

WORKSHOP WITH LATIN AMERICAN AND PERUVIAN
PARTNERS OF SAVE THE CHILDREN

**INTRODUCING SAVE THE
CHILDREN SWEDEN'S TOOL
“GUIDE FOR THE CIVIL
SOCIETY TO WORK WITH THE
PRIVATE SECTOR IN FAVOUR
OF CHILDREN'S RIGHTS”**

LIMA, AUGUST 7-8, 2013



¡TRABAJO Si!

¡EXPLOTACIÓN No!

- Plantea por los derechos del niño trabajador
- Manifestación de condiciones de trabajo y exigidas
- Utilización de megafonías y carteles informativos que reflejen la situación y den apoyo a la petición

INTRODUCTION.

After 24 years of the implementation of the Convention on the Rights of the Child, we can confirm that there is a much more favourable context to the universality and global recognition of fundamental rights, among which are children's and adolescents' rights. This has allowed incorporating increasingly more new and important stakeholders who contribute or may contribute to the promotion and defence of said rights. Among these new stakeholders, especially after the Global Compact endorsed by the UN, are businesses.

The impact of businesses on children's lives is well-known, and thus the Committee on the Rights of the Child has adopted General Comment N° 16 in February 2013, regarding the duties of the States on the impact of the private sector on children's rights.

In March, 2012 the Global Compact, UNICEF and Save the Children launched the Children's Rights and Business Principles, freely adopted by companies in order to guide their work within a framework of promotion and protection of children's rights.

Also, two major changes are occurring simultaneously in the relationship between business and NGOs. Every day, the number of companies —especially international companies— interested in working with child-rights organisations grows in order to develop joint programmes or projects (different from philanthropic approaches) that can impact communities in a positive, lasting manner.

Moreover, the global structural transformations regarding the conditions, flows, and volumes of the international cooperation —which has been reduced distinctly in Latin America, and even more since the beginning of the economic crisis affecting the developed world— are forcing to redefine the relationships between organisations defending children's rights and companies involved in philanthropy, focused support, and sustainable development.

Initiating relationships with the private sector that will strengthen the advocacy of organisations defending children's and adolescents' rights has become a new challenge —one that needs to be addressed avoiding improvisation. On the contrary, standing by everything we have learned in more than two decades since the Convention on the Rights of the Child will contribute to give this relationship a dramatic, immediate, and lasting change to any joint intervention with the private sector for the lives of children.

In the last few years, many of Save the Children's partners in Latin America and the Caribbean have begun working with the private sector. In that sense, this workshop is a real necessity for the civil society to know and to start a dialogue after the introduction of these guidelines, intended for the civil society to work with the private sector the various forms of implementing the Principles and realising children's rights.

GOALS.

The workshop proposed the following goals:

- Introducing the Guidelines developed by Save the Children Sweden and addressed to the civil society to work with the private sector.
- Exchanging experiences from Save the Children's partners in Latin America on their work in collaboration with the private sector.

PARTICIPANTS.

A total of 27 people from Save the Children partner organisations in Latin America and the Caribbean took part in the workshop. Seventeen of them were women, and the rest were men, which shows both genders were represented.

Among the participants, the delegates came from civil society organisations from Argentina, Costa Rica, Ecuador, El Salvador, Nicaragua, Paraguay, Peru, Uruguay, and Venezuela.

Organisations participating in the workshop were very varied, including community-based movements, coalitions, foundations, and NGOs.

METHODOLOGY.

The methodology included lectures facilitating the introduction of the Guidelines and the Business Principles, with an active participation from SC partners, especially those with working experience with the private sector.

ASSESSMENT AND FINDINGS.

During the workshop, we learned that not all Save the Children's partners in the region have the same level of relationship with the private sector.

Very few partner organisations —a total of two— are already working corporate social responsibility with companies in their countries. Likewise, they are participating in pilot projects with UNICEF, the Global Compact, and also representing Save the Children in the implementation of the due diligence with some companies.

Other partners showed some concern because most companies do not work with a rights-based approach, nor a child rights-based approach, and in order to get support NGOs could be subdued by companies.

It was also pointed out that in Latin America there are many national and international companies dedicated to extractive activities violating indigenous communities' rights, and that should be considered when evaluating a joint endeavour.

It was suggested to partner with international organisations working issues of transparency and corruption. It was also suggested that when considering pros and cons of a company, it was a good idea to assess the company in order to confirm it meets CSR guidelines in a comprehensive manner. It was mentioned that some companies, for example, work for the eradication of child labour, but they do not respect their employees' labour rights nor decent work of their youth workers, who can also be parents.

Other partners reported that they have not yet started a working relationship with the private sector, and they needed more training and information.

They pointed out, however, that Save the Children is posing an interesting challenge, because it is obvious that the private sector is increasingly involved in all spheres of society.

Regarding the Guidelines, there were different opinions. In short, it is a useful tool for their work, but it is only a guide to work with the Principles, and not a tool that should be applied exactly as it is presented.

It was very important to include experts such as Carlos López, advisor to the International Commission of Jurists, for the lecture on the legal framework; and also Martín Villarroel, from Save the Children, on the issue of extractive industries in Latin America.

Finally, one of the most important practical conclusions of the participants was to organise learning communities on the subject.

CONCLUSIONS.

Among the main conclusions of the workshop, we may mention the following:

- There is a new context which calls for an active relationship with the private sector, the same way is happened previously with the government sector, in order to guarantee the defence of children's and adolescents' rights.
- Opportunities and difficulties of establishing a relationship with the private business sector were identified. It is not an easy path, but it is also not an impossible, unproductive one. It is definitely a new experience for everyone.
- The importance of basing this work on the Convention on the Rights of the Child and the related international regulations was highlighted, as well as its dissemination among different sectors of the business sphere. Special emphasis was given to the fact that the corporate social responsibility is a matter of rights, not of philanthropy.
- It is important to know and disseminate the Rights of the Child and Business Principles among the private sector. These Principles were developed by the Global Compact, UNICEF and Save the Children as an international agreement standard on what companies should do in order to respect and promote children's and adolescents' rights.
- There is a need to establish possible relationship with companies in just terms, avoiding the use of regulations as weapons against them nor using them as mere sources of finance, but rather using the regulations they way they are: a universal guarantee of respect for rights which are binding and by which everyone —society, government and businesses— can and should work.
- Corporate social responsibility is reaching an increasing importance among companies. In addition, for the time being this trend is only reaching a limited number of the corporate sector in Latin America, and it is necessary that the CSR be incorporated to the majority of businesses.
- Informal business activities in many countries in Latin America reach high proportions of the economic activities —they are not taxed nor comply with the legal framework, nor practice social responsibility. They are frequently involved in children's and adolescents' rights violations, as it occurs for example in the case of child labour and trafficking in children.
- The need to reflect on the nature of civil society organisations working for children's rights, in order to start with this self-awareness and maintain the basic profile and essence of our work as part of the civil society, and prevent this work from dissolving in their relationship with businesses and the government.
- The different levels of development of Save the Children partner organisations in Latin America regarding the relationship with the private sector, where some already have experience and a starting path already set, and other which don not, and which are currently considering the possibility of entering this field.

- The applicability and relevance of the Guidelines elaborated by Save the Children for working with the private sector regarding each of the Business Principles, and the commitment to apply them and contribute to their permanent validation and development. Some observations to the Guidelines were formulated, which Save the Children collected in an effort to improve them constantly. Likewise, the participants expressed the need to coordinate this tool with others already in existence and in application, particularly those of UNICEF.
- The importance of networking and coalition work was mentioned, in order to improve the effectiveness and strengthen the presence of the movement for children's and adolescents' rights.
- Verifying that there are very valuable, interesting, and important experiences (although still quite few), of a productive relationship with the private sector favouring children and adolescents among some Save the Children partners in Latin America. In this regard, it was particularly interesting to hear the lecture of Fundación Paniamor from Costa Rica regarding tourism in order to eradicate trafficking in children and adolescents.
- The importance of maintaining the effort of observation and research of reality in order to identify situations that threaten children's and adolescents' rights. A very enlightening case was given by the Uruguayan experience, presented by Mr Jorge Freyre, where the government denied the existence of child labour and the civil society did not have the data; but after a timely diagnosis it was demonstrated that the problem did exist and it was urgent to address it.
- Organising learning communities on the issue with all Save the Children partner organisations in order to inform and analyse experiences, concepts, and ideas in a common way, seeking to reach shared interpretations on the essential issues for everyone's work.