

**THE UNITED NATION'S CONVENTION ON THE RIGHTS OF THE CHILD
AN OVERVIEW OF THE FIRST TWENTY-FIVE YEARS
OF THE MOVEMENT IN PUERTO RICO¹**

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Historical background

The United Nations proclaimed 1979 The International Year of the Child - 20 years after the 1959 Declaration on the Rights of the Child. Thus began a global dialog on children that would last 10 long years. This historical decade represents the arduous task and profound process that was undertaken to articulate the human rights of children. Member States, the UN Working Group of Non-Governmental Organizations, UN Agencies, Institutions, Inter-governmental organizations, and International Organizations such as Amnesty International (AI), Defense for Children International and dozens of others worked in collaboration to elaborate the comprehensive text for this new human rights treaty.

In May 1989 The Danish Chapter of Amnesty International organized the second AI seminar on children. At this important Copenhagen meeting the draft of the United Nations Convention on the Rights of the Child (CRC) was the main topic of the agenda. It was attended by 150 AI delegates from 26 countries, as well as representatives from UNICEF, Caritas, Defense for Children International, and other key child advocacy organizations. Rosana Martínez Cruzado and Anaida Pascual Morán participated as delegates from the Puerto Rico Section of AI.² As a result of this crucial event various articles of the CRC were revised and submitted to the committee and new partnerships to educate and activate children in human rights emerged. A resolution was adopted urging the UN General Assembly to expeditiously approve the CRC, calling on its Member States for its ratification. In October 1989, AI dedicated a worldwide campaign to children's and youth rights. As part of this campaign AI Puerto Rico published a special bulletin on the CRC which was distributed island wide and internationally.

On November 20, 1989 the UN adopted the Convention on the Rights of the Child. The CRC came into force in 1990 gaining strength after being adopted by the World Summit for Children.

In addition to AI there were many other non-profit organizations and foundations on the Island working on core rights issues of children. The Proyecto Caribeño de Justicia y Paz,

¹ This account is by no means exhaustive. It narrates the main events of this time period from the perspective of three leaders of the "Coalición de Derechos de la Niñez" - Anna Grimaldi Colomer (annagc@coqui.net), Anaida Pascual Morán (rivepas@gmail.com), and Anita Yudkin Suliveres (anita.yudkin@upr.edu) - and the key organizations in the movement for Children's Rights in Puerto Rico they represent: The Puerto Rico Committee for UNICEF, the Teaching for Freedom Project of AI Puerto Rico, and the UNESCO Chair for Peace Education at the University of Puerto Rico.

² The Commonwealth of Puerto Rico is a non-incorporated territory of the United States of America, as such it lacks representation in international bodies, including the United Nations. Even though Puerto Rico is not a signatory nation to the CRC or many other international treaties, by means of NGO's and individual efforts, Puerto Rico has participated in key events related to the CRC and significant initiatives have taken place in promoting the rights of children and youth in the Island, as part of the global Movement for Children's Rights.

The Puerto Rico Committee for UNICEF, Centros Sister Isolina Ferrer, The Puerto Rico Community Foundation, Sociedad de Educación y Rehabilitación de Puerto Rico (SER), were among the many entities dedicated to advance civic, social, cultural, economic, political, environmental and development rights. Thus the CRC became both a set of guiding ethical principles and a framework to strengthen their efforts to better the living conditions of children, expand opportunities to realize their potential, and affirm their human rights.³

The first 25 years...

In 1989, UNICEF was requested to serve as a coordinating agency to launch the World Summit for Children and the CRC. Countries were asked to support a *sede nacional* and to hold candlelight vigils and celebrations to disseminate and make widely known the vision of a new treaty for children. There were 77 countries participating and in the United States alone 550 activities were scheduled. *The Puerto Rico Committee for UNICEF (PRC)* was asked to be a supportive liaison to this initiative in the Island.

Inter American University - San Germán Campus, under the initiative and leadership of the Dean of Students, Leida Xavier de Vivoni, and the collaboration of student organizations, served as *sede nacional* and held the first *Vigilia por la Niñez* on September 1990. This activity attracted island wide attention and participation. It served as a public awareness and educational festival that reached out to parents, families, educators, social workers, government agencies, and civil society at large. Local children's entertainers, such as Sandra Zaiter and Remi the Clown, were engaged to promote this new treaty with focus on the child of Puerto Rico. Through the University's network this outreach was possible. The *Vigilias* have continued being held at the Inter American University - San Germán Campus until the present time. It should be noted that Leida Xavier de Vivoni attended the United Nations World Summit for Children with a delegation, and that arrangements were made through the Department of State and UN to secure ground passes for their participation.

The PRC for UNICEF, with the committed leadership of its Director Anna Grimaldi Colomer, its Board of Directors and volunteers,⁴ continued to develop strong ties with Inter American University - Metro Campus. The Committee worked with the President, José González and Fernando Martín, and other administrators to participate in local government activities and hearings and to do trainings on the CRC. It was felt that the CRC could be a valuable tool in improving the status and quality of life for children on the Island.

³ While the specific age range of *child* has varied during the history of the Movement for Children's Rights, under international law and according to the Convention of the Rights of the Child, a *child* is "any human being below the age of eighteen years, unless under the law applicable to the child, majority is attained earlier". Although the terms *youth*, *adolescent youth* and *young persons* have been used in the movement as alternative words for those "under the age of majority" but no longer considered "children", and in many jurisdictions, the Children's Rights Movement is considered distinct from the Youth Right's Movement, NGO's and supporters of the CRC in Puerto Rico have generally advocated both for the rights of children and youth under 18.

⁴ Millie Casablanca, Sergio Veliz, Mati Urrutia, Mike Vázquez, Agustín Márquez, Carmen del Valle, Gerry Cumpiano, Rafael Cartagena, Gerry Christiansen, and Emilio Arce served as Presidents of the Board or founding members.

The 1990 vigil had laid the grounds for networking for child rights advocates in Puerto Rico seeking to make children a priority and to promote a significant change in society. From this effort, the *Coalición Pro Derechos de la Niñez (Coalition for Children's Rights)* came together in 1993, aiming to raise awareness of the rights of the child through education, and to promote legislative and governmental action towards their protection. In 1994, the Steering Committee of the *Coalición* composed by the PRC for UNICEF, Amnesty International's Teaching for Freedom Project (PEL/AI), and Inter American University - San Germán Campus, formally approved its mission statement and objectives. It aimed to unify organizations for the common cause of promoting the implementation of the CRC in Puerto Rico based upon communication, collaboration, and cooperation. Amongst its main objectives were: to facilitate exchange of ideas, experiences and educational materials, and to articulate a concerted action plan addressing priority areas in the fulfillment of children's rights.

For the following years, many organizations collaborated with the *Coalition*, including: Centros Sor Isolina Ferré, Comisión de Derechos Civiles, CRUZADA, and Proyecto Caribeño de Justicia y Paz, to mention only a few. Exchanges among other countries that shared their resources and insights provided guidance, and were a pillar in the expansion of available materials for advocacy and education. International organizations, including UNICEF and UNICEF National Committees around the world, Amnesty International, and the Human Rights Educators Association helped to connect us to the global child and youth rights movements. It is important to recognize that at this time, this local and international networking effort took place when most NGO's did not have access to computers or the Internet. Without digital communications, information sharing and the organization of events was done by hard copies, personal visits, telephone, fax, and conventional mail.

A fundamental effort in educating for the rights of children and youth was undertaken, during the 1992-2001 time period, by the Puerto Rico Section of Amnesty International and its *Teaching for Freedom Project (Proyecto Educando para la Libertad)* (PEL/AI).⁵ This project, sponsored by the *Norwegian Section of Amnesty International*, as part of an international Human Rights Education initiative in Asia, Africa, Latin America and the Caribbean, geared towards two intertwined areas: children and youth rights as advocated in the CRC, and Human Rights Education. Its main objectives included empowering educators and other target groups, engaging in public educational activities, and collaboration with other human rights entities.

⁵ *The project was founded and coordinated initially by Anaida Pascual Morán, member of the Amnesty Section and professor at the University of Puerto Rico. Concurrently, Rosana F. Martínez Cruzado from Mayaguez acted as coordinator in the West part of the Island. Later, it was coordinated by María de Lourdes Ferrer, and Leticia López, both professional counselors and graduate students at the University of Puerto Rico. In addition to the four coordinators, key members in the PEL's Steering Committee included: Ariel Agosto, Isabel Arce, José Raúl Cepeda, Milagros Cintrón, Rocío Costa, Luis García, Sergio González, Carlos Muñiz, Arelis M. Ortiz, Luis N. Rivera Pagán, Lisabel Rodríguez, Gladys Santiago, Eileen Seguinot, Anita Yudkin, and Nellie Zambrana.*

The University of Puerto Rico (College of Education) recognized the Teaching for Freedom Project from its inception as a formal collaborative project, and its faculty members directed and provided support for many activities. In this collaborative fashion, the PEL worked on the promotion of children and youth rights by means of training of trainers, pilot projects in schools, conferences, workshops, seminars, the integration of expressive arts, and the production of educational materials.

During this time period, nine intensive seminars for hundreds of educators were celebrated, and dozens of workshops were offered in collaboration with over thirty schools, other educational institutions, and committed professionals who volunteered for this effort. The partnership and support of the Puerto Rico Committee for UNICEF, was fundamental in providing guidance and educational materials. In addition, a *Human Rights Educators Network (Red de Educadores de Amnistía Internacional)* (REDAI), was established in 1996 celebrating four encounters for professional development of its members.

Educational material was developed by the *Teaching for Freedom Project*, most notable the series of books *Nuestros Derechos / Our Rights*. This series included the content of the CRC in child friendly language, a guide for grownups with activities, and illustrations by students of the School of Fine Arts of Puerto Rico. It was published in five languages and was distributed regionally and internationally. The video *Eduquemos para los derechos humanos y la paz* with Remi the clown and the girl Natalia Franco was produced. It included the song *Tengo derechos* composed and performed by Remi.⁶

The *Teaching for Freedom Project*, together with the *Coalición pro Derechos de la Niñez*, organized six *Children's Rights Festivals* reaching thousands of children and their families in different parts of the Island. At the *First Children's Rights Festival*, the 20th of November 1993, in commemoration of the adoption of the CRC, the document *¡Nuestros Derechos! ¡Nuestro Mañana! Declaración de los Derechos de los Niños y Niñas de Puerto Rico y del Mundo* was proclaimed and disseminated. The *Festivals* provided artistic and creative activities for the promotion and comprehension of children rights in participatory action. Well known children entertainers and musicians like Remi, Conjunto Paracumbé, Sandra Zaiter, and María Chuzema participated in these events. Along the same line, *The Proyecto Caribeño de Justicia y Paz*, under the leadership of Wanda Colón Cortés, held workshops for educators on cooperative play and nonviolence. Children's rights were integrated to their yearly campaign for nonviolent toys and play, the *Festival del Juguete No Bélico*. This Festival has been held for over twenty five years, until the present time.

In addition to the Puerto Rico Committee for UNICEF, the Proyecto Caribeño de Justicia y Paz, and the University of Puerto Rico, many organizations collaborated and enriched the activities organized by the Teaching for Freedom Project during a decade. These included: Inter American University - Ponce Campus, Inter American University - Barranquitas Campus, Comisión de Derechos Civiles, Servicios Legales de Puerto Rico, Centro Creativo Experimental, Programa Escape, Proyecto Impacto, Proyecto Abrigo, Jornada de Paz y

⁶ These materials will be soon converted to digital form and made available in these two webpages: <http://www.amnistiapr.org>; <http://unescopaz.uprrp.edu>.

Solidaridad con Centroamérica y el Caribe y Campamentos Cristianos Comunitarios. As a result of these collaborations, Prof. José Raúl Cepeda of Inter American University - Ponce Campus, organized the *Primer Congreso de la Niñez: Reconociendo sus Derechos* in 2002. Regionally, important exchanges were established with the Inter American Institute on Human Rights and the University for Peace in Costa Rica, and other Teaching for Freedom Projects in Latin America.

Simultaneously, *The Puerto Rico Committee for UNICEF*, under the direction of Anna Grimaldi Colomer, developed important materials for the promotion of the rights of the child. In 1994, the story *Henry y una amiga especial*, written and illustrated by Andrea Michelle Husler, was published. It sought to raise awareness about children facing consequences of the AIDS epidemic. Also, with a grant from Johnson & Johnson, the *PRC for UNICEF* designed, developed and shared the Teacher's Kit on Child Rights, *Los Derechos de los Pequeños son Grandes Derechos*. The material was created to assist teachers to learn about the CRC and cultivate a culture of child rights in the classroom and school. The kit was distributed to public and private schools. It was also used as a tool to integrate a rights based approach in teacher training at the college level. Future teachers and faculty at UPR, Inter American University, and the University of the Sacred Heart were trained on how to integrate Human Rights Education into the curriculum.

Two local newspapers, *El Nuevo Día* and *The San Juan Star* partnered with the Coalition to widely disseminate the information and printed teacher's guides and material to be used in classrooms. *El Nuevo Día* continued to support the campaign, especially Josefina Barceló, through *Mi Pequeño Día*. Supplements such as those published on January 17, 1999, and on the *Día Nacional del Niño* on August 8, 1999 are examples of how the Coalition was able to reach the classrooms.

With support from *Teaching for Tomorrow* and the *Puerto Rico Committee for UNICEF*, Puerto Rico participated in the *International Animation Consortium for Children's Rights* developed by UNICEF. In 1998 Paco López produced a public service announcement *Every child has a right to a loving family*, that was used globally. This collection of PSAs was shown on local TV channels as part of UNICEF's public awareness and education campaigns.

Another important actor in this evolving network of organizations working to promote the rights of children was *The Colegio de Abogados de Puerto Rico* (Bar Association). In 1994, under the leadership of Lcdo. Harry Anduze, committees were formed to introduce and promote the CRC. *La Comisión de Derechos de los Niño* (*Commission on the Rights of the Child*) and other committees were created to participate in legal analysis of the framework of local laws and to gather insights needed to change some existing situations: especially in the area of protection. The members of the Colegio were active participants and valuable resources serving on government committees and senate panels: especially in regard to *Proyecto de Ley 1634 Declaración de Derechos y Obligaciones de la Persona Menor de Edad*.

The Colegio de Abogados has continued to sponsor seminars on the rights of children and to support ongoing movements in defense of these rights. In 2002, the *Commission on the Rights of the Child*, chaired by Lic. María del Carmen Ferrer, held a conference on Child

Abuse in Puerto Rico and was one of many ongoing discussions on the right to protection. In 2005, the Colegio de Abogados sponsored the *Primer Congreso sobre Derecho y Educación*, focusing on the right to education for all children.

The most significant campaign led by the Puerto Rico Committee for UNICEF was working with government agencies and to work with the First Lady of Puerto Rico, Maga Roselló in 1994 as she formed her platform. After much study she chose children as her theme and created *Nuestros Niños Primero* as a lead organization to gather non-profit organizations, foundations, business community, and civic society to come together to focus on children's needs and rights. This campaign sponsored local island wide conferences (Cerroamar 1997) and *El Congreso sobre los Derechos de los Niños y Adolescentes*, organized by *Servicios Legales de Puerto Rico*, on December 14, 15, 16th 1998 at the Caribe Hilton in San Juan. Many trainings were offered to teachers, administrators, and involved other agencies such as the Office of Youth, Department of Education and Head Start. More than 50 organizations participated in general meetings and specific committees and worked in collaboration to identify needs, improve services, and focus on protection, the realization of the rights and the holistic well being of the children of Puerto Rico.

During this time, the President of the Senate, Charlie Rodríguez, organized a special commission for the drafting of a legal code for children.⁷ This was an example of focused leadership, as they allocated resources and identified areas that posed danger to children: violence on TV hearings and new protection tools for Internet use are two of the examples highlighted. The *Coalition* collaborated with, and contributed its expertise to this commission.

As a result, Law 289 of 2000, *Declaración de Derechos y Deberes de la Persona Menor de Edad, su padre, madre, tutor, y del estado*, was approved. In addition, other legislation relevant to the CRC has been adopted throughout these years: Law 338 of 1998, *Carta de Derechos del Niño*, Law 167 of 2003 *Carta de Derechos del Joven en Puerto Rico*, and Law 177 of 2003, *Ley para el Bienestar y la Protección Integral de la Niñez*. It is worth noting that there is still a wide gap between the totality of rights recognized under the CRC and the current legislation, especially in regard to the child as rights holder and participation rights.

Educational material continued to be distributed and used under the administration of Governor Sila Calderón (2000-2004) and organizations that had been trained continued to grow with the global movement for child rights. In 2002, Lcda. Michelle Colón attended and gave a brief message at the UN Special Session on Children representing this administration. Anna Grimaldi Colomer, former Executive Director of the PRC for UNICEF and founder of Teaching for Tomorrow, also attended this historic meeting as an NGO delegate.

In 1997, the University of Puerto Rico signed a cooperation agreement with the United Nations Organization on Education, Science and Culture, establishing the UNESCO Chair for Peace Education. Professors Anaida Pascual and Anita Yudkin, have coordinated the

⁷ Ruth Torres Orengo, Marta Sobrino, Cristina Ganganelli, Lcda. Olga Resumil spearheaded many of the initiatives under this administration.

UNESCO Chair, integrated by over twenty university professors and students. For the past 15 years, this interdisciplinary Chair has sponsored and participated in academic research, teaching, and international conferences, addressing issues related to the promotion of a culture of peace (<http://unescopaz.uprrp.edu>). Many of the activities and publications have focused on the centrality of human rights, including the rights of children and youth, as these relate to the prevention of violence in its multiple contemporary manifestations and the promotion of peace.⁸ Exchanges and participation in events with other UNESCO Chairs, international organizations, and academic institutions have provided for shared resources and insights helping to develop this field in Puerto Rico. In this regard, materials have been developed by the UNESCO Chair to disseminate emerging Internet resources produced by academic institutions and organizations worldwide. Two visiting scholars are worth noting: Nélica Céspedes from the NGO Tarea in Perú who visited the University of Puerto Rico in 1997, providing a workshop for the *Human Rights Educators Network (REDAI)*; and Virginia Murillo, President of Defense for Children International, who offered the 2009-2010 Master Lecture *Los derechos de los niños, niñas y adolescentes: Reflexiones sobre su garantía en escenarios de violencia*.⁹

A significant outcome of these first twenty-five years has been the integration at the college level of the study of Human Rights, the rights of children and youth, violence, conflict resolution and peace education. As many universities around the world, The University of Puerto Rico, Inter American University and the University of the Sacred Heart have developed courses and other curricular experiences on these topics.

Following these two pioneering decades, many educators and organizations that participated in the Coalition continue to promote a rights based approach and work to make widely known and respected the rights of children and youth. They also continue to attend conferences around the world and to share information locally through seminars, trainings and publications. Many key professionals and organizations have also emerged and developed, working on behalf of children and youth, thus contributing to the realization of child rights in the Island.

Under the initiative of Lic. Jaime Conde, in 2007 the Municipality of Caguas sponsored a Pre Congress as a lead up to the *Third World Congress on Child Rights* in Barcelona, Spain. The *Declaración Criolla de los Derechos de la Niñez y la Adolescencia* was approved as part of the activities of the Pre Congress. At that time, the Municipality of Caguas established a commitment to follow the principles developed by UNICEF's *Child Friendly Cities*. A delegation from Puerto Rico attended the *Third World Congress*, including Jaime Conde and other representatives from the Municipality of Caguas, who were successful in bringing the next one to Puerto Rico. Representatives from The Colegio de Abogados, and The University of Puerto Rico, and a group of youth were also part of the delegation. In

⁸ See for example "Educación en derechos humanos y derechos de la niñez: Herramientas en la construcción de una cultura de paz", available at <http://unescopaz.uprrp.edu/documentos/EDHninez.htm>

⁹ This lecture will be published soon and made available through the UNESCO Chair webpage <http://unescopaz.uprrp.edu>.

November 2010, the *IV World Congress on Child and Adolescent Rights* was held in San Juan, Puerto Rico by *Defensores pro CDN* (<http://www.defensoresprocdn.org>).

In 2012, *Nuestra Escuela*, a member of the *Alternative Education Alliance*, together with the Municipality of Caguas, organized the *20th International Democratic Education Conference (IDEC)*. Under the leadership of professor Justo Méndez, and the collaboration of organizations who have worked for the realization of young people rights in Puerto Rico, this conference integrated Human Rights Education and the rights and activism of children and youth as a central dimension and discussion topic for a true and alternative democratic education. Running parallel throughout the IDEC conference was *Proyecto de País*. This evolving platform offered participants an opportunity to address a wide spectrum of issues facing Puerto Rico today. Many of these issues impede the realization of the rights of children and youth. The *Proyecto de País* is an ongoing initiative that encourages broad civic engagement to address the problems, seek strategic solutions and promote strong partnerships in order to guarantee their human rights and quality of life.

Where are we today?

As with all movements, it is impossible to mention all the people and organizations that have made valuable contributions. This brief account does not intend to do so, but invites others to document their specific field and the evolution of their experiences and expertise.

The evolution of concepts, knowledge, human rights conventions, legal frameworks, pedagogical paradigms and child psychology provides us with a deeper understanding of human development and a new vision for children. It has also provided countries with key insights to State's obligations to human rights, structural reforms, and nation building. Radical change in achieving these goals is being demanded of governments and civil society to meet the needs and rights of children in a more complex and violent world.

The fact that the United States of America has not ratified the United Nations' Convention on the Rights of the Child contributes to the gap that Puerto Rico feels today.¹⁰ The reports that governments submit, and the alternative or shadow reports submitted by NGOs to the *Committee on Child Rights*, are important tools that lead to improvements in meeting and guaranteeing the human rights of children. These reports are the result of serious national attention to the problems and an important process that provides for a cohesive, inclusive, and well integrated *National Plan of Action*. Without the political power to ratify the Convention, Puerto Rico has not had the opportunity to progress under the international mechanisms that have helped other countries identify and reorganize national priorities and resources for children. At the present, there are no international organizations, such as

¹⁰ Up to now, Somalia, the United States and the new nation of South Sudan, are the only three of the now 193 member countries that have failed to ratify the CRC. Although the United States became a signatory state in 1994, it has opposed ratifying the CRC, on the grounds that there are "serious political and legal concerns" since "it conflicts with US policies on the central role of parents, sovereignty, and state and local law". It should be noted however, that in 2002 the US Senate unanimously consented to ratify two separate protocols to the CRC enacted by the U.N. in 2000: the *Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography* and the *Optional Protocol on the Involvement of Children in Armed Conflict*.

Save the Children, World Vision and UNICEF working in Puerto Rico with local organizations to strengthen their capacity to fulfill their child rights mission. Nevertheless, representatives from national organizations continue to travel and participate in international forums and to share and build capacity at their organization or institution.

The escalation of violence in all aspects of life in Puerto Rico have mobilized efforts to join together and focus on the right to protection, the root causes of violence, and to find strategic solutions. Children and adolescents are exposed to violence, even in the same institutions that are mandated to protect and guarantee their rights. This reality impacts greatly the realization of other rights to survival, development and participation. The *World Report on Violence Against Children* (www.violencestudy.org or www.unicef.org) and the *Five Year Regional Review* brought together regional coalitions working together to raise the protective environment for children and their families and to support government efforts in securing all their rights. Recently, representatives from *Nuestra Escuela, Teaching for Tomorrow, Defensores Pro CDN, San Agustín del Coquí*, and youth and human rights consultants attended and participated in follow-up meetings held in the Dominican Republic (2010) and Jamaica (2012) (www.srsg.violenceagainstchildren.org)

For more than two years there have been dialogues to explore how Puerto Rico can create the mechanism to have a child rights committee and harness the interest, resources, and expertise of the many not-for-profit organizations, foundations, and faith based groups working on children's rights. On July 28th, 2012 *Defensores Pro CDN*, with a legislative grant from the government of Puerto Rico, held a meeting to discuss this issue. Over a dozen organizations agreed to continue a joint effort to formalize a *Coalición por los Derechos de la Niñez y la Adolescencia en Puerto Rico*. The objective being to unite efforts and voices to advance the realization of child rights in Puerto Rico.

Looking forward...

This paper provides a brief trajectory of the initial decades of the *Movement for Children's Rights* in Puerto Rico, revisiting pioneering initiatives and experiences. Despite advances in the recognition of children's rights during this time period, we currently face challenges to the fulfillment of these rights in an increasingly violent world. We look forward to carrying on new joint efforts to advance the best interests of our children and youth.