

Civil Society Organizations (CSOs) in Promoting Child Rights: Comparisons between Thailand and the Philippines

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“Coming together is a beginning. Keeping together is progress. Working together is success”.

Henry Ford

Introduction

Citizen participation has become an important force for social change, including in the fight against poverty.¹

In Lao PDR, people’s participation in national life is provided for in a range of legal and other arenas, including the Constitution, the Decree of Non-Profit Associations and Foundations, the 7th National Social Economic Development Plan and the 9th Party Congress (through the “four breakthroughs” approach to development). The efficacy of people’s participation in poverty reduction will be important for efforts by the country to achieve the Millennium Development Goals (MDG) and graduate from Least Developed Country (LDC) Status.

Lao PDR, a single party socialist republic, is a landlocked country with a population of 6.25 million people, 80 percent of whom live in rural areas. It is ranked 122 out of 169 countries in the Human Development Index (2011). Approximately 70 percent of the population lives on less than USD \$2 a day. Lao PDR has the largest number of unexploded ordinance in the world, which currently affects 25 percent of villages and poses a huge challenge to human security and to access to land for a population still largely dependent on subsistence agriculture.

Lao PDR embraced economic reform in 1986, when it began to encourage private sector investment and integration with its neighbors in the Association of Southeast Asian Nations (ASEAN). Since then Lao PDR has achieved a degree of economic development, some macro-economic stability, and a considerable increase in foreign direct investment. The government is committed to removing the country from the ranks of Least Developed Countries (LDC) by 2020.² It has committed to important United Nations goals and instruments,

including the MDGs, Education For All (EFA), and the Convention on the Rights of the Child (CRC).

The country submitted its second report on the implementation of the CRC to the CRC Committee in 2009.³ In its Concluding Observation (CO), the Committee encouraged the development of a social welfare system to support children, including provision of teams to handle individual cases, and special investigators and community focal points to address and respond to the needs of neglected and abused children. The committee expressed concern that children’s participation is still low and that the views of children are not sufficiently taken in account, including within the family, the school, and the care and justice systems. The small participation of CSOs working for children is also still a concern. In principle, CSOs could be instrumental in promoting and contributing to more inclusive development policies and practice to respond to the needs of Lao children.

In early 2009, the government approved a decree for the regulation and operation of Lao Non-Profit Associations (NPA). This decree authorizes the Ministry of Home Affairs, in conjunction with line ministries, to register and monitor all NPAs. However, civil society organizations are still very new and some organizations have encountered obstacles to formation and operation.

This research aims to identify the actual and potential roles of CSOs in promoting child rights in the Lao context.

Background to the study

The study investigates the strategies of CSOs in the Philippines and Thailand. The research was carried out in four stages (1) literature review (2) field research in Thailand, including in Bangkok, the North and the Northeast, and in

Metro Manila in the Philippines, (3) primary data collection from key informants from government and civil society organizations and 4) analysis and report-writing.

In Thailand, the author visited a) the Development and Education Programme for Daughters and Communities Center (DEPDC) and b) the Child Help Foundation, c) the Education Center for the Blind, d) the Daughters of Charity and e) the Foundation for Child Development. In the Philippines, the author interacted with a) the Psychosocial Support and Children’s Rights Resource Center, b) the Philippines Coalition to Protect Children Involved in Armed Conflict, c) the Child Rights Coalition Asia, d) the Justice Cecilia Munoz Palma Foundation and e) Child Hope Asia. In addition, the author visited governmental agencies for child rights, international organizations and other relevant institutions.

What does Civil Society mean?

There is no common agreement on the term civil society. The meaning of the term varies in different contexts, but it often refers to organizations such as registered charities, development non-governmental organizations, community groups, women’s organizations, faith-based organizations, professional associations, self-help groups, social movements, coalitions and advocacy groups.⁴ The term may sometimes include the family and the private realm. Civil society is sometimes referred to as the “third sector” of society, distinct from government and business.

In the early 1900s, Friedrich Hegel defined civil society as “the intermediate realm between the family and the state,” wherein civil society was set out as a form of freedom, where the individual becomes a public person. Hegel suggested that though the state and civil society depended on each other, their relations were full of tensions and therefore required complicated balancing acts.

For Jurgen Habermas, civil society was “made up of more or less spontaneously created associations, organizations and movements, which find, take up, condense and amplify the resonance of social problems in private life, and pass it on to the political realm or public sphere”. This theory in essence will form the basis of discussions in this study. Similar views can be found in Larry Diamond’s definition of civil society as “the realm of organized social life that is open, voluntary, bound by a legal order or set of shared rules”.

The United Nations Convention on the Rights of the Child (CRC 1989)

The CRC is the most widely ratified human rights treaty in history and encompasses the social, economic, cultural, civil and political rights of all children. It has four foundational principles; non-discrimination, the best interests of the child, right to life, survival, and development, and respect for the views of the child. Both Thailand and the Philippines have ratified the CRC and its two Optional Protocols.

No	International Instrument	Philippines	Thailand
1	Convention on the Rights of the Child, 1989	21 Aug 1990	27 Mar 1992
	Optional Protocol to the CRC on the involvement of Children in Armed Conflict, 2000	12 Apr 2003	27 Feb 2006
	Optional Protocol to the CRC on the sale of Children, Child Prostitution and Child Pornography, 2000	08 Sep 2002	11 Jan 2006
2	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)	05 Aug 1981	09 Aug 1985
	Optional Protocol to CEDAW	21 Mar 2000	14 Jun 2000
3	C 182 Worst Forms of Child Labour Convention, 1999	28 Nov 2000	16 Feb 2001

Table 1: Comparative status of ratification

In the Philippines, two years after the country's ratification of the CRC, then President Fidel V. Ramos stressed that despite progress made in improving the welfare of Filipino children, there was still much work to be done. In his first State of the Nation Address, the president declared that, henceforth, "Growth will be measured not in terms of statistics, but in term of people: in the child we save from hunger and raise to a life of dignity and well-being". Thus, he placed children at the heart of the national development agenda with improvements in their situation as indicators of progress.

In recent years significant global initiatives have been undertaken to translate the Convention and its Optional Protocols into action, including the periodic United Nations General Assembly Special Sessions (UNGASS), World Summits for Children and the MDGs.

Both Thailand and the Philippines have made significant progress in promoting awareness and action on child rights issues, in part through cooperation between governmental agencies and CSOs. Such progress includes improved sensitization on child rights, enhanced nutrition for maternal and child health, better water and sanitation, HIV/AIDS prevention and care as well as prevention of maternal to child transmission, education, child-friendly schools initiative, and action to prevent human trafficking.⁵

Civil Society Organizations in Thailand

In Thailand four types of civil society organizations can legally be formed. These are associations, labor unions and federations, foundations, and political parties.⁶

These types of CSO vary greatly in terms of size, mission, objectives, and they address differing problems and complex issues at various levels. They may be involved in (1) providing public services, (2) supplementing government agencies in providing social support for the poor and other disadvantaged groups (3) monitoring public organizations and their activities, (4) advocating for justice, human rights, environmental protection

and anti-corruption measures. Traditionally, voluntary organizations in Thailand have been formed in honor of some outstanding individual, with an aim of providing relief to the poor in times of disaster or hardship. There are both volunteers and paid workers in these organizations. Development-oriented organizations rely on full-time workers whereas other organizations and associations largely depend on volunteers.

Thai CSOs work in varied areas including children, women, health, slums, the environment, small farmers, integrated farming, human rights, workers' rights, women workers' rights, farmers with land problems, consumer protection, anti-corruption, anti-violence against women, animal protection, and others.

Globally, signatories to the CRC are recommended to ensure that the provisions of the Convention are widely known and understood by adults and children. Thus the contents of the Convention should be translated and made available in all minority or indigenous languages and there should be adequate and systematic training and/or sensitization of professional groups working with and for children.⁷

The CRC has been translated into standard Thai and made available both in print format and through the Internet, including in child-friendly or youth-created versions. CRC-related materials have also been distributed to schools and communities, some of which material targets marginalized groups via traditional and alternative media. A series of training workshops have been conducted at the level of CRC trainers and child welfare practitioners for both governmental agencies and NGOs, mostly supported by the UN entities.

Translation of the CRC concept into day-to-day practice is not an easy task, in part due to attitudes towards children which see children's roles predominantly in terms of obedience and as followers. There is a lack of children's inputs into development processes that impact them, and a lack of financial commitment to do capacity building and awareness-raising on child inclusion.