

SECRETARIADO MOLACNATS
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COMPLAINT TO THE COMMITTEE ON THE RIGHTS OF THE CHILD

The working children and adolescents organized in the Latin American and Caribbean Movement of Working Children and Adolescents, in exercise of our right to have an opinion (Article 12), we send you this written complaint. We hope to be heard and that our opinions are duly taken into account.

Protected by Article 12 of the International Convention on the Rights of the Child, we have requested to participate in the IV World Conference on the Sustained Eradication of Child Labor of the ILO to be held in Buenos Aires (Argentina), from November 14 to 16 of the current year. Not only was denied the participation to us, organized children and adolescents, but to anyone under 18 years of age "for security reasons". Without fully understanding the reasons for such a violation of our rights, we ask ourselves: Do they want to protect us or do they want to protect themselves against us? Could it be that they do not want to hear what we have to say? We think it is serious that the people whom will be talking about will be prohibited from entering. In addition to being violated Article 12¹, will be violated Article 2², because we cannot avoid feeling discriminated: we are prevented from entering purely and exclusively for our age.

Having been forbidden to comment at that Conference, we send you, dear Members of the Committee of the United Nations Convention on the Rights of the Child, what we would have wanted to say there, trusting that you will value and take into account our word:


The International Labor Organization, with the establishment of minimum ages for admission to "employment or work", violates Article 32³ of the CRC, which does not generally prohibit our work, but establishes the right to be protected against economic exploitation in all activities that may be harmful to our education, health, or physical, mental, spiritual, moral or social development. That we have the right to be protected before those economic activities that may harm us, means that there are forms of work that are not equal to exploitation. However, the ILO, in violation of this right of ours, globally imposes the prohibition of any form of work for the simple reason of not having a "minimum age".

We believe that, regardless of our age, it is necessary to make a precise distinction between economic exploitation and work as an activity that produces goods and services vital for us, our families and society. We fight with our organizations against any form of exploitation, violence and abuse, but we believe that general prohibitions are not designed to protect us from all these

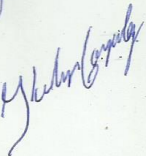
¹ The right to be heard and to take our opinions duly into account.

² The right not to be discriminated against.

³ The right to be protected against economic exploitation.



Daniel Rodríguez



Yelena González



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evils. Instead, we hope to be supported by positive measures in this struggle and in our efforts to help our families in addition to studying and playing.

ILO Convention 138, which sets the minimum age for admission to any job or job, 1) renders illegal the thousands and thousands of working children and adolescents that exist in the world; 2) it generates that the States execute repressive, persecutory and discriminatory measures against us; and 3) as it directs policies towards our eradication, no government institution protects us. We can provide you many experiences about these negative and damaging consequences for our lives and those of our families.

The way in which the ILO defines child labor does not seem appropriate, since it equates exploitation with decent work, not allowing a differentiated analysis between the mistreatment towards us and the work we do to contribute to the sustenance of our families. Thus, Articles 6⁴ and 27⁵ of the CRC are also violated. Many of us belong to indigenous communities in the territories of the countries of Mexico, Ecuador, Peru, Bolivia, Paraguay, among others. In our communities, working from a young age is the way through which we bond with our elders and learn to stand on our own. The work we do there is nothing like employment in exploitative conditions: they are community economic activities. The prohibition that the ILO imposes on us degrades our right (in particular children and adolescents of indigenous origin) to have our own cultural life.⁶

If, according to the judgment of a child or adolescent, working with his/her family as a way to "get ahead" in solidarity is more worthy than seeing his/her mother, father and/or referring adults sacrifice for him or her without his/her collaboration, we ask ourselves: Prohibiting us from assuming that place of citizen and human commitment, is it not directed against our best interests?⁷

Is it not an injustice that we have the right to express our opinion, be heard and participate in the decisions that affect us, but that we cannot choose if we want to work? That we cannot make our opinions known to the institutions that are supposed to work to guarantee compliance with the CRC? And that we are not taken into account to design the public policies with which our rights will be protected and promoted?

We are confident that the Committee will hear our complaint. Our trust in humanity leads us to believe that you will hear us, you will consider us valid interlocutors, you will take our words and feelings seriously.

We wait carefully for your answer, dreaming that it will allow us to advance towards horizons of dignity.

⁴ The intrinsic right to life and guarantee of survival and development to the maximum extent possible.

⁵ The right to an adequate standard of living for our physical, mental, spiritual, moral and social development.

⁶ Article 30 CRC.

⁷ Article 3 CRC.



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**SECRETARIAT OF THE LATIN AMERICAN AND CARIBBEAN MOVEMENT
OF WORKING CHILDREN AND ADOLESCENTS (MOLACNATS)**

Asunción/ Paraguay

Adhieren Movimientos partes

Argentina, La Veleta y La Antena (Mendoza), La Asamblea Revelde (Buenos Aires)

Bolivia, UNATsBO Unión Nacional de Niños /as y Adolescentes trabajadores/as de Bolivia (Organizada en 8 Regiones)

Colombia, ONATsCOL Organización de niños/as y Adolescentes Trabajadores/as de Colombia (Bogotá, Cúcuta)

Ecuador, ECUAVyFNATs Ecuador Virtudes y Fortalezas (Quito)

México, Melel Xojobal San Cristóbal de la Casas Chiapas

Movimiento Fraterno Comunalidades México D:F

Paraguay, CONNATs Coordinación Nacional de Niños/as y Adolescentes Trabajadores/as de Paraguay (Asunción, Central, Alto Paraná)

Perú, MNNATSOP Movimiento Nacional de Niños/as y Adolescentes Trabajadores Organizados del Perú (Organizados en 10 regiones)

Venezuela, CORENATs Coordinación Regional de Niños/as y Adolescentes trabajadores/as de Venezuela (Organizados en el Estado Lara y el Estado Trujillo)

Chile, Protagoniza Coronel Región del Bio Bio



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