



Group photo of participants

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The South Asia Initiative to End Violence Against Children
(SAIEVAC)



REPORT

South Asia Follow Up Regional Consultation
On
The UN Study on Violence against Children

May 28 - 30, 2012
Colombo, Sri Lanka

Hosted By the Government of Srilanka
Supported by the South Asia Coordinating Group on Action against Violence
against Children (SACG)
In Collaboration with UN SRSG on Violence against Children

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ACRONYMS AND ABBREVIATIONS

AIHR	Afghan Independent Human Rights Commission
CARINGS	Child Adoption Resource Information and Guidance System
CBSE	Central Board of Secondary Education
CCT	Conditional Cash Transfers
CCWB	Central Child Welfare Board
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CFLG	Child Friendly Local Governance
CFPS	Child and Family Protection Service
CLU	Child Labor Unit
CPAN	Child Protection Action Network
CRC	Convention on the Rights of the Child
CSEC	Commercial Sexual Exploitation of Children
CSO	Civil Society Organization
DCWB	District Child Welfare Board
FCSC	Family and Children Service Centre
FURC	Follow Up Regional Consultation
GoSL	Government of Sri Lanka
ICPS	Integrated Child Protection Scheme
IPC	Indian Penal Code
JJU	Juvenile Justice Unit
MoLE	Ministry of Labor and Employment
MoLSAMD	Ministry of Labor, Social Affairs, Martyrs and Disabled
MoWCA	Ministry of Women and Children Affairs
NACG	National Action and Coordinating Group on Action against Violence against Children
NCPA	National Child Protection Authority
NCPCR	National Commission for Protection of Child Rights
NCRB	National Crime Records Bureau
NCCWD	National Commission for Child Welfare and Development
NCWC	National Commission for Women and Children
NUHM	National Urban Housing Mission

OCC	One Stop Crisis Center
PLC	Para Legal Committee
PSC	Parliamentary Standing Committee
SAARC	South Asian Association for Regional Cooperation
SAARCLAW	Association of the legal communities of the SAARC countries
SACG	South Asia Coordinating Group on Action against Violence against Children
SAIEVAC	South Asia Initiative to End Violence Against Children
SAP	Strategic Action Plan
SDF	SAARC Development Fund
SRSR/VAC	Special Representative of the Secretary General on Violence against Children
SZOP	School as Zones of Peace
UNVAC	United Nations Secretary-General's Study on Violence against Children
VDC	Village Development Committee
VSC	Victim Support Centre

EXECUTIVE SUMMARY

Background

Since the UNVAC Study launch at the General Assembly in 2006, numerous efforts were made by different actors to contribute towards ending violence against children in all settings. This resulted in a number of good practices that remain to be further documented and disseminated. However, the need for an increased collaboration and strengthened action at the country level continues to remain a challenge.

The South Asia Follow Up Regional Consultation (FURC) on the UN Study on Violence Against Children was held with the following overall goal and expected outcome:

- *To review progress made in implementing UNVAC Study recommendations, in order to strengthen measures and processes aiming at their effective realization.*

The key objectives included:

- *Identify and review progress and gaps in the implementation of the recommendations of the UNVAC Study and the SAIEVAC workplan;*
- *Showcase and promote relevant good practices;*
- *Strengthen the ownership, accountability and commitment by South Asian Governments to end violence against children.*

The following additional objectives were also expected to be achieved:

- *Strengthen partnerships, both from within the SAIEVAC framework and with other regional VAC platforms;*
- *Strengthen participation of children in their own protection;*
- *Support and promote the mandate of the SRSG/VAC to advance SAIEVAC agenda;*
- *Examine the existing national plans of action and develop a regional road map for the implementation of the recommendations of the UNVAC Study for the next five years.*
- *In the spirit of South-South cooperation, develop collaboration with the other regional VAC platforms (including ASEAN Commission on the Promotion and Protection of the Rights of Women and Children, ACWC; Council of Europe, MERCOSUR, Arab League, African Committee on the Rights and Welfare of the Child.*

The FURC was held from 28th -30th May, 2012 in Colombo Sri Lanka by bringing together over 180 delegates – both children and adults from the eight South Asian nations (Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka) that constitute the South Asia Association for Regional Cooperation (SAARC). The Consultation was organized and showcased by the South Asia Initiative to End Violence Against Children (SAIEVAC) – a SAARC Apex Body, and hosted by the Government of Sri Lanka with support from the South Asia Coordinating Group on Action against Violence against Children (SACG) and in

Collaboration with UN SRSG on Violence against Children. The Regional Consultation was preceded by preparatory national consultations in the eight Member States.

Inaugural Session:

The Inaugural Ceremony of the FURC was graced by Hon. Tissa Karaliyadde, Minister of Child Development and Women's Affairs of the Government of Sri Lanka as the Chief Guest. The Guests of Honour included H.E. Ahmed Saleem, Hon Secretary General of SAARC, Ms. Marta Santos Pais, UNSRSG, and His Lordship Lyonpo Sonam Tobgye, the Chief Justice of Bhutan and President of SAARCLAW. The session also saw the participation of Ms. Sumithra Rahubadde, Secretary, Ministry of Child Development and Women's Affairs, H.E. Wasil Noor Mohammad, Chairperson SAIEVAC Governing Board, Mr. Reza Hossaini, Representative UNICEF Sri Lanka and Mark Pierce, Regional Director, Plan Asia Regional Office. Ms. Rashmi Wijesinghe, Child Member of the SAIEVAC Governing Board delivered the Vote of Thanks.

Technical Sessions:

The FURC was preceded by a 2 days Regional Children's Consultation and the Children's Consultation tabled five substantive recommendations at the beginning of the FURC Technical Sessions which focused on law reforms and implementation, proper coordination, setting up national and regional children's forums, building systems for evidence based action and ensuring that all programmes are child centered.

Guest Presenters:

The FURC also had a number of key presentations that had significant cross cutting relevance.

The Chief Executive Officer (CEO) of the SAARC Development Fund in his presentation outlined the key objectives of SDF to accelerate economic growth, social progress and poverty alleviation in the SAARC Region besides strengthening regional integration among Member States. The CEO also highlighted the support and collaboration of SDF for SAIEVAC and stated that the SDF considers this collaboration a crucial one.

The presentation by the Jt. Secretary, Ministry of Women and Child Development, Government of India, who is also the SAIEVAC Governing Board Member, outlined the experiences related to negotiating the Sexual Offences Bill in India. The Bill according to him was prompted by a significant increase in reported cases of sexual offences against children and stated that the Bill exhibits genuine concern for child friendly procedures and includes provision for compensation for immediate relief and rehabilitation and legal aid and a series of other measures to be followed at both investigation and trial stages.

The Parliamentary Secretary on Human Rights, National Assembly of Pakistan informed that Pakistan has established a Parliamentary Women's Caucus to advocate for the rights of children and the efforts being made to ensure that Parliament plays a positive role in all aspects concerning children. She also expressed the keen interest to collaborate with

SAIEVAC in further reinforcing the rights of children in general and ending violence against children in particular.

The presentation from the Chairperson of the National Commission for Protection of Child Rights (NCPCR), India, explained the role and standing of the NCPCR as the voice of children in need of protection. The Chairperson also highlighted that the NCPCR has a consultative status with the superior courts in India and also plays a leading role in law and policy development.

Country Presentations:

The Country Progress Reports were made taking into consideration the broad guidelines provided and keeping the recommendations of the UN Study. The presentations made by the different Member States indicated significant progress made in the area of child protection and addressing violence against children. The presentations also highlighted the gaps and challenges that still remain. The country reports presented in the main body of the report also encompasses the future plans for further building on the progress achieved so far in each Member State.

Break Out Sessions

The Consultation also conducted breakout sessions on four themes that contribute to the SAIEVAC Workplan:

1. *Enhancing Regional cooperation and cross border collaboration:*
2. *Reinforcing multi-stakeholder partnerships at national and regional levels.*
3. *Harmful traditional practices, and*
4. *Addressing Child labour: Issues, Challenges and Good Practices*

The results of the Breakout Sessions are elaborated in the main body of the Report.

South Asia Call for Action on Ending Violence against Children

The South Asia Call for Action on Ending Violence against Children was drafted by a Committee of Experts drawn from the country delegations. The SRSG VAC also participated in the Drafting Committee. The Committee while considering the draft took into consideration the progress of countries as reported in the country presentations and in particular the challenges faced in implementing the global and regional agendas of action to end violence against children. Bearing these realities in mind, the committee members deliberated on the critical points that should be highlighted in carrying forward the SAIEVAC mission to realize the vision of a violence free region for children. The Draft Call for Action was reviewed and adopted by the participants of the FURC after a lengthy deliberation to be submitted for the

consideration of the 3rd Governing Board Meeting.

Closing Session

The Closing Ceremony held on the evening of the May 30, 2012 was graced by Hon. Ratnasiri Wickramanayake, Former Prime Minister and Senior Minister of Good Governance and Infrastructure Facilities as the Chief Guest. The other dignitaries included Ms. Marta Santos Pais, Special Representative of the Secretary General on Violence against Children, Hon. M.L.A.M. Hizbullah, Deputy Minister of Child Development and Women's Affairs, Dr. Vivek Joshi, Co-Chair of the Technical Consultation, Mr. Ron Pouwels, Chairperson SACG and Mrs. Suseema Wijesekera, Additional Secretary, Ministry of Child Development and Women's Affairs.

CONTEXT AND INTRODUCTION

Introduction

The United Nations Secretary General's Study on Violence against Children (UNVAC Study), presented to the UN General Assembly in October 2006, ¹ was the first global and comprehensive study on the violence experienced by children all around the world. The Study laid a foundation for a conceptual division of five settings where children face violence, namely,

1. *Home and family*
2. *Schools and educational settings*
3. *Care and justice systems*
4. *Work settings*
5. *The community*

The UN Study included twelve overarching recommendations to be implemented in order to prevent and respond to violence against children, in addition to a number of specific recommendations to be implemented within these specific settings.

Inputs to the Study were provided by all regions of the world. In South Asia a two-day Regional Consultation was organized by the SACG (at that time known under the name of the South Asia Coordinating Group against Commercial Sexual Exploitation and Trafficking of Children and Women), hosted by the Government of the Islamic Republic of Pakistan, on 19-20 May 2005 in Islamabad. This was preceded by a consultation of children and young

¹ Developed by an Independent Expert, Prof. Paulo Sérgio Pinheiro. For the original text of the Study presented before the General Assembly see: <http://daccessdds.un.org/doc/UNDOC/GEN/N06/491/08/PDF/N0649108.pdf?OpenElement>. For the Global Report visit: <http://www.unviolencestudy.org/>

people from the region, to prepare them to participate in the Consultation. The Consultation provided inputs into the UN Study in the form of regional perspectives and recommendations.

In order to support and sustain the implementation of the recommendations of the UN Study, the General Assembly requested the Secretary General to appoint a Special Representative on Violence against Children (SRSG/VAC) for a period of three years². In 2009, the Secretary General announced the appointment of Marta Santos Pais as his Special Representative³.

Overarching Recommendations of the United Nations Study on Violence against Children.

1. *Strengthen national and local commitment and action.*
2. *Prohibit all violence against children.*
3. *Prioritize prevention.*
4. *Promote non-violent values and awareness-raising.*
5. *Enhance the capacity of all who work with and for children.*
6. *Provide recovery and social reintegration services.*
7. *Ensure participation of children.*
8. *Create accessible and child-friendly reporting systems and services.*
9. *Ensure accountability and end impunity.*
10. *Address the gender dimension of violence against children.*
11. *Develop and implement systematic national data collection and research.*
12. *Strengthen international commitment.*

In South Asia the regional follow up to the Study was supported by the South Asia Forum (SAF) formed in 2005 as a result of the 2005 Regional Consultation. This was composed of focal ministries and authorities of the eight member countries, child representatives, representatives of civil society and NGO's with a Secretariat that would rotate every two years.

Greater formalization and cohesion was achieved from 2010 onwards: In June 2010, SAF evolved in the South Asia Initiative to End Violence against Children (SAIEVAC), with a new governing structure and a five year workplan (2010-15) aimed at developing and strengthening national child protection systems in the region, to effectively protect girls and boys from all forms of violence in all settings. A Ministerial Meeting in June 2010 endorsed these changes with a renewed commitment by the governments.

² A/RES/62/141, 22 February 2008.

³ *The SRSG/VAC is a high-profile advocate who supports and promotes the prevention, adequate response and elimination of all forms of violence against children.*

SAIEVAC has a five year workplan (2010-2015). The workplan is a common regional strategic framework to coordinate and monitor progress annually. SAIEVAC also has a Governing Board which includes representatives from all governments in the region, children, the South Asia Coordinating Group on Action against Violence against Children (SACG) and civil society organizations (CSO). SAIEVAC has national coordinators (government officials) in each South Asian country and a Regional Secretariat in Kathmandu. With the continued support of the SACG, chaired on a biennial rotational basis by its UN and INGOs members,

In 2011 SAIEVAC became an Apex Body of the South Asia Association for Regional Cooperation (SAARC) with a clear mandate to represent the cause of children in South Asia. This Apex Body status provides SAIEVAC with the opportunity to tap into the larger framework of SAARC in terms of both funding and opportunities to influence the plans and programmes of the SAARC Member States in the area of child rights in general and ending violence against children in particular.

SAIEVAC proposal to the SAARC Development Fund was approved in 2012, leveraging 2.6 million USD for the strengthening of both regional and country-level activities against violence against children in South Asia. National chapters are now being established in all South Asian countries.

The work of SAIEVAC is supported by the South Asia Coordinating Group on Action against Violence against Children (SACG), a regional interagency group of United Nations (UN) agencies, International Non-governmental Organizations (INGOs) and other actors engaged in child protection at the regional level. SAIEVAC supports the mandate of the SRSG/VAC and works in cooperation and exchange with other similar regional frameworks and initiatives.

Rationale and Objectives of the Regional Consultation 2012

Since the UNVAC Study launch at the General Assembly in 2006, numerous efforts were made by different actors to contribute towards ending violence against children in all settings. This resulted in a number of good practices that remain to be further documented and disseminated. However, the need for an increased collaboration and strengthened action at the country level still remains. The recent report from the NGO Advisory Council for follow up to the UN Secretary General's Study on Violence Against Children⁴ summarizes the state of violence against children in the five years since the release of the UN Study. Although not exhaustive, the report is illustrative of the continued pervasiveness of violence in children's lives in all settings (in fact increasing in some settings) and highlights the lack of areas of progress in protecting children.

Taking stock of interventions and achievements by the governments, civil society, children and the international organizations is important as progress is made in taking forward the UN Study recommendations.

⁴ *Five Years On: A Global Update on Violence against Children. NGO Advisory Council for Follow-up to the UN Study on Violence against Children. October 2011*

This Consultation brought together 180 relevant stakeholders (duty bearers and right holders) in South Asia with the overall goal to review progress made in implementing UNVAC Study recommendations, in order to strengthen measures and processes aiming at their effective realization in South Asia.

The Consultation had three main objectives:

- *Identify and review progress and gaps in the implementation of the recommendations of the UNVAC Study and the SAIEVAC workplan;*
- *Showcase and promote relevant good practices;*
- *Strengthen the ownership, accountability and commitment by South Asian governments to end violence against children.*

Five additional objectives were also expected to be achieved:

- *Strengthen partnerships, both from within the SAIEVAC framework and with other regional VAC platforms;*
- *Strengthen participation of children in their own protection;*
- *Support and promote the mandate of the SRSG/VAC to advance SAIEVAC agenda;*
- *Examine the existing national plans of action and develop a regional road map for the implementation of the recommendations of the UNVAC Study for the next five years.*
- *In the spirit of South-South cooperation, develop collaboration with the other regional VAC platforms (including ASEAN Commission on the Promotion and Protection of the Rights of Women and Children, ACWC; Council of Europe, MERCOSUR, Arab League, African Committee on the Rights and Welfare of the Child.*

The Regional Children's Consultation was also held in Colombo on 26th and 27th May, 2012. 17 children and young people from South Asia came together to discuss and share their experiences on the progress made in their respective countries in the implementation of the recommendations given in the UN Study on Violence Against Children (UNVAC).

The Children's Consultation came up with several recommendations on what they expect SAIEVAC, their governments as well as other organizations and people involved in child protection to do, in order to ensure that children in the region are protected from all forms of violence. The children shared these recommendations with adults during the Follow up Regional Technical Consultation on 29th and 30th May 2012.

1. INAUGURAL SESSION

*Ms. Sumithra Rahubadde, Secretary,
Ministry of Child Development and
Women's Affairs, Sri Lanka*



Ms. Sumithra Rahubadde, Secretary, Ministry of Child Development and Women's Affairs, welcomed the participants on behalf of the Government of Sri Lanka, and opened the proceedings by stating that Sri Lanka was honoured to host the consultation organized by SAIEVAC, which made steady progress to institutionalize a regional mechanism to protect children. The Secretary informed the gathering that in Sri Lanka the post war era provided opportunities to engage positively in the greater protection of children from all forms of violence. She called upon all participants to make full use of the Consultation and demonstrate that collaboration and partnership can bring about lasting change for children of South Asia.

*Dr. Rinchen Chopel, Director General
of SAIEVAC, highlighted the significant
progress made by SAIEVAC.*



Dr. Rinchen Chopel, Director General of SAIEVAC, welcomed all participants and highlighted that SAIEVAC has come a long way since the Regional Consultation on Violence against Children held in Islamabad in 2005. He expressed his pride that many who started the journey then have reunited in Colombo in 2012. He expressed his deepest gratitude to the Government of Sri Lanka (GoSL) for mobilizing the resources of the Ministry of Child Development and the Office of the Probation and Child Care Services in supporting the organization of the Consultation. He thanked the South Asia Coordinating Group on Action against Violence against Children (SACG) and all other Agencies for their continuing commitment.

H.E. Wasil Noor Mohammad, Deputy Minister of Labour, Social Affairs, Martyrs and Disabled – Islamic Republic of Afghanistan, SAIEVAC Governing Board Member from Afghanistan and Chairperson of the SAIEVAC Governing Board extended a special welcome to the Special

Representative of the Secretary General on Violence against Children, Ms. Marta Santos Pais.

*H.E. Wasil Noor Mohammad, Deputy
Minister of Labour, Social Affairs,
Martyrs and Disabled – Islamic
Republic of Afghanistan, SAIEVAC
Governing Board Member from
Afghanistan and Chairperson of the
SAIEVAC Governing Board*



The Chairperson noted the journey of SAIEVAC and the selection of Dr. Rinchen Chopel as Director General in 2009. He explained that the SAIEVAC Governing Board is currently chaired by Afghanistan and is composed of two government representatives from each Member State – one representing the Government and the other being the SAIEVAC Country Coordinator. Two Children, CSOs and the SACG Chair, are also members of the Governing Board. Finally, two new child representatives are added as observers to the Governing Board. A sum of USD 2.6 Million has been guaranteed by the SAARC Development Fund for the work of SAIEVAC and strong links have been established for the work to proceed. Five critical themes affecting the lives of children have been selected as a focus by the SAIEVAC strategic work-plan, within the wider framework of strengthening national child protection systems:

1. *Early marriage*
2. *Trafficking*
3. *Sexual abuse and exploitation*
4. *Corporal punishment; and*
5. *Child labour*

H.E. Wasil Noor Mohammad reminded the agreement reached during previous meetings that Member States should provide regular progress reports on measurable and concrete results for children at risk of violence.

A joint key note address was delivered by Reza Hossaini, Representative UNICEF, Sri Lanka and Mark Pierce, Regional Director, Plan Asia Regional Office on behalf of the SACG.

The speakers noted that numbers show that if we want to reduce violence in the world, we need to fight violence against children in South Asia: the UN Study on Violence against Children estimated that in South Asia every year between 41 and 88 million children witness violence at home – the highest regional total in the world. Half of the world's child brides live in South Asia and around 44 million children are engaged in child labour across the region. Sexual abuse and exploitation, as well as child trafficking and corporal punishment remain

other serious and under-reported issues affecting children in South Asia. They underscored the fact that many cases of violence were not reported at all and that many forms of violence are still not prohibited by national laws or are prohibited by laws which are not enforced. The failure to make a consistent investment in child development entailed both social and economic costs to society. The SACG spokespersons stated that the scale of violence required immediate and comprehensive action.

SAIEVAC is the result of a genuine and dynamic process of partnership involving governments, children, international organisations and civil society. It therefore represented a historic opportunity and action should be accelerated to support all countries to achieve the targets in the SAIEVAC workplan. They encouraged SAIEVAC, as a SAARC Apex Body, to further act as a catalyst to joint on-going efforts by governments, civil society, children, international non-governmental organisations, regional organizations, the United Nations and donors. SAIEVAC with its multiple actors is a historical opportunity for the South Asia region, since violence against children is multidimensional and calls for a multifaceted, multi-stakeholder and multi-sectoral response.

The speech ended on the note that there is however an urgency to do more and do better: children continue to experience violence ‘as we speak’ and we cannot afford to further delay prioritising child protection.

*H.E. Ahmed Saleem,
Hon Secretary General of SAARC*



H.E. Ahmed Saleem, Hon Secretary General of SAARC observed that children have been a priority from the very inception of SAARC in 1985. He noted the regional arrangements made through the

1. *Conventions on Preventing and Combating Trafficking in Women and Children for Prostitution 2002; and*
2. *Convention on Regional Arrangement for the Promotion of Child Welfare in South Asia 2002*

In addition there have been four Ministerial Meetings on children and the declaration of the SAARC Decade on the Rights of the Child 2001-10.

The Hon Secretary General referred to the SAIEVAC 5-year workplan and earnestly requested all Member States to give their fullest support for its full implementation.

Guest of Honour Ms. Marta Santos Pais, the Special Representative of the UN Secretary General on Violence against Children hailed SAIEVAC as a platform for learning and action and offered congratulations on its status as a SAARC Apex Body. She thanked Dr. Rinchen Chopel and expressed happiness to join hands with children and listen to follow up actions and recommendations.

*Ms. Marta Santos Pais,
the Special Representative of
the UN Secretary General on
Violence against Children*



Ms. Santos Pais acknowledged the leading role played by South Asia in the preparation of the UNVAC Study and the continuing relevance of the baseline established at Islamabad in 2005. The work in South Asia, in particular initiatives in awareness raising, social mobilization and child centred advocacy, as well as new legislation and the experience of para-legal committees has generated interest both within and outside the region. Some of the important discussions by SAIEVAC have also been recognized by the UN Committee on the Rights of the Child. The 5 year workplan provides an important navigation tool for the region, to combat violence against children.

The Special Representative reiterated that the extent of violence is unacceptably high and emphasized that violence against children can and should be prevented.

*His Lordship Lyonpo Sonam Tobgye,
the Chief Justice of Bhutan and
President of SAARCLAW*



Guest of Honour, His Lordship Lyonpo Sonam Tobgye, the Chief Justice of Bhutan and President of SAARCLAW called on all participants to work together. He stated that developing a healthy child is building a healthy nation. Child justice is a global, regional and national concern. He reminded that the Constitution of Bhutan Article 9.18 directs the development of measures to protect children from all forms of violence. This includes both legal and social services: in implementing them all professionals and service providers have the duty to safeguard the best interests of the child. He also underlined how laws can be an instrument

of social change.

*Hon. Tissa Karaliyadde,
Minister of Child Development
and Women's Affairs of the
Government of Sri Lanka*



The Chief Guest Hon. Tissa Karaliyadde, Minister of Child Development and Women's Affairs of the Government of Sri Lanka. The Hon. Chief Guest reminded the basic duty of each State to protect its children. He referred to violence against children as a hidden epidemic and a global scourge. Many actions have been taken as a response: new studies, new laws, new conventions and many meetings, yet the children continue to face violence and many pay with their lives. The matter has been compounded with austerity measures all over the world resulting in less priority and social spending for children.

He also pointed out that Action Plans have not been very effective and that children rarely have recourse to effective remedies. Vast amounts of resources were spent on conferences in cities involving the elite and on publications but there is insufficient presence at the level which matters – the grass roots level. The President of Sri Lanka has great concern for children and to ensure they live free from fear and want. The Ministry of Child Development should be the Apex Body in Sri Lanka to pool resources and work in unison to achieve this. The Hon. Minister expressed the hope that SAIEVAC will support the achievement of better coordination and integration. He expressed his wishes that the Consultation would provide a wonderful opportunity for developing practical remedies.

*Ms. Rashmi Wijesinghe – Child
Member of the SAIEVAC
Governing Board*



Ms. Rashmi Wijesinghe – Child Member of the SAIEVAC Governing Board delivered the vote of thanks. In her speech, Ms. Rashmi while expressing her gratitude to all the participants for their fruitful involvement during the Consultation also dedicated her heartfelt appreciation to the Ministry of Women Empowerment and Child Development, the Department of Probation

and Child Care Services, Government of Sri Lanka and the whole team of Regional SAIEVAC Secretariat for the platform provided to the children in expressing their voice and concern on ending violence against children. She was hopeful that the governments and the respective organizations would show their commitment to the recommendations presented by the children.

2. OUTCOME OF THE CHILDREN'S CONSULTATION

17 child representatives from the member states (9 girls and 8 boys) attended the Regional Consultation as part of the country delegations. These children had previously gathered in Colombo for a Regional Children's Consultation held from May 26-27, 2012. At the Regional Children's Consultation, children shared their views, hopes and expectations on what they want to do and what they think must be done by the adults to end violence against children. The Children's Consultation was facilitated by young facilitators including SAIEVAC Child Governing Board Members.

At the Regional Consultation a girl delegate from Pakistan, Ms. Neha Zia presented the outcome of the Children's Consultation. Ms. Neha explained that the children feel violence against them is highly prevalent in the region. Sexual abuse, physical abuse and psychological abuse are the most serious and threatening forms of violence according to the children. These violations have both long-term physical and psychological consequences on children and young people.

*Ms. Neha Zia, Pakistan,
presenting the outcome of the
children's consultation*



Children asked the governments and participants to follow and implement the 12 recommendations of the UN Study on Violence against Children and committed upon their return to their respective countries to encourage other children to contribute with them in ending violence. Finally, Neha mentioned that children had fun and enjoyed working together during the Consultation, thanks to the interesting games introduced by children and young facilitators.

At the Children's Consultation the children developed their own recommendations:

1. *All the Governments in South Asia should take strong initiatives for proper legal reforms to prohibit violence against children through appropriate policies and implementation mechanisms.*
2. *All of those who work for and with children should take an action to ensure the coordinated effort to stop violence against children.*
3. *Every country should establish and strengthen national and regional Children's fora and create linkages to ensure our voices are heard in all the matters concerning to us.*
4. *Government and other agencies should put their efforts to build systematic information collection and reporting mechanisms.*

5. *All the agencies should ensure child centered programs with clear child protection policies and code of conduct.*

During the discussion which followed the children's presentation. It was also observed that children who provided valuable inputs will be frustrated if adults fall short on implementation. It was urged that those impediments and bottle necks that obstruct implementation of the recommendations and the realization of children's rights must be identified.

Participants pointed out that national delegation must take commitments and set them out in clear child friendly language. It was asserted that the recommendations of children are part of the larger discourse on child rights in South Asia and once endorsed by the Governing Board they become action points for the SAIEVAC Secretariat. The ability of SAIEVAC to identify gaps in relevant SAARC Conventions in order to initiate remedial action was also mentioned.

Two further points were raised in the context of anti-trafficking arrangements.

1. *There are laws and bilateral agreements in place to combat trafficking. However without the cooperation of all countries they cannot be implemented.*
2. *There is also a need to agree on the best modes of prevention of trafficking between countries.*

There is a need for child friendly environment where victims of abuse can make their complaints and talk about their problems with confidence. Complaint boxes placed in schools by National Child Protection Authority (NCPA) in Sri Lanka for instance was cited as a good practice that should also be extended to workplaces.

The following connected issues were raised: Whether

1. *child participation is currently a cross cutting issue in national plans and programmes;*
2. *civil society is committed to support the implementation of the children's right to participation;*
3. *That child participation is not easy and can easily become symbolic : capacity building or involved actors is needed to ensure meaningful participation in each country.*

“The children have done an excellent job. They raised issues to help us think and see better. Let us not lose this moment. Violence must cease from ourselves and our own families. We must begin the change “with” ourselves.”

3. SAARC DEVELOPMENT FUND: AN OVERVIEW

Mr. Karma, Chief Executive Officer of the SAARC Development Fund (SDF), provided an overview on the SAARC Development Fund.

*Mr. Karma, Chief Executive Officer
of the SAARC Development Fund*



He emphasized that SAIEVAC could be a wonderful environment to find common solutions for common problems across the region and underscored the imperative of funding agencies sitting and working together to optimize their contribution.

The SAARC Region has a very low level of economic integration (6%) and while intra regional trade is historically rooted, the ideas of regionalism and regionalization are comparatively new. The SDF itself is a young body, created in 2008. The Fund was set up with a generous contribution from the Government of India. Funds are received from the Member States annually. There are also others, like the People's Republic of China, who have contributed to this Fund.

The organization structure of SDF is composed by a Governing Council (the finance ministers of the eight countries), a Board of Directors and a Secretariat, with equal and high level representation from the Member States. All decisions are taken on a consensual and unanimous basis as all Member States are equal. The Secretariat has been hosted by the Government of Bhutan, since 2010.

The key objectives of SDF are:

- *To promote the welfare of the people of the SAARC Region;*
- *To improve the quality of life in the region;*
- *To accelerate economic growth, social progress and poverty alleviation and strengthen regional integration among the Member States.*

SDF has three key areas and funding windows: social, economic and infrastructure development.

The following selection criteria apply to social window projects:

- *projects involving all SAARC countries,*
- *projects involving more than two but not all SAARC Member countries,*

- *projects located in one or more SAARC countries, of significant economic interest for three or more SAARC countries, and*
- *Projects with significant focus on poverty alleviation, as envisaged under the social window, in any SAARC country having thematic linkage with more than two SAARC Member States as part of a sub-regional project.*

SDF is particularly keen to establish small windows that enable and catalyse meaningful changes in public policy.

There is a conscious decision in SDF to support women and children: 75 per cent of the funds allocated so far have been assigned for project for women and children

Among the key interventions supported are:

- *Strengthening Maternal and Child Health including Immunization;*
- *SAARC Uniform Toll Free Helpline for Children and Women (in pipeline);*
- *SAIEVAC.*

With regard to the SAIEVAC project, its budget amounts to 2.600.000 USD. Participating countries are: Afghanistan, Bangladesh, Bhutan, Maldives, Nepal, Pakistan and Sri Lanka.

The project has two main objectives/expected results:

1. *Children are better protected through a comprehensive child protection system set up at regional and national levels that prevent, mitigate and respond to violence against children and*
2. *Governments, Civil Society, INGOs, UN and children formalize linkages to better cooperate, share experiences and learning for increased impact on actions to end violence against children.*

The project budget will cover both regional and national activities, as well as some of the costs of the SAIEVAC Secretariat. SDF requires that 85% of the funding be directed towards the beneficiaries. Measurable and verifiable indicators are also required. Capacity building must be integrated with the project objectives and will not be permitted as a stand alone activity. Likewise SDF does not support research as an independent activity. Strict accountability is insisted.

4. COUNTRY PROGRESS SINCE 2005

Countries presented the progress achieved and actions undertaken at the country level since 2006 to implement the UNVAC Study Recommendations, which in South Asia have been further refined in 2010 through the SAIEVAC Workplan.

i. AFGHANISTAN

*Mr. Fazel Jalil, SAIEVAC
National Coordinator, Ministry of
Labour, Social Affairs, Martyrs
and Disabled (MoLSAMD)*



Mr. Fazel Jalil, SAIEVAC National Coordinator, Ministry of Labour, Social Affairs, Martyrs and Disabled (MoLSAMD), presented the progress achieved by Afghanistan since 2006, the main challenges faced in tackling violence against children in the country as well as the key aspects of the proposed way forward. The progress achieved was presented on the basis of the 12 overarching recommendations of the UNVAC Study.

Recommendation 1: Strengthen national and local commitment and action

The Social Affairs Division of MoLSAMD is in charge of child protection. It works in coordination with other ministries and collaborates with child focused organizations. Afghanistan has also set up an Independent Human Rights Commission (AIHRC), which monitors the situation of children in the country and serves as child ombudsperson.

Child Protection Action Networks (CPAN's) coordinate prevention and responses to violence against children at National (1 CPAN), Provincial (29 CPANs) and District levels (56 CPANs). CPANs refer cases to support services and follow up with victims and perpetrators.

With regard to policy development two National Policies were adopted in 2011 on Child labour and Street Working Children, a Child Protection Police Department was established in Kabul, a dedicated Juveniles Rehabilitation Department established model centres in Kabul and 4 regions and a National Child Protection Secretariat has gained State approval.

A Child Act is being developed, as a comprehensive legal guide relating to children and minimum standards of care and protection were established. New regulation is under preparation that will have a set of minimum standards and rules for orphanages.

Recommendation 2: Prohibit all violence against children

Legislation in Afghanistan covers only some forms of violence and these provisions are scattered around different laws.

The Constitution prohibits slavery, forced labour, and the death penalty for children. The Civil Code sets the minimum age for marriage at 18 years for boys, but at 16 years for girls. Under the Labor law the legal age of employment is 15 years and hazardous work is prohibited for all children. With regard to the age of criminal responsibility, this is set at 12 years by the Juvenile Code.

The law does not consider corporal and humiliating punishment of children as a form of violence. There is no law on sexual abuse of children, nor on pornography and internet-related sexual crimes.

Recommendations 3 and 4: Prioritize prevention and promote non violent values and awareness-raising

There is no campaign led by the government addressing violence. However, there are number of campaigns by child focused organizations to raise awareness on child rights of communities, including children, adults, community elders, and teachers.

Religious leaders have been mobilized and mosques in Kabul and provinces are preaching child rights during Friday prayers. Child rights education is part of the education curriculum. AIHRC trained 400 journalists on child rights and children issues.

UNICEF in cooperation with relevant ministries and child focus organizations developed child sensitive case reporting adopted by the media

120,346 children and 18,427 adult have received support through teacher & community trainings

Recommendation 5: Enhance the capacity of all who work with and for children

A Social work coaching program is available for social workers in the Ministry of Labour, Social Affairs, Martyrs and Disabled and a Bachelor's Degree in Social Work, Master Degrees in Child Development and Child Counseling are being developed.

Law enforcement personnel has been trained on the juvenile code and children's issues

A Study was undertaken to evaluate the functionality and effectiveness of CPANs and a national consultation was held to share good practices.

Recommendation 6: Provide recovery and social reintegration services

CPANs reported 9200 cases of violence against children and referred them to support services. It was involved in responding to child trafficking and exploitation; however there is no systematic mechanism for children's reintegration reintegrating the children in the country. NGO's and Ministries providing shelters for temporary care and protection to women and girl victims of violence provide some reintegration and recovery services.

Children associated with armed forces and groups were reintegrated to their communities during the period 2005-2009.

Recommendation 7 and 8: Ensure participation of children and create accessible and child-friendly reporting systems and services

The Constitution of Afghanistan and other legislation grants boys and girls the right to express their views freely – Children's views were included in the CRC report by CSO's and the Government.

Two children's organizations were established in 2005-9, but not maintained. Student councils are available in schools, but mainly for disciplinary purposes. Resources to support child participation in combating violence, including child friendly materials informing children about services, are not available in the country and complaint mechanisms do not exist in any settings, except in schools.

Recommendation 9: Ensure accountability and end impunity

The following steps have been taken in this regard: a Report on sexual abuse was published in 2009; statistics of cases of abuse identified by CPAN are consolidated on a monthly basis and shared with different stakeholders. A database has been developed by MoLSAMD for this purpose.

Recommendation 10: Address the gender dimension of violence against children

A national Plan for women rights was formulated and gender follow up mechanisms were set up in each ministry. There is a law against violence women. Gender disaggregated data are available on cases reported by CPAN.

Recommendation 11: Develop and implement systematic national data collection and research

CPAN, the police and AIHRC receive reports of violence. A database was established in the MoLSAMD to record and analyze cases of child protection in general and child sexual abuse in particular: 473 cases of rape and sexual abuse were reported between June 2007 and

December 2011.

Recommendation 12: Strengthen international commitment

Afghanistan has ratified the CRC (with a reservation on adoption and freedom of religion), its Optional Protocol on the involvement of children in armed conflict and other international instruments such as the CEDAW, the ILO Convention on Minimum Age for work and the Worst Forms of Child Labour Convention and the Convention . Afghanistan submitted its report to the Committee on Rights of the Child.

The main challenges in addressing violence are cultural norms and values, the lack of law enforcement mechanisms; the lack of financial and human resources and a donor-driven approach. In addition to these, violence against children is not yet on the agenda of top level authorities, such as the Cabinet and the Parliament. Despite the existent efforts, there is weak coordination among child focused organizations and the CPANs, the only currently existing far reaching support system, has not enough capacity and resources to prevent and respond to violence.

The following actions have been identified in the country as a way forward:

1. *Conducting a national level budget analysis exercise to find who and how much budget is spent on children issues in the country and identify gaps. On its basis, a plan of action will be prepared.*
2. *Forming a parliamentarian group on violence against children to put pressure on the Afghan government to allocate budget for children and bring children issues high on the national agenda*
3. *Conducting a national survey about children at risk and in need of special support and shape a framework to combat the root causes of violence against children*

ii. BANGLADESH

*Dr. Mohamed Aminul Islam,
Deputy Secretary, Ministry of
Women and Children Affairs*



Dr. Mohamed Aminul Islam, Deputy Secretary, Ministry of Women and Children Affairs presented the progress achieved in Bangladesh in tackling violence against children, as well

as the main gaps and challenges faced and the planned way forward.⁵

Recommendation 1: Strengthen national and local commitment and action

A National Child Policy and a Child Labour Elimination Policy were adopted respectively in 2011 and 2010, and accompanied by a new National Education Policy (2010). In the Child Policy preface an explicit statement is made to set the “elimination of violence against children” as a goal.

In the government’s planning documents, specifically in the Poverty Reduction Strategy Paper and the National Plan of Action for Children (2005-2010), emphasis has been given to violence against children.

An inter-ministerial committee has also been formed under MOWCA child protection.

- *A National Strategy Paper on the Prevention of all forms of Violence against Children (2011) has been prepared by MoWCA.*
- *In 2009 the Honourable High Court delivered a Judgement on laying down guidelines on Sexual Harassment.*
- *The MoHA formulated a National Plan of Action to Combat Child Trafficking (2012-2014).*
- *A Monitoring cell has been formed in the Ministry of Home Affairs to combat trafficking at central level and district level.*
- *A National Children’s Council works for child development under the chairmanship of the Ministry of Women and Children Affairs. The main responsibility of this institution is to provide support to highest policymaking body on the rights of all children.*
- *The issue of Child Labour has been incorporated in all major national development projects and plans (like Poverty Reduction Strategy-PRS and sixth Five Year Plan).*
- *A draft document on the National Child Protection System has been prepared, to contribute in shaping the child protection system.*
- *A Cell for the protection of women and children against violence is being operated under MoWCA.*
- *The issue of Child Labour has been incorporated in all major national development projects and plans (like Poverty Reduction Strategy – PRS and Sixth Five Year Plan). Pursuant to this policy the Government has established National/ District/ Sub-District level monitoring committees to monitor Child Labour situation in the country including monitoring of all promotional activities.*
- *The Government has established a National Child Labour Welfare Council.*
- *The Ministry of Home Affairs has formulated the National Plan of Action for Combating*

⁵ Where not done by the country presenter, the content of this presentation was reorganized by the rapporteur of this report, to report progress reorganizing it under the UNVAC Study recommendation.

Human Trafficking 2012-2014.

- *Special emphasis is given in the National Children Policy and Children Act to protection of victims of sexual abuse and exploitation. The Children Act requires minimum standards of care for children, privacy during trial, camera trial and specially trained investigators.*

Recommendation 2: Prohibit all violence against children

- *The Children's Act mentions that no child should be subjected to cruelty, inhuman and degrading punishment by caregivers, officials and institutions and that, in case of alternate care givers at institutions, the standards of care prohibit "physical punishment". The Act also states that all forms of physical and mental punishment shall be banned from educational institutes. The High Court in a judgment has prohibited corporal punishment in schools referring to it as a crime against children. The Court also directed concerned ministries to take appropriate measures. The Ministry of Education and Ministry of Primary and Mass Education in particular have issued directives to educational institutions to stop corporal punishment.*
- *The National Child Labor Eradication Policy (2010) provides a broad framework for national child labour elimination efforts. The Child Labour Act (2006) sets minimum age for employment at 14 years. A code of conduct for protection of domestic worker was also passed and a list of hazardous child labour has been drafted.*
- *A Domestic Violence Act was also passed in 2010 which states that "any type of physical, psychological, sexual torture or financial loss of women or children by a family member will be a punishable offense.*
- *Finally in 2012, a Human Trafficking Deterrence and Suppression Act and a Pornography Control Act were passed.*

Recommendation 3 and 4: Prioritize prevention and promote non-violent values and awareness-raising

- *The Ministry of Primary and Mass Education is promoting child friendly teaching as an alternative to corporal punishment. At the same time general awareness to prevent violence against children is raised through several targeted interventions.*
- *The Ministry of Social Welfare has undertaken project entitled Child Sensitive Social Protection in Bangladesh (CSPB) and serious for children of risk (SCR) to protect street children through drop in centers and open schools established in 20 convergence districts and urban divisional headquarters.*

Recommendation 5: Enhance the capacity of all who work with and for children

- *A draft minimum standard guideline for integration has been developed by Ministry of Social Welfare through consultation of different experts and actors and is in practice for pilot testing.*
- *For successful GO-NGO collaboration, the Ministry of Social Welfare has signed MOU to share and exchange experience of shelter homes, correction centers, vagrant homes and safe*

homes.

- *Recommendation 6: Provide recovery and social reintegration services*
- *One Stop Crisis Centers (OCC) were established as an initiative of the Government of Bangladesh coordinated by the Ministry of Women and Children Affairs and involving other ten relevant ministries, including MoH&FW, MoHA and MSW.*
- *OCC is a place where a victims of violence are supported with multiple services (medical, legal, counseling, shelter and referral supports) at a time.*
- *A Joint Initiative of the Bangladesh Police and 10 NGOs, the first Victim Support Center (VSC) of Bangladesh was set up at Tejgaon Thana premises in February 2009. Presently there are 13 VSCs.*
- *A National Trauma Counseling Center was established in the Department of Women Affairs with MoU with Dhaka University's clinical psychology department. An inter-ministerial committee has also been formed under MOWCA for protection of children.*
- *Safe night shelters for boys and drop in centers for girls who are forced into sexual exploitation have been initiated by various NGOs and the Department of Women Affairs providing shelter home services for victim of violence.*
- *Referral services were strengthened in different NGOs. Referral of children to partner organizations for full time shelter, HIV/AIDS screening, pathological tests, psychosocial care, health care, vocational training, life skills and livelihood training and job placement, legal aid.*
- *Under the Ministry of Home Affairs a Rescue, Recovery, Repatriation and Integration (RRRI) Taskforce formed to expedite the process with GO-NGO coordination nationally and internationally.*
- *The National Trauma Counseling Center is established in the Department of Women Affairs with MoU with clinical psychology department of Dhaka University. Safe night shelters for boys and drop in centers for girls who are forced into prostitution has been initiated by various NGO's and Community care committees were formed around the country.*

Recommendation 7: Ensure participation of children

- *A project named Empowerment and Protection of Children (EPC) under MoWCA has been undertaken to empower and protect children and adolescent from early marriage HIV/AIDS, trafficking and CSEC through capacity building.*
- *A National Strategy Paper for Bangladesh on Prevention of all forms of Violence against Children (2011) has been prepared by MoWCA. Its preparation was built upon the findings of child (and adult) consultations.*
- *Recommendation 8: Create accessible and child-friendly reporting systems and services*
- *A number of child friendly guidelines were passed by the Honorable High Court Division focusing on safe homes with comprehensive child friendly services, ages of children, basic needs, minimum standard of care, right to consent & opinion, prohibition of death penalty and capital punishment. Initiative has also been taken to operate referral mechanisms through*

case management system; a case management system in government and NGO shelter homes is in process.

- *Referral services were strengthened in different NGOs through referral of children to partner organizations for full time shelter, HIV/AIDS screening, pathological tests, psychosocial care, health care, vocational training, life skills, livelihood training, job placement and legal aid.*
- *Recommendation 9: Develop and implement systematic national data collection and research.*
- *MoWCA has established a database on child protection, under the Multi Sectoral Programme. Coordination was initiated among different sources (MoHA for trafficking and MoLE for child labour) and contents of the database.*
- *In line with the National Child Labour Elimination Policy, in 2010 the Government has established National/ District/ Sub-District level monitoring committees to monitor the child labour situation as well as all promotional activities. The Department for Inspection of Factories and Establishment under the Ministry of Labor and Employment (MOLE) has been working to monitor child labor in the field level offices and Child Labor Unit (CLU) was established in the MOLE to monitor child labor in the field level offices.*
- *A study was recently conducted and showed positive change with regard to the age for child marriage: due to the vigorous campaign of government and NGOs the age of marriage has increased from 15 to 15.5 years on average for girls.*

The following main challenges in tackling violence against children in Bangladesh were identified and presented by Mr. Islam.

The legal instruments are not adequate in protecting children from corporal punishments – often these instruments assign legality to such violence against children under the pretext of “parenting” and “disciplining”. There is a legal gap in Bangladesh related to the recovery and rehabilitation of child survivors of sexual exploitation.

While some legal provisions have improved, critical gaps remain in their implementation. For example, the Government has extremely limited capacity to supervise and monitor factories and there is little or no recorded case of application of sanctions against employers of child workers.

Reports also reveal that girl children are not always safe under temporary police protection or in government approved certified homes: social stigma, non-disclosure of sexual abuse by children, lack of witness protection, child unfriendly legal and medical testing procedures, improper collection and maintenance of evidence and lengthy legal process lead to either non filing of court cases or acquittals of the accused.

With regard to juvenile justice, it was estimated in 2001 that out of a total of 64,890 prisoners 1029 were children, including 129 girls. Only some Juvenile Courts exist and few law enforcement officials, lawyers and judges are familiar with their system or special laws for children. Children of mothers in detention who live with them in prisons are usually excluded from any material support.

The following actions were presented as country way forward:

1. *Harmonizing child protecting laws with the CRC and other relevant international instruments.*
2. *Enhancing life skill based education in “formal and non-formal” education aiming at protecting them from violence, abuse and exploitation.*
3. *Making available to community [parents, teachers, faith leaders and other professionals] information and training on non-violent child rearing alternatives and training on positive discipline.*
4. *Conducting 64 sub-national consultation on violence against children*
5. *Initiating a database on child protection issues under the management of Ministry of Women and Children Affairs*
6. *Increasing rehabilitation and reintegration services for children victims of violence, abuse and exploitation*

iii. BHUTAN

*Ms. Deki Dema, Programme Officer,
Children’s Division, National
Commission for Women and
Children, NCWC*



Ms. Deki Dema, Programme Officer Children’s Division, National Commission for Women and Children (NCWC) of Bhutan, commenced her presentation affirming that Bhutan with its unique development policy of gross national happiness is committed to end all forms of violence against children. She then presented the major achievements by Bhutan, as well as the major challenges encountered and the proposed national way forward.

Major Achievements

- *Bhutan has ratified the CRC Optional Protocols on the Sale of Children, Child Prostitution and Child Pornography on 26 November 2009 and on the Involvement of Children in Armed Conflict on 06 January 2010 respectively. It has signed the Convention on the Rights of People with Disabilities on 21 September 2010 and enacted a Child Care and Protection Act in 2011 and a Child Adoption Act in 2012. These Acts establish a framework for a comprehensive child protection system. They address all child protection issues related to children in difficult circumstances and children in conflict with the law. Offenses against chil-*

dren have been defined including harsh or degrading punishment at home, in schools and in institutions. The Act also covers the establishment of child justice system and the appointment of child welfare officers and probation officers.

- *The Penal Code of Bhutan (2004) has been amended in 2011 to provide protection for children in conflict with the law and penalties were established for crimes committed against children. Women and Child Protection Units (WCPU) were established with a Crime Response Mechanism in the Police Stations and women and child friendly procedures are being incorporated in the police training curriculum. Measures are being taken to discourage and ban corporal punishment. A notification issued by the Ministry of Education in 1997 stated that corporal punishment should not be used and this was later reaffirmed by including it in the Teacher and Students Code of Conduct (1997). A resolution was then adopted at the 11th Annual Education Conference 2008, to enforce a ban on corporal punishment in schools. To encourage positive non-violent forms of discipline, a guideline on alternative forms of discipline in school was produced in 2011.*
- *Children were identified as a most vulnerable group under the 11th Five Year Plan and Child protection was accorded independent status in development plans for the first time.*
- *The child protection system in Bhutan was mapped and assessed in May 2012.*
- *A Child Protection Office was established in the Monastic Body. The Dzatshang⁶ have established an office with two full-time staff and a 11 Member Expert Committee as an advisory body to Senior Management on policy and programming advice/ guidance. At the sub-national level it is functional through its members, who are based in monastic institutions around the country. Alternative forms of discipline are now being developed also for monastic institutions.*
- *With regard to prevention, promotion of non-violence and awareness raising, awareness raising and capacity building on child rights and protection continues amongst children, police, judiciary, parliamentarians, policy makers and the general population. Youth and child-led groups were also formed, for raising awareness on child protection and encouraging child participation.*
- *A One Stop Crisis Centre (OSCC) was established in Hospital, to provide support to violence survivors.*

Main challenges

Three following main challenges were identified at the country level:

1. *Lack of a designated implementing agency for child protection,*
2. *Child protection being limited to few sectors and*
3. *The scarcity of data on the prevalence of violence in all settings, including child discipline at home, in schools and in monastic institutions.*

⁶ Commission for the Monastic Affairs of Bhutan.^[1] Under the [2008 Constitution](#), it is the bureaucracy that oversees the Buddhist [Drukpa Kagyu](#) sect that is the [state religion](#) of Bhutan

With regard to the way forward the presenter presented the following actions:

- i. Implementation of the recommendations from the child protection system mapping and assessment of (road map)*
- ii. Mainstreaming of child protection into sector plans and policies (Five Year Plan)*
- iii. Establishment of a dedicated helpline for children*
- iv. Implementation of legislation through rules, regulations and Standard Operating Procedures, provision of human resources and development of child protection and alternative care systems.*
- v. Institutional strengthening of the National Commission for Women and Children (NCWC)*
- vi. Study on violence against children*

iv. INDIA

*Dr. Vivek Joshi, Joint Secretary,
Ministry of Women and Child
Development*



Dr. Vivek Joshi, Joint Secretary, Ministry of Women and Child Development, started by explaining that his presentation would be confined to initiatives taken by the Ministry of Women and Child Development, only in view of time constraints.

He also mentioned that data on reported crimes indicate a steep rise in crimes against children in India, from 7845 in 2003 to 19385 in 2010. There has been a marked increase in the incidence of kidnapping and abduction, rape and procurement (recruitment for immoral purposes) of girls.

The presentation from India was organized according to settings in which violence against children occurs.

With regard to violence against children in the family, the presenter indicated that this takes various forms in India: from female foeticide to child marriage; discrimination against the girl child; sexual and physical exploitation and drug abuse.

Violence in family settings: Responses to violence in the family setting include the Prohibition of Child Marriage Act 2006, and measures for its implementation, including at the State level. 28 States framed Rules and appointed Child Marriage Prohibition Officers. A Conditional

Cash Transfer pilot Scheme for Girl Child with Insurance Cover (CCT) “Dhanalakshmi” — was introduced in 2008. The Scheme is being implemented in eleven blocks across seven Indian States (Andhra Pradesh, Chhattisgarh, Jharkhand, Uttar Pradesh, Bihar, Punjab and Orissa). Cash transfers are made to families of girl children (preferably to the mother) under certain specific conditionalities: birth registration, immunization, school enrolment and retention up to Class VIII and delay of the girl marriage until the age of 18.

A second initiative is the Rajiv Gandhi Scheme for Empowerment of Adolescent Girls “SABLA”, launched in 200 districts in 2010, which seeks to address the multi-dimensional needs of adolescent girls aged 11-18 years. This scheme aims at empowering adolescent girls by improving their nutritional and health status and upgrading various skills like life skills, vocational skills and home skills.

Finally, an Integrated Child Protection Scheme (ICPS) is being implemented, and has special provisions for children in need of care and protection.

The care, support and rehabilitation services under ICPS include: a childline, functional in 26 states; open shelters for children in urban and semi-urban areas; and family-based non-institutional care through sponsorship, foster care, adoption and after-care;

Under the ICPS, open shelters are provided for street children offering creative activities, counselling, guidance and life skills education for channelling energies into productive endeavours and protection from abuse and neglect.

Violence in work settings

With regard to violence against children in the work-place and violence against children in the street/communities, the list of banned and hazardous processes and occupations in the Child Labour (Prohibition and Regulation) Act (1986) was expanded and now includes 18 occupations and 65 processes including hotels, spas and recreation centres.

Amendments were proposed in the Child Labour Act, to ban child labour up to the age of 14 years and regulate employment of children in non-hazardous occupations in the age group of 14-18 years.

Under the National Urban Health Mission (NUHM) , in all cities with a population of more than 0.1 million, primary healthcare services and health insurance are provided to urban poor, including street children, street vendors, slum dwellers, homeless population and other marginalized urban dwellers, .

With regard to child trafficking, India has ratified the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, in 2011. Trafficking of children for sexual purposes has been included in the Special Law on Protection of Children from Sexual Offences, Bill (2012).

The Ministry of Home Affairs issued in January 2012 advisories on measures needed to

prevent trafficking and tracing of missing children and on preventing and combating cyber crime against children as well as an advisory on crimes against children in July 2010. Anti-Human Trafficking Units (AHTU's) are being set-up in 335 vulnerable districts, and their human resources are being trained. A comprehensive scheme "Ujjawala", for the prevention, rescue, rehabilitation, re-integration and repatriation of persons trafficked for commercial sexual exploitation also exists. The Scheme provides for shelter, food, clothing for victims, counselling, medical care, legal and other support, vocational training and income generation activities. 76 rehabilitative homes have been sanctioned which can accommodate nearly 3800 survivors. Trafficked persons are also given shelter in Short Stay Homes and Swadhar Homes for women in difficult circumstances.

Anti trafficking Nodal Cells has also been set-up in the States for collecting and analyzing the data related to trafficking from the State Governments/UT Administrations, monitoring action taken and organizing coordination meetings with the nodal police officers of States/UTs.

Violence in schools and institutions

The Right of Children to Free and Compulsory Education Act, adopted in 2009, provides that no child is subjected to physical punishment or mental harassment and for disciplinary action against contravention.

Provision was also added in the Affiliation Bye-Laws of the Central Board of Secondary Education (CBSE), empowering the School Managing Committee to place an employee under suspension for cruelty against any student. Guidelines were also issued by the CBSE and National Commission for Protection of Child Rights (NCPCR) to stop corporal punishment.

The JJ Act was amended, in 2006 and in 2011 by providing time-lines for setting up of Juvenile Justice Boards and Child Welfare Committees and compulsory registration of Child Care Institutions. The scope of the Act was also widened to include working children, children living on the streets and children found begging.

Violence in areas affected by civil unrest

Bal Bandhu Scheme is being implemented for a period of three years through grant from the Prime Minister's Relief Fund, in the areas of civil unrest of five states (Andhra Pradesh, Assam, Bihar, Chhattisgarh and Maharashtra). The Scheme includes: Community mobilization to build awareness on child rights through 'Bal Bandhus', a cadre of trained local youth volunteers, who act as child rights defenders; establish, contact and engage members of gram Panchayats and block level officials in improving and reviving institutional support for children; facilitate enrolment of children in schools, Anganwadi, hostels, ashramshalas, residential bridge courses.

Dr. Vivek Joshi concluded stating that the Government of India remains committed to create a secure and protective environment for children which will focus on:

- *Addressing inequalities and strengthening inclusion through flagship programmes*
- *Spreading awareness on issues such as the girl child, child marriage and drug abuse Creating adequate child-care services for children in need of care and protection*
- *Expanding family-based non-institutional care services*
- *Strengthening programmes for the rehabilitation of children, including street children, and improving their accessibility*
- *Providing alternative rehabilitative options for children withdrawn from work and economic rehabilitation of their families*
- *Strengthening anti-trafficking laws*
- *Building capacity of stakeholders, such as law enforcement officials, judiciary, and Government functionaries.*
- *Creating support services to families at risk, in order to protect children from vulnerable and exploitative situations*
- *Implementing efficiently the ICPS.*

v. MALDIVES

*Ms. Zulaikha Shabeen,
Assistant Director, Ministry
of Gender, Family and
Human Rights of Maldives*



Ms. Zulaikha Shabeen, Assistant Director, Ministry of Gender, Family and Human Rights of Maldives presented the country progress in implementing the UNVAC Study recommendations, the main challenges faced and activities in the pipeline.

Recommendation 1: Strengthen national and local commitment and action

In Maldives the Strategic Action Plan 2009-2013 is committed to the prohibition of all forms of violence against children - sexual, physical, emotional, psychological and neglect. It supports the improvement of access to justice and enables restorative justice for children in conflict with law. There is also a framework that guides the collaboration of the Government with the

NGO - UNICEF Work plan and with SAIEVAC.

Recommendation 2: Prohibit all violence against children

The Constitution, which is in line with Islamic Shariah, prohibits all forms of violence against children. A Domestic Violence Act was enacted in 2012. A law on the protection of rights of children is currently being amended to cover alternative care, including state care and foster care. A law exists, which includes stringent punishment for perpetrators of sexual violence against children.

Recommendation 3. Prioritize prevention

A number of measures are being implemented, to address directly or indirectly the underlying causes of violence against children. These include: Educational Training Centres for Children (ETCC), universal health care schemes, Social Security- Allowance for single mothers, elderly, people with disabilities, and a housing policy – including points for parents of children with disabilities and an allowance for foster parents and children .

Recommendation 4: Promote non-violent values and awareness-raising

The Family and Child Development (FCD) Division of the Ministry of Gender, Family and Human Rights (MGFHR) has carried out awareness programmes in collaboration with NGO's. SAIEVAC activities for advocacy on VAC will be outsourced to NGO.

Initiatives are also on-going for preventing children from harmful materials shown in media: for instance a Memorandum of Understanding (MOU) was signed with telecom partners to block child abuse content on the internet and a law (Law 9/91 article 7) prohibits media programmes targeting children and containing material, verbal or pictorial which may adversely influence children's morals or behaviour.

Recommendation 5: Provide recovery and social reintegration services

In 2006 Family and Children's Service Centers (FCSC) were established under the Ministry of Gender, Family and Human Rights (MGFHR). 19 FCSCs were set up, one in each atoll, to provide decentralized social services at atoll level.

The Juvenile Justice Unit (JJU) a Special Unit under the Ministry of Home Affairs which deals with cases related to child delinquents was established in 2009 and provides rehabilitation services for child offenders.

There is one Children's Home, established in 2006 which accommodates girls and boys in difficult situation, including those victims of violence. A separate shelter for girls is being developed.

Recommendation 6: Ensure participation of children

In 2011 children took part in the World Day for prevention of abuse; The VAC SAIEVAC and national consultations has enabled further participation of children. A theatre group was formed for children to enact dramas to create awareness on VAC. This group is still active.

Recommendation 7: Create accessible and child-friendly reporting systems and services

Child Helpline was launched in 2009 to reach out to more children in need of care and protection and overcome geographical barriers in accessing services.

There are reporting mechanisms under the FCSC and also under the Child and Family Protection Services (CFPS), a Division under the MGFHR which works as service providers by offering guidance, protection and psychosocial support in cases related to children, women, elderly, people with disabilities and families in general.

Recommendation 8: Ensure accountability and end impunity

Data is recorded at the CFPS as well as by the Family and Child Protection Department (FCPD) a Department under the Maldives Police Services with jurisdiction over cases related to children, women and families. The Sex Offenders registry is managed by police and annual media reports are produced using the data.

The prior evaluation of candidates Criminal records is a compulsory requirement of State employment.

Recommendation: Strengthen international commitment

Maldives ratified the CRC in February 1991. The Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography on 10 May 2002 and on the involvement of children in armed conflict on 29 December 2004. The CEDAW was ratified in 1993. Maldives became a member of ILO in May 2009 and ratified the Convention on Rights of Persons with Disabilities in 2010.

The presenter concluded by mentioning some of the main challenges faced in Maldives in tackling violence against children as well as by informing on the country way forward. Challenges relate to bringing necessary amendments to marriage laws, establishing a residential facility for girls aged 15 years and above, accessibility and inclusiveness of the Child Helpline including by children with disabilities , limited knowledge within the society on underlying causes of violence against children, limited technical capacity and structural changes at the Ministry level in 2012.

Way Forward:

1. *Developing a decentralized child protection system with formal guidelines;*

2. *Conduct a Legal review of Family Law/Domestic Violence Act;*
3. *Completing the material for the Behaviour Change Communication strategy Research on CSEC in Maldives;*
4. *Establish a National Children's Forum under SAIEVAC;*
5. *Develop and implement a care plan for children under institutional care/train staff with the support of the SAIEVAC.*

vi. NEPAL

Mr. Laxmi Prasad Tripathi, Under Secretary, Ministry of Women, Children and Social Affairs



Mr. Laxmi Prasad Tripathi, Under Secretary, Ministry of Women, Children and Social Affairs, presented the progress achieved by Nepal in implementing the UNVAC Study recommendations, the main gaps experienced and the country way forward.

1. Strengthen national and local commitment and action: Establishment of a national focal point for coordination and to ensure that actions are integrated into national planning processes by 2009.

Nepal has taken several policy measures in the last years to strengthen the work related to violence against children: National Child Policy (2012), National Plan of Action against Trafficking of Women and Children (2011), National Master Plan on the Elimination of Child Labour in Nepal (2011-2020), the Revised - National Plan of Action for Children (2004-2014). Institutional development measures were also carried out, as the establishment of the Central Child Welfare Board (CCWB) and of District Child Welfare Boards (DCWBs) with Child Rights Officers and the restructuring of the Department of Women Development into the Department of Women and Children, including corresponding structures at the District level.

2. Prohibit all violence against children in coordination with legal reforms and implementation to stop all forms of violence against children, in all settings.

Under the Interim Constitution of Nepal 2007 the child's right to protection is ensured as a fundamental right. Specific Laws and Regulations include the Child Labour (Prohibition

and Regulation) Act 2000, the Gender Equality Act 2006, the Juvenile Justice (Procedural) Regulations 2006, the Human Trafficking and Transportation (Control) Act 2007 and its Regulations, the Domestic Violence Act 2009 and its regulations, the Inter-country Adoption Procedure 2009, the New Children's Bill (in process) and Standards for Operation and Management of Residential Child Care Homes 2012.

In 2005, a special bench of the Supreme Court invalidated the justification of minor beatings of children by parents, guardians and teachers. This decision has made corporal punishment in all settings unlawful.

3. Prioritize prevention in all settings by targeting underlying causes and more immediate risk and protective factors.

Governmental and non-governmental organizations carried out awareness raising programs on different forms of violence and community protection groups were encouraged to prevent violence through child related interventions. The Tobacco Act 2011 prohibits the sale of tobacco to children.

4. Promote non-violent values and awareness-raising: transform attitudes that condone or normalize violence against children; and protect children in all media coverage.

The School as Zones of Peace (SZOP) National Framework, promoted by the Government and initiated by different civil society organizations, and its implementation guideline, which were endorsed by the Ministry of Education in 2011, prevent armed activities and political interference as well as all kinds of abuse, neglect, exploitation and violence in schools.

The Learn without Fear Policy 2010 aiming at preventing violence against children in schools was implemented through campaigns, development of training manuals and teacher training.

The Child Friendly Local Governance (CFLG) National Framework and Operational Guideline (2011) adopted a child focused local development approach in order to reduce incidence of violence, exploitation, trafficking and abuse against children.

Additionally Information Education and Communication (IEC) materials were disseminated through FM stations and TV channels.

5. Enhance the capacity of caregivers and service providers to improve prevention, detection and responses to violence against children

The government through its line agencies in partnership with civil society organizations and development partners has provided training to several categories of officials who work with children: the judges and lawyers involved in juvenile cases, the police on child friendly investigation procedures, the teachers on Child Friendly Teaching Methodology, the Child Rights Officers of Central and District Child Welfare Boards on child rights monitoring and

response. In addition to this, employees of organizations working with children were trained on child rights and child friendly facilitation skills.

6. Provide accessible, child-sensitive and universal health and social services, including legal assistance to children and their families to support recovery and social reintegration.

A National budget allocation was made to all 75 districts for recovery and social reintegration services to children. An Emergency Child Relief Fund was established at the central level and in all 75 district headquarters.

A Women and Children Service Center was opened within the Nepal Police for the prevention, rehabilitation and re-integration of victims of violence. Rehabilitation centers were established and supported by the government and NGOs for survivors of domestic violence and trafficking. Government Community Service Centers are operational in 15 districts for women and children affected by domestic violence. Psychosocial counseling, education support, vocational training, awareness raising program and free legal aid are provided to the victim-child through coordination with different organizations for their recovery and social reintegration.

Standards were established for both child care homes and rehabilitation centers through Standards for Operation and Management of Residential Child Care Homes 2012 (provisions including prevention of VAC in all types of child care homes); and Standard Operating Procedure of Rehabilitation Centre 2012.

7. States and their partners must actively engage with children and respect their views.

The National Child Policy 2012 incorporates child participation as a vital component while the Child Friendly Local Governance (CFLG) framework ensures child participation in the local development process.

There is an increasing trend of child participation in the District Child Welfare Boards, School Management Committees, Village Development Committees and community protection group assembly. Children are also increasingly consulted in the formulation of NPAs, laws, policies and project cycles.

Child clubs and their federations have been formed, enlisted, supported and strengthened by Village Development Committees and NGOs.

8. Create well-publicized, accessible, child-friendly and confidential reporting systems and services.

A Child Help Line, toll free, is available for emergency responses with operating guidelines. There is also a National Centre for Children at Risk.

Women and Children Service Centers are established within Nepal Police to facilitate reporting of violence against children. CCWB at the Centre and DCWBs are functional in all the districts of Nepal to coordinate activities related to children including reporting of cases of VAC and other child rights violations. Community protection groups are encouraged to report violence against children

9. End impunity and build community confidence in the justice system by bringing all perpetrators of violence against children to justice.

217 cases of sexual abuse and exploitation were reported in 2011. Charges were filed in 174 cases; of these, 73 cases were settled and 101 are pending before courts.

10. Address the gender dimension of violence against children

Child marriage is prohibited by law for girls and boys, as are traditional harmful practices against girls, such as Deuki and Jhuma.

A National Action Plan was formulated on Gender Based Violence in 2010 and a Budget allocated for the rehabilitation and education of freed kamalari girls (bonded laborers). Girl children are given priority for scholarships at schools. They are equally promoted in child clubs and take leadership positions. Para Legal Committees (PLCs) are active at the community level for the prevention of gender based violence.

11. Improve data collection and information systems by 2009, based on a national research agenda and international indicators, and with special reference to vulnerable subgroups.

A Database on VAC is maintained by Child Helpline and Centre for Children at Risk (lost and found children). A second database on cases of Children in Conflict with the Law is maintained by the Juvenile Justice Coordination Committee. Data is collected and information on the status of children at national and district levels is published annually.

There is an initiative of the National Women's Commission to establish a system for collecting information on GBV

12. Strengthen international commitment by ratifying international treaties and honouring the commitments in action.

Nepal has ratified several human rights instruments, including those related to children. Some specific instruments ratified during 2005 – 2012 are the first two Optional Protocols to the CRC, the Optional Protocol to the CEDAW (ratified in June 2007) and UN Convention on Rights of Persons with Disabilities ratified in 2010.

The main challenges identified by the country in tackling violence against children are the insufficient human and financial resources, the limited public awareness about reporting of

cases, the lack of disaggregated data collection system and the need to make monitoring systems more effective.

As per the way forward in Nepal the following was presented: y Forward

1. *Strengthening law enforcement mechanism with clear guidelines*
2. *Reinforcing an efficient Child Protection System at the national and community level*
3. *Increasing access to quality social welfare services*

vii. PAKISTAN

*Mr. Muhammad Hassan Mangi,
Director, National Commission for
Child Welfare and Development
(NCCWD), Ministry of Social Welfare
and Special Education*



Presented by Mr. Muhammad Hassan Mangi, Director, National Commission for Child Welfare and Development (NCCWD), Ministry of Social Welfare and Special Education

Seven thematic areas were identified as priorities in Pakistan; Violence and Abuse, Child Trafficking, Corporal Punishment, Child Pornography, Early Marriages, Rigorous Imprisonment and Child Labour and Exploitation

1. Strengthen national and local commitment and action: Establishment of a national focal point for coordination and to ensure that actions are integrated into national planning processes by 2009.

Pakistan has a comprehensive National Plan of Action (NPA) for Children, which was approved by the Federal Cabinet in 2006. Key strategies cover political commitment, raising awareness, capacity building, advocacy, networking and social mobilization.

The key laws and policies developed at national and provincial levels after the UNVAC Study include the Khyber-Pakhtunkhwa Child Welfare and Protection Act 2010, the Sindh Child Protection Authority Act 2011, the Charter of Child Rights Bill 2010, National Child Protection Policy (draft). A National Child Protection centre has been established in Islamabad.

Among the important networks established are the Core Group on Child Sexual Abuse and Exploitation; Child Rights Network and Parliamentarians' CAUCUS on Children. A National

Conference on Child Rights as Human Rights (Post 18th Amendment Scenario), was held in Islamabad in 2011.

The NCCWD is actively coordinating the matters of violence against children with the national organizations working on child rights and also with the SAIEVAC secretariat. The National secretariat has been setup in the Ministry of Human Rights.

The National Commission for Human Rights Bill 2012 provides for the establishment of an independent Human Rights Commission with unprecedented powers to deal with complaints of human rights violations.

2. Prohibit all violence against children in coordination with legal reforms and implementation to stop all forms of violence against children, in all settings.

The recent major laws that protect children from violence are the Anti Women Practices (Criminal Law Amendment) Act 2011, the Criminal Law (Amendment) Bill 2009 (draft), and Prohibition of Corporal Punishment Bill, 2009 (draft).

A seminar was held in 2007 to disseminate the analysis of enforcement gaps of child protection laws.

3. Enhance the capacity of caregivers and service providers to improve prevention, detection and responses to violence against children

A knowledge, attitudes and practices (KAP) study was conducted on Protection Rights and Responsibilities for devising strategies to cope with child sexual abuse and exploitation. A consultation on Commercial Sexual Exploitation was held in 2008 at Islamabad.

A national media workshop on combating child marriage and corporal punishment was held in 2007 followed by a series of media workshops on child rights and child protection in 2008 and 2009. A National Communication Campaign on child protection was launched in 2008.

Training courses were provided on combating child trafficking, for judiciary and law enforcement agencies and on human resource development and child labour.

4. Provide accessible, child-sensitive and universal health and social services, including legal assistance to children and their families to support recovery and social reintegration.

A success case in rehabilitation has been the assisted repatriation of 1,000 children trafficked to UAE as camel jockeys and their social rehabilitation and integration with families together with community development and empowerment.

Setting standards

A Consultation for setting of Minimum Standards for the Children in institutional Care was

held in 2007 and a Training workshop on Minimum Quality Care Standards for care giving institutions held in 2008.

Rehabilitation and Service Centres

These include 28 Centers (sweet homes) by Bait-ul-Mal (PBM), 159 centers for rehabilitation of children involved in child labor by PBM, 8 “NIGEBAN Centers” in Punjab, Child Protection Bureau’s and Cells in the Provinces, 13 Drop-in Centers/ Child Protection Centers (Govt+UNICEF), SOS Children’s Villages for proper care, upbringing and rehabilitation of children on long-term basis, Society for the Protection of the Rights of Child (SPARC), SAHIL and ROZAN at National level, BUNYAD and SUDHAR Punjab, Dost Foundation of Pakistan Pediatric Association in Khyber-Pakhtunkhwa, SEHAR in Balochistan and CEENA Gilgit Baltistan.

Legal Aid is provided by Lawyers for Human Rights and Legal Aid Initiator, Azad Foundation (Sindh) and Madadgaar Helpline for Women & Children in collaboration with Lawyers for Human Rights and Legal Aid.

5. States and their partners must actively engage with children and respect their views.

The first ever children’s parliament was launched on Friday 14th November, 2008 by the Society for the Protection of the Rights of Child (SPARC) to raise awareness and promote child rights in Pakistan. Its principal theme was to increase child participation in decision making.

6. Create well-publicized, accessible, child-friendly and confidential reporting systems and services.

UNICEF Pakistan and the Wafaqi Mohtasib (Federal Ombudsman) of Pakistan jointly set up Children’s Complaints Offices (CCOs), with designated Investigation Officers for the handling of child related complaints in Peshawar (Khyber Pakhtunkwa), Lahore (Punjab), Quetta (Balochistan) and Karachi (Sindh).

7. Strengthen international commitment by ratifying international treaties and honouring the commitments in action.

Pakistan has ratified the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography in 2011, and signed the Optional Protocol on the Involvement of Children in Armed Conflict, South to South Cooperation on Child Rights 2010, and is part of the South Asia Initiative to End Violence against Children (SAIEVAC).

Pakistan: Way Forward

1. *Implementation of the recommendations*
2. *Improving legislative environment*
3. *Comprehensive child protection systems at all levels*
4. *Resource allocation*

viii. SRI LANKA

Presented by Ms. Anoma Disanayake, Chairperson, National Child Protection Authority (NCPA)

1. Strengthen national and local commitment and action: Establishment of a national focal point for coordination and to ensure that actions are integrated into national planning processes by 2009.

The Article 27(2) of the constitution has recognized the family as the basic unit of society to promote with special care the interests of children and youth. The rights of children are further enshrined in national legislation, both in civil and criminal law of the Democratic Socialist Republic of Sri Lanka. There is a separate Ministry for Child Development from 2005 and a National Child Protection Authority since 1998. Police Children & Women's Desks were established in 1994 while all 9 Provinces have Departments of Probation & Child Care Services. There is a National CRC Monitoring Committee with Child Rights Monitoring Committees at different levels (provincial, district, divisional, villages and schools). There are Steering Committees on child labour and Citizen Committees set up in voluntary homes.

The National Anti Trafficking Task Force was launched in October 2010 with a view to strengthening the coordination among the key government stake holders, NGOs and INGOs

2. Prohibit all violence against children in coordination with legal reforms and implementation to stop all forms of violence against children, in all settings

Most forms of violence against children have been criminalized. Corporal Punishment as a sentence of Court was done away with by the Corporal Punishment (Repeal) Act 2005. Penal Provision is in place to prohibit cruelty against children. The law is being reviewed to ascertain the scope of the present exception in favour of caregivers to use a minor degree of force falling within the offence of criminal force in order to devise ways and means of protecting children in all settings.

A Circular has been issued by the Ministry of Education on the negative consequences of corporal punishment in schools.

3. Prioritize prevention in all settings by targeting underlying causes and more immediate risk and protective factors.

Public awareness campaigns were implemented on the harmful effects of family violence and corporal punishment. School-Based child protection is carried out through Child Protection Committees; Community Based Child Protection mechanisms such as children's clubs and council programs, model villages program and alert groups, in addition to Child Protection Committees. Positive discipline techniques are being promoted as well as education on Adolescent Sexuality and Reproductive Health (ASRH).

Mine risk education and child protection issues in disasters are being addressed. Community-based resource and drop-in centers such as Child Focus Group Centers are run by NCPA.

4. Promote non-violent values and awareness-raising: transform attitudes that condone or normalize violence against children; and protect children in all media coverage.

Sri Lanka is promoting parenting skills and physical, psycho-social and cognitive development needs of children. Campaigns such as "Stop Child Sex" against CSEC and sex tourism and "Bring Back the Child" to rehabilitate ex child combatants were carried out with the support of UNICEF Sri Lanka. Campaigns to end child labour were also held. A pilot awareness raising activity was done on positive parenting – to test the effectiveness of simple awareness raising techniques; a campaign is to be developed based on the findings

5. Enhance the capacity of caregivers and service providers to improve prevention, detection and responses

A Children's Magistrate's Court with child friendly facilities was piloted in Colombo; A Pilot project to expedite High Court Trials of Child Victims of Abuse was initiated in the Western and North Central Provinces; Sensitization programs were carried out for the Judiciary on Protection needs of Children in contact with the law and a Module on Child Protection developed for the Sri Lanka Judges Institute.

A Pilot study was done to examine the scope for making Community-based Correction options available to Juvenile Offenders. A Training curriculum on Child Protection was introduced to trainers from the Police Training School and In-service institutes.

Case management guidelines for children at risk are to be developed and rolled out. Capacity building for social workers (Diploma on child protection for Social Workers directly working for children in Northern & Eastern provinces)

6. Provide accessible, child-sensitive and universal health and social services, including legal assistance to children and their families to support recovery and social reintegration.

The identification of most vulnerable and marginalized children; Re-unification processes and

support services are being organized. Children affected by the conflict in the North and East are supported with providing educational materials/monthly scholarship for Orphaned and Vulnerable children under kinship care. Case management is done by Probation officers and monitoring of all cases of abuse by NCPA district officers.

7. States and their partners must actively engage with children and respect their views

Children's clubs were established to provide space for children to interact and facilitate their aesthetic enjoyment. Initiatives were taken in consulting children in policy planning and law reform processes, particularly using Focus Group Discussions at national, district and village level. A Systematic approach is followed in involving children in all decisions affecting their well-being,.

8. Create well-publicized, accessible, child-friendly and confidential reporting systems and services.

A 24-hour, free, confidential and accessible service provided by 1929 Child Helpline Sri Lanka (NCPA) which also provides Child-friendly, walk-in support services at NCPA for victims of abuse.

9. End impunity and build community confidence in the justice system by bringing all perpetrators of violence against children to justice.

A Steering committee led by the Ministry of Justice and Attorney General's Department developed a 30 point guideline for the Police Officers. The Attorney General's Department and JMOs are required to conclude new child abuse cases within six months; this initiative is currently being piloted in three districts and will be expanded to other districts.

10. Address the gender dimension of violence against children and women in a comprehensive violence-prevention strategy.

Among the key laws enacted are Domestic Violence Act of 2005, Penal Code amendments and revisions to marriage laws in 1995 which raised the age of marriage for both sexes to 18years.

11. Improve data collection and information systems by 2009, based on a national research agenda and international indicators, and with special reference to vulnerable subgroups.

A National database on child victims of abuse is to be developed and secured under NCPA. An integrated, secure network is to be developed among CP actors to facilitate information sharing.

12. Strengthen international commitment by ratifying international treaties and honouring the commitments in action.

Sri Lanka has ratified Convention on Rights of the Child (12.07.1991), Optional Protocol on the Involvement of Children in Armed Conflict (08.09.2000), Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (22.09.2006) The ILO conventions No.138 on the minimum age of employment, Convention, No.182 on the Worst Forms of Child Labour and Hague Convention on Inter-Country Adoption of Children in year 2000

The main challenges in the case of juvenile justice are that laws are focused on prosecution rather than a guarantee of safety and provision of services for victims of abuse to ensure their rehabilitation, psychological and physical well-being. Victims of abuse and petty offenders are treated in the same manner in the process and transported and detained together in Remand Homes.

In the case of alternative care children's homes in the voluntary sector are defined as orphanages, but the percentage of orphans is very small. Poverty, family dysfunction and social attitudes are key factors behind institutionalization.

Available resources are not adequate to establish and maintain child friendly institutions. The capacity of staff is very limited due to non availability of recurrent and comprehensive trainings and education.

Within the family and community, early marriages still occur in some communities and socio-economic groups. Early marriage is to be seen also in the context of teenage sexuality and connected to rise in pregnancies among girls under 18 years. There is an increasing trend in domestic violence due to social acceptance and under-reported because it involves close family members or persons well known to the child, it is seen as a private family affair, and because other practices, such as corporal punishment and name calling, are seen as conventional rather than as forms of abuse..

Sri Lanka: Way Forward

- 1. In juvenile justice the new child protection bill is to be enacted into law & a comprehensive plan for implementation to be developed*
- 2. In institutional care the 2007 baseline will be used to assess current status of voluntary homes; strengthening of community-based child protection networks will be prioritize; a model law will replace the Orphanages Ordinance*
- 3. Violence, abuse neglect and exploitation – different models of prevention are in place but these must be reviewed to select the most effective for scaling up corporal punishment – sample study to test the effectiveness of awareness raising on positive parenting completed – law to be reviewed;*
- 4. Concluding points – structures and services for policy, monitoring and implementation to be reviewed to clarify roles and build a consensus; more effective approaches for resource mobilization at all levels – child/family/community/social work capacity/institutional capacity*

5. EXPERIENCE OF NEGOTIATING THE SEXUAL OFFENCES BILL IN INDIA

Dr. Vivek Joshi, Joint Secretary, Ministry of Women and Child Development (India) presented the experience of negotiating the Sexual Offences Bill in India with the participants of the Consultation since the Sexual Offences Bill was just introduced in the Indian Parliament and the participants of the Consultation were interested to hear about it.

*Dr. Vivek Joshi, Joint Secretary,
Ministry of Women and Child
Development (India)*



Need for the Bill: The National Crime Records Bureau (NCRB) data showed an increase of sexual offences against children from 2265 in 2001 to 6371 in 2010. In addition 53 per cent of child respondents in the “Study on Child Abuse: INDIA 2007” by the Ministry of Women and Child Development, reported having faced one or more forms of sexual abuse.

Existing Provisions in Law: The Indian Penal Code (IPC) does not provide for all types of sexual offences against children. In particular the sexual abuse of male children is not specifically covered. Nor does the IPC distinguish between adult and child victims.

As per the process of formulation of the Bill, formal discussions began in 2005 with the object of developing a comprehensive law that defined all offences against children. The negotiation was a time consuming process and there were different views amongst NGOs, legal experts and Ministries on a comprehensive law. However by 2010 a consensus developed on the following lines:

1. *There should be a separate law on sexual offences;*
2. *This should be coupled with child friendly procedures.*

The Draft Bill on sexual offences was then circulated to State Governments/ Union Territory Administrations and concerned Central Ministries. It was approved by Cabinet and introduced in Parliament in March 2011 and referred to Parliamentary Standing Committee (PSC).

The Bill was reviewed by PSC through an extensive consultative process and the PSC recommendations were made in December 2011. The Bill was revised with Cabinet approval and amendments introduced in the Rajya Sabha in April 2012. After approvals of both Houses of parliament in May 2012 the Bill awaits the final assent of the President of India.

With regard to the salient features of the Bill, which defines a child as any person below the

age of 18 years, the following new offences have been included: penetrative sexual assault; aggravated penetrative sexual assault; sexual assault; aggravated sexual assault; sexual harassment of a child and use of a child for pornographic purposes

The offence is aggravated when committed by a person in position of trust or authority such as police/army personnel, public servants or family members; when committed by persons in management or staff of educational, medical or religious institution; when there is a gang assault; where the child has mental or physical disability; the child is made to strip and/or parade naked in public and child is below 12 years of age.

A Child accused will not to be tried under this law but will be dealt with under the Juvenile Justice (Care and Protection of Children) Act, 2000.

The burden of proof shifted on accused in case of serious offences.

The Bill provides for child friendly procedures and a number of safeguards to prevent secondary victimization at investigation and trial stages.

At the Investigation stage:

- *Reporting of offence to Special Juvenile Police Unit (SJPU) or local police;*
- *SJPU/local police to inform Child Welfare Committee/Special Court within 24 hours;*
- *Provision for compensation for immediate relief and long-term rehabilitation of child;*
- *Non-reporting, non-recording of offence penalized;*
- *Recording statement of child at the residence of child or at the place of his choice;*
- *Child not to come in contact with the accused;*
- *Use of audio-video electronic means to record statement of child;*
- *No child to be detained in police station in night;*
- *Assistance of an interpreter/ expert;*
- *Police officer not to be in uniform;*
- *Medical examination in the presence of the parents/other person in whom child has trust or confidence; to be conducted by woman doctor, in case of girl child;*

At the trial stage

- *Frequent breaks for child during trial;*
- *Child not to be called repeatedly to testify;*
- *No aggressive questioning or character assassination of child;*
- *Media barred from disclosing identity of child;*

- *Provision for free legal aid;*

Dedicated courts, procedures and human resources are also necessary for the implementation of child friendly procedures and the following measures seek to make this a reality:

- a. A Court of Session in each District to be designated as Special Court for speedy trial;*
- b. Evidence to be recorded within 30 days;*
- c. Completion of trial by Special Court within a year;*
- d. National Commission for Protection of Child Rights (NCPCR) designated as Monitoring Authority;*

To allow law enforcement rules are required to be framed on qualification, experience and fees of translator/interpreter/special educator; care and protection and emergency medical treatment of the child; payment of compensation and manner of periodic monitoring.

6. PARLIAMENTARY INITIATIVES FOR CHILD RIGHTS IN PAKISTAN

H.E. Rubina Saadat Qaimkhani, Member of the National Assembly of Pakistan, started her presentation stating that globalization and modernization have brought in new challenges and complexities in combating child abuse and exploitation. Pakistan is pursuing its Human Rights commitments aggressively to meet these challenges.

*H.E. Rubina Saadat
Qaimkhani, Member of the
National Assembly of Pakistan*



A number of initiatives have been developed to build a protective environment for children by the health, education and development sectors.

Pakistan has established a Parliamentary forum, a women's caucus to advocate for the rights of children and ensure that Parliament plays a positive role in all aspects concerning children.

The rights of children must be protected and best practices shared. Ms. Saadat urged all countries to establish similar Parliamentary fora and informed that Pakistan is organizing a Child Rights conference in Pakistan with Members of Parliaments from all SAARC countries.

Special mention was made of the contribution of SAIEVAC as a catalyst. The SAIEVAC Secretariat was requested to coordinate all efforts in the region. Children, she said, are the purity and our aspiration for the future.

7. ESTABLISHING STANDARDS FOR CHILD RIGHTS INSTITUTIONS: EXPERIENCE FROM NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS IN INDIA

Prof. Shantha Sinha, Chairperson of the National Commission for the Protection of Child Rights in India (NCPCR) informed that the NCPCR was established in 2005. The Commission's mandate is to ensure that all laws, policies, programmes, and administrative mechanisms are consistent with the child rights perspective as enshrined in the Constitution of India and also with the Convention on the Rights of the Child.

*Prof. Shantha Sinha,
Chairperson of the National
Commission for the
Protection of Child Rights
in India (NCPCR)*



Prof. Shantha Sinha expressed her satisfaction that the mandate refers to children's rights – and these rights are the same for all children within the framework of equity and social justice. As this is a State obligation the NCPCR has been engaging with civil society and fostering a partnership between civil society and the State. It is the duty of NCPCR to handhold and give feedback to the State.

All age groups of children, individuals between 0-18 years, are equally important. No ranking of rights is accepted and there is a strong belief that all rights are inter-dependent and universal.

Judges/lawyers and bureaucrats, the Supreme Court of India and the State High Courts seek the opinion of the NCPCR on many issues. For instance on trafficking and child labour cases: with an amendment to the Child Labour Act all forms of child labour were banned in the country. Compulsory education laws and child labour laws were harmonized and now all children under 14's must be in school. The Commission played an important role in formulating the draft of the Sexual offences Bill in India. This consultative status and role are essential.

In addition to this, in a country of 400 million children many State visits are undertaken and the Commission conducts public hearings and studies.

NCPCR promotes the right of children to free and compulsory education and it will also monitor the new Sexual Offences Act.

Prof Sinha closed her presentation stating:

“We believe we must take categorical stands on behalf of children – our script cannot differ from children. We take very strong categorical stands on issues like right to food. Independent Human Rights Institutions have the luxury of taking uncompromising stands. The administration may have its own rules and circulars and forms to follow but it is our duty to assert the rights of the child. That is our role.”

She added that corporal punishment even in the form of slapping in family settings is very detrimental to children and should be banned. Children are equal to adults as much as we say women are equal to men.

There is the need to break the “adultarchy”, the negative attitudes of adults. The role of a human rights institution is to break this “adultarchy” in a peaceful and non violent manner.”

8. PRESENTATION OF THE BREAKOUT EXERCISES BY THE GROUPS

At the conclusion of the Country Presentations and on the second day of the Consultation the delegates were divided into four thematic and multi-country working groups based on relevance and on their interest in order to discuss and to develop recommendations on the following issues which have a common resonance across the region.

1. *Child labour*
2. *Cross border issues*
3. *Multi-stakeholder partnerships*
4. *Child marriages*

After three hours of deliberations the working groups returned and reported their recommendations to the plenary session,

i. ADDRESSING CHILD LABOUR AT THE SAARC REGIONAL LEVEL

The group reminded that “No violence against children is justifiable and all violence against children is preventable” and recommended the following:

General recommendation

Ensure that gender inequality and social inclusion is addressed as a core focus in all recommended actions by SAEIVAC. Partnering with children, men and boys, as well as religious groups, is recommended as a priority focus in addressing harmful practices and child marriage.

Specific Recommendations

- *SAIEVAC to support and promote coordination and cooperation with and amongst concerned agencies – horizontally and vertically. Workable interfaces for smooth operations and exchange of information.*
- *SAIEVAC to encourage governments to generate routine, updated and credible data and information on child labour that is consistent across the South Asian countries.*
- *SAIEVAC to mainstream child labour issues in all aspects of its strategies and planning processes (as per workplan) as relevant.*
- *SAIEVAC to encourage mainstreaming child labour in related national and regional policies and budgets.*
- *SAIEVAC to facilitate multi-lateral and bi-lateral agreements on trafficking and migration (including for labour) of children below 18 years in South Asian countries.*

- *Utilize SAARC/other agency training facilities for capacity building*
- *SAIEVAC to promote and facilitate funding from governments' development budget for child labour, capacity development and other child protection issues.*
- *SAIEVAC to promote child participation through national level child-lead and participatory research process on child labour and other issues.*
- *To establish and maintain a SAIEVAC working group on child labour.*
- *SAIEVAC to encourage and support sharing of experiences of good practices and experiences on child labour among South Asian countries*
- *SAIEVAC to promote the inclusion of specific relevant components (good practices) in national strategies, such as school-dropouts, vocational training, conditional cash transfers and other incentives.*
- *SAIEVAC country presentations to reflect efforts and progress at the regional level.*
- *SAIEVAC to organize a South Asia regional consultation on child labour to bring the South Asian perspective to the Global Child Labour Conference (Brazil, 2013).*

ii. HARMFUL PRACTICES, WITH SPECIAL FOCUS ON CHILD MARRIAGE WITHIN SAIEVAC

The working group reiterated that gender equality and social inclusion must be observed as a core principle in all recommended actions by SAIEVAC. Partnering with children, men and boys, as well as religious groups was recommended as critical in addressing harmful practices and child marriages.

Advocacy and awareness raising must be developed at community level with key stakeholders on the negative impact of early marriage focusing on health, education, domestic violence with respect for socio cultural diversity and within a gender and rights based framework. Governments must be supported to collect qualitative and quantitative data, strengthen data collection and management systems as well as birth and marriage registration systems.

Governments must also be supported to develop integrated approaches to address health, education, economic and protection needs in programmes for prevention and response to child marriage. Incentives must be provided for girls' education and for delaying marriage with special attention to locations of high prevalence of child marriage in marginalized communities. Support must also be provided to guide national governments to develop harmonization of national legislation and customary laws for an improved legal framework in line with international norms.

It was recommended that SAIEVAC should carry out a mapping of existing good practices within the region on addressing child marriage practices. It must support national mechanisms to implement the agreed regional workplan and monitor using the agreed indicators. Special interventions must be supported in post-conflict and post-emergency situations to reduce the increased risk of violence and early marriage. SAIEVAC can also support a technical

consultation on harmful practices and child marriages to define regional interventions.

General recommendation:

Ensure that gender inequality and social inclusion is addressed as a core focus in all recommended actions by SAEIVAC. Partnering with children, men and boys, as well as religious groups, is recommended as a priority focus in addressing harmful practices and child marriage.

Specific recommendations:

1. *Provide technical assistance and support to national strategies for improved policy reform and services investing in girls education.*
2. *Providing incentives for girls' education for delaying marriage*
3. *Support interventions at national level for economic empowerment of girls and women specifically in locations of high prevalence of child marriage in marginalized communities.*
4. *Undertake advocacy and awareness raising at community level with key stakeholders on the negative impact of early marriage focusing on health, education, domestic violence, respecting socio cultural diversity within a gender and rights based framework.*
5. *Support governments to collect qualitative and quantitative data and strengthening data collection and management systems and improving birth and marriage registration systems, taking into account lessons learnt.*
6. *SAEIVAC carry a mapping of existing good practices within the region at different levels on addressing child marriage practices.*
7. *Provide technical assistance to support governments to develop an integrated approach to address health, education and protection dimensions in programmes for prevention and response to child marriage.*
8. *Guide national governments to develop harmonization of national legislation and customary laws for an improved legal framework in line with international instruments.*
9. *SAEIVAC support national mechanisms to implement the agreed regional workplan and monitor as per agreed indicators.*
10. *Support special interventions in post-conflict and post-emergency situations to reduce the increased risk of violence and early marriage.*
11. *Support monitoring and assessment of other harmful practices closely associated with early marriage including new and emerging forms.*
12. *Support a technical consultation on harmful practices, addressing in particular child marriage to define regional interventions.*

iii. CROSS BORDER ISSUES AT THE SAARC REGIONAL LEVEL

South Asia shares commonalities in terms of causes and factors leading to violence against children. SAIEVAC, as a SAARC apex body, allows for sharing of learning and good practices. It also provides a space for multi-stakeholder and multi-sectoral cooperation, advocacy, and for the harmonization of mechanisms and procedures across the region. Violence encompasses different forms which all need to be addressed, as per the SAIEVAC 5-year work plan. The group felt that the issue of trafficking and children on the move should be a priority area of intervention.

Recommendations

- *SAIEVAC should continue working towards strengthening its role as a clearing house for coordination, communication and collation of data and good practices with regard to all forms of violence against children in the region.*
- *All throughout, strengthening of platforms for children's participation should be an overarching principle and strategy.*
- *Yet, with regard to cross-border issues, the group recommends that SAIEVAC prioritizes on trafficking of children and children on the move.*
- *SAIEVAC should dedicate its next yearly meeting to trafficking/children on the move – during the meeting it should advocate for an agreement on the issue among the countries.*
- *The agreement should involve all countries and should focus on rescue and repatriation of children. The following key steps/issues should be considered:*
- ♦ *Development of a standard operating procedure across the region learning from existing good practices/initiatives;*
- ♦ *Advocating for speedy approval of pending bilateral agreements;*
- ♦ *Replicating the experience of bilateral agreements among other countries within the region;*
- ♦ *Include a discussion on the repatriation based on best interests of the child;*
- ♦ *Consider specific processes for victims of trafficking and for children on the move.*
- *Legislation: Analysis promoted by SAIEVAC of the existing gaps in the national legislations and proposal of elements of harmonisation of laws across all countries (including the SAARC Convention framework)*
- *Development and roll-out of a specific regional SAIEVAC initiative on trafficking/children on the move with regional financial resources (supplemented by countries and other donors) and a coordinator at the SAIEVAC level. Some of the key components would include:*
- ♦ *Regional fund for rescue and repatriation of children (supplemented by countries);*
- ♦ *Creation of a regional database building on existing initiatives to create robust MIS systems at the national level and tapping on current pilots at the regional level;*

- ♦ *Strengthening of national child helplines and harmonization of existing ones across the region (there is already existing project);*
- ♦ *Promotion of technical consultations and spaces for dialogue across the region.*

iv. DEVELOPING MULTI-STAKEHOLDER PARTNERSHIPS WITHIN SAIEVAC

This working group recommended several principles to be followed in developing a truly representative SAIEVAC network at both national and regional levels.

The principle of inclusion must be respected at national level, and wider coverage ensured at sub national level. Fair representation must be afforded to civil society members on decision making at national level. Development partners must also be invited to this process.

At national level, NACGs or other representatives from civil society must select chair, co chair. There must be Government leadership and involvement and active partnerships must be nurtured with government bodies and the SAIEVAC coordinator. Regular meetings should be held to follow up on implementation of SAIEVAC work plan and prepare for technical sessions.

At regional level there must be a clear structure and frame work for civil society participation in SAIEVAC. Selection to SAIEVAC governing board should be done by using alphabetical order (two regulars and two observers). A new structure was suggested for requesting and sharing of information, knowledge, for exchange of ideas, sharing of good practices, and announcement of relevant events through SAIEVAC online platform.

The specific recommendations of the group:

Recommendations

- *Clear structure and frame work for civil society participation in SAIEVAC*
- *At national level, NACGs or other reps from civil society to select chair, co chair*
- *Inclusiveness at national level, and wider coverage at sub national level*
- *Meeting regularly, follow up of SAIEVAC work plan and preparation for the technical sessions*
- *Fair representation by civil society members on decision making at national level*
- *Government involvement, develop active partnerships with government bodies and in particular with SAIEVAC coordinator*
- *Development partners to be invited and involved in to the process*
- *New structure suggested for requesting and sharing of information, knowledge, for exchange of ideas, sharing of good practices, announcement of relevant events through SAIEVAC online*

platform

- *Adoption of standard procedures*
- *Selection to SAIEVAC governing board – by using alphabetical order (two regulars and two observers)*

9. REVIEW OF RECOMMENDATIONS

The recommendations including the Draft SAIEVAC – South Asia Call for Action prepared by the Panel of Experts drawn from the delegates were considered at the Final Technical Session facilitated by the SAIEVAC Director General, Dr. Rinchen Chopel. The Plenary Session after taking into consideration certain issues raised from the floor, particularly in relation to the mandate of the SRSG-VAC drew consensus that the Call for Action should not only express support for the mandate but also extend gratitude of SAIEVAC to the SRSG and UN General Assembly.

The Plenary also endorsed that the 3rd Governing Board Meeting should take the final call on how the final approved structure and the content of the Call for Action should be.

10. SOUTH ASIA CALL FOR ACTION ON ENDING VIOLENCE AGAINST CHILDREN

Introduction

The following call for action was drafted by a committee of experts drawn from the country delegations who sat together with the SRSG-VAC Ms. Marta Santos Pais. The progress of countries as reported in the Country presentations was considered and in particular the challenges faced in implementing the global and regional agendas of action to end violence against children. Bearing these realities in mind the committee members deliberated on the critical points that should be highlighted in carrying forward the SAIEVAC mission to realize the vision of a violence free region for children and agreed upon the following text. At the plenary session that followed, the text below was adopted by the participants of the FURC.

“We, the participants at the South Asia Follow Up Regional Consultation on the UN Study on Violence against Children, representatives from governments, non-governmental and other civil society organizations, regional and international organizations, and children, have gathered in Colombo, Sri Lanka, on 28 to 30 May 2012, to take stock of progress made since the Regional Consultation on Violence Against Children in South Asia, Islamabad, Pakistan, 19-21 May 2005 and the endorsement of the UN Study on Violence against Children by the General Assembly in 2006, in order to strengthen measures and processes aimed at ending violence against all children in all settings.

Acknowledging SAIEVAC as an apex body of SAARC;

Reaffirming overall efforts by all stakeholders to end all forms of violence against children in all settings, and more specifically commitments by Governments to the Convention on the Rights of the Child and its Optional Protocols, the Convention on the Elimination of All Forms of Discrimination against Women, the SAARC Social Charter, the SAARC Convention on Regional Arrangements for the Promotion of Child Welfare, the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, the SAARC Framework for the Protection, Care and Support of Children Affected by HIV/AIDS, the SAARC Development Goals (SDGs) and the Millennium Development Goals (MDGs);

Renewing the commitment made by our Ministers in the Rawalpindi Resolution on Children of South Asia (1996) and the Colombo Statement on Children of South Asia (2009), and the Recommendations endorsed at the Ministerial Meeting of SAIEVAC in June 2010 in Kathmandu;

Recalling the Recommendations from the Regional Consultation on Violence Against Children in South Asia (2005) and the subsequent Recommendations from the UN Study on Violence against Children; the South Asia Forum (SAF) Regional Preparatory Consultation for the World Congress III against Sexual Exploitation of Children and Adolescents (2008), the Kathmandu Commitment to Action for Ending Violence against Children (2010); the

Technical Consultations on Legal Reform and Corporal Punishment (2010) and Child-friendly Services and Care Standards (2011) including those made by children; the Beijing Declaration on South-South Cooperation for Child Rights in the Asia Pacific Region (2010) and the Assessment of Progress in the SAARC Decade of the Rights of the Child (2001-2010) presented at the 17th SAARC Summit in Addu City (2011);

Renewing our determination as key stakeholders to consistently promote and practice a rights-based approach and collaboration to prevent, mitigate and respond to violence against children;

Noting with appreciation the collaboration with the UN Special Representative of the Secretary General on Violence against Children for the Follow Up Regional Consultation on Violence against Children and supporting the mandate of the office of the SRSG,

Recognizing that, despite the progress made across South Asia to address violence against children, children continue to experience serious forms of violence and child protection challenges, including child labour, corporal punishment, sexual abuse and exploitation, child trafficking, migration and displacement, imprisonment, discrimination related to HIV/AIDS, disability, minorities, orphans, street children and children in need of care and protection, as well as various forms of harmful practices such as child marriage,

Acknowledging the detrimental and often long term impact of child abuse and violence, not just at an individual level but also on the socio-economic development of countries and that violence against children is not a private/family matter but a public issue concerning society at large,

Also acknowledging the launch of campaign by SAIEVAC against corporal punishment of children in all settings and noting that no violence against children is justifiable and that all violence against children is preventable,

To achieve our joint goals and shared vision that children throughout South Asia enjoy their right to be protected from all forms of violence, abuse, exploitation, neglect and discrimination, we collectively call for the following urgent actions to realize the rights of all children:

1. *Develop and strengthen equitable national and local child protection systems including laws, policies and standards; that prevent, mitigate and respond timely and appropriately to all forms of violence and to ensure that mechanisms and services are accessible to all children.*
2. *Develop and implement laws and policies that focus on safeguarding children from potential harm and that ban all forms of violence against children in all settings, including home and family, schools and educational settings, care and justice systems, work settings and the community;*
3. *Address social norms and practices that are harmful to children by promoting social change to end violence, exploitation, abuse and neglect of children;*
4. *Consolidate and validate a national system for disaggregated data collection, analysis, dissemination, and a systematic research agenda to inform policy development and resource mobilization to protect children from violence;*

5. *Review/adopt and implement a national plan of action to integrate the recommendations of the UN Study on Violence against Children and SAIEVAC work plan and develop a baseline to be able to measure progress;*
6. *Invest in and evolve policies and processes to strengthen the participation of children in decisions, through supporting and strengthening child-led organizations/forums;*
7. *Cooperate through structure, processes and resources in the best interest of children to address cross-border issues, such as trafficking, missing children, HIV and AIDS and drug abuse and repatriation;*
8. *Develop mechanisms to address the safety of children with reference to the use and engagement with digital technologies;*
9. *Share lessons and good practices and explore new opportunities for Cooperation to advance the protection of children through establishing a SAIEVAC centre of excellence on violence against children;*
10. *Strengthen regional and country-level cooperation and coordination between governments, NGOs, CSOs, children and young people, academia, independent human/child rights institutions, Parliamentarians, religious leaders, media, private sector as well as bilateral and multilateral agencies including UN agencies/INGOs;*
11. *Expedite the establishment of National SAIEVAC Chapters to accelerate existing efforts to end violence against children;*
12. *Contribute to the establishment and implementation of an operational framework/mechanism for monitoring and accountability at all levels to stimulate and accelerate effective realization of the above mentioned actions.*

We unanimously adopt this, South Asia Call for Action on Ending Violence against Children. We thank the Government of Sri Lanka for their hospitality as hosts of the meeting, SAIEVAC for organizing it, the UN Special Representative of the Secretary-General on Violence against Children for her collaboration and the SACG for its support to the meeting.”

11. CLOSING

The Technical Consultation ended on the evening of May 30, 2012 in Colombo with a closing ceremony which was graced by Hon. Ratnasiri Wickramanayake, Former Prime Minister and Senior Minister of Good Governance and Infrastructure Facilities as the Chief Guest, with Ms. Marta Santos Pais, Special Representative of the Secretary General on Violence against Children, Hon. M.L.A.M. Hizbullah, Deputy Minister of Child Development and Women's Affairs, Dr. Vivek Joshi, Co-Chair of the Technical Consultation, Mr. Ron Pouwels, Chairperson SACG and Mrs. Suseema Wijesekera, Additional Secretary,

The SAIEVAC Director General reported on the successful conclusion of both the Children's Consultation and the Technical Consultation. He also informed the gathering of the opportunities presented by the SAARC Development Fund for strategic investments in the social sector. The delegates, he added, dissected some fundamental issues like child labour, participation of stakeholders, child marriage and cross border collaboration and the submitted recommendations of these sessions were endorsed by the plenary. He also reported on the South Asia call for Action against Violence against Children drafted by the Committee of Experts. He reinforced the commitment from 2005 when South Asia first resolved to tackle this issue together with children by making child participation the cornerstone of our work now. He committed that SAIEVAC will continue to reinforce this through ongoing support for strengthening child participation activities both at the national and regional levels. He expressed his gratitude to the Hon. Chief Guest and Hon. Deputy Minister, the staff of the Sri Lankan Ministry of Child Development and Probation and Child Care Services for their unstinted support, the team from SAIEVAC, the SACG for technical and financial support to the Consultation, the Governing Board Members and the hotel management.

*Mr. Ron Pouwels,
Chairperson of SACG*



Mr. Ron Pouwels, Chairperson of SACG, explained that he represents a variety of agencies - international NGOs and UN agencies - that together have built a common vision to end violence against children in South Asia. He stated that SACG shares that vision with SAIEVAC and that it has fully supported SAIEVAC (and its predecessor SAF) from the start, both financially and technically. While SACG played a prominent role in organizing the previous two SAIEVAC technical consultations in 2010 and 2011, this follow up regional consultation was driven and managed by SAIEVAC although with substantial financial support from SACG. This gathering has shown us the progress that has been made, but also the tasks that still lie ahead of us, and it is a good example of the coalition we need to form of children,

governments, civil society, and UN agencies to address the mammoth task of addressing violence against children. Mr. Pouwels emphasized that we need to do this together as not one agency will have the capacity to do this on its own. He concluded by saying that he trusted that this meeting will be followed by a strengthened commitment and accelerated joint action towards ending violence against children in South Asia.

Lily Yangchen, Child Representative from Bhutan said that the meeting of children had brought out their feelings on the subject and was a nice learning experience. The governments – NGO's and activists – were all working for a violence free South Asia. She conveyed the satisfaction of children about the cooperation in the region since 2005 but made a humble request "to work a little harder." Giving speeches is not enough but effective and strict work was needed to end violence against children. The children offered their thanks for involving them and urged the adults to explore more ways for ensuring their meaningful participation. Ms. Lily said in her conclusion that the children had a great time and made friends and that they make a commitment to end violence against children.

The CSO Representative Mr. Tarak Dhital, Chair of NACG Nepal stated that violence against children requires a multi-disciplinary approach. The State has to be very strong and the role of civil society is paramount in ensuring this. The growing presence of CSO's at grass roots level can bring about lasting changes in the lives of children. Native issues, he said, must be dealt with in the native way. One size does not fit all and projects are time bound. Mobilizing resources is the consistent challenge faced by all. The international community should implement solutions identified locally. He concluded stating that "If the children in this region are to be protected there must be a full course of medicine, not just a few capsules."

Ms. Marta Santos Pais, SRSG / VAC expressed her happiness that the Consultation has come to an end and reflected that the world has come a long way to bring this focus on children. She stated that: "The CRC Committee had a dream for a study and a process of implementation, to identify what needs to be done and how – and celebrate a world where violence has no place. This process is institutionalized in many countries – this is not a symbolic agenda anymore. We are going beyond rhetoric. There is no excuse now."

Ms. Santos Pais pointed out that this is not just a meeting but a great opportunity to dream about a new state of affairs. She congratulated the delegations that were self critical in insisting on the existence of negative social norms. This called for more education and social mobilization. Structural challenges have to be met; some groups were socially excluded and required equitable solutions.

She called upon the delegates to let her office know how it can support work at national level as the task ahead is too big for any single government. Referring to the words of the child participant she reminded the gathering that "we are not doing enough."

Hon. M.L.A.M. Hizbullah, Deputy Minister of Child Development and Women's Affairs, Government of Sri Lanka thanked Almighty God for facilitating the successful completion of this Consultation and also thanked the Senior Minister for gracing the Closing Ceremony. He recalled the statement that No violence against children is justified – all violence is preventable.

In this global world there are daily violations – in all settings – and it is the duty of adults to lead a disciplined life to create a violence free society. But this is not happening and the root causes had to be found. Children must also be made aware and this region should become a model to other regions.

The Chief Guest Hon. Ratnasiri Wickramanayake observed as a grandfather that children are very dear to him. He also believed as a public servant that children are the wealth of the nation. He observed that the UN had a big challenge and that was the foundation for our actions.

The economic situation in Sri Lanka is such that in order to earn foreign exchange young mothers with children and unmarried girls are encouraged to go abroad. This has disrupted many families and caused great suffering to the children. Children suffer immensely when there is no parental care – and in the recent past children were also recruited to fight against one another. That has fortunately ended and they had to be re-educated to lead a useful life in society.

Society has to play a vital role and NGO's and others must cooperate and assist generously in ensuring that they provide children the necessary protection.

Ms. Suseema Wijesekera, Additional Secretary delivered the vote of thanks.

She mentioned that the Government of Sri Lanka was honored to host this Regional Conference which also included children's participation. She expressed her special thanks to the children for their participation. While thanking all the honourable guests on the dais and the delegates from Member States, she also expressed her gratitude to the organizers for organizing this consultation tirelessly. She especially thanked the Director General, SAIEVAC for staying undeterred by the challenges faced in his endeavor to this make this consultation a success.



Photo from the Closing ceremony

ANNEXES

ANNEX 1: AGENDA



**SOUTH ASIA FOLLOW UP REGIONAL CONSULTATION
ON
THE UN STUDY ON VIOLENCE AGAINST CHILDREN**
Organised and Showcased by the SAIEVAC Secretariat
Hosted by the Government of Sri Lanka

SAIEVAC Regional Technical Consultation Agenda

Day 1: 29th May 2012

Time	Agenda item	Speaker/ facilitator	
08:30-09:30	Registration		
09:30-10:00	Opening Remarks and Review of Agenda	Director General SAIEVAC	
	Selection of Chair, Co-Chair and the rapporteur	Director General SAIEVAC	
10:00 - 10:10	Outcome of the Regional Children's Consultation	Child Representative	
10:10-10:30	Discussions		
10:30-11:00	TEA BREAK		
11:00 - 11:10	SDF and SAIEVAC	CEO, SDF	
11:10 - 11:20	Introduction to Country Presentations	Chairperson FURC	
11:20-12:20	Country Presentations and Discussions: Progress Since 2005	Afghanistan: 11:20-11:40 Bangladesh: 11:40 - 12:00 Bhutan: 12:00 - 12:20 India: 12:20 - 12:40	
12:40-13:30	Discussions and concluding remarks	Chair	
13:30-14:30	LUNCH BREAK		
14:30-15:30	Country Presentations and Discussions: <u>Progress Since 2005</u>	Maldives Nepal Pakistan Sri Lanka	

15:30-16:30	Discussions and concluding remarks.	Chair	
16:30-17:00	TEA BREAK		
18:00-18:30 (Optional: Thematic Groups can use their discretion and take the group work beyond the slotted time)	Briefing on the Breakaway Sessions with experts from South Asia The SAIEVAC Workplan: overview	Good Practices, gaps, challenges and solutions: CONTRIBUTING TO THE SAIEVAC WORKPLAN 1. Enhancing Regional cooperation and cross border collaboration: 2. Reinforcing 3. multi-stakeholder partnerships at national and regional levels. 4. Harmful traditional practices 5. Addressing Child labour: Issues, Challenges and Good Practices	Thematic presentations and discussions Cross cutting : Development of Human Resource Capacity , Data and Information
18:40	Wrap up Day One and Administrative announcements		

Day 2: 30th May 2012

09:00-09:30	Recap of Previous day		
09:30-09:45	Special Topic	Expert from South Asia	
09:45-12:00	Breakout Exercises by Groups		
10:45-11:00	Tea Break		
12:00-13:00	Presentation and Discussions		
13:00-14:00	Lunch		

14:00-14:30	Children's Participation - Principles and Standards	* Space for child rights advocates	Chair Child Participation Task Force
14:30-14:45	Review of recommendations and (Endorsement of SAIEVAC Sri Lanka Road Map/Declaration?)	Director General, SAIEVAC	
14:45- 15:00	TEA BREAK		
30 th May 2012			
		Closing Session	
16:00 – 16:15	All Seated		
16:15 -	Arrival of the Chief Guest		
	Welcome Address	Chairperson SAIEVAC Governing Board	
	Presentation of the recommendations / declaration	Director General, SAIEVAC	
	Address	Child Representative	
	Address	CSO Representative	
	Address	SRSG	
	Address	Deputy Minister MCDWE	
	Address	Hon'ble Chief Guest	
	Concluding remarks	Chairperson, South Asia Follow Up Regional Technical Consultation	

**ANNEX 2: COMPOSITION OF EXPERT GROUP
FORMULATING THE CALL FOR ACTION**

COMPOSITION OF EXPERT GROUP FORMULATING THE CALL FOR ACTION

1. *Mr. Vivek Joshi, India*
2. *Mr. Hassan Mangi, Pakistan*
3. *Ms. Yamuna Perera, Srilanka*
4. *SACG Chair*
5. *Masud Ali - CSO GBM*
6. *Rashmi - Child Governing Board Member*
7. *Mr. Ibrahim Zuburee, Director SAARC Sec.*
8. *Mr. Sangay Rinchen, MOFA, Bhutan*
9. *Ms. Najwa, MOFA, Maldives*
10. *Ms. Asila Ussmanzai, MOFA Afghanistan*
11. *Mr. Poshittha Perera, MOFA Srilanka*
12. *Prof Shantha Sinha, India*
13. *H.E Rubina Sadaat, Pakistan*
14. *Marta Santos Pais - UN SRSG*
15. *Ron Powells, SACG Chair*

ANNEX 3: LIST OF PARTICIPANTS



**SOUTH ASIA FOLLOW UP REGIONAL CONSULTATION
ON
THE UN STUDY ON VIOLENCE AGAINST CHILDREN**
Organised and Showcased by the SAIEVAC Secretariat
Hosted by the Government of Sri Lanka
26-31 May 2012, Colombo

List of Aprticipants

Afghanistan			
H.E. Wasil Noor Mohammad	Deputy Minister	Labour, Social Affairs, Martyrs and Disabled, Government of Afghanistan	wasil_noor@yahoo.com
Mr. Fazel Jalil	SAIEVAC Coordinator	Labour, Social Affairs, Martyrs and Disabled, GoA	fazeljalil772@gmail.com
Ms. Nabila Noori	Child Participant		
Ms. Ziba Popal	Chaperon		ziba.popal@gmail.com
Mr. Yasin Rahimi	Child Participant		
Mr. Mohammad Yousef	Director, NACG	Aschiana	yousefaschiana@yahoo.com
Ms. Mursal Rafi	Chaperon		
Mr. Sayed Farhad	CEO ZAR NGO, CSO	ZAR	farhadhashimi@yahoo.com
Ms. Asila Usmanzai	SAARC desk representative	SAARC division, General Economic Department	asilausmanzi@yahoo.com
Mr. Jawed Roshan	Journalist		jawedroshan@hotmail.com
Bangladesh			
Ms. Tahmina Begum	Joint Secretary, GB member	Ministry of Women and Children Affairs (MOWCA)	Tahmina010158@yahoo.com
Mr. Tariq-Ul-Islam	Secretary	MOWCA	tariqreshad@yahoo.com
Dr. Aminul Islam	Deputy Secretary	MOWCA	dramindir@gmail.com
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Ms. Nayomi Kannangara	Director, CP	Save the Children	Nayomi.kannangara@savethechildren.org
Mr. Mamum Bokaul	Child Participant	Aparajeyo	
Ms. Salma Khatun Mala	Child Participant	ACD	
Mr. Md. Abdullah-Al Istiaque Mahmud	Sector Coordinator	Aparajeyo Bangladesh	Mahmud@aparajeyo.org

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Ms. Wahida Banu	ED	Aparajeyo Bangladesh	wahida@aparajeyo.org
Ms. Shanaz Munni	News Editor	ATN Bangla	shahnazmunni@gmail.com
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ANNEX 4 : COUNTRY PRESENTATIONS

ANNEX 4a : Afghanistan

Afghanistan Progress Report

UN Study on Violence Against Children

Wasil Noor Mohmand

Deputy Minister, Social Affairs Division

Ministry Of Labor, Social Affairs, Martyrs and Disabled

1

Content

- Achievements
 - Against each recommendation
- Main Challenges
- Future Action (Three concrete activities)

2

Achievements:

Rec 1: Strengthen national and local commitment and action:

- Social Affairs Division of MoLSAMD is in charge of child protection in Afg.
- Social Affairs Division-MoLSAMD coordinates children issues and concerns with other ministries
- MoLSAMD in collaboration with child focus organizations address child protection issues and concerns
- Afghan Independent Human Rights Commission is the children ombudsman, also monitors children situation
- Afghanistan established minimum standards of care and protection, new regulation is under preparation that will have a set of minimum standards and rules for orphanages

3

Achievements:

Rec 1: Strengthen national and local commitment and action

- Policy initiatives and child protection mechanisms undertaken:
 - Child Act is being developed: a comprehensive and standard legal guide related to children
 - Adopted National Strategy for Street Working Children: 2011
 - Adopted National Child Labor Policy in 2011: Defining age, hours, labor and wage
 - Child Protection Action Networks: 1 National, 28 Provincial, 53 Districts
 - National Child Protection Secretariat: Gained state approval
 - Child Protection Police Department: Established in the capital, Kabul
 - Dedicated Juveniles Rehabilitation Department: Established model centres in Kabul and 4 regions and planning diversion programs in Herat region

4

Achievements:

Rec 1: Strengthen national and local commitment and action

- Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children:
 - Reporting System: Database established in MoLSAMD to record and analyze cases of child protection in general and child sexual abuse in particular (473 cases of rape and sexual abuse reported June 07-Dec 011)
 - Coordination Mechanism: CPANs, with presence in the capital (1), provinces (28) and districts (53), coordinate prevention and response to violence against children, including cases of sexual abuse and exploitation
 - Independent Children rights institutions: Child rights unit of AIHRC plays the role of children ombudsman in the country

- CPANs referred cases to support services and followed up with victims and perpetrators (See Zar and UNICEF report)

5

Achievements:

Rec 2: Prohibit by law all violence against children

- Legislation in Afghanistan covers some forms of violence and these provisions are scattered around different laws i.e.
 - Constitution: Provide for child and the mother's health and wellbeing; prohibits slavery, forced labor, and the death penalty for children
 - Civil Code: Age of registration for girls 16 and for boys 18
 - Law on Birth Registration: Article 31 emphasizes on birth registration
 - Juvenile Code: Safeguard children rights during investigation and trial; age of criminal responsibility is 12
 - Labor law: The legal age to enter into employment is 15 year – although the under age of 18 prohibited in hazardous work

- Subtle forms of violence are not recognized by the law i.e. physical and humiliating punishment of children not considered violence by law

- Law on sexual abuse of children doesn't exist and perpetrators are prosecuted under adult laws; pornography and internet related sexual crimes not covered

- The child act however will compile all these

6

Achievements:

Rec 3 & 4: Prioritize prevention; Promote non-violent

- Children at risk and street working children strategies were developed
- CPANs reported 9200 cases of violence against children and referred them to support services;

There is no campaign led by the government addressing violence. But there are number of campaign raised awareness by different child rights actors

- UNICEF in cooperation with relevant ministries and child focus organizations adopted child sensitive case reporting through Media
- AIHRC trained 400 journalists on children rights and issues
- Child focus organizations sensitized some 50,000 people on child rights and issues i.e. community elders, teachers, etc
- Mosques in Kabul and provinces preaching child rights during Friday prayer
- Child rights education is part of education curriculum
- 120,346 children and 18,427 adult have received support through teacher & community trainings

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Achievements:

Rec 5 & 6: Enhancing capacity & Providing recovery, reintegration

- Social work coaching program for social workers in the MoLSAMD
- Study undertaken to evaluation functionality and effectiveness of CPANs
- National consultation with experts to share best practices and avoid duplication
- Developing Bachelor Degree in Social Work and Master Degrees in child development and child counseling
- Trained law enforcement personnel on juvenile code and children issues

Recovery and reintegration:

- No of NGO and ministries providing shelters for temporary care and protection to women and girls victim of violence - reintegration and recovery services provided by NGOs, SC, Achiana, TDHCIC, WCH, CFA.
- CPANs worked on cases Trafficking, exploitation; of reintegration with communities, but there is no systematic reintegration mechanism in the country

8

Achievements:

Rec 7 & 8: Ensure child participation & child-friendly reporting

- The Constitution of Afghanistan and other legislation grantee boys and girls the right to express their view freely – Their view on CRC report by the CSO and the Gov.
- Children Organizations: 2 were established in 2005-9, not maintained; only there are student councils within schools sometime to raise their voices
- Resources to facilitate Child Participation: Currently doesn't exist
- Complaints Mechanisms: Doesn't exist in any settings, except in schools

Reporting Mechanism:

CPAN

Police

AIHRC

9

Achievements:

Rec 9: Accountability and Impunity

- Publishing Reports: Report on Sexual Abuse
- Statistic of cases of abuse identified by CPAN are consolidated on monthly basis and shared – reference below chart
- Database has been developed by MoLSAMD

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Achievements:

Rec 10 & 11: Gender dimension of VaC & Data and research:

- Gender follow up mechanism in each ministry
- National plan for women rights
- Marriage 17 years for girls – boy is 18 years
- Law against women violence
- 37% girls in education from 8.4 million in school

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Achievements:

Rec 12: Strengthen International Commitments:

- Ratified convention on the rights of the child (reservation on adoption and freedom of religion)
- Joined ILO conventions
- Adopted optional protocol on children involvement in armed conflict
- Convention against torture and other degrading/inhuman treatment
- Joined convention on elimination of discrimination against women
- Protocol to prevent and suppress trafficking in person
- Rome Statute of the International Criminal Court
- Reported to the Committee on the Rights of the Child (CRC)
- Human Rights Committee (CCPR)
- Committee on Economic, Social and Cultural Rights (CESCR)
- Committee on the Elimination of Discrimination against Women (CEDAW)
- Committee on Migrant Workers (CMW)
- Committee on the Rights of Persons with Disabilities (CRPD)

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Main Challenges

- Culture norm and values
- Lack of law and enforcement implementation mechanism
- Lack of sources – financial, human
- Donor driving approach
- VAC is not an agenda for the top level authorities – cabinet – parliaments
- Child focused organizations do not coordinate
- CPANs, the only existing far reaching support system, doesn't have enough capacity and resources to prevent and respond to VAC

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Future Action (Three concrete activities)

- Conducting a national level budget analysis exercise to find who and how much budget is spent on children issues in the country; gaps can be identified and a plan of action can be made
- Forming a parliamentary group on VAC to pressurize Afghan government to allocate budget for children and bring children issues high on the national agenda
- Conducting a national survey to find out about children at risk and need of special support and shape a framework to combat root causes of violence against children

All the above will need financial resources to implement the above activities and develop and implement follow up plan of actions in a systematic manner

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Questions Please!

ANNEX 4b : Bangladesh

Country Progress Report: Bangladesh

Ministry of Women and Children's Affairs
Government of Bangladesh

1

Country Action Points Bangladesh

- ▶ **Harmonization of the child protecting laws with CRC and other relevant international instruments.**
- ▶ **Enhance life skill based education in “formal and non-formal “education aiming at protecting them from violence, abuse and exploitation.**
- ▶ **Make available to community [parents, teachers, faith leaders and other professionals] information and training on non-violent child rearing alternatives and training on positive discipline.**

2

Country Action Points Bangladesh

- ▶ **To conduct 64 sub-national consultation on violence against children**
- ▶ **Initiating database on child protection issues under the management of Ministry of Women and Children Affairs**
- ▶ **Increase rehabilitation and reintegration services for children victims of violence, abuse and exploitation**

3

Harmonization of the child protecting laws with CRC

- ▶ **Children Act-1974, National Children Rule 1976 & National Children Policy 2011. Child labor elimination policy 2010, compulsory primary education act1990, The Suppression of Violence against Women & Child Act-2000 (Amended in -2003), The Acid Control Act-2002, The acid crimes prevention Act-2002.**

4

Harmonization of the child protecting laws with CRC

- ▶ A number of child friendly guidelines has been passed by the Honorable High Court Division focusing on safe home with comprehensive child friendly services, age, protection regarding basic need, minimum standard of care, right to consent & opinion, prohibition of death penalty & capital punishment.

5

Progress made with respect to Child Labor Issue

- ▶ The Labor Act-2006 provides the primary legal framework regarding child labor in the country. The Act sets a general minimum age of 14 years (section 34).
- ▶ National Child Labor Elimination Policy-2010 provide a broad framework for national child labor elimination efforts. Aim of the policy is to make a meaningful change in the lives of the children by withdrawing them from all forms of child labor including hazardous work and worst forms of child labor.

6

Progress made with respect to Child Labor Issue

- ▶ A guideline has been passed through honorable high court division to focusing on some basic rights including right to education, right to leisure period for domestic workers. In the guideline minimum age has been fixed for the domestic worker as 12 years. A code of conduct for protection of domestic worker has been passed through the Ministry of Labor & Employment.

7

Formulation of Draft National Strategy on Prevention of VAC

- ▶ Based on the guideline of country level action points, a National Strategy Paper for Bangladesh on Prevention of all forms of Violence against Children (2011) has been prepared by MoWCA. The process of preparation of final draft has primarily being built upon the findings of the child and adult consultations. The strategy has grounded in a critical review of the laws, policies and institutions – which has helped to identify legal, policy and institutional reform agendas.

8

Evolving a General CRC based Legal Framework:

- ▶ **In recent years, National Children Policy and Children Act have been formulated with special emphasis to all of the issues of sexual abuse and exploitation. Children act mentioned about minimum standard of care for children, privacy during trial, camera trial and special trained investigator for investigation.**
- ▶ **Ministry of Education and Ministry of Primary and Mass Education in particular have issued directives for the educational institutions to stop corporal punishment.**

9

Evolving a General CRC based Legal Framework:

- ▶ **On 14th May 2009 the Honorable High Court delivered a Judgment on laying down guidelines on Sexual Harassment.**
- ▶ **On October, 2010 another law has been passed in the parliament named “Domestic Violence (prevention & protection) Act,2010”. This act states that any type of physical, psychological, sexual torture or financial loss of a women or children by a family member will be a punishable offence.**

10

Evolving a General CRC based Legal Framework:

- ▶ Very recently, the Human Trafficking Deterrence and Suppression Act 2012 has been passed. The Act identifies all individuals below the age of 18 as children and devised a special definition to ensure additional protection. The Act has provision of providing compensation as well as assistance in rehabilitation.
- ▶ MoHA has formulated the National Plan of Action for Combating Human Trafficking (2012-2014).

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Evolving a General CRC based Legal Framework:

- ▶ As per existing law the age of marriage is set at 18 for girls and 21 for boys. However due to traditional practice the age of marriage for girls for a long time was on average 15 years. Recently a study reflects that due the vigorous campaign of government and NGOs the age of marriage has increased to 15.5 on average for girls. This shows that the trend of change is on positive path.

12

Evolving a General CRC based Legal Framework:

- ▶ **The Pornography Control Act has been passed by the government in 28 February'2012. This is expected to offer special protection to the children from being exposed to and abused in pornographic products/ programs.**

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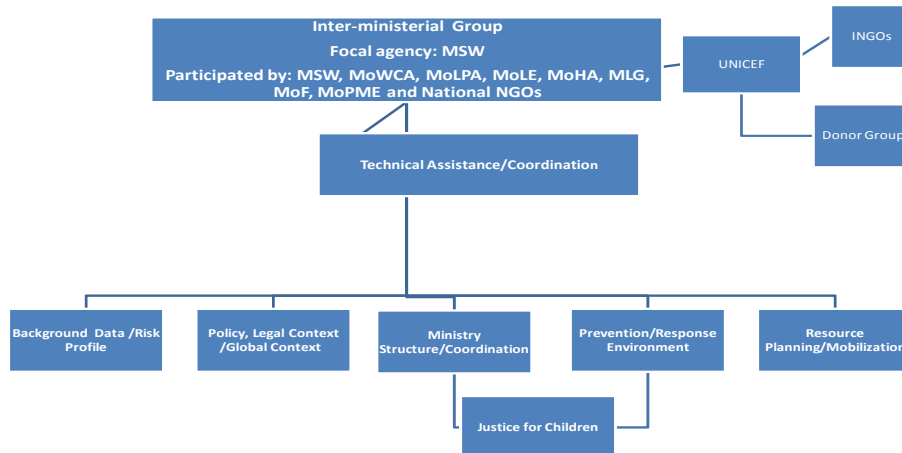
Child Protection System Building :

- ▶ **As a part of developing a comprehensive child protection system, Bangladesh is carrying out a multi-stakeholder intervention. Presently a draft of the National Child Protection System has been prepared, which is expected to contribute in shaping the child protection system.**
- ▶ **Ministry of Social Welfare together with other Ministries-including MoWCA is working together with UNICEF.**

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Child Protection System Building :

Organization and Structure



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Promotion of Child Participation in Child Protection :

- ▶ **National Children's Council is the institution working for development of child under the chairmanship of Minister of the Ministry of Women and Children Affairs. The main responsibility of this institution is to provide support to highest policymaking body on child welfare, Protection of interest and rights of all children .**

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On-going Legal and Policy Reform

- ▶ **Unified code of child rights**
- ▶ **Children Act 1974**
- ▶ **National HIV/AIDS Policy**
- ▶ **Draft National Anti Trafficking Strategic Plan of Action (NATSPA)**
- ▶ **The process of review of Labour law 2006 has identified child labor a legal issue**
- ▶ **A list has been drafted identifying the hazardous child labor**

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2. Enhance life skill based education in “formal and NFE

- ▶ **The National Child Labour Elimination Policy was accompanied by a new National Education Policy -2010. The new policy involves compulsory-primary education from grades one through eight, pre-primary education for children aged five years, and a unified curriculum for general, *madrassa*, and vocational education up to the secondary level.**
- ▶ **The Government is currently finalizing a draft comprehensive Early Childhood Care for Development (ECCD) policy (for children aged 0-8 years) that will coordinate ministerial efforts relating to the education, health and protection of young children. This policy mentions the right to education for all children – with special mention of the disadvantaged.**

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Progress in Implementation

- ▶ In line with the National Child Labour Elimination Policy, 2010 the Government has taken initiative to establish National/ District/ Sub-District level monitoring committees to monitor Child Labour situation in the country including monitoring of all promotional activities.
- ▶ The Government has also initiated to establish National Child Labour Welfare Council.

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Progress in Implementation

- ▶ The Department for Inspection of Factories and Establishment under the Ministry of Labor and Employment (MOLE) has been working to monitor child labor in the field level offices.
- ▶ Ministry of Labor and Employment (MOLE) has established Child Labor Unit (CLU) in the MOLE to monitor child labor in the field level offices. The CLU will serve as the secretariat to deal with all child labor related issues in the country.
- ▶ The issue of Child Labor has been incorporated in all major national development projects and plans (like Poverty Reduction Strategy-PRS and sixth Five Year Plan).

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3. information and training against PHP & positive discipline

The Children ACT(2010) draft mentions:

- ▶ **Section-5(E): “..no child should be subjected to cruelty, inhuman and degrading punishment by caregivers, officials and institutions.”**
- ▶ **Section-28-4(D): in case of alternate care givers at institutions the standard of care prohibits “physical punishment”**

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3. information and training against PHP & positive discipline.

The Child Policy (2011) states :

- ▶ **Preface: an explicit statement is made to set “elimination of violence against children” as a goal.**
- ▶ **Section 6.4.8: “ All form of physical and mental punishment is to be banned at educational institutes...”**

The National Child Labor Eradication Policy (2010)- clearly directs ban of any form of physical, emotional and sexual violence against child worker at workshop.

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3. information and training against PHP & positive discipline

- ▶ Through a judgment corporal punishment has been banned by High Court in schools. High Court prohibited corporal punishment at school referring as a crime and asked concerned ministries to take appropriate measures.
- ▶ Ministry of Primary and Mass Education is promoting child friendly teaching as an alternative to corporal punishment.
- ▶ Now a new law is underway to deal the issue comprehensively.
- ▶ At the same time general awareness to prevent violence against children is raised through several targeted intervention,

23

4. sub-national 64 consultations on violence against children

- ▶ Under the supervision and guidance of the Ministry of Women and Children Affairs (MoWCA), a working group had been working from the year 2008 with Save the Children Sweden-Denmark (presently Save the Children International) as the secretariat.
- ▶ As a outcome a draft national strategy to prevent VAC has been formulated.

24

5. Maintain database on child protection at MoWCA

- ▶ MoWCA has established a database under a project titled Multi Sectoral Program. Attempts has also been taken to coordinate among different sources (MoHA for trafficking and MoLE for child labor) and contents of database regarding children's issue.

25

6. Increase rehabilitation & reintegration services

- ▶ In the government's planning documents, specifically in the Poverty Reduction Strategy Paper and the National plan of Action for Children (2005-2010), emphasis has been given for the betterment of children.
- ▶ At the same time, initiative has been started to operate referral mechanism through case management system.

26

6. Increase rehabilitation & reintegration services

- ▶ **Establishment and operation of One Stop Crisis Center (OCC):** One Stop Crisis Center (OCC) is an initiative of Bangladesh Government controlled and cooperated by the Ministry of Women and Women & children Affairs. Beside this 10 other relevant ministries, including MoH&FW, MoHA and MSW, are involved.
- ▶ **OCC is a place where a victim receive multiple services (medical, legal, counseling, shelter and referral supports) at a time. OCC services helped victim to receive justice in time.**

27

6. Increase rehabilitation & reintegration services

- ▶ **A Joint Initiative of Bangladesh Police and 10 NGOs:** Bangladesh Police has set up Bangladesh's first-ever Victim Support Center (VSC) at Tejgaon Thana premises on 17 February 2009. Presently there are 13 VSCs.
- ▶ **Monitoring cell in the Home Ministry has been formed to combat trafficking at central level and district level.**

28

6. Increase rehabilitation & reintegration services

- ▶ Under the Ministry of Home Affairs a Rescue, Recovery, Repatriation and Integration (RRRI) taskforce formed to expedite the process in GO-NGO coordination nationally and internationally.
- ▶ National Trauma Counseling Center is established in the Department of Women Affairs with MoU with Dhaka University's clinical psychology department

29

6. Increase rehabilitation & reintegration services

- ▶ Ministry of Social Welfare has undertaken project entitled Child Sensitive Social Protection in Bangladesh (CSPB) and serious for children of risk (SCR) to protect street children through drop in centers and open schools established in 20 convergence districts and urban divisional headquarters.
- ▶ A Cell for the protection of women and children against violence is being operated under MoWCA.

30

6. Increase rehabilitation & reintegration services

- ▶ An inter-ministerial committee has also been formed under MOWCA for protection of children.
- ▶ Safe night shelters for boys and drop in centers for girls who are forced into prostitution has been initiated by various NGOs.
- ▶ A draft minimum standard guideline for integration has been developed by Ministry of Social Welfare through consultation of different experts and actors and is in practice for pilot testing.
- ▶ Community care committees are formed around the country.

31

6. Increase rehabilitation & reintegration services

- ▶ Referral services strengthened in different NGOs. Referral of children to partner organizations for full time shelter, HIV/AIDS screening, pathological tests, psychosocial care, health care, vocational training, life skills and livelihood training and job placement, legal aid
- ▶ Case management system in government and NGO shelter homes is on process.
- ▶ For successful GO-NGO collaboration, Ministry of Social Welfare has signed MOU to share and exchange experience of shelter homes, correction centers, vagrant homes and safe homes.

32

6. Increase rehabilitation & reintegration services

- ▶ Ministry of Social Welfare is running 85 children homes for orphan children throughout the country.
- ▶ A project named Empowerment and Protection of Children (EPC) under MoWCA has been undertaken to empower and protect children and adolescent from early marriage HIV/AIDS, trafficking and CSEC through capacity building.
- ▶ Department of women Affairs providing shelter home services for victim of violence.

33

Gaps and Challenges

Although the legal provision have improved, still there are some critical constraints related to implementation.

- ▶ The capacity of government to supervise and monitor the factories is extremely limited.
- ▶ There is little or no recorded case of application of sanctions against the employers.
- ▶ The register on child-employees, is not kept.

34

Gaps and Challenges : Justice

- ▶ **Bangladesh requires technical support for improvement of socio-economic conditions in addition to technical assistance for undertaking programmes on elimination of Child Labor.**
- ▶ **According to section 11 of the Children Act 1974,- if at any stage the Court is satisfied that the attendance of a children not essential for the purpose of the hearing.**

35

Gaps and Challenges:Gender

- ▶ **The department of social services runs 85 orphanages but they are barred to children without a father's name.**
- ▶ **Children with their mother usually remain out of the counting, as they are not subject to receive any material support from the jail. The most worrying fact remains however that the children and adolescents have to stay with notorious terrorists and drug addicts.**

36

Gaps and Challenges:Justice

- ▶ **Hosts of laws exist in relation to family, cruelty, contacts, and child-labor. However, some of them are inconsistent and contradictory to each other and implementation of these laws is weak.**
- ▶ **Reports reveal that girl children are not always safe under temporary police protection or in government approved certified home.**

37

Gaps and Challenges:Justice

- ▶ **The social stigma, non-disclosure of sexual abuse by the children, lack of witness protection, un-child friendly legal and medical testing procedures, improper collection and maintenance of evidence and lengthy legal process lead to either non filing of court cases or acquittal of the accused.**
- ▶ **In case of prosecution of the perpetrators there are many constraints. Often there is a faulty investigation. In case of CSA usually the families are not willing to press charges out of shame and concern of stigmatization.**

38

Gaps and Challenges : Justice

- ▶ Though the 1974 Children's Act, the government gave notices to establish Juvenile Courts in the official Gazette in the area where it proposes to establish such courts. But in practice there only some Juvenile Courts in existence and few law enforcement officials, lawyers or judges are familiar with Juvenile Court system or special laws for children.

39

Gaps and Challenges : Justice

- ▶ There are no laws in Bangladesh related to the recovery and rehabilitation of child survivors of commercial sexual exploitation. In an estimate (in 2001), a total of 64,890 prisoners were staying in the jails which means the number of prisoners in the jail was three times higher than the actual capacity. Of them 1, 827 were women, 1029 were children, including 129 girl children.

40

Gaps and Challenges : Justice

- ▶ The legal instruments are not adequate in protecting children from corporal punishments – often these instruments assign legality to such violence against children under the pretext of “parenting” and “disciplining”.
- ▶ However the legal directives and law drafting process is expected to augment the situation.

41

Gaps and Challenges :

- ▶ Home: Article 89 of Penal Code (1860) provides legality to corporal punishment against children by parents and guardians.
- ▶ School: Banned by High Court in schools but no comprehensive legal provision against corporal punishment.
- ▶ Alternative Care: Penal Code; section-89 and other such provisions grant legality to corporal punishments against children by care givers.
- ▶ Penal System: The following legal and policy provisions allows corporal punishment of children with the pretext of “disciplining” : CRPC-section 391, 392, 393, 394 (justifies whipping). Whipping Act 1909 (section 3, 4 & 5). Pure Food Ordinance (1966) section-9. Suppression of Immoral Trafficked Act (1933) section 10 & 12. Railway Act (1890) section 130. Traditional village mediation allows whipping is legalize. Children’ Rule (rule#24). Prison Act (1894) section-46 and 53. Borstal School Act –section#4).

42

Gaps and Challenges : SAIEVAC

- ▶ Formation of SAIEVAC in the region is a critical element for implementation of the recommendations of the UN study on violence against children. Presently, SAIEVAC has established country offices in the member countries. Bangladesh country office of SAIEVAC is hosted by MoWCA
- ▶ Once SAIEVAC Bangladesh is fully operational, then it will assist and monitor the progress of Bangladesh (government and civil society) with the National Actions Coordinating Group (NACG).

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**Thanks for your
attention!!!**

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ANNEX 4c : Bhutan

SOUTH ASIA FOLLOW UP REGIONAL CONSULTATION
ON
THE UN STUDY ON VIOLENCE AGAINST CHILDREN



COUNTRY REPORT
THE ROYAL GOVERNMENT OF BHUTAN

MAY 29, 2012

1

Presentation Outline

- Issues
- Achievements
- Gaps and Challenges
- Moving Forward

2

Bhutan with its development philosophy of Gross National Happiness



3

Issues

- Lack of legislation on child protection
- Coordination and consolidation of child protection/promotion efforts
- Lack of data on child protection

4

Achievements

- Enactment of Child Care and Protection Act, 2011 and Child Adoption Act 2012
- Ratified UNCRC Optional Protocols on the Sale of Children, Child Prostitution and Child Pornography on 26 November 2009 and on the Involvement of Children in Armed Conflict on 06 January 2010 respectively
- Signed the Convention on the Rights of People with Disabilities on 21 September 2010
- National Plan of Action for Gender (NPAG) 2008-2013 developed and implemented

5

Achievements contd.

- National gender focal point network set up in 2006
- Measures taken to discourage and ban corporal punishment
- Mapping and assessment of child protection system in Bhutan completed in May 2012
- Children identified as one of the most vulnerable groups under the 11th FYP, and for the first time, child protection accorded independent status in the development plans

6

Achievements contd.

- Penal Code of Bhutan 2004 amended in 2011 to provide protection for children in conflict with the law and penalties established for crimes committed against children
- Establishment of Women and Child Protection Units (WCPU) and Crime Response Mechanism in the Police Stations
- Women and child friendly procedures being incorporated in the police training curriculum
- Establishment of One Stop Crisis Centre (OSCC) in Hospital
- Child Protection Office established in the Monastic Body

7

Achievements contd.

- Development of alternative forms of discipline for monastic institutions
- In collaboration with partners, continued capacity building and awareness raising on child rights and protection issues amongst children, police, judiciary, parliamentarians, policy makers and general population
- Youth and children led groups formed for raising awareness on child protection and to encourage child participation

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Gaps and Challenges

- Lack of a designated implementing agency for child protection
- Child protection limited to few sectors
- Scarcity of data on the prevalence of violence, abuse or neglect of children, including child discipline at home/school/monastic institutions

9

Way Forward

- Implementation of the recommendations from the mapping and assessment of child protection system (road map)
- Mainstreaming of child protection into sector plans and policies (FYP)
- Establishment of dedicated helpline for children
- Implementation of legislations through Rules and Regulations and SoPs (e.g. provision of child welfare officers, probation officers alternative care, child justice systems...)
- Institutional strengthening of the NCWC
- Conduct study on violence against children

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ANNEX 4d : India

South Asia Follow-up Regional Consultation on UN
Study on Violence Against Children

29th May 2012

India Country Presentation

by

Dr. Vivek Joshi

Joint Secretary

Ministry of Women and Child Development

Government of India

08/22/12

1

Structure of the Presentation

1. Current Situation
2. Violence in Family and Household
3. Working Children and Street Children
4. Trafficking
5. Violence in Schools and Institutions
6. Violence in areas of civil unrest
7. Way Forward

08/22/12

2

2

1. Current Situation

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Crime against Children

Crime Head	2003	2005	2008	2010
Murder	1212	1327	1296	1408
Infanticide	103	108	140	100
Rape	2949	4026	5446	5484
Kidnapping & Abduction	2571	3518	7650	10670
Foeticide	57	86	73	111
Exposure & Abandonment	722	933	864	725
Procuration of Minor Girls	171	145	224	679
Buying of Girls for Prostitution	24	28	30	78
Selling of Girls for Prostitution	36	50	49	130
Total	7845	10221	15772	19385
Source: National Crime Records Bureau, Ministry of Home Affairs, Government of India				

08/22/12

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2. Violence in Family and Household

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Violence in Family Key Initiatives

- ❑ Implementation of the Prohibition of Child Marriage Act, 2006
 - 28 States have framed Rules and appointed Child Marriage Prohibition Officers
 - Several capacity building workshops held with stakeholders
- ❑ Initiatives by States to curb child marriage

08/22/12

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Violence in Family Key Initiatives.....

- ❑ Introduction of Conditional Cash Transfers (CCT) for girl child with insurance cover in backward States
- ❑ Rajiv Gandhi Scheme for Empowerment of Adolescent Girls–SABLA, to address the multi-dimensional needs of adolescent girls

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Violence in Family Key Initiatives.....

- ❑ Implementation of Integrated Child Protection Scheme (ICPS) for vulnerable children through various services such as:
 - Childline
 - Open shelters
 - Family-based non-institutional care through sponsorship, foster care, adoption and after-care

08/22/12

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Violence in Family Key Initiatives.....

- Revised guidelines for in-country and inter-country adoption notified in 2011
- Web-based Child Adoption Resource Information and Guidance System (CARINGS) launched
- Pilot project for foster care of children initiated in three States

08/22/12

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Violence in Family Key Initiatives.....

- Several initiatives taken by states to address drug abuse among children
 - Awareness campaigns by police in Himachal Pradesh
 - Website on drug abuse by police in West Bengal
 - Ban on production and sale of tobacco in Chhattisgarh

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3. Working Children and Street Children

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Working Children Key Initiatives

- Expansion of the list of banned and hazardous processes and occupations in the Child Labour (Prohibition and Regulation) Act, 1986
 - 18 occupations and 65 processes banned including hotels, spas, recreation centres, etc.

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Working Children Key Initiatives.....

- Amendments proposed in the Child Labour (Prohibition and Regulation) Act, 1986 to ban child labour upto the age of 14 years and regulate employment of children in non-hazardous occupations in the age group of 14-18 years

08/22/12

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Street Children Key Initiatives.....

- Care, support and rehabilitation services under Integrated Child Protection Scheme for children on streets
- Essential primary healthcare services and health insurance for urban poor including street children under the National Urban Health Mission (NUHM)

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5. Trafficking

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Trafficking Key Initiatives

- UN Protocol to prevent, suppress and punish trafficking in persons, especially women and children ratified on 5th May 2011
- Trafficking of children for sexual purposes included in the Special Law on Protection of Children from Sexual Offences, Bill, 2012

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Trafficking Key Initiatives

- Amendments proposed in Immoral Traffic Prevention Act, 1956
- Advisory issued on preventing and combating human trafficking in India dealing with foreign nationals in May 2012
- Anti-Human Trafficking Units being set-up in 335 districts identified as vulnerable districts

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Trafficking Key Initiatives.....

- A comprehensive scheme for prevention, rescue, rehabilitation, re-integration and repatriation of victims of trafficking for commercial sexual exploitation- "Ujjawala"
- Anti Trafficking Nodal Cell set up in States

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6. Violence in Schools and Institutions

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Violence in Schools Key Initiatives

- Adoption of the Right of Children to Free and Compulsory Education Act, 2009
 - Section 17(1) provides that no child is subjected to physical punishment or mental harassment
 - Section 17(2) provides for disciplinary action against contravention

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Violence in Schools

Key Initiatives....

- Provision added in Affiliation Bye-Laws of Central Board of Secondary Education (CBSE), empowering School Managing Committee to place an employee under suspension for cruelty against any student or employee
- Guidelines issued by CBSE and National Commission for Protection of Child Rights (NCPCR) to stop corporal punishment

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Violence in Institutions

Key Initiatives....

- Implementation of ICPS for children in difficult circumstances and vulnerable children
- Amendments made in the Juvenile Justice (Care and Protection of Children) Act, 2000 in 2006 and in 2011

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7. Violence in areas affected by Civil Unrest

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Violence in areas affected by civil unrest: Key Initiatives

- Implementation of “Bal Bandhu” as a pilot scheme since December 2010 in 9 districts of five States by National Commission for Protection of Child Rights (NCPCR) to:
 - Community mobilization
 - Ensure children’s right to protection, health, nutrition, sanitation and education

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8. Way Forward

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Way Forward.....

- Government of India remains committed to create a secure and protective environment for children with focus on issues such as:
 - Addressing inequalities and strengthening inclusion through flagship programmes
 - Spreading awareness on issues such as girl child, child marriage, drug abuse, etc.

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Way Forward.....

- Creating adequate child-care services and institutions for children in need of care and protection
- Expanding family-based non-institutional care services
- Strengthening programmes for rehabilitation of children and improving their accessibility

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Way Forward.....

- Providing alternative rehabilitative options for children withdrawn from work and economic rehabilitation of their families
- Strengthening anti-trafficking laws
- Strengthening programmes and services for rehabilitation of street children and improving their accessibility

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Way Forward.....

- Building capacity of stakeholders, such as law enforcement officials, judiciary, Government functionaries, etc.
- Creation of support services to families at risk to protect children from vulnerable and exploitative situations
- Efficient implementation of ICPS to protect vulnerable children

08/22/12

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Thank you !!

08/22/12

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ANNEX 4e : Maldives

Progress and Challenges in implementation of UNVAC Study

**Ministry of Gender Family and Human Rights
Maldives**

1

Background

With a Population of 394,999 of which 0-14 years is 21 % children. Like the rest of SA countries Maldives today faces the challenges of addressing VAC and protecting her children from harm and violence.

Everyday number of cases are reported to police, Hospitals, FCSC and to MGFHR regarding child abuse/ neglect.

This is why it is imminent that action should be taken against such perpetrators and preventive measures are taken to ensure that our children are protected in their homes, schools and within our system.

2

Strengthen National and local commitment and action

Main initiatives-

- 2006 , FCSC were established – Decentralised social service to Atolls
- Children's home- State Care
- Educational Training centres for Children (ETCC)
- Policy frame work: SAP (2009-2013) states – VAC be it of nature sexual, physical ,emotional and psychological or neglect are all prohibited in Maldives.
- It gives commitment to improve overall access to justice and enable restorative justice for children in conflict with law

3

Strengthen National and local commitment and action Contd..

- JJU established (2009)- provide rehabilitation for child offenders
- Social Security- Allowance for single mothers, elderly, disability
- Housing policy –points for disabled children's parent/ additional points for single mothers
- Child Helpline (2009) was launched to reach out to more children in need of care and protection to overcome geographical obstacle in accessing services
- Collaboration with NGO- UNICEF Work plan/SAIEVAC
- DVB passed and became a DV act in 2012

4

Prohibit by Law all Violence Against Children

- The Constitution in line with Islamic Shariah prohibits all forms of VAC
- Law no: 9/91 on the protection of rights of children- (is being amended at the moment, Plans are underway to include state care and foster care- at the moment there is no legal authority , a regulation is used – this creates challenges)
- A law on Stringent punishment for perpetrators of sexual violence against children- 2009- strict punishment and withdraws the right to remain silent.

5

Prioritize prevention /promote non violent values and awareness raising

- Single parent allowance (194\$ per month)
- Allowance for foster parents and children
- Universal Health care schemes
- Preventing children from harmful materials shown in media: Law 9/91 article 7 –programmes targeting children should not contain any material verbal or pictorial which may adversely influence the morals or behaviour of children
- MOU signed with telecom partners to block child abuse content on internet
- FCD- NGO- awareness programmes-
- SAIEVAC activities for advocacy on VAC – outsourced to NGO

6

Provide Recovery and social reintegration Services

- Only one Children's Home, established in 2006- 29 girls and 23 boys- includes victims/orphans/whom parents are in jail (over 45 capacity limit)
- Educational Training Centre for children- 50 boys
- JJU- rehabilitation and other intervention for those in facility care
- Immense challenge for girl child / shelter work in progress

7

Ensure participation of children/Create accessible and child friendly reporting system and services

- Amendments of CR law in progress- which children will be consulted
- 2011 children were participated on event to mark World Day for prevention of abuse and VAC
- A theatre group was formed using children to play out theatrical dramas to create awareness- on VAC- still active (funded by UNFPA)
- CRC report- children will also be consulted
- SAIEVAC / national consultations has enabled further participation of children in enabling them to speak out for their rights
- Reporting- CFPS/FCSC- Counselling
- Toll free child help line

8

Ensure accountability and end impunity

- FCPD/CFPS- Data are recorded.
- Annual media reports are produced using the data
- It is compulsory to evaluate Criminal records before being employed in to civil service and independent commissions
- Set offenders registry managed by police

9

Strengthening International Commitment

- Maldives signed the CRC in August 1990 and ratified in February 1991

The Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography on 10 May 2002 and on the involvement of children in armed conflict on 29 December 2004.

- CEDAW Ratified in 1993
- Member of ILO 15th May 2009
- CRPD ratified in 2010

- CEDAW – The 4 & 5 combined report has been drafted and in the process of being finalised
- CRC- 4 & 5th combined Report writing will begin in June

10

Currently in pipeline

- Decentralized Child protection system- formal guidelines
- Legal review of Family Law/Domestic Violence Act
- BCC strategy in the final stages of completion of its material
- Research on CSEC in Maldives
- National Children's Forum- (SAIEVAC)
- Develop and implement a care plan for children under institutional care / train staff (SAIEVAC)

11

Challenges

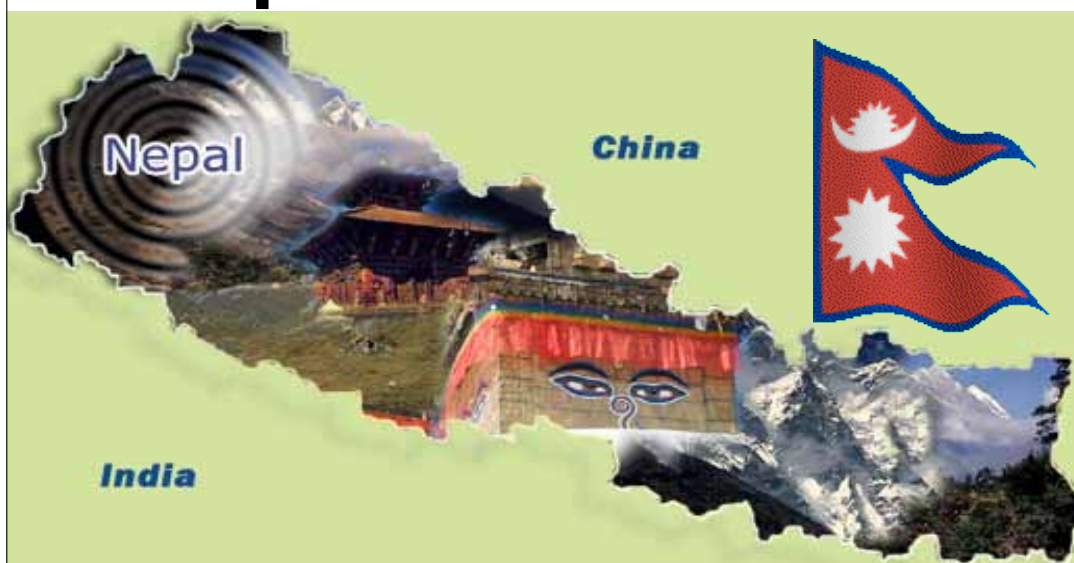
- Amendments to the family law is needed-18 years remain the minimum age for marrying- registrar of marriage has the discretion to grant leave for marriage for girls below 18 (earlier- regulation was in place- assessment by MGF but the reform in 2009 removed)-
- Children's home- girls reaching 15 and above
- Child Helpline- Children with Disability are not reached
- Limited knowledge within the society on underlying causes of VAC- awareness is needed
- Limited technical capacity
- Dissolving of previous MGF to merge with MOHF 2008 and Forming of new Ministry MGFHR in 2012

12

Thank you

ANNEX 4f : Nepal

Nepal Presentation



SAIEVAC Consultation on
The UN Study on Violence against Children
Colombo, Sri Lanka, 26-30 May, 2012

1



Response and Achievements on 12 point Recommendations from the UN Study on Violence against Children

1. Strengthen national and local commitment and action

Some policies and programs directly related to VAC:

- National Action Plan on Gender Based Violence, 2010
- National Child Policy, 2012
- National Plan of Action against Anti-trafficking of Women and Children, 2011
- National Master Plan on the Elimination of Child Labour in Nepal (2011-2020)
- Revised - National Plan of Action for Children (2004-2014)
- Schools as Zones of Peace (SZOP) National Framework and its Implementation Guidelines, 2011
- Learn without Fear Policy, 2010
- Operating guideline for child helpline (Toll free number 1098)
- Women and Children Service Centre in Nepal Police (for the prevention, rehabilitation and re-integration of victims of violence)
- Central Child Welfare Board (CCWB) and District Child Welfare Boards (DCWBs) with Child Rights Officers
- Restructuring Department of Women Development into Department of Women and Children and corresponding structures at the District level.

2



2. Prohibit all violence against children

- The Interim Constitution of Nepal, 2007- Right to protection is ensured under the Children's Rights as fundamental rights

Specific Laws and Regulations:

- Child Labor (Prohibition and Regulation) Act, 2000
- Gender Equality Act, 2006
- Juvenile Justice (Procedural) Regulations, 2006
- Human Trafficking and Transportation (Control) Act, 2007 and its Regulations
- Domestic Violence Act, 2009 and its regulations
- Inter-country Adoption Procedure, 2009
- New Children's Bill (in process)
- Standards for Operation and Management of Residential Child Care Homes, 2012

Court Decision

- On 6 January 2005, a special bench of the Supreme Court has invalidated the legal provision of minor beating by parents, guardians and teachers for children's 'welfare'.

3



3. Prioritize Prevention

- Prevention is one of the strategies of the National Plan of Action (NPA) on Trafficking and Gender Based Violence
- Awareness programs on different forms of violence by GOs/NGOs/INGOs
- Encouraging community protection groups for the prevention of all kinds of VAC through different child related programs and plan of actions.
- Learn without fear Policy, 2010 (aimed at preventing violence against children in school)
- School as Zones of Peace (SZOP) National Framework and its implementation Guideline, 2011 (prevents armed activities and political interference as well as all kinds of abuse, neglect, exploitation and violence in schools)
- Standards for Operation and Management of Residential Child Care Homes, 2012 (provisions including prevention of VAC in all types of child care homes)
- Standard Operating Procedure of Rehabilitation Centre, 2012
- Tobacco Act, 2011 (preventing selling tobaccos to children)

4



4. Promote non violent values and awareness raising

- **Government is promoting Children as a Zone of Peace (CZOP) campaign, which is initiated by different civil society organizations**
- **The government has declared all educational institutions including schools as zones of peace**
- **The Ministry of Education endorsed SZOP National Framework and its Implementation Guidelines, 2011**
- **Implementation of Learn without Fear Policy through different campaigns, development of training manuals, teachers training, etc.**
- **Child Friendly Local Governance (CFLG)- National Framework and Operational Guideline, 2011 (adopted child focused local development approach in order to reduce incidence of violence, exploitation, trafficking and abuse against children)**
- **The Supreme Court decision has made corporal punishment at any settings unlawful.**
- **Development and dissemination of IEC materials through FM stations,**

5



5. Enhance the capacity of all who work with and

- **Government through its different line agencies in partnership with different civil society organizations and development partners has provided training to the officials, who work with children: e.g.**
 - Training to judges and lawyers who are involved in juvenile cases
 - Training to police on child friendly investigation procedure
 - Training to teachers on Child Friendly Teaching Methodology
 - Training to Child Rights Officers of Central and District Child Welfare Boards on child rights monitoring and response
- **Employees of organizations working with children are trained on child rights and child friendly facilitation skills**

6



6. Provide recovery and social reintegration services

- National budget allocation to all 75 districts for the recovery and social reintegration services to children as child protection funds
- Emergency Child Relief Fund established at the centre and all 75 district headquarters.
- Child Help Line (Toll free 1098) in regular operation (emergency response of child rights violation)
- National Centre for Children at Risk (Service for Lost and Found) – Toll free 104
- Rehabilitation centers established and supported by the government and NGOs for the survivors of domestic violence and trafficking
- Government run Community Service Centers (in 15 districts) for women and children affected by domestic violence
- Psycho social counseling, education support, vocational training, awareness raising program and free legal aid are provided to the victim-child through coordination with different organizations for their recovery and social reintegration

7



7. Ensure participation of children

- National Child Policy, 2012 incorporates child participation as a vital component
- Child Friendly Local Governance (CFLG) framework ensures children's participation in the local development process
- Increasing trend of children's participation in the DCWBs, School Management Committees, VDCs and community protection groups' assembly.
- Increasing trend of child participation in the formulation of NPAs, laws, policies and project cycles
- Child clubs and their federations formed, enlisted, supported and strengthened by VDCs, NGOs, etc.

8



8. Create accessible and child friendly reporting systems and services

- **Anyone can report about violence against children to Child helpline (Toll free no. 1098)**
- **Women and Children Service Centers are established within Nepal Police to facilitate people for reporting violence against children**
- **CCWB at the Centre and DCWBs are functional in all the districts of Nepal to coordinate overall activities related to children that including reporting the cases of VAC and other child rights violations**
- **Community protection groups are encouraged to report violence against children**

9



9. Ensure accountability and end impunity

- **In 2011, 217 cases of sexual abuse and exploitation were reported,**
- **Of the total reported cases 174 were filed for legal process**
- **73 cases were settled and 101 are under consideration by the courts**

10



10. Address the gender dimension of violence against children

- Child marriage is prohibited by law, same minimum legal age (with parental consent- 18 yrs and without consent- 20 years) for marriage for girls and boys
- Budget allocated for the rehabilitation and education of freed kamalari girls (bonded laborers)
- Girl children are given priority for scholarships at schools
- Girls are equally promoted in child clubs including in leadership positions of the clubs
- Traditional malpractices against girl child such as *Deuki, Jhuma*, etc are prohibited by the law
- Para Legal Committees (PLCs) are active at the community level for the prevention of gender based violence

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11. Develop and implement systematic data collection and research

- Birth registration system strengthened in the country, including awareness on vital registration
- Collection of data and information on the status of children at the national and district level and published annually
- Initiatives of the National Women's Commission to establish a system for collecting information on GBV
- Data base on cases of Children in Conflict with the Law at the Juvenile Justice Coordination Committee
- Data base of VAC is maintained by Child Helpline and Centre for Children at Risk (lost and found children)

12



12. Strengthen international commitment

Nepal has ratified several human rights instruments, including those related to children. Some specific instruments ratified during 2005-2012 are:

- Two optional protocols to the CRC (OPSC ratified in 2006 and OPAC ratified in 2007)
- Optional Protocol to the CEDAW (ratified in June 2007)
- UNCRPD ratified in 2010

13



Gaps

- Lack of sufficient human and financial resources
- Limited public awareness about reporting of cases
- Lack of disaggregated data collection system
- Monitoring systems need to be further strengthened to make them more effective

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Way Forward

- Strengthening law enforcement mechanism with clear guidelines
- Reinforcing an efficient Child Protection System at the national and community level
- Increasing access to quality social welfare services

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धन्यवाद !

DHANYABAD!

Thank You!

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ANNEX 4g : Pakistan



Country Report: Follow up of Recommendations of Regional Consultation on the UN Study on Violence Against Children

**NCCWD
Ministry of Human Rights
Government of Pakistan**

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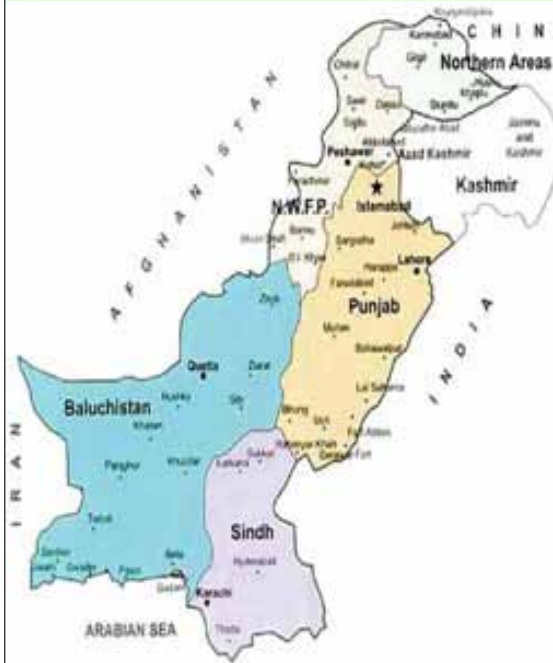
Outline

- Country Profile
- Thematic Areas
- Stakeholders
- Progress
 - Legislation
 - International Commitments
 - Services
 - SAIEVAC
 - Capacity Building
 - NPA for Children
 - Children’s Complaints Offices
 - Children Parliament of Pakistan

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ISLAMIC REPUBLIC OF PAKISTAN



Population:187,342,721

Children's Population:
82,430,797

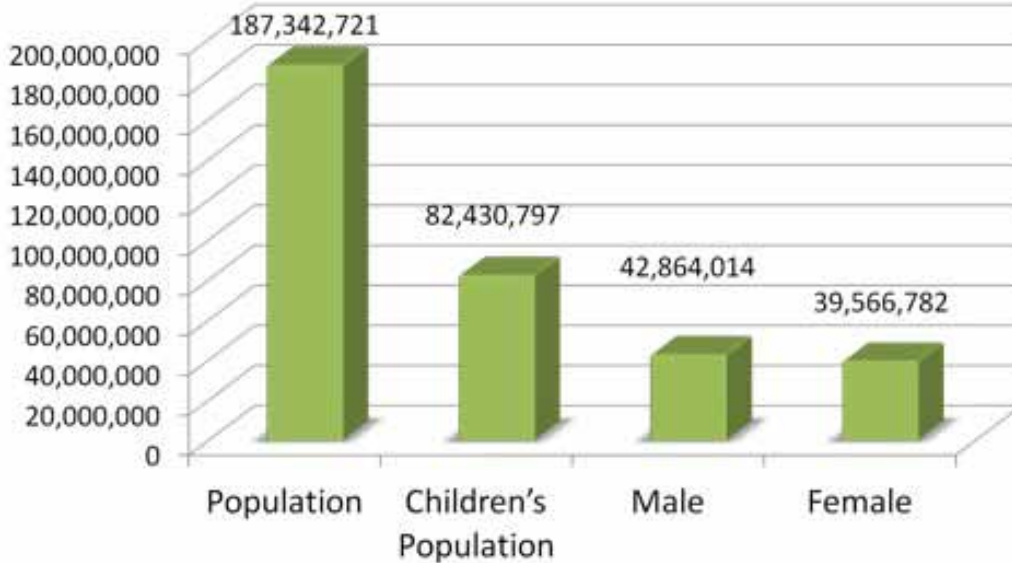
Male: 42,864,014

Female: 39,566,782

Birth Rate:31 births/1,000
population (2009 est.)

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ISLAMIC REPUBLIC OF PAKISTAN



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Thematic Areas

- Violence and Abuse
- Child Trafficking
- Corporal Punishment
- Child Pornography
- Early Marriages
- Rigorous Imprisonment
- Child Labour & Exploitation

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Stakeholders

- Federal Government
- Provincial Governments
- UN Agencies
- International NGOs
- National NGOs
- Children

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Recommendations from Regional Consultation on VAC ISB 2005

- Violence at Home
 - *Gender Based Violence*
 - *Child Sexual Abuse*
 - *Physical and Psychological Punishment*
- Violence in Schools
 - *Gender Based Violence*
 - *Child Sexual Abuse*
 - *Physical and Psychological Punishment*

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Cont..

- Violence in Institutions
 - *Gender Based Violence*
 - *Child Sexual Abuse*
 - *Physical and Psychological Punishment*
- Violence in Communities
 - *Gender Based Violence*
 - *Child Sexual Abuse*
 - *Physical and Psychological Punishment*
- Prevention

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Agreed Action

- Awareness raising
- Capacity building
- Legal frame work

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Progress

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Legislative Environment

- Juvenile Justice System Ordinance, 2000
- Prevention & Control of Human Trafficking Ord, 2002
- Anti Women Practices (Criminal Law Amendt) Act 2011
- Punjab Destitute and Neglected Children Act, 2004
- The Azad Jammu & Kashmir Child Protection Policy

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Legislative Environment

- KPK Child Welfare and Protection Act, 2010
- Sindh Child Protection Authority Act, 2011
- Charter of Child Rights Bill, 2010 (draft)
- National Child Protection Policy(draft)
- Criminal Law (Amendment) Bill, 2009 (draft)
- Prohibition of Corporal Punishment Bill, 2009 (draft).

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Legislative Environment

- “The National Commission for Human Rights Bill, 2012”
- The Bill provides for establishment of a National Human Rights Commission having unprecedented powers to deal with complaints of human rights violations.

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International Commitments

- United Nations’ Convention on the Rights of the Child (UNCRC), ratified in 1990.
- Optional Protocol to the UNCRC on Sale of Children, Child Prostitution & Child Pornography (ratified in June 2011).
- Optional Protocol on Involvement of Children in Armed Conflict (Signed).
- SAARC Convention on Preventing & Combating Trafficking in Women and Children for Prostitution, 2002.

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International Commitments

- SAARC Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia, 2002.
- South to South Cooperation on Child Rights 2010.
- South Asia Initiative to End Violence Against Children (SAIEVAC), 2010.

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Services

- National Child Protection centre has been established in Islamabad.
- 28 Centers (sweet homes) by Bait-ul-Mal (PBM).
- 159 centers for rehabilitation of children involved in child labor by PBM.
- Child Protection & Welfare Bureau, Punjab.
- 8 “NIGEBAN Centers”, in Punjab.

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Services

- Child Protection & Welfare Commission, KPK.
- Dar ul Atfal Sindh.
- Child Protection Cell, Gilgit-Baltistan.
- Child Protection Centre Turbat, Balochistan
- Child Protection Units AJ&K
- 13 Drop-in Centers/ Child Protection Centers (Govt +UNICEF)

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Services

- Core Group on Child Sexual Abuse and Exploitation
- Conducted KAP study on Child Protection Rights and Responsibilities, which is helpful in devising strategies to cope with child sexual abuse and exploitation in the country.
- Madadgar Helpline for Women & Children in collaboration with LHRLA.
- Child Rights Network
- Parliamentarians' CAUCUS on Children.

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Services

- SOS Children's Villages for proper care, upbringing and rehabilitation of children on long-term basis.
- SPARC, SAHIL, ROZAN (National)
- BUNYAD, SUDHAR (Punjab)
- LHRLA, Initiator, Azad Foundation (Sindh)
- Dost Foundation, Pakistan Pediatric Association (KPK)
- SEHAR (Balochistan)
- CEENA (Gilgat Baltistan)

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SAIEVAC

- Pakistan is a prime mover and pioneer of the South Asia Initiative to End Violence Against Children (SAIEVAC) cause in the region.
- The first SAF secretariat was established in Islamabad hosted by NCCWD.
- The NCCWD is actively coordinating the matters of violence against children with the national organizations working on child rights and also with the SAIEVAC secretariat.
- National secretariat has been setup in the Ministry of Human Rights

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Capacity Building

In order to build the capacity of the relevant stakeholders the Government has conducted various capacity building workshops.

- National Media Workshop on Combating Child Marriage and Corporal Punishment was September 2007.
- Training workshop on Minimum Quality Care Standards for care giving institutions in 2008.
- Core group consultation on Commercial Sexual Exploitation in 2008 at Islamabad
- Series of Media workshops on Child Rights and Child Protection 2008 - 2009.

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Capacity Building

- Launched UN study on Violence against Children, 2006.
- Capacity building and sensitization workshops NPA at districts & provincial level 2007 - 2010.
- Seminar on legal Requirements for Child Protection in Pakistan, 2009.
- Consultation for setting of Minimum Standards for the Children in institutional Care, 2007.

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Capacity Building

- Dissemination Seminar on analysis of enforcement Gaps in Child protection Laws, 2007.
- National Launch of Communication Campaign on Child Protection, 2008.
- Workshop on promotion of Birth Registration, 2010.
- National Conference on Child Rights as Human Rights (Post 18th Amendment Scenario), Islamabad, 2011.

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Capacity Building

- Workshop on Promotion of Birth Registration 27th July, 2010
- National Conference on Child Rights on 25th June, 2011, Islamabad.
- A training course on combating child trafficking during 2011
- Trainings on Child Rights & Child Protection organized by various CSOs in 2011.
- Training courses for Judiciary & law enforcement agencies in 2011.
- Trainings course on HRD & Child Labour organized by

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Some Actions

- Assisted re-partition of 1,000 children trafficked to UAE as camel jockeys and their social rehabilitation and integration with families and community development and empowerment
- Assisting to strengthen monitoring of child rights violation

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NPA for Children

- Pakistan has a comprehensive National Plan of Action (NPA) for Children approved by Federal Cabinet in 2006.
- The main strategic thrust of the NPA are: political commitment, raising awareness, capacity building, advocacy, networking, social mobilization.

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Children's Complaints Offices

- The UNICEF and the Wafaqi Mohtasib (Federal Ombudsman) of Pakistan jointly setup Children's Complaints Offices (CCO)
- The CCO has designated Investigation Officers for the handling of child related complaints at the following locations:
 - Peshawar (Khyber Pakhtunkwa)
 - Lahore (Punjab)
 - Quetta (Balochistan)
 - Karachi (Sindh)

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Children Parliament of Pakistan

- The first ever children parliament of its kind was launched on Friday 14th November, 2008 by Society for the Protection of the Rights of Child (SPARC) to raise awareness and promote child rights in the Pakistan.
- Theme behind the establishment of the parliament is to increase children participation in decision making.

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Way Forward

- Implementation of the recommendations
- Improving legislative environment
- Comprehensive child protection systems at all levels
- Resource allocation

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Shukria

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ANNEX 4h : Sri Lanka

Regional Follow-Up

Sri Lanka



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Overview

- 1. Background**
- 2. Current engagement in Child Protection**
- 3. Current challenges**
- 4. Way forward**

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Background

Sri Lanka is party to several key UN instruments on the rights of the child, including:

- Convention on Rights of the Child (12.07.1991)
- Optional Protocol on the Involvement of Children in Armed Conflict (08.09.2000)
- Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (22.09.2006)
- The ILO conventions, No.138 on the Minimum age Convention and No.182 on the Worst Forms of Child Labour
- Hague Convention on Inter-Country Adoption of Children in year 2000.

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- The Article 27(2) of the **constitution** has recognized the family as the basic unit of society and promotes with special care the interests of children & youth.
- The rights of children are further enshrined in **national legislation**, both in civil and criminal law of the Democratic Socialist Republic of Sri Lanka:


(Substantive law: Penal Code and subsequent amendments, ICCPR Act ; Procedural law: Children and Young Persons Ordinance)

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Current Engagement

Recommendation	Response
<p>1. Strengthen national and local commitment and action</p> 	<ul style="list-style-type: none"> • Separate Ministry for Child Development • Establishment of the National Child Protection Authority • Police Children & Womens' Desks • National CRC Monitoring Committee • Child Protection Committees at different levels (district, divisional, villages and schools) • Steering Committees on child labour • Citizen Committees set up in voluntary homes • The National Anti Human Trafficking Task Force was launched in October 2010 with a view to strengthening the coordination among the key government stake holders and NGOs & INGOs

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<p>2. Prohibit by law all violence against children</p> 	<ul style="list-style-type: none"> • Corporal Punishment as a sentence of Court prohibited by the Corporal Punishment (Abolishment) Act 2005 • Penal Provision in place to prohibit cruelty against children; steps being taken to examine the scope of the existing law to cover the spectrum of violence that could be committed against children in all settings • Circular issued by the Ministry of Education on the negative consequences of corporal punishment in schools • Amendments proposed to the CYPO – to remove the provision that permits corporal punishment • Instructions given to caregivers of institutions to which children get referred to on the harmful consequences of corporal punishment
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<p>3. Prioritize Prevention of Violence Against Children</p> 	<ul style="list-style-type: none"> •Public Awareness campaigns on harmful effects of Family Violence and Corporal Punishment •School Based Child Protection through Child Protection Committees •Community Based Child Protection mechanisms such as children's clubs and councils programs, model villages program ; alert groups, in addition to Child Protection Committees •Promoting Positive Discipline techniques •Promoting Adolescent Sexuality and Reproductive Health (ASRH) •Mine risk education/CP issues in disaster management •Community-based resource and drop-in centers such as Child Focus Group Centres run by NCPA
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<p>4. Promote non-violent values and awareness-raising</p> 	<ul style="list-style-type: none"> •Promoting parenting skills and physical, social and psychological development needs of children •Campaigns: “Stop Child Sex”; “Bring Back the Child” •Campaigns to end child labour •Pilot awareness raising activity on positive parenting – to test effectiveness of simple awareness raising techniques; campaign to be developed based on the findings • National and district-level pledge programs on Child Protection
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<p>5. Enhance the capacity of all who work with and for children</p> 	<p>•Child-friendly procedures and systems:</p> <ul style="list-style-type: none"> •First Children's Magistrate's Court piloted in Colombo; Pilot project to expedite High Court Trials of Child Victims of Abuse conducted in 2 provinces; Sensitization programs for the Judiciary on Child Protection Special needs of Children in contact with the law; Module on Child Protection developed for the Sri Lanka Judges Institute •Pilot study to examine the scope for making Community-based Correction options available to Juvenile Offenders •Training curriculum on Child Protection introduced at Police Training School institutionalised (Police Desks) •Development and rolling out of case management guidelines for children at risk •Capacity building for social workers (Diploma on child protection for Social Workers directly working for children in Northern & Eastern provinces)
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<p>6. Provide recovery and social reintegration services</p> 	<ul style="list-style-type: none"> •Identification of most vulnerable and marginalized children •Re-unification processes •Strengthening support services (counselors) • Providing livelihood and psychosocial support to children affected by the conflict in the North and East. • Providing educational materials/ monthly scholarship for Orphaned and Vulnerable children under kinship care.
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7. Ensure participation of children	<ul style="list-style-type: none"> •Establishing Children's clubs to provide space for children to interact and facilitate their aesthetic enjoyment •Initiatives taken in consulting children in policy planning and law amendment processes, particularly using Focus Group Discussions at national, district and village level •Systematic approach in involving children in all decisions affecting their well-being
8. Create accessible and child-friendly reporting systems and services	<ul style="list-style-type: none"> • 24-hour, free, confidential and accessible service provided by 1929 Child Helpline Sri Lanka (NCPA). • Child-friendly, walk-in support services at NCPA for victims of abuse. • Case management and monitoring of all cases of abuse by NCPA district officers and Probation officers •Child-friendly police stations islandwide

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9. Ensure accountability and end impunity	<p>Steering committee developed guidelines for the Police Officers, judiciary, Attorney General's Department and JMOs to expedite child abuse cases</p>
10. Address the gender dimension of violence against children	<p>Domestic Violence Act 34 of 2005 Penal code amendments Revisions to marriage laws 1995</p>
11. Develop and implement systematic national data collection and research	<p>National database on child victims of abuse to be developed and secured under NCPA. Integrated, secure network to be developed among CP actors to facilitate information sharing</p>
12. Strengthen international commitment	<p>Ratification of Treaties regarding the child rights Submission of periodic reports</p>

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Current Challenges

1 . Juvenile Justice: Care and Protection of Children in Contact with the Law

- ✓ Laws focused on prosecution rather than a guarantee and provision of services for victims of abuse, rehabilitation, psychological and physical well-being.
- ✓ Victims of abuse and petty offenders are treated in the same manner in the process and are kept together, with institutionalization as a frequent result

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Current Challenges

2 . Care and Protection of Children in Alternative and Institutional Care

- ✓ Many institutions defined as orphanages, but the percentage of orphans is very small. Poverty and dysfunctional families and other social problems are seen to be endemic factors in institutionalization.
- ✓ Available resources not adequate to establish and maintain child friendly institutions. The capacity of staff is very limited due to non availability of recurrent and comprehensive trainings and education.
- ✓ Duplication of assessing and monitoring by the central government and provincial governments

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Current Challenges

3 . Children within the family and community

- ✓ **Early marriages** still occur in some communities and socio-economic groups. Early marriage is to be seen also in the context of teenage sexuality and connected to rise in pregnancies among girls under 18 years.
- ✓ Increasing trend in **domestic violence** due to social acceptance. Under-reported because it involves close family members or persons well known to the child, it is seen as a private family affair, and because some practices, such as corporal punishment and name calling, are seen as conventional rather than forms of abuse.
- ✓ **Sexual abuse** increasing forms of abuse. Sexual abuse generally under-reported due to fear and stigma.

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Way Forward

- **Juvenile Justice** - new child protection bill to be enacted into law & a comprehensive plan for implementation to be developed and actioned
- **Institutional care** - use the 2007 baseline to assess current status of voluntary homes - prioritize strengthening community-based child protection networks; model law to replace Orphanages Ordinance
- **Violence, abuse neglect and exploitation** - different models of prevention in place but these must be reviewed to select the most effective for scaling down corporal punishment - sample study to test the effectiveness of awareness raising on positive parenting completed - law to be reviewed;

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Way Forward

- Concluding points – structures and services for policy, monitoring and implementation to be reviewed to clarify roles and build a consensus; more effective approaches for resource mobilization – child/family/community/ social work capacity/institutional capacity

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Building a
world
without
violence for
children.

Thank you.



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