NOMBRE Y APELLIDO:

LEGAJO:

IMPORTANTE: Realice el examen con letra clara y legible. No utilice lápiz. Responda las consignas en castellano. No traduzca. Elabore sus respuestas de modo tal que demuestren su comprensión del texto. Es indispensable responder el 70% del examen en forma correcta para aprobarlo. No podrá rendir si no presenta su libreta de estudiante ó DNI ó CI.

Governance and the Rights of Children: Policy, implementation and monitoring; PETERS, B. Guy

Abstract Ensuring the proper functioning of public institutions is integral to good governance, yet ensuring and monitoring the requirements of human rights instruments is difficult measurement of children's rights even more so. The purpose of this analysis is to seek methods of assessing the performance of governments in their roles as protectors of the rights of children according to their international commitments, beyond simple procedural responses to demands.

BASIC CONCEPT OF GOVERNANCE

The study of governance is most fundamentally about how the public sector, with or without the involvement of private sector actors, can steer the economy and society. Stated somewhat differently, the question is to what extent the public sector is able to achieve the goals that it pursues, and how it can learn from the success and failure of its attempts to govern. **While** they may perform the basic tasks involved in governance differently, to gover requires the public sector to:

1- ESTABLISH POLICY GOALS —determining what governments want to do.
2- CREATE COHERENCE AMONG THESE GOALS —ensuring that the numerous goals adopted within government are compatible with one another.
3- IMPLEMENT POLICIES DESIGNED TO ACHIVE THESE GOALS —putting government programmes into effect through the public bureaucracy, perhaps with private sector actors.
4- EVALUATE THE SUCCESS AND FAILURE PROGRAMMES AND REVISE THEM —was the programme implemented properly, did it work, and what lessons can be learned to improve policies in the next round of policymaking?

Governance is a generic phenomenon and extends beyond just the role of the public sector in reaching certain goals. While the public sector —the collection of public actors in government or closely allied with government— has a role to play in any policy area, increasingly

governance involves a range of non-governmental actors. The issues of goal setting and goal coherence have to a great extent already occurred through the adoption of the CRC by the member states and it functions as a set of goals for the governments that are signatories. Further **although** there are a number of dimensions of the rights of children contained within the Convention, <u>these goals</u> have as their common objective the protection of the rights of children to enable them to reach their greatest human potential. There is a single encompassing objective to which all the components of the CRC can be related even if the various components within this set of goals may vary and may be implemented by many different organizations.

The question **therefore** is not what set of policy goals is to be implemented, but rather how those goals are to be implemented. <u>This implementation</u> involves first the priorization of some of the goals as well as the interpretation of goals within national frameworks of law and government. Implementation is not an insignificant question, however, because the extent to which a programme is implemented and the manner in which it is implemented ultimately determine the effects of the initial legislation. Studies of implementation in domestic politics indicate the frequent presence of "policy drift" as the programme as implemented can be significantly different from the intentions of the framers (Gildiner, 2007). That is, interpretations of the meaning of laws or treaties may move the policy as implemented away from the intentions of those who developed it.

Given the numerous different political and legal systems at work in the implementation of the CRC, it would be quite understandable if there were some slippage between the goals of the Convention and the actual implementation of the programmes involved. It is particularly important therefore to establish clear standards of adequacy on the policies derived from the CRC and also to establish means of assessing the extent to which <u>those criteria</u> have been achieved.

It is necessary therefore address two central questions concerning the implementation of the United Nation Convention on the Rights of the Child. The first is the processes through which the Convention is implemented. We are not able to track all the processes for each country, but we can identify the actors involved and the strategies that different systems adopt in order to implement the treaty. **Further**, we will identify the actors and processes that have been designed in order to monitor implementation. The purpose of these evaluations is to frame assessments of the effectiveness of the existing arrangements for implementation, and to learn how to improve the quality of implementation. This process is, as is often the case, complex because of the number of alternative interpretations of the Convention, the diversity of actors with different political and social interests, and the multiplicity of interrelated goals involved.

The major problem for ensuring the rights of children is that <u>this group</u> is relatively powerless in the political process. Children's participatory rights are rarely as meaningful as the

participatory rights of adult citizens. Unfortunately, given the political invisibility of children (they do not vote), their rights may be very much traded off.

1) Read the text carefully and answer the questions below. IN SPANISH. BE TO THE POINT AND DO NOT TRANSLATE WHAT THE TEXT SAYS. WE DO NOT WANT TRANSLATION, WE WANT COMPREHENSION (0.80 each= 40)

   a- Identify the type of text and the purpose.
   b- What is the main point the writer is trying to state?
   c- Explain what "create coherence among these goals" means.
   d- What does implementation involve?
   e- Which is the major problem for ensuring the rights of children?

2) Reread the text. Analyze the four connectors in underlined bold type (while, although, therefore, further). What category do they belong to? Explain what ideas they are connecting in each case. (20p)
3) Analyze the four references underlined (these goals, this implementation, those criteria, this group). (20p)

4) This paragraph belongs to the text. Identify where to insert it and explain what information is given before or after it that helped you to decide. (20p)

«Actually, ensuring these rights may be difficult within many –if not most—political systems, and perhaps even more so than for other sets of human rights. This is apparent even though children possess important symbolic resources, and it is difficult for any political or social actor to openly oppose granting benefits for children.»

KEY

Answers

- a- paper, buscar métodos de evaluación del desempeño del gobierno en su papel de protector de derechos de los niños según acuerdos internacionales asegurar
- b- asegurar el adecuado funcionamiento de las instituciones públicas asegurar
- c- asegurar que los objetivos adoptados por el gobierno sean compatibles entre sí
- d- prioridad de algunos objetivos e interpretación de ellos dentro de los marcos nacionales legales y gubernamentales.
- e- este grupo no tiene peso en el proceso político (los niños no votan)

Connector

while: tareas básicas del sector público/differentes objetivos que debe concretar

although: los objetivos están ya en la Convención/deben alcanzar su máxima aplicación

therefore: los objetivos/las políticas por implementar

further: identificación de actores y estrategias/identificación para saber si se aplican las políticas

References

these goals: numbers of dimentions contenidas en los derechos de los niños

this implementation: implementación de conjunto de objetivos

those criteria: clear standards of adequacy on the policies

this group: children

Párrafo: entre el 6 y el 7 (...interrelated goals involved./The major problem)