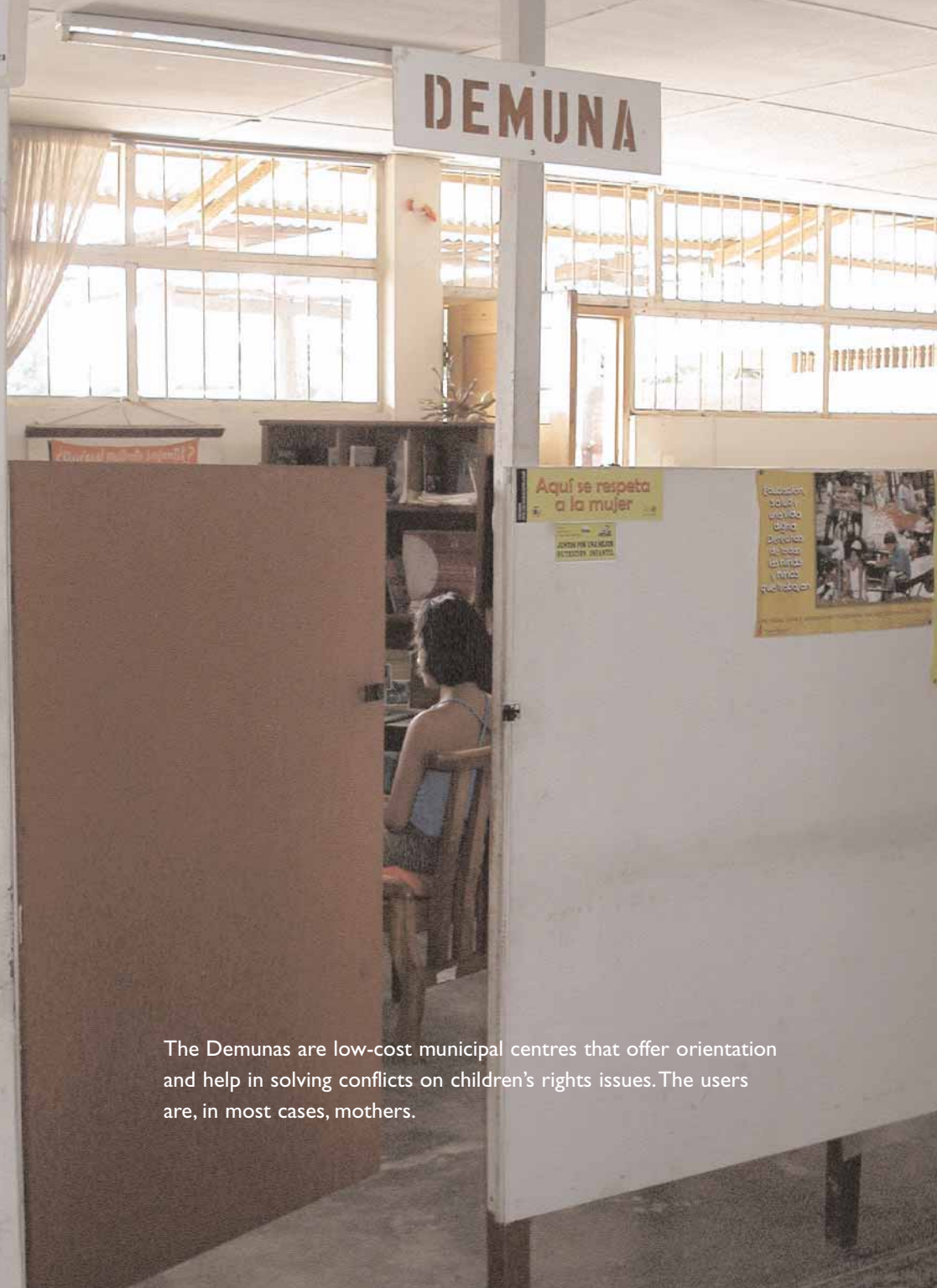
Rosa Sanchez has turned to the Demuna in Villa El Salvador once before. It was shortly after her husband had left and refused to pay child support. The Demuna helped Rosa to reach a settlement, but her former husband soon stopped paying saying that he had no income.

"The people here at the Demuna did all that they could and were very helpful. The problem was that my ex-husband didn't care", she says.

Case 3: Advice and counselling

Noelith Torres Paredes turned to the Demuna office in Picota to demand that her husband, who had left her for another woman, should pay child support for the couple's 4-year old son. After turning to the Demuna, the husband began to pay and eventually moved back home again. According to Noelith, the counselling at the centre helped her husband to understand his parental obligations and to put his son first.

Noelith explains that the office is an important point of reference for women in Picota. "It's the one place where we can turn with our problems", she says.



The Demunas are low-cost municipal centres that offer orientation and help in solving conflicts on children's rights issues. The users are, in most cases, mothers.

With an eye to the future

IN 2000, SCS DECIDED that financial support to the Demuna project – mainly consisting of the counterpart NGOs' training of Demuna staff – would be phased out. This decision was taken for several reasons. First and foremost, it was the result of continued strategy changes within SCS, which included a clearer focus on advocacy work. However, bearing this in mind, the decision was also supported by an unspoken desire within SCS to “clean up and go on”. After nearly a decade of support there was, without doubt, an institutional weariness towards the Demuna project.

According to SCS, the counterpart NGOs were informed of the decision and asked to present phase-out plans. Some of the counterparts, however, maintain that the Swedish organisation never communicated any formal decision to them. Whatever the case, the situation sparked a conflict between the institutions involved, based on differing views concerning the future of the Demuna centres and the roles the different institutions ought to play. Due to this situation, no phase-out plans were ever presented.

“We should have been much clearer, no doubt about that. But the fact remains that it is always difficult to end financing, it's a painful process” says Anna Karin Petré, Programme Officer at the SCS office in Lima.

The final activity funded by SCS was an information and lobbying campaign leading up to the municipal elections in late 2002. The objective was to gain political support for the Demunas and attempt to convince the different mayoral candidates to hold on to the existing staff if they were to win the elections. This campaign is believed

to have had some impact, even if the majority of the Demuna directors were replaced after the elections.

The counterpart NGOs entered 2003 with no budgets to train the new Demuna directors. Few initiatives appear to have been taken to prepare for this situation. Project proposals have only recently been presented and in Lima, a Spanish organisation has agreed to finance the training of 120 new Demuna directors.

“We didn’t see any point in making up plans before we knew the new mayors and their attitudes towards the work of the Demunas. Now we’ve had some time to build up relationships and have several ideas about future strategies”, says Bety Laurel, Programme Officer at the counterpart Cedisa in Tarapoto, a city in the department of San Martín.

The six NGOs, which constituted the Demuna centre support group, are all regular SCS counterparts and receive financing for a number of different programs, as well as support for organisation development. This group continues to coordinate efforts regarding the Demunas and are presenting joint project proposals to possible financiers. Competition between the organisations is, however, a problem making it difficult to work efficiently.

Staff interviewed at Mimdes express that it is unfortunate that SCS has removed its support from the Demunas:

“Save the Children should think twice. A lot can be lost, especially since the ministry still doesn’t have the resources to assume full responsibility for training or for supervising the centres”, says Patricia Fernandez Tarrazona, who heads the office at Mimdes in charge of defence centres.

SCS maintains that the time to phase out support is long overdue:

“We woke up too late. We should have seen our role as part of a process rather than owner of a project”, explains Blanca Nomura, Programme Officer at SCS and one of the people who have been around since the beginning.

“Looking back, we should have studied the sustainability aspects at a much earlier stage. Personally, I believe that there has been an

overconfidence in the Demunas’ capacity, as if the model itself could solve all the problems”, adds Anna Karin Petré at SCS headquarters in Lima.

“But in any case, five years from now the Demunas will still be there. The centres are protected by a legal framework, public knowledge and social recognition. And that isn’t just going to go away”, both women agree.

Major achievements

More than a decade after their country’s ratification of the UN Convention on the Rights of the Child, the majority of Peruvian children continue to lack basic rights such as education, health and security. Moreover, children’s rights are not a political, social or financial priority on any level in society. Change takes time and will continue to do so, in Peru and in other countries.

Although the overall picture is gloomy, it is equally important to recognise that considerable improvements have been made. One of these achievements is, without doubt, the existence of the around 600 Demuna centres nationwide.

- The major achievement of the Demuna experience is that the protection of children’s rights is now institutionalised into the municipal structure, organically and legally. This would have been unthinkable only a decade ago.
- Another important accomplishment is the existence of a substantial number of competent actors in the field of children’s rights. The NGOs collaborating with the Demuna project, for example, have all developed and been considerably strengthened through the project. Parallel to the development of the Demunas themselves, the project resulted in the establishment of a group of NGOs that, over the course of time, have become guiding lights in the field of children and children’s rights.
- The Demuna experience has also pinpointed the importance of local networks where public institutions and community-based

organisations coordinate and jointly promote children's rights issues. In some cases, this role has been played by the Comudenas, which are directly linked to the Demuna project. In other instances, already existing or other forms of networks have assumed this function.

- Another achievement is that the state, through Mimdes, has established an office that, at least on paper, has the overall supervisory responsibility for the defence centres. This responsibility has not been assumed, and perhaps it never will be. But the existence of the office is in itself a means of state recognition of its own responsibility.
- A further achievement is that the Demuna model has succeeded in arousing interest not only in Peru, but also in other countries in Latin America. The model has served as a point of reference for similar initiatives in Paraguay, Chile, Venezuela and Argentina.

The Demunas are one of many initiatives working to defend and promote children's rights in Peru. At present, and in many cases directly inspired by the Demuna experience, there are several different kinds of children's rights defence centres functioning. Recently the Ministry of Education decided to support the creation of a national system of school defence centres based on children's participation.

What role the Demuna centres will play in the future will, of course, depend on many factors but it is clear that the experience as such has contributed to increasing overall interest and commitment towards children's rights.

Challenges for the future

During the last decade, Peru has experienced turbulent political change and although the country is undergoing a process of democratisation, reality continues to be ever changing. In the case of the Demunas, this means that what may have been a viable strategy a year ago, may be impossible or even counterproductive today.

One of the main strengths of the Demuna model is that it has been under constant development. This asset is especially important now that SCS as the main financier has withdrawn its support via the counterpart NGOs.

Persuading the state to take over

In an evaluation from 2002 on the sustainability of the Demunas system, the author concluded that the overall goal of institutionalisation had not been reached. The Ministry has never assumed its responsibility as the supervisor of the Demuna system.

All evaluations and studies performed on the Demunas have discussed this aspect. Despite this, no alternative strategy appears to have been ever seriously discussed, neither among the collaborating NGOs, nor SCS or the Demunas themselves. That is, what do we do if the Ministry does not assume its role as the state and responsible entity?

This is surprising for several reasons. Considering that the Demunas project has been running for ten years, it should have been natural to discuss this question at an earlier stage. Everyone has been aware of the limited capacity of Mimdes, which should have generated discussion on strategies regarding the Demunas.

One possible explanation is the conflict of interest regarding the future sustainability of the Demuna centres. The relevant NGOs have won recognition and received funding through the Demuna project and do not stand to gain from more independent Demuna centres – and as long as the NGOs assume responsibility, there is no practical need for the state, through Mimdes, to take charge.

In late 2000, the Minister in charge of Mimdes commissioned an evaluation on the role of her ministry proper regarding the defence centres. This evaluation, carried out by Juan Contreras, concluded that the level of coordination within the office was insufficient in order to meet technical and administrative demands. The evaluation further concluded that decision-making was far too centralised, that the system of monitoring and evaluation was inadequate and that

there was no institutional awareness whatsoever of how to change these conditions.

One of the main conclusions in the Juan Arroyo evaluation from 2002 is the need to formulate what he calls a “bridge strategy” between what has been achieved at municipal level and what is expected of Mimdes. The issue of institutionalisation needs to be approached from the bottom up to the top level.

Decentralisation – a wildcard worth playing

For the last decade Peru has, as in many other countries in Latin America, been in the process of decentralising state power to regional and municipal governments. This process took an important step forward in late 2002, when regional governments were elected for the first time. These governments have recently been installed and their actual power – both political and financial – still remains to be defined. The legal framework is contradictory and although the law obliges the central government to transfer funds to the regions, it has not been established how much or for what purposes.

Counterpart NGOs, such as Cedisa, are discussing how they can work to convince the newly elected regional governments to commit to children’s rights in their political programs. At central level, organisations such as Accion por los niños and Unicef are lobbying in parliament, trying to push the decentralisation process forward. These organisations suggest that Mimdes’ central supervisory and monitoring responsibility for the Demunas and other defence centres, be transferred to institutions at regional level.

All in all, there is an apparent need for systematic and coordinated advocacy efforts at both central and regional levels, involving both collaborating NGOs and the Demuna directors. A recently formed inter-party parliamentary working group on children has shown interest in the decentralisation process and could be an important ally in this work.

Their precarious financial situation combined with the lack of

state supervision has led to many Demuna centres to working in isolated positions within their own communities, especially in the rural areas. But isolation could also be turned into a conscious strategy. If the Demuna system cannot manage to find a state entity – at central or regional level – willing to assume full responsibility, an alternative could well be to refer to the autonomous status of the municipal government and decide to focus on local level only.

Professional conciliation centres

In 1998, a new conciliation law was passed that acknowledged the Demuna system and enabled the centres to apply for official conciliation status, meaning that agreements signed at the Demuna would have legal status and stand up in a court of law. This generated great expectations as it was seen as an opportunity to achieve higher status for the Demunas.

SCS signed an agreement with the Ministry of Justice and financed the training of relevant NGO staff and selected Demuna directors according to legal requirements. However this new legislation was, as is often the case in the legal system in Peru, open to interpretation and to this day there has been no political consensus on what the law actually means. In addition, only four Demunas have been accredited as official conciliation centres and not one single conciliation agreement with sentence value has yet been tried in the judicial system.

The accreditation process has required, and continues to require, major investment in the form of time, money and labour on the part of the Demunas. The staff, where some have been replaced throughout the process, must receive costly training, and the centre itself has had to live up to a long list of primarily bureaucratic requirements. The office walls have to meet certain standards, there must be a round table, and even the chairs have to live up to specific demands.

During the writing of this report, the Peruvian Bar Association has presented a proposal to Parliament suggesting the annulment of

this law. Although the lawyers are defending their own interests, this proposal should be regarded as an example of the uncertain situation.

Several NGOs, such as Accion por los niños, together with some of the Demuna centres, continue to emphasise the need of turning Demunas into professional conciliation centres. This is in part because this route may possibly generate revenue from international donors. These efforts do not appear to have been weighed against other possible approaches, for example the strengthening of the Codemuna system.

A voice of its own

For several years, there was strong, dynamic cooperation and coordination between the Demuna directors in metropolitan Lima. These networks, so-called Codemunas, were used to promote issues of mutual interest, coordinate training activities and share experience. Similar networks continue to exist in different parts of the country, although to varying degrees and mostly depending on the personal commitment and enthusiasm of the people involved.

Politically and institutionally, there is need for more, systematic coordination of the centres. Taking advantage of their experience and the nationwide coverage, the Demunas are in a unique position to jointly formulate political policies in promotion of child rights. Institutionally the centres can strengthen each other, sharing experience, organising workshops etc.

In the provincial capital Picota, in the department of San Martín, there is currently a dialogue between old and new Demuna directors within the province and the municipal councils on how Demuna centres can work together to exchange experience and jointly strengthen their efforts. There is also discussion about the network assuming responsibility for the necessary training of new Demuna directors. Costs are low, consisting mainly of bus fares and travel allowances. The strategy is to persuade municipal governments to cover expenses.

Lessons learned

Governance aspects

- It *is* possible for relatively small organisations with limited resources, such as Save the Children Sweden and its Peruvian counterparts, to create a national model, incorporate it into the state apparatus and go large scale in quite a short period of time.
- In order to function at national level, the model must be agile and simple enough to adjust to different local realities – regarding size as well as financially, socially and ethnically.
- The Demuna experience has proved that it is possible to address the local level and achieve a fairly broad coverage within municipalities, in spite of a heavily centralized state administration and weak institutions, lack of capacity and scarce resources at the local level.
- A legal basis, in this case the Child Code, is important as a starting-point for new initiatives such as the Demunas. In Peru, however, laws and regulations may be applied differentially and the fact that laws are not always enforced must be taken into consideration.
- The demonstration effect can be useful in order to replicate a model. The Demunas were initiated in a few, strategic locations. When they had achieved a certain level of success, other municipalities were invited to study the experience, leading to a snowball effect.
- It must be clear from the start, and to all actors involved, that the government is the primary duty-bearer and all parties involved must act in accordance with this. The rights-based approach implies that the government, or its decentralised entities, are accountable.
- Popular pressure is important in order to press institutionally weak and cash-strapped governments and municipalities into assuming

their role as primary duty-bearers. A strategy for advocacy and lobbying must, therefore, form a central part of any project attempting to enhance governance.

- Combining municipal and external financing is tricky. Although external funding can provide space for more promotion and prevention work there is always a risk that scarce human resources are diverted to areas for which funding is available instead of areas identified as priorities in the community. There is also a risk that municipal funding will be withdrawn if other resources are available, resulting in lost municipal ownership.
- Although the Demunas primarily deal with individual cases, they can also play a coordinating role between different public institutions and other actors in the municipality, thereby enhancing children's rights in wider circles.

Save the Children Sweden and partner organisations

- In any project, especially more long-term involvements with public institutions such as the Demunas, many lessons can be learned along the way. SCS and partner organisations need to continuously discuss recent developments and, when needed, formulate alternative strategies.
- Short and long term project sustainability, including a decision on approximately when and how external financing will end, must be considered and form part of any project strategy from the outset. Even if it is not possible to set specific dates, awareness must exist on the roles of SCS and its partners and their inherent limitations.
- Ownership is fundamental for sustainability. A clear strategy must be established on how to transfer responsibility, and thereby ownership, to partner organisations and/or the relevant public institutions over time.
- SCS must be aware of the project effects not only at beneficiary level, but also among the implementing actors. Existing and upcoming power relationships between project actors must be con-

sidered in order not to divert attention from the primary duty-bearer's responsibility.

- It is important to actively seek and consider the opinions of others working in the field of children's rights, such as Unicef, other NGOs and church organisations. Institutional competition is far from uncommon and should be consciously counteracted.

Effects on children

- The Demuna experience proves that it is possible to combine dealing with individual cases/children at the same time as promoting relevant issues and serving as a point of reference in the community for children's rights in a broader sense.
- It is not possible to assess effects on children if methods for this are not specifically defined in the planning and implementation of the project. Despite being in existence for more than a decade, there is no reliable statistical data on the development of the Demuna centres, the number and type of cases that they deal with and follow-up on these cases. Systematisation and information systems should have been defined at the beginning of the project.
- In order to promote children's participation in the Demunas' work and their approaching the centres to seek advice, links must exist between the project and arenas where children are active such as schools, children's own organisations etc. Community leaders must also be encouraged to actively disseminate information about the work of the Demunas.
- The Demuna model was quickly brought to scale. Regarding the projects' effects on children, it is possible that a slower process, where more time would be invested in developing methods, e.g. for documentation and follow-up at the pilot level, would have entailed more qualitative work in this respect.

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For more information, please contact:

Save the Children Suecia, Oficina Regional para América Latina y Caribe, Apartado Postal 14-0393, Lima, Peru,
tel (51-1) 422-9292, fax (51-1) 422-4632,
e-mail: postmaster@scslat.org

Save the Children Sweden, SE-107 88 Stockholm, Sweden,
visitingadress Torsgatan 4, Telephone +46 8 698 90 00,
e-mail: info@rb.se

A SHORT GLOSSARY

Acción por los niños: the coordinating counterpart NGO initiated by SCS in 1999 and local counterpart NGO in the departments of Lima and Callao

Cedisa (Centro de Desarrollo e Investigación de la Selva Alta): SCS's local counterpart NGO in the department of San Martín

Codemuna (Coordinadora regional de Demuna): regional coordinator of Demuna centres

Comudena (Comité Municipal de los Derechos del Niño): municipal children's rights committees

Demuna (Defensoría municipal del niño y el adolescente): municipal child and adolescent defence centre

Mimdes (Ministerio de la mujer y desarrollo social), formerly Promudeh: the Ministry of Women and Social Development

*Save the Children fights for children's right's.
We deliver immediate and lasting improvements
to children's lives worldwide.*

Save the Children works for:

- a world which respects and values each child*
- a world which listens to children and learns*
- a world where all children have hope and opportunity*



Save the Children Sweden
SE-107 88 Stockholm
Telephone: +46 8 698 90 20
Telefax: +46 8 698 90 25
Internet: www.rb.se
Postal/Bankgiro: 90 20 03-3

Code nr XXXX