

challenges

Number 14, September 2012

ISSN 1816-7551

Newsletter on progress towards the Millennium Development Goals from a child rights perspective

>> The Rights of Indigenous Children



UNITED NATIONS

ECLAC

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The Rights of Indigenous Children

While children in general are overrepresented among those living in poverty, a long history of discrimination and exclusion has ensured that indigenous children in Latin America and the Caribbean are in an even worse position. In the general population 63% of children aged under 18 years live in poverty, as measured by privation of the basic rights to well-being; however, that figure is as high as 88% among indigenous children in the same age group. This is a violation of these children's rights –including their rights to survival and development– and entails high costs for society in terms of productive capacity and social inclusion. That is the thrust of the argument in the central article of this issue of Challenges, which focuses on poverty among indigenous children. The data show a pattern of inequality that is highly detrimental to indigenous children: they make up a disproportionate number of those living in extreme poverty and are three times more likely to lack access to education, safe drinking water and housing than other children. It is a matter of particular concern that in the countries of the Andean Community 5 of every 10 indigenous children under the age of 5 years suffer from chronic malnutrition.

This edition includes brief testimonies by indigenous children as to what their life is like; an interview with Marta Maurás, Vice-Chairperson of the United Nations Committee on the Rights of the Child, on the international mechanisms in place to safeguard the rights of indigenous children; and, lastly, an article on the Uantakua programme in Mexico, which uses information and communication technologies in bilingual schools with large indigenous populations.

02 editorial

The Rights of Indigenous Children

03 agenda

Recent and upcoming events

Key documents

the voice of children and adolescents

What does being indigenous mean to me?



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04 analysis and research

The right to well-being for indigenous children: progress to date and the current situation in Latin America

10 viewpoints

How are the rights of indigenous children and adolescents protected at the international level?



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11 learning from experience

Information and communication technologies in bilingual schools: the Uantakua programme in Mexico

12 did you know...?

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Challenges
Number 14, September 2012
ISSN printed version 1816-7543
ISSN electronic version 1816-7551

Cover photo
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Recent and upcoming events

>> Fifth World Congress for the Rights of Children and Adolescents

The fifth World Congress will be held in San Juan, Argentina from 15 to 19 October 2012. The meeting will reflect on how children and adolescents are affected by the different processes of social change, particularly with regard to families, public policies, the education system and the media.

<http://www.vcongresomundialdeinfancia.org/>

>> Eighth International Conference on Intercultural Education in Indigenous Contexts (ICIECI)

Specialists in the fields of philosophy, anthropology, sociology, psychology, linguistics, health and the environment will come together at a conference on intercultural education to be held from 10 to 13 December 2012 in Temuco, Chile.

<http://www.observatorio.cl/node/6206>

>> Nineteenth Colombian Congress on the Prevention of and Responses to Child Abuse: "Breaking the cycles of violence"

This congress was held on 4-5 July 2012 in Bogotá to discuss how to stop violence against children and adolescents in Colombia.

<http://www.afecto.org.co/noticias.htm?x=20160155>

Key documents



ECLAC and UNICEF, 2012

"Guía para estimar la pobreza infantil. Información para avanzar en el ejercicio de los derechos de los niños, niñas y adolescentes" (Spanish only), Santiago, April.

<http://dds.cepal.org/infancia/guia-para-estimar-la-pobreza-infantil/>



ECLAC and UNICEF, 2012

"Pobreza infantil en pueblos indígenas y afrodescendientes de América Latina" (Spanish only), Santiago, May.

http://www.eclac.cl/publicaciones/xml/9/47289/pobrezainfantil_web.pdf



>> UNICEF, 2012

"Suicidio adolescente en pueblos indígenas. Tres estudios de caso" (Spanish only), Copenhagen, May.

http://www.unicef.org/lac/Suicidio_Adolescente_en_Pueblos_IndigenasI.pdf



>> ECLAC, UNFPA and UNICEF, 2011

Del Popolo, Fabiana and Alma Jenkins (coords.) (2011), "Contar con todos. Caja de herramientas para la inclusión de pueblos indígenas y afrodescendientes en los censos de población y vivienda" (Spanish only), Santiago, December.

http://www.cepal.org/cgi-bin/getProd.asp?xml=/publicaciones/xml/9/45609/P45609.xml&xsl=/celade/tpl/p9f.xsl&base=/celade/tpl/top-bottom_ind.xslt

What does being indigenous mean to me?



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"I'm Aymara because I have an Aymara name and we Aymaras have a different language."

Josue, age 5

"Being Atacameña is my race; I feel proud, I like it."

Nicole, age 10

"We're Collas and we play guitars, we play drums."

Javier, age 4

"In our house we don't speak Rapanui. That's why we don't know much. It seems that it used to be forbidden."

Colin, age 6

"I'm Mapuche and that means that we dance choike purrun, we play the trutruka and speak Mapuche."

Llufke, age 5

"I have a Mapuche name. Llufke means lightning."

Llufke, age 5

"We go to a school where they're teaching us about the Huilliches. That's what we are."

Johnatan, age 5

"Now the Huilliches don't travel much and they all live on the island. They weave and take care of animals."

Johnatan, age 5

"The Kawéskar eat chapaleles, fish and seal meat. My mom is teaching me to make baskets out of reeds."

Sarita, age 5

"When I have children I'm going to teach them everything about the Yaganes, and I'm going to tell them that I'm Yagana."

Camila, age 10

Source: Patricio Cuevas Parra, *Relatos y andanzas. Historias de niños y niñas de los pueblos originarios de Chile*, United Nations Children's Fund (UNICEF) and Government of Chile, Santiago, 2002.

http://unicef.cl/unicef/public/archivos_documento/88/relatosyandanzas.pdf

The right to well-being for indigenous children: progress to date and the current situation in Latin America

Fabiana Del Popolo CELADE-Population Division of ECLAC

Overcoming a history of adversity for indigenous children with a new scenario based on human rights

In Latin America there are at least 670 indigenous peoples, and though they are diverse in demographic, territorial, cultural and sociopolitical terms, the one thing they have in common is the structural discrimination that affects them all, translating into greater levels of poverty and social exclusion. Growing up in this unfavourable environment clearly has repercussions for indigenous children and adolescents.

This situation is the result of sociohistorical processes that began with the arrival of the Europeans in America and became further entrenched with the creation of nation States. From the moment the first settlers made contact, they began to introduce discriminatory practices that led to the subordination of the indigenous peoples in Latin American social structures, which was further aggravated by the seizure of a large part of their territories and wealth. The poverty of indigenous children cannot be understood without considering the systematic impoverishment to which their peoples have been subjected. Therefore, any public policy aimed at overcoming indigenous child poverty will have to consider, as a matter of course, the situation of these peoples.

In recent decades, thanks to the resistance and actions of the indigenous movement, a turning point has been reached for indigenous peoples in their relations with Latin American States. Significant legislative changes have recognized the individual and collective rights of indigenous peoples with minimum standards set forth in International Labour Organization Convention No. 169 and the United Nations Declaration on the Rights of Indigenous Peoples. These instruments establish the rights to non-discrimination; cultural integrity; ownership, use and control of and access to land and resources; development

and social well-being; political participation; and free, prior and informed consent. Emphasis also is placed on paying particular attention to the rights and specific needs of indigenous children.

The challenge facing the countries of the region is to implement measures, including regulations, legislation and national policies, to meet these standards in order to guarantee the full enjoyment by indigenous children of their human rights.

Indigenous child poverty

According to a recent study on child poverty by ECLAC and UNICEF (2010), around 63% of all children in the region are affected by poverty in some way, while the situation is even more critical among indigenous children, 88% of whom are afflicted (ECLAC and UNICEF, 2012b).¹ This situation violates these children's rights –including their rights to survival and development– and entails high costs for society in terms of human capital and social inclusion. Hence the importance of analysing and monitoring this scourge in order to formulate policies for eradicating it. In that connection, representatives of indigenous organizations signed a political declaration² at a meeting held recently in Lima to promote coordination among the indigenous youth of Latin America, urging States to formulate policies, programmes and plans for indigenous children, with specific and adequate budgets.

Availability of information on indigenous children and poverty

In recent years ECLAC and UNICEF have made efforts to define and analyse child poverty in Latin America from a human rights perspective, identifying the rights that are fundamental to ensuring children's well-being. Thresholds of privation have been defined for seven rights to permit the multidimensional and direct measurement of poverty. The seven are, namely, the rights to health, education, information, adequate nutrition, water,

¹ In the cited studies and in this article, the child population is understood to include all persons under the age of 18 years, as established in the Convention on the Rights of the Child.

² This declaration was signed at the meeting entitled "Building our strategic plan for coordination in Latin America", held in Lima from 18 to 20 August 2012.



Box 1 Information on indigenous children and youth in Latin America

Few countries in this region have systematic, timely and reliable information on the situation of indigenous children. This information is urgently needed as it is difficult to answer even the most basic questions on indigenous children, such as how many there are. According to estimates based on the 2000 census round and population estimates from 2010, there are at least 15.5 million indigenous persons under the age of 20 years in Latin America. Despite the limitations, this round of censuses made it possible to paint a picture of the living conditions of indigenous peoples and to identify equity gaps; for the first time, disaggregated information was available for most countries in the region (see the Databank on Indigenous Peoples and Afro-descendants in Latin America and the Caribbean [online] <http://www.cepal.org/celade/indigenas/piaalc.asp>).

Indigenous peoples have recently enjoyed greater statistical visibility and further significant improvements are expected in the censuses to be carried out in the 2010s. For example, 17 countries are expected to put questions about self-identification –which is consistent with a rights-based approach– to the entire population, including children, in order to gather data on all the different indigenous groups living in each country. Furthermore, every effort is being made to formulate questions that incorporate variables that are relevant to indigenous peoples; develop more accurate mapping techniques (a fundamental element for territorial delimitation); conduct pilot tests; carry out awareness-raising campaigns and consultations to encourage greater participation by indigenous peoples in censuses; and build the institutional structure for addressing issues that are relevant to indigenous peoples. To date, however, the countries of the region have made uneven progress towards these aims and have been unable to meet the minimum standards that apply to all data sources established in the international recommendations.

Source: Economic Commission for Latin America and the Caribbean (ECLAC), United Nations Population Fund (UNFPA) and United Nations Children's Fund (UNICEF), "Contar con todos. Caja de herramientas para la inclusión de pueblos indígenas y afrodescendientes en los censos de población y vivienda", Santiago, 2011.

sanitation and housing.³ This model distinguishes between two levels of privation: severe privation of some rights, giving an estimate of extreme poverty, and moderate privation.

This methodology is not easy to apply to indigenous children because of the limited sources of information available on the indigenous population (see box 1). In a recent study, ECLAC and UNICEF (2012b) adapted the methodology to be able to use the data gathered in population censuses, which are the only source of information on indigenous self-identification in the vast majority of countries. The study made a number of findings in relation to three pivotal areas: education, housing and safe drinking water. The study also brought to light previously unpublished data from the censuses of the last decade.

Acute ethnic and territorial inequities

The censuses conducted in the 2000s revealed an alarming situation: 9 of every 10 indigenous children in Latin America suffer some form of privation (ECLAC and UNICEF, 2012b). A generalized pattern of inequality was detected, with indigenous children experiencing greater levels of privation than non-indigenous children in all the dimensions considered. On average in the region, the gaps are sharper among those living in extreme poverty: three times more indigenous children suffer severe privation in access to education, safe drinking water and housing than other children.

These inequities are closely linked to territorial inequalities. A greater proportion of indigenous peoples live in rural areas where access to basic services and the availability of State goods and services is more limited. In turn, while indigenous poverty rates are lower in urban areas than rural areas, they are still higher than the rates for the non-indigenous population. For example, almost half of the indigenous children in urban areas (some 45.5%) lack access to safe drinking water, compared with 25% of non-indigenous children; in rural areas this is true for 74% of indigenous children, compared with 72.5% of non-indigenous children (ECLAC and UNICEF, 2012b).

The right to education

Several international instruments protect the right to education as an essential means of achieving the recognition and implementation of other human rights, such as the right of indigenous peoples to self-determination. The Committee on the Rights of the Child stresses the urgent need to adopt special measures to ensure that indigenous children are able to exercise their right to education under the same conditions as all other

The poverty of indigenous children cannot be understood without considering the systematic impoverishment to which their peoples have been subjected.

³This methodology for measuring child poverty was initially developed in 2003 by UNICEF, the University of Bristol and the London School of Economics and Political Science (Gordon, Nandy, Pantazis, Pemberton and Townsend, 2003; Minujin, Delamónica, Davidziuk and González, 2006). In 2008, ECLAC and the UNICEF Regional Office for Latin America and the Caribbean adapted it for application in Latin America and the Caribbean (for additional details, see ECLAC and UNICEF, 2010; and ECLAC and UNICEF, 2012a).

Table 1
Latin America (16 countries): indigenous and non-indigenous children
(aged under 18 years) experiencing privation (moderate and severe)
in education, housing and drinking water, 2000 census round (Percentages)

| Country and date of census | Moderate and severe privation | | | | | |
|--------------------------------|-------------------------------|----------------|-------------|----------------|----------------|----------------|
| | Education | | Housing | | Drinking water | |
| | Indigenous | Non-indigenous | Indigenous | Non-indigenous | Indigenous | Non-indigenous |
| Argentina, 2001 | 13.4 | 10.6 | 49.5 | 35.5 | 46.4 | 36.5 |
| Bolivia (Plur. State of), 2001 | 12.3 | 10.8 | 83.7 | 71.9 | 77.7 | 63.0 |
| Brazil, 2000 | 10.6 | 8.2 | 63.7 | 34.8 | 70.1 | 34.7 |
| Chile, 2002 | 0.7 | 0.4 | 32.7 | 25.5 | 34.7 | 11.3 |
| Colombia, 2005 | 28.4 | 10.9 | 97.2 | 67.0 | 69.1 | 22.1 |
| Costa Rica, 2000 | 34.1 | 16.2 | 68.8 | 33.4 | 62.3 | 15.5 |
| Ecuador, 2001 | 26.7 | 17.9 | 93.3 | 78.5 | 85.5 | 56.6 |
| El Salvador, 2007 | 24.4 | 20.3 | 80.3 | 64.4 | 71.1 | 57.6 |
| Guatemala, 2002 | 28.2 | 18.8 | 90.3 | 70.9 | 36.9 | 31.1 |
| Honduras, 2001 | 36.4 | 30.2 | 89.3 | 78.2 | 82.8 | 71.9 |
| Mexico, 2000 | 22.8 | 16.1 | 88.7 | 59.6 | 67.5 | 49.3 |
| Nicaragua, 2005 | 20.2 | 23.6 | 84.8 | 80.3 | 88.5 | 64.1 |
| Panama, 2000 | 29.3 | 9.8 | 94.3 | 54.8 | 71.5 | 44.0 |
| Paraguay, 2002 | 23.2 | 10.2 | 87.0 | 48.0 | 95.8 | 67.0 |
| Peru, 2007 | 10.0 | 10.5 | 81.2 | 57.8 | 64.9 | 43.2 |
| Venezuela (Bol. Rep. of), 2001 | 31.7 | 12.3 | 79.9 | 49.7 | 42.4 | 16.2 |
| Latin America | 18.8 | 12.3 | 84.1 | 49.9 | 62.6 | 36.5 |
| Moderate privation | 12.5 | 10.4 | 19.1 | 27.7 | 32.1 | 26.3 |
| Severe privation | 6.3 | 1.9 | 65.0 | 22.2 | 30.5 | 10.2 |

Source: Economic Commission for Latin America and the Caribbean (ECLAC) and United Nations Children's Fund (UNICEF), "Pobreza infantil en pueblos indígenas y afrodescendientes de América Latina", Documentos de proyecto series (LC/W.477), Santiago, May 2012; and ECLAC, on the basis of special processing of census microdata.



According to the censuses conducted in the 2000s, 9 of every 10 indigenous children in Latin America suffer some form of privation.

children, and urges States to establish culturally appropriate education services and to improve access to schools in areas where indigenous children live.

In the past three decades, Latin American countries have made efforts to achieve the education goals to which they have committed, including under the Millennium Development Goals. Access to basic education has been expanded and is now more widely available, with greater coverage in both social and geographical terms. Despite this progress, indigenous peoples are disadvantaged with regard to formal education, which is related to other fundamental spheres including health, housing, child mortality and life expectancy. Indigenous children face great difficulties in accessing and remaining in the education system, but these problems tend to be masked by the national averages.

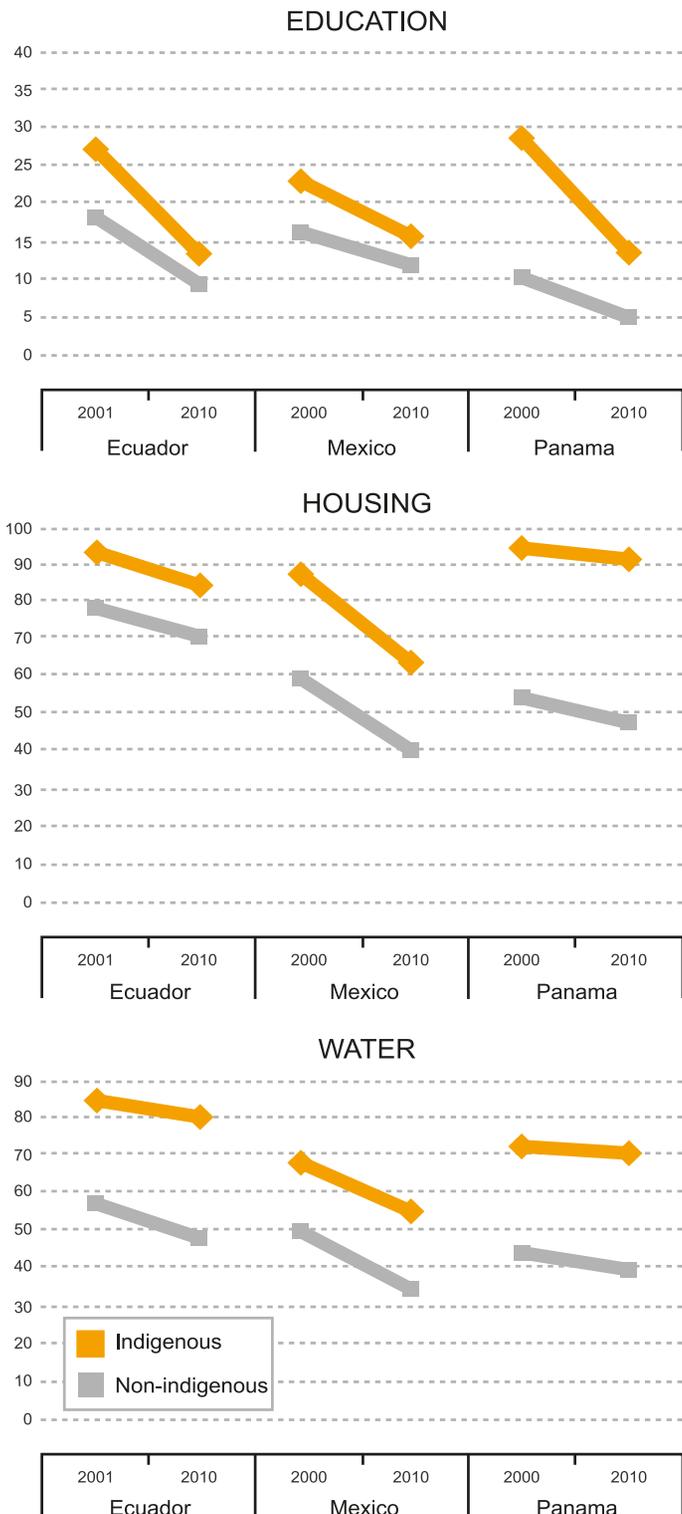
In the region, the right to education of 6.3% of the indigenous children aged 7 to 18 years is violated because they have either not formally enrolled in school or dropped out without passing any grade. In the case of non-indigenous children, the figure is 1.9% (see table 1). Moderate privation in education affects 12.5% of indigenous children, raising the overall privation level to 18.8%. There is significant heterogeneity among the region's countries: Chile is at one extreme, while Honduras, Costa Rica and the Bolivarian Republic of Venezuela are at the other, with

privation of access to education affecting more than 30% of indigenous children. The greatest inequities between indigenous and non-indigenous children are found, by order of relative magnitude, in Panama (where three times as many indigenous children as non-indigenous children lack access to education), Colombia, the Bolivarian Republic of Venezuela, Paraguay and Costa Rica; the smallest gap is found in Peru, where there is almost parity.

In addition to territorial and ethnic inequalities, gender inequalities continue to have a disproportionate impact on indigenous girls and young women. In Latin America some 7.1% of indigenous girls experience severe privation in education, compared with 5.6% of indigenous boys; the figures for overall privation (moderate and severe) in relation to education show that 20.6% of indigenous girls and 17.0% of indigenous boys are affected. These disparities to the detriment of indigenous girls are found in 9 of the 16 countries for which data are available, while in the other 7 countries the gender gaps may be closing (ECLAC and UNICEF, 2012b).

Of the eight countries in the region that included questions on ethnic identity in the censuses they conducted in 2010 and 2011, microdata are now available for Ecuador, Mexico and Panama. Figure 1 shows heartening results regarding school enrolment and attendance. Indeed, for indigenous children in

Figure 1
Ecuador, Mexico and Panama: indigenous and non-indigenous children (aged under 18 years) experiencing privation (moderate and severe) in education, housing and water, 2000 and 2010 census rounds (Percentages)



Source: Latin American and Caribbean Demographic Centre (CELADE) – Population Division of ECLAC, based on special processing of census microdata.

those three countries, privation rates in relation to education fell by between one third and one half compared with the figures for 2000. While ethnic gaps have not disappeared, they have narrowed significantly, especially in Panama, though that country remains the most unequal in this regard.

The rights to decent housing and safe drinking water

The right to adequate housing is enshrined in several instruments, including the International Covenant on Economic, Social and Cultural Rights. It has been shown that a lack of adequate housing affects health, well-being and security, as well as children’s school performance (Kaztman, 2011). The right to sufficient, safe and accessible water is closely linked to the right to life, a healthy environment, health and adequate food.

The indicators of privation in relation to housing include overcrowding and the materials used in the construction of walls, roofs and floors. The fact that 65% of indigenous children in Latin America suffer severe privation in this regard and 19% experience moderate privation points to a flagrant violation of their rights. Ethnic inequalities are particularly marked among those living in extreme poverty. The results are discouraging: 30.5% of indigenous children lack access to safe drinking water (see table 1), while 51.8% suffer severe privation in relation to sanitation (ECLAC and UNICEF, 2012b).

Significant disparities persist between countries, and in all countries indigenous children are worse off than other children. In 11 countries in the region, more than 80% of indigenous children do not have adequate housing. The lowest privation figures are in Argentina and Chile, with 49.5% and 32.7%, respectively. The lack of access to safe drinking water also is a complex situation, affecting the living conditions and health of a high proportion of indigenous children. Table 1 shows that this particular privation affects more than one third of indigenous children in Chile and 95.8% of indigenous children in Paraguay.

With respect to the 2010 round of censuses, the results for housing and water are less favourable than those for education. Privation rates among indigenous children have declined in the past decade in Ecuador, Mexico and Panama, but a greater decline was seen among non-indigenous children, thus leading to higher levels of inequality (see figure 1). The levels of privation continue to be unacceptable in the three countries for which information is available, ranging from 60% to 90% for housing and from 55% to 80% for access to water.

Challenges in measuring indigenous child poverty

The alarming poverty of indigenous children, as identified by censuses, coexists alongside situations that deny them other rights: the loss of indigenous languages, cultural



Privation rates among indigenous children declined in the past decade in Ecuador, Mexico and Panama, but the inequality gap between indigenous and non-indigenous children widened.

expressions and ways of life, contexts of violence and armed conflict. Current international standards provide for a set of collective rights for indigenous peoples –rights to territory, autonomy and cultural integrity– which must go hand in hand with their individual human rights, including the rights to education, information, adequate housing, access to safe drinking water and sanitation.

Progress must be made, with the full participation of indigenous peoples, on at least two fronts: (i) the inclusion of ethnic self-identification in all data sources, including agricultural censuses, surveys and continuous registration systems and improvements to information production processes; and (ii) the design and application of complementary statistical tools that take account of the collective nature of indigenous peoples' human rights when measuring indigenous child poverty.

In order to ensure that the fundamentals of the right to education are being applied in relation to indigenous children, institutions with relevant programmes must be established in their territories; teachers must be trained in intercultural, bilingual education and culturally appropriate teaching materials must be prepared. To guarantee respect for collective rights in this process, indigenous peoples must be involved in programme design and implementation, as well as in the management of educational establishments.

Education policies must respond to the sociocultural and linguistic specificities of the different indigenous peoples, both in rural areas and in cities. Indigenous peoples' organizations place a particular emphasis on the importance of language since it is a vehicle for transmitting their

practices and what it means to be indigenous. In this sense, language is a fundamental pillar of indigenous identity, as well as a means by which to perpetuate that cultural identity, and the measurement of child poverty should therefore include indicators on indigenous languages. A new approach is needed with regard to education policies in general, for the benefit of both indigenous and non-indigenous children, so as to contribute to the creation of pluricultural States.

A two-pronged approach should be taken to reviewing the indicators on housing, access to safe drinking water and sanitation: (i) a better understanding and definition of the components of privation (for example, what is understood by "adequate housing") should be sought, taking account of the cultural, climatic and environmental factors influencing habitation as a social activity among indigenous peoples; and (ii) the collective nature of ownership and control of the land and natural resources should be taken into account. In this connection, one of the challenges facing the designers of statistical systems is to generate information to follow up on the territorial rights of indigenous peoples.

Despite the limitations of the information available, the figures on poverty presented here highlight the urgent need for action to improve the well-being of indigenous children. Investing in overcoming indigenous child poverty is a basic obligation of the State and a necessary step to ensure that progress is made towards the implementation of the rights of indigenous children; at the same time, that investment helps to guarantee the survival of these peoples and safeguard their identity and world views as a contribution to building the future of Latin America. This aim warrants the full mobilization of States' political will.

BIBLIOGRAPHY

ECLAC/UNICEF (Economic Commission for Latin America and the Caribbean/United Nations Children's Fund) (2012a), "Guía para estimar la pobreza infantil. Información para avanzar en el ejercicio de los derechos de los niños, niñas y adolescentes", Santiago, April.

----- (2012b), "Pobreza infantil en pueblos indígenas y afrodescendientes de América Latina", Project documents, No. 477 (LC/W.477), Santiago, Chile, May.

----- (2010), Pobreza infantil en América Latina y el Caribe (LC/R.2168), Santiago, Chile, December.

ECLAC/UNFPA/UNICEF (Economic Commission for Latin America and the Caribbean/United Nations Population Fund/United Nations Children's Fund) (2011), "Contar con todos. Caja de herramientas para la inclusión de pueblos indígenas y afrodescendientes en los censos de población y vivienda" (LC/R.2181), Santiago, Chile, December.

Del Popolo, Fabiana, Mariana López and Mario Acuña (2009), Juventud indígena y afrodescendiente en América Latina: inequidades sociodemográficas y desafíos de políticas, Santiago, Chile, Latin American and Caribbean Demographic Centre (CELADE)-Population Division of ECLAC, United Nations Population Fund (UNFPA) and Ibero-American Youth Organization (OIJ).

Gordon, David, Shailen Nandy, Christina Pantazis, Simon Pemberton and Peter Townsend (2003), Child Poverty in the Developing World, Bristol, The Policy Press.

Kaztman, Rubén (2011), "Infancia en América Latina: privaciones habitacionales y desarrollo de capital humano", Project documents, No. 431 (LC/W.431), Santiago, Chile, ECLAC and UNICEF.

Minujin, Alberto, Enrique Delamonica, Alejandra Davidziuk and Edward D. Gonzalez (2006), "The definition of child poverty: a discussion of concepts and measurements", Environment and Urbanization, vol. 18, No. 2.

How are the rights of indigenous children and adolescents protected at the international level?



Marta Maurás

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The Committee on the Rights of the Child is a body of independent experts that supervises the application of the Convention on the Rights of the Child by the States parties. States parties submit regular reports to the Committee on how these rights are being implemented; the Committee then examines these reports and expresses its concerns and recommendations in the form of concluding observations.

In 2009, the Committee considered it necessary to address the topic in a more comprehensive manner that would incorporate the cultural specificity of indigenous children and adolescents

into its rights-based approach. This led to the preparation of general comment No. 11, which provides guidance to States on recognizing the cultural particularities of different peoples in the field of civil, political, economic, social and cultural rights, including public policies on children in the areas of health, education and family environment.

The Committee's recommendations have been adopted by several Latin American countries. In 2009, Bolivian legislation was modified to guarantee that both consuetudinary indigenous law and positive law meet the obligations of the Convention in connection with the regulation of marriage, corporal punishment, alternative care and juvenile justice. In 2010, the Government of El Salvador amended the law to reflect the need to raise awareness and expand knowledge of indigenous children's and adolescents' rights, and to provide training to those working with and for them. Since 2010 in Ecuador and 2011 in Panama, the State has required businesses making large investments (for example, oil companies) affecting indigenous territories with potential consequences for the environment and the population (including the possibility of displacements) to conduct social and environmental assessments in consultation with the local communities, including indigenous children.

Progress and pending challenges for Latin America

The most significant step forward in recent years has been the recognition of the importance of bilingual, multicultural education. The region has gained a wealth of experience in this area, despite a lack of technical and financial resources. Studies show that multicultural education has increased school access and success rates among the indigenous population, benefiting not only the communities themselves, but also all Latin American nations.

The great challenge that remains pending is to rid the continent of certain discriminatory practices that persist in our society; these can be seen in the behaviour of the police and authorities, some of whom associate the mere presence of an indigenous adolescent with crime, which can lead to control measures and violence. Social policies that fail to take account of the culture and the precarious or vulnerable living conditions of many rural and urban indigenous communities are another example of these discriminatory practices.

In order to ensure that the Convention is applied in relation to indigenous children, as well as the rest of the population, its basic principles have to be respected: non-discrimination; the best interests of the child; the rights to life, survival and development; recognition of the child's evolving capacities; and the right to express himself or herself and be heard in relation to matters and problems affecting him or her.

Information and communication technologies in bilingual schools: the Uantakua programme in Mexico

Incorporating information and communication technologies (ICTs) into education means using them as tools to benefit education projects as part of a concept of inclusive development that treats social, cultural, economic and environmental factors as central elements in the transition towards an information society.

Language is a key component of identity, on both a collective and individual level, and preserving it is therefore fundamental. Mexico is a multicultural country where, in 2010, more than 6 million persons over the age of 3 years spoke an indigenous language. The development gap and inequality affecting Mexican indigenous peoples are associated with the poverty in which they live and the lack of cultural and linguistic relevance of the education they receive. As a consequence, not all indigenous people are bilingual –able to communicate orally and in writing in their mother tongue and in Spanish– which would help them to achieve higher levels of future well-being.

Mexico's cultural and linguistic wealth poses a challenge for ICT policies in education, requiring them to be diversified and flexible. Action must be taken to strengthen the knowledge and use of indigenous languages in those areas where they are commonly used, and to implement initiatives in the communities seeking to revitalize their language. Therein lies the importance of designing teaching materials based on technologies that address these particular needs.

The Uantakua multimedia programme (in the Purépecha language uantakua means “word”) was launched in 2004 as part of an education policy targeting the country's entire indigenous population. It was developed by the Office of the General Coordinator for Intercultural and Bilingual Education (CGEIB), the Latin American Institute for Educational Communication and the Centre for Research and Advanced Studies in Social Anthropology. By 2010, the programme was operational in 30 schools in the states of Hidalgo and Michoacán. It is based on free software designed for fifth- and sixth-grade students in schools in areas with a high percentage of indigenous-language speakers. Using the software, a diverse range of texts can be created, in the students' mother tongue and in Spanish, based on textual and audio materials on festivals, celebrations, rituals and



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crafts. On its interactive platform children can read, write, listen and reflect on their culture, strengthening their native language and their Spanish reading skills, and learning to use computers. The method engages students, teachers and other members of the community, using collaborative teaching strategies both inside and outside the classroom.

An evaluation of the programme showed that the activities carried out helped to generate greater appreciation for the cultural space in which these children were growing up. For teachers, Uantakua is a very useful resource for strengthening language skills and cultural knowledge, enabling them to create texts in indigenous languages in an environment lacking in culturally appropriate study materials.

As this experience in Mexico shows, the success of educational initiatives applying ICT in bilingual contexts also depends on the availability of teacher training on the technologies and associated teaching methods, the creation of support networks, and the implementation of follow-up to, updating and maintenance of programs, equipment and connectivity.

Source: Guadalupe Alonso and Tania Santos, “La experiencia del programa multimedia Uantakua en México”, presented at an international seminar on “Digital technology and the challenges of inclusive education in Latin America. Case studies on good practices”, ECLAC, Santiago, April 2012.

...that in the Andean Community countries, 5 of every 10 indigenous children aged under 5 years suffer from chronic malnutrition?

Source: Economic Commission for Latin America and the Caribbean (ECLAC), 2012, based on special tabulations of the Demographic and Health Surveys of the Plurinational State of Bolivia 2008, Colombia 2010 and Peru 2010; and the Ecuadorian Living Conditions Survey 2005-2006.

...that 89.4% of indigenous children in Chile declare that they neither speak nor understand any indigenous language?

Source: United Nations Children's Fund (UNICEF) and Ministry of Social Development, *Incluir, sumar y escuchar. Infancia y adolescencia indígena*, Santiago, Chile, November 2011, [online] http://www.unicef.cl/unicef/public/archivos_documento/361/Incluir_Sumar_y_Escuchar_WEB.pdf.

...that 2 of every 3 indigenous children under 8 years of age in Belize suffer from severe privation of access to safe drinking water?

Source: Economic Commission for Latin America and the Caribbean (ECLAC) and United Nations Children's Fund (UNICEF), "Pobreza infantil en pueblos indígenas y afrodescendientes de América Latina", serie Documentos de proyecto (LC/W.477), Santiago, Chile, May 2012, [online] http://www.eclac.cl/publicaciones/xml/9/47289/pobrezainfantil_web.pdf.

...that 40% of adolescents who speak indigenous languages in Peru have never heard of HIV/AIDS, compared with only 4% of those who speak Spanish?

Source: United Nations Children's Fund (UNICEF) and National Institute of Statistics and Informatics (INEI), *Estado de la niñez indígena en el Perú*, Lima, August 2010, [online] http://www.unicef.org/peru/spanish/ENI_2010.pdf.

... that in 2009, the suicide rate among Guaraní youth in Brazil was 19 times higher than the national rate?

Source: United Nations Children's Fund (UNICEF), *Suicidio adolescente en pueblos indígenas. Tres estudios de caso*, Panama, 2012, [online] http://www.unicef.org/lac/Suicidio_Adolescente_en_Pueblos_Indigenas.pdf.

- 1 Child poverty in Latin America
- 2 Child malnutrition in Latin America and the Caribbean
- 3 The right to education: an unfinished task for Latin America and the Caribbean
- 4 Teenage motherhood in Latin America and the Caribbean: trends problems and challenges
- 5 The right of children and adolescents to a healthy environment: a diagnosis from Latin America and the Caribbean
- 6 Reduction of infant mortality in Latin America and the Caribbean: uneven progress requiring a variety of responses
- 7 Children and HIV/AIDS in Latin America and the Caribbean
- 8 The invisible face of child labour in Latin America and the Caribbean
- 9 Child abuse: a painful reality behind closed doors
- 10 Child poverty: a priority challenge
- 11 Children and international migration in Latin America and the Caribbean
- 12 Childcare and parental leave
- 13 The right to an identity: birth registration in Latin America and the Caribbean

14 The Rights of Indigenous Children
September 2012

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Printed in Santiago, Chile