



REPORT ON THE EAST ASIA AND PACIFIC  
REGIONAL CONSULTATION ON

# **VIOLENCE AGAINST CHILDREN**



Bangkok,  
June 14 to 16, 2005



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Design: Scand-Media Corp., Ltd.  
Printed in Thailand

ISBN: 974-685-065-2

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REGIONAL CONSULTATION ON  
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**Contribution Document for the United Nations  
Secretary General's Study on Violence against Children**

# Acknowledgments

This report was made possible with the support of UNICEF's Regional Office for East Asia and the Pacific and additional funding from the Royal Government of the Netherlands.

The Regional Consultation on Violence Against Children in East Asia and the Pacific was organised by the Regional Steering Committee on the UN Study on Violence against Children, which is made up of Child Workers in Asia, ECPAT International UNESCO, UNOHCHR, Plan International, Save the Children Alliance, Terres des Hommes Germany, UNICEF, and World Vision International.



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# Executive Summary

The East Asia and Pacific Regional Consultation on Violence against Children, held in Bangkok from June 14 to 16 in 2005, generated widespread agreement on the need to renew commitments to: the Convention on the Rights of the Child; ending all forms of corporal punishment and sustaining and bolstering momentum towards non-violent, peaceful solutions, with a particular focus on children. Bringing together children and young people, experts and practitioners, and representatives from national governments, UN agencies and non-governmental organizations, the East Asia and Pacific Regional Consultation managed to address and clarify complex problems, while also developing relevant and timely recommendations that deserve and require the continued attention of decision makers, service providers and advocates.

## Introduction

In 2001 the United Nations General Assembly adopted Resolution 56/138, which mandated the United Nations Secretary General to conduct a global study on violence against children. Independent Expert, Professor Paulo Pinheiro was appointed to oversee the Study with direct support provided by the Office of the High Commissioner for Human Rights, the World Health Organization and the United Nations Children's Fund.

UNICEF was charged with organizing and facilitating nine regional consultations on violence against children, the results of which would be fed directly to the Study Secretariat in Geneva. This report is based on the discussions held and recommendations made by the East Asia and Pacific Regional Consultation on Violence against Children.

### *Processes leading to the Regional Consultation*

To facilitate preparations for the Regional Consultation a Regional Steering Committee comprised of representatives from 12 regional organizations was established in October 2003. The principal functions of this steering committee were to facilitate the sharing of information relevant to the Study and to the Regional Consultation; to advocate for and support national level activities in support of the Study; to ensure the meaningful and ethical participation of children; to assist in the compilation and assessment of regional data as they relate to violence against children; and to input into other major regional child rights events.

Overall, the Regional Steering Committee ensured that the Regional Consultation and other inputs to the United Nations Study were timely and accorded with international best practices. In particular, the Steering Committee was committed to the broad involvement of civil society and to ensuring that children and young people were fully engaged in all Study processes.

### *Children's participation at the Regional Consultation*

The right of children to participate in the Regional Consultation and the United Nations Study was recognized from the start. To facilitate meaningful and ethical child participation the Regional Steering Committee established a sub-committee to oversee processes relating to children's participation. This sub-committee engaged a consultant who, based on an analysis of past experiences, developed a set of Minimum Standards to establish base-line expectations on how adults should conduct themselves in consultations with children.

A set of protocol documents was developed to implement the 27 statements comprising the Minimum Standards. These documents included: a step-by-step guide to logistical issues faced when facilitating children's participation; selection guidelines for delegates under 18-years-old and their guardians; and media guidelines and briefing information.

The key to the success of children's participation at the Regional Consultation was effective integration of preparatory processes at both national and regional levels. Ultimately the comprehensive and systematic approach adopted on children's participation ensured that all under-18 delegates were treated with respect and as equals, and that their views were incorporated into recommendations made.

## **The Consultation**

### **Opening addresses and keynote speeches**

Eminent speakers opening the regional Study included the Governor of Bangkok, Mr. Apirak Kosayodhin, UNICEF East Asia and Pacific Regional Director, Ms. Anupama Rao Singh, Chairperson of the UN Committee on the Rights of the Child, Mr. Jaap Doek, and Independent Expert for the United Nations Study, Professor Paulo Pinheiro. All of these speakers recognized the urgency of dealing with violence against children in the East Asia and Pacific Region, the widespread and destructive nature of the problem and the pressing need for governments, United Nations agencies, non-government organizations and communities to do more to stop violence against children.

Under-18 delegates also reported key recommendations arising from plenary sessions held at the Children's Forum. These recommendations included: the need to build international unity; to ensure the inclusion of recommendations made by children; for young people and adults to become partners in understanding violence in society; and to cooperate and work together for peace.

The UNICEF East Asia and Pacific Regional Advisor for Child Protection, Ms. Sawon Hong, presented to plenary a Regional Overview of Violence against Children in the East Asia and Pacific region emphasizing the huge scope of the problem and also how it is often linked to deeply-embedded patriarchal and hierarchal traditions of the region. Ms. Hong described progress already made and outlined some of the remaining challenges.

A panel discussion on topics related to corporal punishment, child rearing for peace and violence in the home and the family was also convened during the opening session. Presentations made by regional experts preceding this panel discussion prompted lively discussions and, it was felt by participants, raised standards in regard to the ways in which these issues are understood.

### **Working group sessions**

The Study secretariat determined that the Study and the Regional Consultations should focus on six particular settings where violence against children occurs. These settings were: in the home and family; in the school and other educational settings; in institutions; in work situations; in the community and on the street; and in conflict with the law. In addition, and on the recommendation of the Regional Steering Committee, a seventh setting where violence against children occurs was determined. This seventh setting was violence against children in the cyberspace/online environment.

Each of these seven settings formed the basis for discussions held and for the

recommendations made by working groups convened at the East Asia and Pacific Regional Consultation.

The way these working groups, which included under-18 delegates, operated was key to the integrity of the recommendations developed, and ensured that each of these seven settings where violence against children occurs was considered in detail. Each of the working groups was led by regional experts and facilitated to ensure that recommendations and discussions were firmly grounded in an East Asia and Pacific regional context. Following detailed consideration of manifestations and causes, each of the working groups developed clear recommendations on how to address the problems of violence against children in each of the seven settings. These recommendations do not lend themselves to summary and as such the reader is urged to consult the body of this report for full details.

### **Conclusions and emerging issues**

From the reports of the working groups it became clear that while there are issues of violence against children relating specifically to each of the seven settings considered, there were also many commonalities to how violence against children manifests as well as to the causes of this violence. For example, while all children are at risk of violence, some children are particularly vulnerable. Children particularly at risk include: girl children; children who experience violence in other contexts; children with difficult home environments; out of school children; children in emergencies or conflict situations; children from ethnic minorities; children with special needs; and children who lack advocates, family or friends.

Similarly, there was overlap in relation to the causes of violence against children in each of the seven settings. Some of the common causes identified by the working groups included: lack of awareness or indifference to child rights; economic and social disparities; criminality and the widespread exploitation of children; media trivialization of violence and the propagation of exploitative and degrading images on the internet; the rising demand for sexual services performed by children; the inadequate capacity of caregivers, including parents; harmful traditional practices and hierarchical structures that perpetuate the subordinate status of children and women; and the relative impunity of many adult perpetrators of violence against children.

The working groups also identified many common deficiencies in the East Asia and Pacific region relating to gaps in policies and procedures aimed at stemming the incidence and effects of violence against children. Some of these deficiencies include: the failure of governments in the region to implement the Convention on the Right of the Child; the failure to develop and implement appropriate laws that comply with the Convention on the Right of the Child; the lack of community awareness in regard to means of redress; inadequate government support for families, civil society and communities; the failure of governments in the region to adequately prioritize violence against children and to link this problem with broader social development strategies; and the lack of support for child protection networks.

Reports from the working group sessions and other important inputs to the East Asia and Pacific Regional Consultation also identified a number of critical issues requiring further consideration by the Study. Some of these issues include:

- The alarming extent of the scope of violence against children in the East Asia and Pacific region and the need to broaden understanding of the problems and to break the silence.

- The need to understand the fundamental link between violence against children, relative adult impunity and the power relations in society.
- The need to pay greater attention to issues of child vulnerability.
- The urgent need to ban all forms of corporal punishment, including in the home.
- The obligation of governments in the region to implement the Convention on the Right of the Child.
- The importance of positive and non-violent cultural practices, which can inform progressive actions by governments, agencies, civil society and communities.
- The need to further consider the role of the media and digital technologies and to look at ways media can play a positive and peaceful role in the lives of children and young people.
- The importance of recognizing, articulating and exploiting the links between violence against children and human rights as well as the broader regional development agenda.

Participants, including under-18 delegates, ultimately recognized the Regional Consultation had created a momentum for change and a window of opportunity. In their closing addresses eminent speakers all pointed to the need for participants to take the inspiration they felt along with what they had learned and the recommendations of the Consultation back to their communities and governments. It was emphasized that the Study was not the only, or even the primary, objective and that it is critically important to start processes of legal and social reform at every level and as soon as possible. It was noted that ultimately it is up to each and every one of us to stop violence against children.

### **Consultation Statement and summary recommendations**

Prior to the Consultation it was decided by the Regional Steering Committee that a 'Consultation Statement' and a set of key recommendations would be presented to Plenary. To this end a Drafting Committee was convened to prepare a statement and each of the seven working groups were asked to provide to the Consultation secretariat a list of their key recommendations. The Consultation Statement and the summary recommendations are presented in Chapter Six. It should be pointed out that the Consultation Statement and the recommendations are an essential component of the Report, and also an essential addendum to this Executive Summary.



# Background

Following a recommendation by the United Nations Committee for the Rights of the Child, the United Nations General Assembly in 2001 adopted Resolution 56/138 which mandated the United Nations Secretary General to conduct a global study on violence against children. Specifically, the recommendation made by the Committee on the Rights of the Child called for an international study leading to:

*“...the development of strategies aimed effectively at preventing and combating all forms of violence against children and the outlining of steps to be taken at the international level and by states to provide effective prevention, protection, intervention, treatment, recovery and reintegration”.*

Subsequent to the adoption of Resolution 56/138 the United Nations Secretary General appointed the Independent Expert, Professor Paulo Sergio Pinheiro to lead the study with direct support to be provided by the Office of the High Commissioner for Human Rights (OHCHR), the United Nations Children’s Fund (UNICEF) and the World Health Organization (WHO). The Study will also rely on the broad participation of a range of other United Nations organisations and non-governmental and civil society organizations, including national human rights institutions. The active involvement of children and young people is a key feature of the Study process.



Another key element of the Study is Regional Consultations. In this context UNICEF was mandated to organise and facilitate nine regional consultations on violence against children, the recommendations of which would be channelled directly back to the Study Secretariat in Geneva.



In the latter part of 2003 UNICEF and Save the Children established a Regional Steering Committee to coordinate and support the East Asia and Pacific contribution to the Study, and to guide preparations for the East Asia and Pacific Regional Consultation on Violence against Children held in June 2005. In addition, the Regional Steering Committee was responsible for ensuring the meaningful and ethical participation of children and young people in the Regional Consultation and related processes.<sup>1</sup>

This Report on the East Asia and Pacific Regional Consultation on Violence against Children has two principal objectives. The first objective is to provide an accurate record of discussions held and recommendations made over the three days from June 14 to June 16. The second is to provide a fully annexed contribution to the Secretary General’s Study on Violence against Children.

<sup>1</sup>The processes initiated to ensure the meaningful and ethical participation of children and young people are described in detail in section 3 of this report.



This Report is structured in a way which reflects the flow of proceedings at the Consultation, with an independent concluding section presenting an analysis of the key findings of the Consultation along with the contexts in which they were developed. Major presentations and addresses have been summarised as have been the key issues raised in plenary.

The East Asia and Pacific Regional Consultation on Violence against Children was organised in such a way as to ensure findings would represent a regional contribution to the Study. While some of the findings of the Consultation will undoubtedly mirror the findings of other Regional Consultations, determining commonalities and patterns in the manifestations and causes of, as well as the solutions to, violence against children will be an important part of the study process both at the regional and global levels. This report contains findings on violence against children in the East Asia and Pacific region that are generic and specific, both of which will hopefully serve to add emphasis to issues that have already emerged and to issues that will require greater future attention.

### **A note on annexes**

This report represents a summary and analysis of discussions held and recommendations made at the East Asia and Pacific Regional Consultation on Violence against Children, but cannot claim to be a fully comprehensive record of all that occurred at the Consultation. Therefore, for the reader who is interested in the specific details of presentations and addresses as well as the discussions held and recommendations made, a comprehensive set of annexes is attached to this report. This set of annexes contains a wealth of ideas and recommendations and includes: opening and keynote addresses; keynote presentations; a regional overview of the situation of violence against children in the East Asia and Pacific; panel presentations and a transcript of discussions in plenary; recommendations by Under-18 Delegates; and closing remarks made in plenary. Please note that presentations made to the working groups, presentations made by the working groups to the plenary on their combined recommendations and rapporteurs notes have not been included as annexes to this report as the content of these documents is either reflected in other annexes or adequately presented in the body of the report.

# Processes Leading to the Regional Consultation

# 2

A first ad-hoc meeting of the Regional Steering Committee was convened on October 10, 2003, during which the preliminary findings of a review of secondary data on violence against children, commissioned by UNICEF East Asia and Pacific Regional Office, were presented. Subsequent to this initial meeting the Regional Steering Committee was formed comprising several regional and international experts and representatives from 12 regional organisations.<sup>2</sup>

## Preparations at the regional level

Since the inaugural meeting of the Regional Steering Committee in 2003 there have been 17 preparatory meetings to discuss regional contributions to the Study and preparations for the Regional Consultation on Violence against Children, held in Bangkok from June 14 to 16, 2005. The specific functions of the Regional Steering Committee were set out in a Concept Paper developed on East Asia and Pacific contribution to the Study and the planned Regional Consultation. These functions were:

- In the context of the Study, facilitate the sharing of information between the Geneva Secretariat, member agencies, governments, NGOs, and young people.
- Mobilize funds to support the regional process for the UN Study.
- Advocate for, support and monitor national level activities relating to the UN Study, especially relating to the Questionnaire and the Regional Consultation.
- Ensure meaningful and ethical participation of children in the regional process including at the regional consultation, national processes and preparatory activities.
- Organize the Regional Consultation and preparatory meetings.
- Assist in the compilation and

assessment of regional data and inputs for the Study.

- Enhance the network of agencies and organizations in the East Asia and Pacific region working to combat violence against children.
- Input into major child's rights regional events on Violence against Children issues; such as the Commercial Sexual Exploitation Mid-Term Review (November 2004) and the East Asia and Pacific Ministerial Consultation on Children (March 2005).

With support from UNICEF's East Asia and Pacific Regional Office the Regional Steering Committee also convened a side event on the Study and related processes at the 7th Ministerial Consultation on Children which was held in Siem Reap, Cambodia in March 2005. This side event made a substantial contribution towards mobilising support among government agencies around issues of violence against children, the Study and the June 2005 Consultation on Violence against Children.

Ultimately, the regional Steering Committee functioned as an effective mechanism for networking and information sharing. From its inception, members shared regular updates on their organisations respective contributions to the study as well as resource and reference documents, including those produced on specific thematic areas. Documents produced by the Steering Committee such as its own Terms of Reference and the Regional Consultation Concept Paper, were shared with constituencies and counterparts in other regions, as well as with the UN Study Secretariat and the Independent Expert. To facilitate the mobilisation of human and financial resources there was also a regular flow of information to the national offices of the organisations represented on the Steering Committee.

<sup>2</sup> These regional organisations are UNICEF East Asia and Pacific, Save the Children, Plan International, World Vision International, WHO, OHCHR, Terre des Hommes Germany, Ant-Slavery International, ILO-IPEC, Child Workers in Asia, ECPAT and the UNESCO.

## Preparations at the national level



As mentioned above, UNICEF, Save the Children and other Steering Committee members channelled information about processes relating to the organisation of the regional consultation and the Study to the country level. In addition, recommendations on national activities that could be conducted in support of the Study were provided to country level partners by Save the Children, the NGO Advisory Panel, the Independent Expert, and the UN Study Secretariat.



In some countries, such as Cambodia, Philippines, Thailand and Viet Nam, national steering committees were also established to support the Study. National steering committees were in part established through the efforts of the members of the Regional Steering Committee many of whom frequently work at the national level.



Many productive activities were supported by the national steering committees. For example, in Viet Nam UNICEF Viet Nam and Save the Children Sweden supported the Government to prepare its response to the Independent Expert's Questionnaire. In Mongolia, Save the Children UK and UNICEF Mongolia developed joint plans to address violence against children in the medium and long term, while in Hong Kong the Save the Children UK China Programme, Save the Children Hong Kong and the Hong Kong Committee on Children's Rights formed a task group to jointly address the physical and emotional punishment of children.

In Cambodia World Vision, UNICEF and Tear Fund facilitated a national consultation with children through the Child Welfare Committee. This was a significant exercise in stimulating the Government's involvement in the study. World Vision also supported Government engagement and a children's consultative process in Mongolia and the Philippines.

# Children's Participation at the Regional Consultation

## Preparing for children's participation at the Regional Consultation

The United Nations Secretary General's Study on Violence against Children and the Independent Expert Professor Paolo Pinheiro recognised the right of children to participate in Study processes, and to be consulted on issues relating to violence against children. The meaningful participation of children is a key objective of the Study.

Each region developed its own approach towards strengthening the involvement of children in work around the Study. As mentioned in the previous section of this report a Regional Steering Committee was established in the EAP region to promote and coordinate regional inputs to the Study and to organise the Regional Consultation on Violence against Children. Since the Regional Steering Committees inaugural meeting in October 2003, members of the Committee have placed a high priority on children's participation, and to this effect a sub-committee was established to oversee processes around children's participation. This sub-committee was comprised of representatives from Child Workers in Asia, ECPAT International, Plan International, Save the Children, Terre des Hommes, the UNICEF East Asia Pacific Regional Office, World Vision, Elizabeth Protacio de Castro member of the NGO Advisory Panel on UN Study on Violence against Children and Judith Ennew as independent expert. The sub-committee was dedicated to ensuring that children's participation at the Regional Consultation would become a reality and to this end hired a consultant to develop a set of Minimum Standards for Children's Participation.

## The development of Minimum Standards

The Minimum Standards for Children's

Participation were approved by the East Asia Pacific Regional Steering Committee in December 2005. The Minimum Standards consisted of 27 statements describing the minimum expectations of how adults should behave and operate in consultations with children. Based on analysis from previous experiences it was felt that the time was right to produce standards rather than guidelines. These standards therefore became a statement on the level of practice acceptable to the Regional Steering Committee that would ensure meaningful children's participation.

The Steering Committee also agreed that the Minimum Standards should contribute towards the institutionalization of children's participation in the region; that is to work towards the establishment of permanent and sustainable mechanisms at the regional, national and local levels for the participation of children in discussions and debates about issues which concern them.

## The development of Protocol documents

A set of Protocols was developed to ensure appropriate procedures in implementing the Minimum Standards. These Protocols consist of a set of 17 documents, including: a step by step guide to logistical issues faced when facilitating children's participation; selection guidelines for Under-18 Delegates and their adult Guardians; consent forms for Under-18 Delegates, their parents and their adult Guardians; a child protection policy; as well as media guidelines and briefing information.

While developing these working tools for the implementation of the Minimum Standards a number of key issues were raised. In particular, the need for appropriate and non-discriminatory selection processes for Under-18 Delegates in order to ensure

that as diverse a group of children as possible is able to exercise their right to participate. By insisting on English speakers in previous consultations organisers effectively prevented the participation of the majority of children in non-English speaking countries, a group which often consists of children who suffer discrimination and are otherwise excluded (e.g. girls, working children, children with disabilities, children from rural communities and children from ethnic minorities). It was therefore decided that Under-18 Delegates would not be required to speak English for the East Asia Pacific Regional Consultation.

A thorough and appropriate briefing for selected children was highlighted as another crucial element to ensure meaningful participation. All of the Under-18 Delegates selected for the Regional Consultation had not participated in an international meeting before. Therefore, in order for Under-18 Delegates to be able to participate effectively, and on an equal level with adults, the structure and processes to be expected at an international meeting had to be fully explained.

It was also considered important that Under-18 Delegates fully understood their rights and responsibilities and to this end a briefing booklet, written in children friendly language, was produced to help children gain an understanding of what to expect at the Regional Consultation. Briefing meetings between Under-18 Delegates, their Guardians and the other adult delegates (government and non-government representatives) were actively encouraged and convened on a regular basis.

### **The preparatory process at national level**

As preparations for the Regional Consultation advanced it became clear the responsibility for the majority of the preparatory work (for example, selecting children and their adult Guardians, briefing

children and organizing visas and flights etc.) would fall to national partners. However, as the East Asia Pacific Regional Consultation was a collaborative event there were no obvious partners at the national level and as such there was a need to identify for each country in the region an organisation that would take responsibility for facilitating children's participation. These national partners were ascribed as the National Focal Agencies on Children's Participation and in general were drawn from national organisations already working on issues of violence against children. The National Focal Agencies were crucial to the successful implementation of the Minimum Standards, and with the support of the Regional Steering Committee they ensured that the Minimum Standards were adhered to.

In April 2005, a meeting of National Focal Agencies from twelve countries in the region took place in Bangkok and a commitment was made to contribute to the overall processes of involving children in the Regional Consultation. This meeting also helped galvanise support at the national level for children's participation at the Regional Consultation and National Focal Agencies committed themselves to undertake concrete steps to facilitate the participation of two children from their country. Between April and June of 2005 National Focal Agencies organised the selection of two Under-18 Delegates and one Guardian and started to prepare them for their participation at the Regional Consultation. Ten of the twelve countries held national consultations on violence against children, with children being active participants in most of these consultations.

### **The preparatory process at regional level**

Preparations for children's participation at the Regional Consultation were coordinated by an external consultant and included the recruitment of a number of other support staff, including: a Child Protection Focal Person, who developed

various child protection procedures such as risk assessments and briefing materials; a Child Participation Coordinator who organised all the logistics arrangements for the Under-18 Delegates; and 16 translators who were trained on participatory translation methods. A team of 14 facilitators were also identified and briefed.

### **The Children's Forum**

Prior to the Regional Consultation a two day Children's Forum was held to further prepare Under-18 Delegates. The Forum focused on developing a regional perspective of children's views on the issue by building on the experience and knowledge Under-18 Delegates had already acquired relating to violence against children at the country level.

Under-18 Delegates agreed on priority areas and recommendations relating to violence against children and participated, according to their own experience, in working groups convened for the seven settings where violence against children occurs. Under-18 Delegates actively participated in these working groups and along with other participants identified priorities and recommendations for each of the settings.<sup>3</sup>

Several different tasks for Under-18 Delegates at the Regional Consultation were also identified, including the preparation of a key note presentation for the first day of the Consultation, working as part of the media team, and participating in the drafting committee for the development of the Consultation Statement. Under-18 Delegates were given the option of deciding amongst themselves which delegates would be responsible for which activity.

Once the Under-18 Delegates had decided on the different tasks and who should complete them they focused on preparing themselves for these activities. For example, the team of Under-18 Delegates undertaking media work received training from media professionals. During this

training Under-18 Delegates developed their own media profile and prepared themselves for the potentially negative impacts of undertaking media interviews by conducting a risk assessment of their media messages, and by participating in a mock television interview.

### **The Regional Consultation**

All Under-18 Delegates participated as full delegates at the Regional Consultation and had clear tasks and roles to perform. Consequently they were able to participate with minimal support from adults. A team of staff to cover child protection issues, logistics arrangements and facilitation was in place to address the needs of Under-18 Delegates, but did not in any way interfere with the substantive discussions which took place at the Regional Consultation. At the beginning of each day of the Consultation a short warm up session was held for Under-18 Delegates and at the end of each day a longer debriefing was held. Daily meetings with Guardians were also held during the Children's Forum and the Regional Consultation.

### **Evaluation of children's participation at the Regional Consultation**

A system for monitoring and evaluating the implementation of the Minimum Standards and Protocols was developed and piloted during the Regional Consultation. This system tested the appropriateness and effectiveness of the Minimum Standards in facilitating meaningful children's participation. All key stakeholders (Under-18 Delegates, National Focal Agencies, Guardians, the Regional Steering Committee and consultation staff) were asked to evaluate their role and the participatory practices in place at the Consultation. Now that the Regional Consultation has concluded, the Regional Steering Committee will produce a revised version of the Minimum Standards and Protocols which will be submitted to the Study Secretariat as part of the contribution from the East Asia Pacific Region.

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<sup>3</sup> See section 4.3.1 of this report for an explanation of how the working groups were operationalized at the Regional Consultation.

# 4

## The Consultation

### Opening Session<sup>4</sup>

#### **Mr. Apirak Kosayodhin, Governor of Bangkok**

The East Asia and Pacific Regional Consultation on Violence against Children was opened by the Governor of Bangkok, Mr. Apirak Kosayodhin, who welcomed participants to Bangkok and emphasised the importance of both the Regional Consultation and the Global Study on Violence against Children.



Notably, the Governor pointed out that early and forced marriages, emotional ill treatment, interpersonal violence and corporal punishment carried out in the name of discipline are unacceptable and can no longer remain sheltered by silence or ignorance. The Governor mentioned, as a positive example of what the Bangkok

Metropolitan Administration is doing to address violence against children, the launching of a programme called 'Friends of the Community' through which people can report harmful actions and misconducts in their community.

The Governor concluded by noting that the Regional Consultation provides all participants with the opportunity to expand and create dynamic and effective networks and partnerships at the international, regional and local level to end the serious problem of violence against children.

#### **Ms. Anupama Rao Singh, Regional Director, UNICEF East Asia and Pacific Regional Office**

Ms. Rao Singh thanked the many experts from government, child protection practitioners and Under-18 Delegates for their participation at the Regional Consultation. Ms. Rao Singh noted that violence against children is a global problem and one of the most serious problems affecting children today. She said that, sadly, violence is part of the cultural and societal norms that make up many children's environment. The Regional Director also noted that problems of violence against children are in many ways hidden and denied.

Ms. Rao Singh also pointed out that violence against children compromises other development objectives, including the Millennium Development Goals. Ms. Rao Singh emphasised that investments in children are a public good that benefits all members of society and that just as we prioritize children's health and education we must also ensure children are allowed to develop in an environment free of violence.

**Paulo Pinheiro, Independent Expert for the United Nations Secretary General’s Study on Violence against Children**

Mr. Pinheiro noted that the East Asia and Pacific (EAP) Regional Consultation was the sixth regional consultation to be held and thanked the Government of Thailand for being kind enough to host the Consultation. Reiterating the comments of speakers before him, Mr. Pinheiro also noted the widespread and destructive nature of violence against children globally. Mr. Pinheiro cited examples of progress made in the EAP region, including the signing of inter-governmental memorandum’s of understanding on cross-border trafficking. However, Mr. Pinheiro also said that some governments in the region seem reluctant to confront issues of violence against children.

Mr. Pinheiro made the important distinction that children are not mini human beings with mini human rights but human beings with human rights and that as long as adults continue to regard children as mini human beings, violence against children will continue.

Mr. Pinheiro emphasised that the preparation of a truly global picture of violence against children, which seeks to propose effective and clear recommendations, will require the support and active participation of a vast number of networks, including those working in the field directly with children, and children themselves. Mr. Pinheiro added that to follow up on the recommendations made by the Study it will be essential to establish strong links between these networks and key actors for change.

**Mr. Jaap Doek, Chairperson, Committee for the Convention on the Rights of the Child**

Mr. Doek emphasised that the purpose of the Study is to better understand the problem of violence against children and to develop in the Study a ‘tool’ for action.



Mr. Doek noted that the Committee for the Convention of the Rights of the Child has found the practice of corporal punishment widespread in the East Asia and Pacific Region and that it is difficult to prohibit and eradicate. In this regard Mr. Doek emphasised that participants can provide insight into what works best and what does not work.

Mr. Doek said the Study and processes leading up to the Study, including the Regional Consultation, represents the beginning of an exercise that is not an end in itself. Mr. Doek added the challenge ahead would be to create a momentum which could be maintained beyond the adoption of the Study by the General Assembly.

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<sup>4</sup> The opening address by Mr. Apirak Kosayodhin, Governor of Bangkok and opening remarks made by Ms. Anupama Rao Singh, Regional Director, UNICEF East Asia and Pacific Regional Office, Mr. Paulo Pinheiro, Independent Expert for the United Nations Secretary General Study on Violence against Children and Mr. Jaap Doek, Chairperson for the Committee on the Rights of the Child can be found as annexes I, II, III and IV respectively.

## Keynote Addresses

### Presentation by Under-18 Delegates<sup>5</sup>

Under-18 Delegates reported to the plenary on recommendations emanating from the Children's Forum on the importance of child participation, on what happened at the Children's Forum and on the issues that participants at the Children's Forum had delineated as central to the seven settings where violence against children occurs. The Under-18 Delegates outlined their vision for the Regional Consultation as being:

- To build international unity to fight violence against children.
- To see the recommendations of young people included among solutions to eliminate violence against children.
- For young people and adults to become partners in understanding violence.
- To cooperate and work together in peace with adults.



The Under-18 Delegates also outlined their vision for the future:

*“To see young people expressing their views and concerns on issues that affect them and for governments in all the countries of the East Asia and Pacific to prioritise the issue of violence against children; giving appropriate funding and resources to immediately respond to violence where it happens and to implement laws that prevent violence against children”*

### **Mr. Vitit Muntabhorn, Faculty of Law, Chulalongkorn University, Former United Nations Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography**

#### ***“Violence against Children in East Asia and the Pacific”<sup>6</sup>***

Mr. Vitit Muntabhorn offered to the plenary a very personal account of violence against children and recalled a number of stories from his past to make certain points about the very psychological nature of violence. Mr. Muntabhorn recalled his own experiences as a victim of schoolyard bullying, as a child rights educator and as a lawyer.

<sup>5</sup> This presentation is available in full as annex VI.

<sup>6</sup> A full transcript of the address delivered by Mr. Vitit Muntabhorn is available as annex VII.

Mr. Muntabhorn said many teachers he has had discussions with object to the outlawing of corporal punishment and in subsequent child rights sessions that he has been involved in the emphasis was shifted towards asking teachers about alternatives to corporal punishment. In response, teachers mentioned alternative methods such as tree planting, meditation and other ways of communicating both emotionally and psychologically. Mr. Muntabhorn also noted that rather than just saying violence is wrong we have to document examples of non-violent options for discipline. In the context of corporal punishment Mr. Muntabhorn also argued that we have to look for change within communities which can be facilitated by school committee's and other community groups. Mr. Muntabhorn argued that, in the context of community actions, we need to identify local solutions and document cases where traditional non-violent child rearing practices prevail.



In terms of regional innovations, Mr. Muntabhorn said the East Asia and Pacific had benefited from the establishment of inter-disciplinary teams to tackle violence against children. Lawyers, police, psychologists and social workers are now in many countries working together to mitigate violence against children. However, Mr. Muntabhorn also stressed the importance of ensuring that the people involved in these teams are truly empathetic. Expanding the capabilities for the members of such teams is imperative.

While violence against children is often invisible, Mr. Muntabhorn argued that it is highly visible within us and that we need to understand that violence is psychological and about power relations. We are all affected by violence in some ways either as perpetrators or victims or both.

Mr. Muntabhorn outlined some key issues that he perceives as critical to ending violence against children. These include:

- Making sure appropriate legislation, in line with the Convention on the Rights of the Child, is in place and fully implemented.
- Socialisation for child rights, particularly for the army, police and others involved with children and law enforcement.
- Increased resource allocation to improve service delivery, and increased utilisation of social and community resources.
- Capacity building for teachers and other educators on non-violent disciplinary methods and the Convention of the Rights of the child.
- Improved partnerships between communities, faith based organisations, children, and the private sector, including the media and government agencies involved with child protection.

## Regional Overview Presentation<sup>7</sup>

### Ms. Sawon Hong, Regional Advisor for Child Protection, UNICEF East Asia and Pacific Regional Office



Ms. Hong presented to the plenary an overview of violence against children in East Asia and the Pacific. Ms. Hong said violence against children is many faceted and a violation of the Convention of the Rights of the Child. The presentation went on to describe the diversity of the East Asia and Pacific region and noted the vast majority of violence against children is unreported. The remainder of the presentation was divided into four parts: manifestations; causes; signs of progress and challenges ahead.

**Manifestations:** Ms. Hong noted that physical and psychological violence against children is present in all settings and that corporal punishment, while illegal in schools in some countries in the region, remains widely practiced. Ms. Hong also pointed out that most violence against children is perpetrated by those who are responsible for the care and protection of children and that violence against children perpetrated by other children is a major problem. Ms. Hong also argued that marginalised children such as children from ethnic minorities are often more prone to violence at the hands of state actors.

**Causes:** Deeply embedded patriarchal and hierarchal traditions play a large part in sustaining the cycle of violence against children and social and economic inequalities exacerbate the social conditions where violence occurs.

Ms. Hong said many governments in the region have inadequate child protection measures in place and that there needs to be an increased commitment towards creating and enforcing a legislative environment that complies with the Convention on the Rights of the Child.

**Progress:** Ms. Hong noted that in the East Asia and Pacific region there is an increased openness and willingness to engage in dialogue about violence against children; that some countries have made progress in developing comprehensive child protection laws; that data collection systems have in some cases improved; and that cooperation among civil society, inter-governmental agencies and national governments has increased. Ms. Hong added that the participation of children has increased in discussions about violence and in the development of policies.

**Challenges:** In conclusion Ms. Hong outlined a number of challenges that remain. These include the need to: strengthen legal mechanisms; improve protection services; improve reporting and data collection; address the vulnerability of marginalised children; and encourage greater participation and partnership.

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<sup>7</sup> The full text of the Regional Overview Presentation is available as annex VIII.

## Panel Discussion and Plenary - Highlights<sup>8</sup>

Ms. Natsu Nogami from Save the Children Sweden, Ms. Judith Ennew from the Centre for Family Research, University of Cambridge and Ms. Edwina Kotoisuva from the Fiji Crisis Centre for Women all made presentations to the plenary on topics related to domestic violence, corporal punishment and child rearing practices. These presentations were followed by a plenary discussion, the highlights of which are summarised below.

### **Ms. Natsu Nogami, Save the Children Sweden,**

#### ***“Corporal punishment of children; Review of laws, attitudes and practices in East Asia and Pacific”***

Ms. Nogami presented the findings of a rights-based desk review of laws on, attitudes to, and practices in the discipline and punishment of children in the East Asia and Pacific Region. The review was commissioned by Save the Children Sweden in order to contribute to knowledge about corporal punishment in the region and to understanding the issue so plans can be made to address and eliminate corporal punishment, as well as being a contribution to the UN Secretary General’s Global Study on Violence against Children.

Ms. Nogami said the review leads to the realization that corporal punishment is widespread and a main form of violence against children which is legally sanctioned, and publicly permitted. Corporal punishment of children in families happens in all countries in the region, in almost all groups and all social classes.

At schools and other places of education it is also very clear that although legislation on corporal punishment is relatively common it tends to focus on state schools only. In any case, where legislation exists, it is weakly enforced or not used at all. Corporal punishment at schools



is used because teachers have strong authority over children and over parents – who are reluctant to intervene and may even encourage teachers to punish their children. Physical punishment of children in schools includes verbal abuse and involves total humiliation and loss of dignity.

In all contexts in which children are outside family care the legal situation is usually unclear. Legislation may be absent, or not take children’s developmental needs into consideration. This is reflected in the frequent absence of juvenile justice law, and the fact that legal provisions are scattered in different parts of national legislation. An overall impression is that state employees, from orphanage staff to police, have social permission to use corporal punishment on children.

Working children are not protected against violent punishment because legal provision focuses on the age of the child (ILO Convention 138) or the hazards of work (ILO Convention 182). For the same reason, there is very little information about workplace punishment of children.

Ms. Nogami stressed that corporal punishment violates the human rights of children, which the Committee on the Rights of the Child has made clear, and that the consequences of not responding to children and abolishing

<sup>8</sup> The transcripts of presentations delivered by Natsu Nogami, Judith Ennew and Edwin Kotoisuva as well as a full transcript of plenary discussions held are available as annexes XI, XII, XIII and XIV.



this violation of their human rights would include a future of continued violence for everyone at all levels. This is because corporal punishment of children implies that violence is acceptable as a means of childrearing and conflict resolution, and that it is acceptable to practice violence on weak and powerless people. Emotional punishment must be taken seriously because according to children it hurts more, and, according to psychologists, it lasts longer.

Ms. Ennew highlighted that legal change is important, and a major recommendation is an explicit and immediate ban on physical and emotional punishment of children in all contexts.

In order to ensure that attitude changes provide an enabling environment for legal changes and implementation of laws, there should be:

- Public education so that corporal punishment is recognized as a violation of the human rights of children.
- Rights-based research to provide better information about the incidence and prevalence of physical and especially emotional punishment.
- Putting the research to work to monitor the effects of public education and legal changes.
- Advocacy, based on research and monitoring, which makes sure change really takes place and lasts.

She concluded by saying that Governments must fulfil their responsibilities under the Convention on the Rights of the Child by initiating public education, legal changes and implementation of laws. Civil society can motivate governments to act, and keep on acting. But combating violence against children is the responsibility of each adult individual, which requires reflection, inner changes and commitment.

### **Ms. Judith Ennew, Centre for Family Research, University of Cambridge**

#### ***“Childrearing for Peace”***

Ms. Ennew offered the plenary a positive perspective by sharing results of a research review of non-violent childrearing practices, including experiences of:

- Peaceful peoples such as small indigenous groups, living on the margins of modern societies, who shun violence and raise their children without physical punishment. It is notable that around half the 24 recorded peaceful societies of the world are to be found in this region.
- Socialization for harmony, which is reported in detailed studies of childrearing in rural Indonesia.
- What have been called the ‘great traditions’ of religions and ideologies, such as Buddhism and Confucianism, which are characteristic of wider societies in this region. These traditions emphasise non-violence and self control, which have grown out of small scale traditions of peacefulness.

Ms. Ennew refuted popular theories of human nature, which suggest that we cannot help being violent as we are descended from killer apes. Ms. Ennew instead suggests that human society is based on sociality and as such war and violence are not inevitable. Peace is an option that everyone can adopt in their personal and social life. Peaceful societies of the world, and this region, demonstrate

that the goal of childrearing is to teach responsibility and respect for others, and that children can be reared to avoid violence and promote peace.

Ms. Ennew summarised the key implications for the way children are reared:

- Childrearing is about respect for individual children, and about teaching children to respect others.
- Childrearing should progressively encourage individuals to take responsibility for the consequences of their own actions.
- Childrearing should develop the capacity for reasoning about values, beginning with a physical language of gentleness even before children discover words.

All three of these implications are rights-based.

The key implications for parents and other adults are that:

- Parenthood is a responsibility that parents share with all other adults.
- Parents have a right to support and understanding in their parental role, including the expectation that other adults will not provide models of violent behaviour.
- Physical punishment is not necessary, and has no part in rights-based childrearing.
- It is important to tell children that, even if you do not like their behaviour you do not dislike them.

### **Ms. Edwina Kotoisuva, Fiji Crisis Centre for Women**

#### ***“Violence in the Home and Family”***

Ms. Kotoisuva addressed violence against children in the home and the family in the context of her experiences in the Pacific Island Countries and in relation to violence against women, which she argues is intrinsically linked to violence against children. Ms. Kotoisuva argued that when



women live in violent relationships the vulnerability of children to violence and to witnessing violence is increased. When the mothers of children are victims of violence in the home it is difficult to break the cycle as they are often disempowered, making it difficult for them to make decisions for themselves or their children.

Ms. Kotoisuva noted that we have to address violence in the family by addressing power relations that exist within the family. Ms. Kotoisuva said that in most families the power is with men and therefore it is essential to develop programmes aimed at both changing men’s behaviour and using men as advocates for change. Ms. Kotoisuva noted that her organisation, the Fiji Women’s Crisis Centre, has specifically developed programmes for the male dominated Fiji Military and Fiji Police Forces in an attempt to facilitate behaviour change.

Ms. Kotoisuva said that women also perpetrate violence against children and that targeting women as the primary care givers with programmes on parenting skills and non-violent discipline is essential to breaking the cycle of violence.

In regard to sexual abuse in the home, Ms. Kotoisuva argued that we need to start breaking down taboos and improve services for children so that when they come to the authorities for justice they are treated with the respect they deserve.

Children's coordinating committee's are essential to coordinate and monitor the work of service providers.

Another issue raised by Ms. Kotoisuva is the need to strengthen community responses to violence against children as often interventions are hampered by family ties and the perceived risks of damaging relationships. Ms. Kotoisuva also noted that while some traditional practices can be harmful there are some that are

positive and can be used by communities to mitigate violence against children and women in the home.

Ms. Kotoisuva concluded by arguing that the cycle of violence in the home can be broken, but that we need to be able to challenge the religious and cultural interpretations which can perpetuate it, and, in cooperation with communities, provide rights based services that work.

## Summary of Plenary Discussions

Following the presentations, discussions focused on issues relating to the cultural relevance of the Convention on the Rights of the Child and whether it is realistic to think that human rights instruments can be implemented across all cultural contexts. It was also noted that cultural contexts need to be better understood when designing and implementing programmes to reduce violence against children. Under-18 Delegates posed the question as to what are the alternatives to corporal punishment and noted that emotional punishment has a more pronounced affect than physical punishment. Under-18 Delegates also raised the question of how can we ensure that the children of today do not behave violently towards tomorrow's children?

### Panellists responses

All panellists were in agreement that understanding cultural contexts is critical to better understanding and responding to violence against children. In response to questions about alternatives to corporal punishment Ms. Ennew noted that violence is considered unacceptable and therefore corporal punishment is unacceptable. Ms. Nogami argued that both children and adults tolerate corporal punishment because it is tolerated by society and by banning corporal punishment the right message is being sent to families. In regard to questions about the relevance of the Convention of the Rights of the Child the panellists responded by reaffirming that as signatories to the Convention on the Rights of the Child all states have an obligation to implement the CRC. However, a culturally appropriate sensitisation of the CRC and an awareness of cultural dynamics within communities can assist implementation.

Ms. Ennew also pointed out that a very good lesson we can learn from societies which have peaceful goals and messages is that parenting is not just for one or two people but is rather a matter for the community as a whole. In this respect everyone should be providing children with examples of non-violent conflict resolution.

## Consolidated Recommendations from the Panel

The following recommendations were developed by the panellists as a contribution to this report.

### Recognise the problem

Recognise and accept that corporal punishment is a widespread and major form of violence against children that is legally sanctioned and publicly permitted, even though it is a violation of human rights and an issue of concern to children. This recognition will lead to the need for a serious commitment that is long term (intergenerational), sustainable and adequately resourced with financial and human resources and culturally-appropriate materials.

Recognise also that violence is not inevitable and that there are existing models of childrearing for peace, from which much can be learned. Childrearing for peace requires understanding that cooperation is a positive moral value, which can be taught through respecting children and through progressively encouraging them to take responsibility for their own actions and the consequences for other people.

### Take emotional punishment seriously

Emotional punishment must be taken seriously because, according to children, it hurts more, and, according to psychologists, it lasts longer. The damage caused by emotional punishment is invisible but can last a lifetime.

### Legal action

An explicit and immediate ban on physical and emotional punishment of children in all contexts, including: families and homes; schools and all other places of education; institutional care; alternative family care; within penal systems; and in work situations.

### Enabling environment

Create an enabling environment for change so legal changes can be effectively implemented through public education, research, monitoring and advocacy.

### Governments are urged to:

- Initiate legal changes.
- Initiate programmes of public education on non-violence and positive discipline.
- Ensure implementation and monitoring, especially for children outside family care.

### Civil society is urged to:

- Motivate state actors and support their actions.
- Provide information through rights-based, scientific research.

### All adults:

- Should be prepared to reflect on increasing their commitment to non-violence in their everyday lives, realizing that this implies inner changes and commitment.
- Parenthood should be re-established as a responsibility shared within the whole community.
- Part of this shared responsibility is that all adults should avoid providing models of violent behaviour for children.

### Media

The media currently play a key role in promoting violence, but have the means to promote non-violence. They should be encouraged to meet the human rights of children by:

- Basing communications on sound information.
- Providing a variety of perspectives but particularly balancing information about violence with equal information about non-violence.
- Not broadcasting information about violence that is injurious to children.

# Working Groups Sessions and Recommendations



## Introduction

On the first and second days of the Regional Consultation on Violence against Children (June 14 and 15, 2005) participants, including Under-18 Delegates, divided into seven working groups to specifically discuss violence against children in each of the settings delineated for the United Nations Secretary General's Study. In addition to the six settings where violence against children occurs, as determined by the Study Secretariat, an additional working group was convened to discuss violence against children in the cyberspace / online environment.<sup>9</sup> Each of the working groups was aided by a facilitator, a chair and a rapporteur. In cases where working groups divided into two sub-working groups, as was the case for all working groups except for violence against children in institutions and in the cyberspace / online environment, an additional facilitator and rapporteur were assigned.<sup>10</sup>

Chairs were in most cases government delegates. Facilitators were chosen by the Steering Committee to ensure fruitful discussions and that the views of Under-18 Delegates were adequately taken into consideration (a facilitators meeting was convened on the day

prior to the Consultation to ensure that facilitators were fully briefed on working group objectives, expected outcomes and on appropriate mechanisms to ensure meaningful child participation).<sup>11</sup> Rapporteurs were charged with recording discussions and recommendations that emanated from the working group sessions.

In addition to the resource people mentioned above, each of the working groups had a presenter who initiated discussions with thematic presentations on topics related to the particular settings where violence against children occurs. Each of these presentations is summarised in the sections of this report that address the discussions held and the recommendations made by respective working groups.

Working group guidelines were developed prior to the Consultation by members of the Steering Committee and disseminated to all participants.<sup>12</sup> These guidelines assigned the working groups with two overarching tasks. The first objective was for the working group to "define issues and contexts" and the second was to "identify solutions and recommendations". Discussions held and recommendations made are summarised in the following section of this report.



<sup>9</sup> A proposal to convene a working group session on violence against children in the cyberspace / online environment was first proposed by ECPAT international to the VAC RC Steering Committee. The VAC RC Steering Committee then subsequently endorsed the proposal and forwarded it to the Study Secretariat who endorsed the request.

<sup>10</sup> A full list of all participants for each of the working groups and their respective sub-groups that includes the names of presenters, facilitators, chairs and rapporteurs is available as annex IX.

<sup>11</sup> For more detail please see section 3 of this report

<sup>12</sup> Working Group Guidelines are available as annex X.

# Violence against Children in the Home and the Family

## **Presentation to the Working Group by Ms. Phally Hor, Executive Director, Protect Against Domestic Violence (PADV)**

### **“Violence in the home and family”**

Ms. Phally Hor’s presentation revolved around describing the *Men against Violence against Women* programme which PADV, a local Phnom Penh based NGO, commenced in 2002. Ms. Hor explained how the programme attempts to reduce violence against women by working directly with abusive men and youth, and by challenging them to become active in changing attitudes and behaviours.

Ms. Hor described how PADV has made progress through the distribution of information, education and communication materials and by facilitating women’s, men’s and youth group discussions on issues such as masculinity, the effects of alcohol, safe sex, gender in the family, family happiness and human rights. Ms. Hor said that when men understand that domestic violence is illegal and the effects it can have on their family, their children and on society as whole they are more prepared to change their behaviour.

Ms. Hor also outlined some of the effects of domestic violence on children. These include: children feeling unhappy in the family; children running away from home or missing school; children being exposed to drug abuse and crime; and children feeling negative about relationships and marriage.

## **Presentation to the Working Group by Mr. Sun Varin, Tearfund**

### **“Stop violence against us!”**

Mr. Varin outlined the results of a survey of 1,314 children conducted by Tearfund in Cambodia, which attempted to understand

the perceptions of children about violence in the home and family. Mr. Varin also summarised the results of the Tearfund survey and posed questions to the working group in relation to these findings.

The Tearfund Survey found that:

- 50.5 per cent of boys and 36.4 per cent of girls reported having been beaten by their parents.
- 39 per cent of children think that educating parents is a way to help children.
- 64 per cent of boys and 63.5 per cent of girls know of children who have been raped.
- 23 per cent of boys and 21 per cent of girls have witnessed a rape.

In the context of these statistics Mr. Varin posed questions to the working group, including:

- What does using violence to solve problems teach children about solving problems and is there an alternative?
- Are we too focused on sexual abuse committed by tourists when so much sexual abuse is committed in the home?
- How can children be helped to challenge adults if adults are being abusive towards them or others?

Mr. Varin also offered the working group some possible solutions, including:

- Creative education for children on non-violent conflict resolution.
- Education for parents on parenting skills.
- The enforcement of laws enacted to protect children from sexual abuse.

## Understanding the Context and Identifying Issues



### Manifestations of violence against children in the home and family

The manifestations of violence against children in the home and the family include corporal punishment, sexual and psychological abuse, neglect, child labour, as well as discrimination on the basis of, for example, gender or disabilities. Violence in the home may also lead to other forms of violence, abuse and exploitation in other contexts and has long term effects on the growth and development of children.

### Children most at risk and the types of problems that they face

Children considered most at risk of one or more forms of violence in the home and in the family include:

- Children in homes where domestic violence exists.
- Children in homes where alcoholism and drug abuse exist.
- Children in families that suffer financial hardship.
- Children with special needs (for example, children living with HIV/AIDS, autistic children and children with learning disabilities).
- Children in single parent families.
- Children where one or both primary caregivers are away from home due to work or other commitments.
- Children who are adopted or in foster care.
- Children who are unwanted at birth.
- Girls are more prone to sexual violence while boys are more prone to physical violence but to some extent they are subjected to both.

### Causes of violence against children in the home and family

Cultural practices that tolerate violence as a type of discipline and perpetuate patriarchal attitudes towards women and notions of children as mini versions of adults, or the property of adults, are major factors that foster violence in the home.

These problems are exacerbated by poverty and lack of basic support services for children as well as a lack of parenting skills and a lack of awareness about children's rights among the children, parents and the community. Specific issues worsen these conditions, including other problems in the family, forced or early marriages and community, religious and ethnic conflicts.



### **Gaps in policy and procedure that facilitate the perpetuation of violence against children in the home and family**

An area of concern is the absence of laws and policies and/or the lack of attention of legislators to develop and adopt laws and policies related to child protection. In cases where laws exist, there is a lack of commitment, political will, capacity and resources to enforce laws. In addition, there is lack of awareness and understanding of existing laws and policies among members of society and law enforcers.

In most countries reporting child abuse is not mandatory and child and family friendly procedures for reporting and investigation do not exist. Professionals, community members and children themselves fear reporting violations as an ensuing case might result in family break up and in some cases the loss of the main income earner in the family.

There is a lack of clarity among practitioners on some key concepts and definitions such as violence, abuse and neglect. There is also the absence of solid baseline data on violence in the home and family in the region, resulting in poor strategies and a lack of holistic programs on prevention, protection, rehabilitation and reintegration.

### **Other concerns raised by the working group**

The working group also discussed a number of other issues and concepts relating to violence against children in the home and family. These include:

- Cultural considerations can not be underestimated in interpreting / understanding the causes of violence against children. There is a need to ground prevention in positive social wisdom.
- Poverty is a major contributing factor to violence against children although violence against children is not restricted to poor communities. In addition, violence, particularly domestic violence, can lead to poverty. Poverty is clearly a major risk factor making children vulnerable, and vulnerable children are at higher risk of all types of abuse.
- Children who do not know their rights and who do not know what constitutes violence are particularly vulnerable.
- Enabling legislation, awareness, and services for survivors and their families are some of the essential elements of prevention, mitigation and reintegration.
- Children and communities are conditioned to accept or tolerate some forms of violence and there is a need to build consensus at the community level on what constitutes violence.
- Violence is generational and is handed down from generation to generation. Boys often model the behaviour of their fathers and girls become conditioned to tolerate violence.
- Discrimination is one of the most potent forms of violence and can lead to gender selection, matricide/patricide, slavery and the commodification of the girl child.



## Recommendations and Solutions

### Consolidated recommendations

The following recommendations reflect thematic representations of a very broad range of solutions that the working group consider would contribute to reducing violence against children in the home and the family. These recommendations, which have implications for actions and actors across communities, and at the national and regional level include:

- Develop and strengthen national policies on child protection including mechanisms to ensure children's participation in the implementation, monitoring and evaluation of programs and services (for example, the establishment of a National Commission on Child Protection or Ombudsman for Children).
- Ensure quality standards for the protection of children and provide children friendly services by establishing family and child courts, and by prioritizing capacity building for service providers.
- Prioritize preventive measures to include parent, peer and community education focusing on child rights and the strengthening of family support systems (for example, help lines, hotlines and complaints desk).
- Build and strengthen local, national and regional networks for advocacy and resource mobilization.
- Strengthen research and documentation efforts to build a solid data base for program and policy development.

### Community level recommendations

- Building capacity of children as peer educators, establishing advocacy networks for children and empowering children to participate in addressing violence.
- Establishing community networks that involve children to promote child rights.
- Establishing child protection teams at the community level.
- Conducting home visits for particularly vulnerable children.
- Providing adequate support for vulnerable families.
- Empowering and reinforcing good parenting models.
- Setting up hotlines and help lines that are accessible to children.

### National level recommendations

- Develop and implement legislation and policies on child protection including eliminating corporal punishment at school and in the home.
- Develop national plans of action.
- Establish national task forces to ensure the implementation of legislation, policies and programmes.
- Conducting regular monitoring and evaluation of the implementation of legislation and policies.
- Developing policy for mandatory reporting of violence against children.
- Developing inter-agency protocols to strengthen collaboration.
- Build capacity of existing service-providing institutions.
- Training teachers and professionals in early detection, reporting and referral of cases of violence.
- Developing programmes to rehabilitate perpetrators.
- Developing baseline data and statistics on violence against children.

### Regional level Recommendations

- Establish regional networks for information sharing on violence against children.
- Formulate indicators and report cards to evaluate programmes on violence against children at the country and regional level.
- Conduct periodic assessments and monitor the impact of programmes for children.
- Document existing experiences and lessons learned including a review of laws and programmes to address violence against children.

## Violence against Children in Schools

### **Presentation to the Working Group by Ms. Lynette Petueli, Save the Children, Fiji**

#### ***“Addressing Violence in Fiji’s Schools”***

Ms. Petueli prefaced her presentation by providing a brief overview of Fiji in terms of the demographics, physical environment, economy, cultural and religious diversity, and the education sector.

Ms. Petueli noted that despite corporal punishment being illegal in Fiji, physical and emotional violence in schools persists. Children in Fiji report various punishments, which include being slapped, punched, having their ears pulled, being violently shaken and being hit on the knuckles with a blackboard duster. There have also been reports on sexual violence against students by teachers. Bullying is the most common form of violence between children.

Ms. Petueli said several activities are being undertaken to address violence in schools including ministerial visits to schools, the establishment of a Child Rights Desk Officer at the Office of the Human Rights Commission and the development of a National Action Plan for Human Rights Education in 2003. Save the Children, the Fiji National Coordinating Committee on Children, the Fiji Human Rights Commission, Women’s Action for Change and the Pacific Children’s Programme were some of groups involved in the prevention of violence in schools, said Ms. Petueli.



However, obstacles to addressing violence in schools remain. Ms. Petueli cited examples such as addressing the mind-set of those in the teaching profession and their understanding of child rights; lack of enforcement in regard to the prohibition of corporal punishment; lack of resources; and the isolation of some schools. Effective interventions and recommendations proposed by Ms. Petueli include: training for teachers; a more positive role for the media; child participation; expanded research on physical and emotional punishment; legislative reviews and a more collaborative approach from appropriate agencies.

## Understanding the Context and Identifying Issues



### **Manifestations of violence against children in the school and other educational settings**

The working group identified two principle ways in which violence against children manifests itself in schools and other educational settings in the East Asia and Pacific region. These two principal manifestations are: physical violence or corporal punishment; and psychological or emotional violence.

Manifestations of physical violence / corporal punishment perpetrated by teachers and other personnel employed in educational settings include: hitting children with a stick or other objects

and forcing children to stand in the sun or kneel down for extended periods. Types of physical violence perpetrated by other children include fighting and bullying.

Manifestations of emotional and psychological violence perpetrated by teachers and other personnel employed in educational settings include: discrimination; verbally abusive language; and humiliation caused by acts such as making children clean the school toilets. In regard to psychological violence perpetrated by other children, the working group identified aggressive teasing and the deliberate social isolation of individual children.

The working group also stated that sexual harassment and/or molestation and neglect are manifestations of violence in schools and are actions perpetrated by both teachers and other children. It was noted by the working group that physical violence is more often directed at boys whereas sexual violence is more commonly directed at girls. It was also acknowledged that peer to peer violence occurs in schools and it was stated that girls tend to be more emotionally or psychologically abusive towards other girls, while boys will often physically fight.

### **Children most at risk and the types of problems that they face**

The working group identified the following groups of children as most vulnerable to violence in the school and other educational settings, and some of the problems that they face:

- Children from ethnic minorities including: children from minority linguistic groups; indigenous children; refugee children; migrant children; and internally displaced children.
- Children who have low academic achievements and those with delayed physical development tend to be overlooked or ignored and are at risk of bullying and discrimination.
- Children with physical and learning disabilities remain especially vulnerable. Psychological violence and corporal punishment by teachers only serves to hinder their ability to learn.

Other children at risk include:

- Children from socially and/or economically disadvantaged families, including: children living in families affected by HIV/AIDS; parental drug and/or alcohol misuse; and children whose parents are in jail.
- Children who are perceived to have difficult behaviours by teachers. The lack of respect and understanding on the part of teachers may reinforce those behaviour patterns and create a cycle of violence and neglect.

- Children with particular talent may be singled out by teachers or other students. Likewise, high expectations from parents and communities might lead to physical or mental punishment and bullying when the child does not reach those expectations.
- Children with low self esteem may become an easy target for both teachers and other young people. Such bullying only reinforces their lack of confidence and inhibits their ability to thrive in school.
- Young people who identify as homosexual or whose gender is not aligned. It was noted in the group that some young people are targeted due to their visible desire to change their gender.

### **Causes of violence against children in the school and other educational settings**

The working group identified the following causes and factors contributing to violence against children in schools and other educational settings:

- Practices of child-rearing that have traditionally included beatings and corporal punishment. This is very common within families and perceived as a valid method of child discipline. Therefore, parents and the wider community, including leaders, expect that teachers will use the same type of disciplinary measures in schools and may actively encourage corporal punishment. Likewise children may come to expect this form of punishment, especially when they have little understanding of their rights.
- Belief systems that dictate that children have to respect and obey their elders and that adults are always right.
- Teachers not trained in non-violent approaches to maintaining student discipline and therefore regard corporal punishment as the only effective method to discipline children. Teachers are often not aware of children's rights or child psychology and development.
- Large class sizes often mean that management of a large number of students is difficult and teachers may lack other options for maintaining discipline.
- Cases of violence against students are not given importance when disclosed and has fostered a culture of silence.
- Violence as portrayed in different forms through the media fosters an acceptance of violence by children. Children often play violent video/computer games and may watch institutionalised violence in sports.
- Due to results driven education systems, teachers may justify their violent actions by the pressure to ensure students achieve academically, as it is sometimes thought that corporal punishment is a spur to children's achievement.

### **Gaps in policy and procedure that facilitate the perpetuation of violence against children in the school and other educational settings**

The working group identified the following gaps in policy and procedure that facilitate the perpetuation of violence against children in the school:

- Lack of knowledge, training and guidance on the rights of children and child psychology.
- Lack of communication outside of the learning environment between teachers and students, as well as a lack of parental involvement in schooling.
- Limited involvement of students in decision making processes.
- Lack of awareness on procedures to denounce and report cases of violence against children and a lack of counselling for children.
- Lack of disciplinary measures for teachers who commit violent acts.



## Recommendations and Solutions

### Consolidated Recommendations

The working group developed the following consolidated recommendations:



#### Community level

- Raise awareness on child rights (pertaining in particular to children's learning and standards in education) in the community and family so as to promote violence free and child-friendly schools.
- Conduct and disseminate research on the situation of violence in schools and its negative consequences for child development.
- Address cultural beliefs and values through campaigns and through training that focuses on children's rights and the importance of safety in schools.

#### National level

- Develop appropriate legislation banning all forms of corporal punishment at schools which includes monitoring systems for effective enforcement and protection.
- Develop appropriate policies and procedures based upon national consultations and evidence based research/situation analyses to prohibit all forms of violence in schools. This will require the establishment of monitoring and reporting mechanisms in schools and at the national level, and the ensuring of student confidentiality as a means to encourage disclosure of violence.
- Encourage community participation through awareness raising activities on new and existing legislation and the prohibition of corporal punishment.
- Establish a curriculum and conduct pre and in-service training courses for all those working in schools, incorporating issues such as: child rights; child psychology; conflict resolution; child-friendly learning environments; and gender equality.

#### Regional level

- Establish regional networking groups to give voices to children who experience violence in schools.

## Violence against Children in Institutions

### **Presentation to the Working Group by Mr. Peter Newell, Global Initiative to End All Corporal Punishment**

#### ***“Human Rights Obligations to Protect Children from all Forms of Violence in Institutions”***

Mr. Newell prefaced his presentation by explaining that all states in the East Asia and Pacific Region have ratified the Convention on the Rights of the Child and as such have absolute obligations to protect children from all forms of violence in institutions, whether state or privately operated. Obligations require that legislation, and administrative and educational measures, are adequate to prohibit and eliminate violence in institutions. Mr. Newell cited articles 2, 3, 6, 9, 12, 20, 23, 24, 25 and 37 of the CRC which clearly describe these obligations and noted other relevant standards determined by the United Nations and the International Committee of the Red Cross. Mr. Newell also presented an overview of violence against children in institutions and invited the working group to expand on the issues he raised.

Mr. Newell described some of the reasons why children are in institutions, such as the absence of parental care or removal from parental care, disability or illness or because the child and/or their family are refugees or internally displaced. He also outlined the variety of institutions that include children; the various different perpetrators who commit acts of violence against children; and risk factors such as the abuse of power and discrimination.

Mr. Newell commented on the scarcity of information available in the region on violence against children in institutions,

and described ways to eliminate this violence as being achieved through reducing institutionalisation and ensuring, where no alternative to institutionalisation is available, optimum conditions. These optimum conditions would include: legal safeguards including the prohibition of corporal punishment; measures to ensure staff are well trained and vetted; and regulations and procedures reflecting the best interests of the child, including regular outside contact, independent complaints procedures and confidential telephone help lines for children.



## Understanding the Context and Identifying Issues

### Manifestations of violence against children in institutions

The working group identified a number of ways that violence against children manifests in institutions. These include physical, sexual and psychological forms of violence perpetrated by both carers and other children.

Some of the diverse manifestations of violence in institutions include:

- Verbal abuse; corporal punishment; bullying; rape and harassment; forced fasting; forced labour, including being forced to become the personal servants of older children.
- Stigmatization and discrimination based on factors such as gender, age, ethnicity.
- The confiscation of personal belongings; lack of personal privacy and confidentiality; restricted communication and/or family visits.
- Exposure to substance abuse and/or criminal activities; pressure to change religious beliefs; being encouraged to lie for fund raising purposes.
- Being forced to wear stigmatising clothes.

### Children most at risk and the types of problems that they face

The working group identified seven key groups of children who are deemed to be especially at risk of violence in institutions and the corresponding, although not unique, problems that they face:

- Children who lack advocates, family and friends or who have no outside support network and do not know with whom to lodge a complaint. These children are dependent on the quality of the institution and the professionalism of its caregivers.
- Children with special needs (for example, children with physical or mental disabilities) are in need of professional staff but often adequate care is not available. These children are vulnerable to teasing, stigmatisation, isolation, bullying and neglect but often are unable to voice the violence they are suffering due to their communication difficulties.
- In institutions, very young children suffer from physical and emotional neglect; from under stimulation; from a lack of affection and love; and bullying by older children. A lack of attention to appropriate adoption procedures may place them in abusive or violent homes.
- Children from economically disadvantaged homes suffer from discrimination; from inadequate access to health services and education; from inadequate nutrition; and in some cases from wrongful separation from their extended family.
- Children placed in institutions due to emergencies and conflict may endure loss or dislocation from family and community and/or the loss of identity. These factors jeopardise their rights and place them at risk of violence including trafficking and exploitation.
- Ethnic minority and indigenous children suffer from discrimination in institutions based on language, religious and cultural differences. Ethnic minority and indigenous children are also often economically and socially marginalised.
- Children infected and affected by HIV/AIDS suffer from isolation and discrimination and from a lack of adequate care and medical treatment. Authorities find it difficult to place them in alternative care.



### **Causes of violence against children in institutions**

The working group identified the following causes of violence against children in institutions:

- Decisions to place children in care are often misguided or irresponsible due to a lack of awareness of child rights.
- Lack of prioritization of the needs and rights of children in institutions and inadequate understanding of the magnitude of the psychological problems and needs of children in institutions.
- Weak monitoring systems and lack of policy regulation and/or implementation.
- Poor screening of caregivers and a lack of education for caregivers in some situations allows potential perpetrators of abuse to be drawn to, and employed in, institutions.
- Inadequate complaints procedures and systems for legal redress. Too few countries have children's ombudsmen.
- Corruption in both government and private institutions.



### **Gaps in policy and procedure that facilitate the perpetuation of violence against children in institutions:**

The working group identified the following gaps in policy and procedures, which facilitate the perpetuation of violence against children in institutions:



- The lack of social policy and child protection frameworks for institutions.
- There is a need to better record placements in institutions, and the reasons for the placements.
- Enforceable rights based Minimum Standards for institutions and adequate mandatory reporting mechanisms are required.
- Institutions may keep children for their own economic survival so tighter regulations are needed to monitor 'supply and demand'.
- It is necessary to recognise that traditional customs can sometimes, but not always, be in the best interests of the child.

## Recommendations and Solutions

### **The working group developed the following overall recommendations:**

- Develop awareness on: child rights; existing laws and policies related to the prevention of inappropriate institutionalization of children; and the prevention of corporal punishment and stigmatization of children in institutions at all levels;
- Review and/or develop legislation, policies, strategies and guidelines on the institutionalization of children including the criteria for placements in institutions and for the provision of alternative care. This will include a ban on corporal punishment in institutions and respect for children's participation in all decisions about their care and treatment.
- Development of quality programs and services both for children in institutions and to prevent the institutionalization of children. This provision must include training of caregivers, service providers and managers of institutions.
- Develop and implement guidelines for government to monitor all institutions (government, non-government and private) including the training of monitors, the establishment of community and institutional monitoring systems and the assessment, registration, licensing and accreditation of all institutions.

### **Community level recommendations**

- Develop/adapt concrete culturally sensitive non-violent discipline tools.
- Promote a non violent environment through media engagement and media campaigns.
- Ensure children and their families have access to basic and necessary services such as psychosocial support, legal services, health services, including mental health services, crisis centres, police, life skills, vocational skills and spiritual/social/cultural activities.
- Local level reporting systems established to mirror national reporting systems.
- Establish complaint procedures within institutions, which are externally reviewed.
- Existing children's forums at the community level supported to include children from institutions. These should be established where they don't exist.
- Develop training mechanisms for staff, community leaders and children in institutions on child rights, on risks in institutions and on positive interventions.
- Develop alternative mechanisms to address issues of emotional and physical violence resulting from stigmatization experienced by children in institutions.
- Ensure children's right to participation is respected in all institutions regarding all decisions about their care and treatment.
- Support the organization of children in institutions to advocate for their rights.

### **National level recommendations**

- Review and/or develop legislation, policy, strategies and guidelines for care based on Children's Rights standards. This would include a ban on corporal punishment in institutions, respect for children's participation in all decisions about their care and treatment, and the development of quality programs and services
- Conduct a national assessment of violence against children in institutions.
- Ensure each child's placement in an institution is the best option available for that child and that the placement is reviewed at frequent intervals.
- Develop and implement guidelines for governments to monitor all institutions.
- Ensure that all institutions are screened, registered, licensed and accredited.
- Develop a national communication campaign on the elimination of corporal punishment.
- Promote a non-violent environment through media engagement.

### **Regional level recommendations**

- Monitor regional commitments emerging from the East Asia and Pacific Regional Consultation on Violence against Children. This would include the development of regional indicators.

## Violence against Children in Work Situations

**Presentation to the working group  
by Ahmad Taufan Damanik, Medan  
PKSP, Indonesia**

### ***“Learning from Child Labour on Fishing Platforms Experiences”***

Mr. Damanik’s presentation focused on children exploited as labour by the fishing industry in North Sumatra, Indonesia. Mr. Damanik said thousands of children are working as forced labourers on fishing platforms, where they endure highly exploitative conditions. Children are often kidnapped to work on the fishing platforms; work 12 to 13 hours a day; are injured and killed in work accidents; are unaware of their rights; suffer abuse at the hands of foremen and/or older children; and are punished in the name of “education”.

Mr. Damanik also noted that many of the fishing platforms are remote and operate without scrutiny by authorities. Many forms of exploitative labour are found in remote areas or in areas where children are separated from their families and communities and other support mechanisms.

In terms of decreasing violence against children in work situations, Mr. Damanik argued that legal advocacy around the Indonesian Government’s ratification of International Labour Organisation Conventions 138 and 182 is urgently required and that public awareness of the CRC needs to be fostered. Mr. Damanik also argued for the banning of the worst forms of child labour, the fostering of nationwide coalitions to prevent exploitation and violence, and the



promotion and adoption of more effective mechanisms and procedure for legal redress.

However, Mr. Damanik also noted that in 2003 the Government of Indonesia adopted Presidential Decree 59/2002, which recognises six forms of child labour requiring urgent action. These forms of labour include offshore fishing, mining and the footwear sector.

## Understanding the Context and Identifying Issues

### Manifestations of violence against children in the work place

The working group noted that the different manifestations of violence against children often correlate to the type of work situation that children are exposed to, but that no type of violence is exclusive to one particular kind of work or work situation. This is particularly significant in light of clarifying the relationship between the 'worst forms of child labour' and 'violence' against children in work situations, where the latter might be used to refine methods to determine the former. In an effort to sharpen the definition of violence, the working group identified three main categories of the manifestation of violence against children in work situations. These categories are as follows:

- **Physical abuse or exposure to physical hazard.** This could include hitting, beating, torture, standing for long hours, working for long hours, carrying heavy loads, exposure to extreme weather conditions and severe injury.
- **Sexual abuse.** In situations of commercial sexual exploitation and in other work situations children can be exposed to abuse in serving clients, rape, sexual harassment, solicitation, teasing, bullying, and exposure to improper images and/or behaviours.
- **Psycho-social abuse.** This could include name calling or verbal abuse, pressure to produce, threat of non-payment or refusal of recognition for the value of work performed, isolation (physical, social, communications, from community, from family, from peers), social stigma (as a result of work done), prohibition of school attendance, lack of welfare and social support, intimidation by people such as owners, managers, elder peers and co-workers and harassment by authorities such as police.

It is possible that all forms of abuse could be classified under psycho-social abuse as all involve a basic lack of respect for, and damage to, children's sense of worth and capacity for socialization. It is also noteworthy that some children claim that psycho-emotional abuse is more hurtful to them than physical abuse.

### Children most at risk and the types of problems that they face

Emphasis was placed on forms of work and how some forms of work are more likely to engender violence, or are more harmful in all respects. This was thought to be the case generally with the worst forms of child labour.

In the East Asia and Pacific region gender is generally not seen to contribute to vulnerability. However, there is a clear division between boys and girls in terms of the types of work in which they are found, where these forms are themselves understood as types of risk. For example, domestic workers are predominantly girls and child offshore fishing workers boys. More general factors of risk for children include: being very young; being socially and economically marginalised; working away from families and communities; working in the homes of others; being a migrant; being from an ethnic minority group; being displaced and undocumented; and having little education, lacking access to full information or otherwise easily deceivable, being dependent on employers and/or co-workers.

### Causes of violence against children in work situations

The working group identified the following causes of violence against children in institutions:

- A general lack of awareness of, or indifference to, children's rights and needs on the part of parents and other adults, as well as among children themselves.
- Isolation in the forms of isolation of the workplace, isolation from community or family and social isolation caused by stigma or forced separation from others was seen to be a general factor contributing to systematic violence against children.

### **Causes of violence against children in work situations**

- Informality, or the lack of official or societal recognition of the work situation as a form of labour, is a general factor contributing to violence against children as it blocks children from access to protective laws, regulations, and services afforded to labour.
- A general lack of understanding of the conditions of work situations for children, either in general or for specific situations, and a lack of understanding/awareness, of the laws regulating such situations.
- In many countries the suffering of children is identified as a benefit insofar as it contributes to their development, making it difficult to address violence against children as an outright violation of children rights.
- Economic disparity creates situations in which enormous pressure is put on children to earn incomes, either for their own use or to assist in supporting the family.
- Children are regarded as a legitimate pool of labour and as a cheaper source of labour than adults. This creates strong incentives for their use in various inappropriate work situations.
- The impunity of employers in the face of laws and regulations and a lack of awareness of children's rights create situations in which children are not adequately protected from violent work situations or specific situations of violence within a work situation.
- The welfare of children in general is often a low priority for governments in the region and thus inadequate efforts are made to ensure children's rights and safety.
- All weaknesses and gaps in policy and procedures can also be identified as causes of violence against children in work situations.

### **Gaps in policy and procedure that facilitate the perpetuation of violence against children in the workplace**

- The working group noted there is a need for official recognition of the informal sectors where children work, as these sectors are typified by a generally higher incidence of violence. Also, work situations which are illegal and policies relating to them generally prohibit children from accessing protection mechanisms and contribute to a higher incidence of violence in such situations.
- Laws are often not fully harmonized in the sense that national law does not conform to ratified international treaties and also that provincial and local law is not consistent with or does not reflect national laws. Punishments for violations of these laws are often not commensurate with the severity of the violence perpetrated.
- Though laws may exist, the promotion of these laws and their proper understanding by judiciary officers, enforcement officers, employers, and child workers is often weak. Regulations and monitoring mechanisms are also generally weak or non-existent and where they do exist they are often not implemented properly nor understood, not even by the children whose rights they are meant to guarantee. Also, it is often difficult to gain access to children in order to assist them in using existing legal mechanisms.
- Gaps in the monitoring and enforcement of laws relating to work situations are often caused by weak governance or by inadequate coordination among government bodies. Lack of prioritization of violence as an issue (such as through institutions) also contributes to these monitoring gaps.
- There is a general lack of coordination between government and civil society and there are disagreements on the meaning of laws and who takes responsibility.
- Education policies do not generally include child rights as part of curricula. Also, children often identify the cost of their education as a reason for working.
- Exercises which clarify the definition of "violence" are essential to properly address all of the above concerns. Children should also be involved in identifying violent work situations for children.

## Recommendations and Solutions

### General recommendations

- Greater focus on clarifying the meaning and characteristics of 'violence' in work places.
- Need for improved coordination between government, United Nations Agencies, civil society, religious leaders, academia and others at the national, regional and local levels.
- Promote rights based approaches to combat violence against children in work places.



### Recommendations relating to the participation of children

- Children's participation is necessary at all levels and a special focus is needed at the local level.
- Provide opportunities for children to share experiences and discuss ideas.
- Child to child approach can be used in education for advocacy on child rights and action against violence.
- Improved involvement of children in research and training.
- Need to hold discussions with children to determine definitions of violence in their work situations.

### Recommendations relating to law reform, legal advocacy, policy, legal regulation and enforcement

- Need to harmonize national legislation with international laws.
- Training the judiciary to understand international law relating to child rights.
- Making courts more child-friendly and gender sensitive.
- Strengthening of referral systems to protect children from violence; Creation of local level (provincial, municipal) plans of action on violence against children.
- Establish concrete protection procedures/mechanisms for children to report violence.
- Designate an accountable central body or persons at the national level to be responsible for dealing with violence against children to ensure consistent implementation of policies at all levels.
- Draft regulations on working conditions and minimum age requirements especially for informal work settings.
- Stronger provisions for the punishment of perpetrators of violence.
- Improved regulation of the workplace and the extension of scrutiny into informal work situations.
- Systematic training of officials to ensure that victims can access laws/mechanisms.

### Recommendations relating to social advocacy

- Develop and strengthen nation-wide coalitions, involving government, civil society, academia, and religious leaders.
- Extensive training for adults on children's rights.
- Inclusion of child rights in school curricula.
- Governments should undertake regular dissemination of child rights information in all media, especially television.
- Use of public events (festivals, theatre, large scale campaigns) to promote public awareness against violence in work places.

- Extend information advocacy outreach to isolated work places and communities.
- Intensify public awareness efforts in source areas where children are at risk of trafficking.
- Train media professionals in appropriate ways of covering child rights, and in particular violence against children in work places.

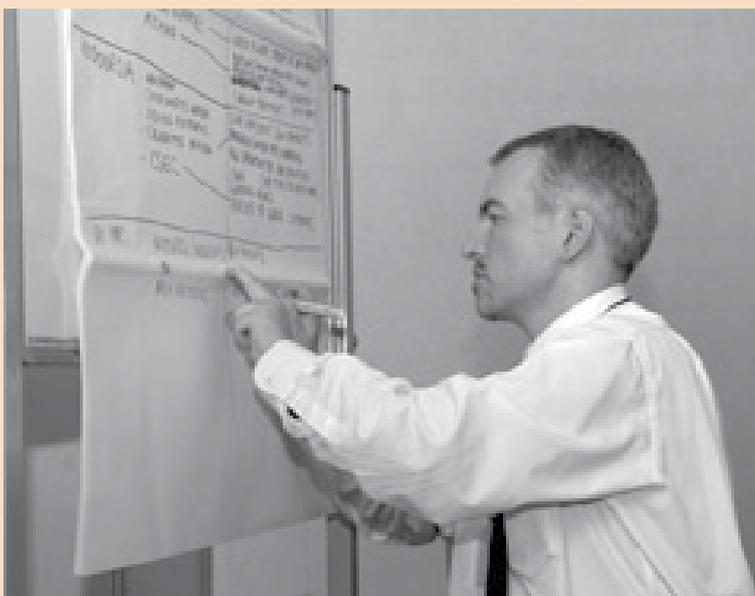
**Recommendations relating to interventions, facilitating access to services for those at risk or who have experienced violence**

- In regard to recovery, reintegration and prevention, ensure training on and use of child-friendly, gender sensitive and multidisciplinary methods.
- Develop and strengthen services that address violence in work situations.
- Vocational training and educational opportunities for working children suitable to their particular situation.
- Establish free national hotlines and redress mechanisms to support child victims of violence and ensure children are informed about where to report.
- Provision of safe places for working children to rest and participate in recreational activities.
- Provision of suggestion/comment boxes in workplaces with children, monitored by national or local government.



**Recommendations in relation to research**

- Research should seek to understand the relationships between violence and more general characteristics of child work situations such as minority status, socio-economic situation, gender and migration patterns.
- Conduct research into various work places and work situations where violence against children occurs.
- Pursue a greater understanding of the psychosocial aspects of violence against children in the workplace and the significance of isolation as a causal factor.
- Consolidate lessons learned from industries or sectors where children are working, and share these widely.



## Violence against Children in the Community and on the Street



**Presentation to the Working Group by Mr. Bernardo Mondragon, Executive Director, Kabataan Consortium Inc.**

### ***“A Glimpse of Children and Young People in the Streets and Communities of Davao City, Philippines”***

Mr. Mondragon’s presentation focused on the situation of children and young people in Davao City in the Philippines where he noted that street gangs are prevalent and that violence is perpetrated against children both by other children and by adults, including law enforcers. Mr. Mondragon said more than three thousand children are involved in begging or dangerous work, that 65 per cent of crimes against persons and property are committed by children, that many children abuse drugs and are involved either wittingly or unwittingly in drug trafficking, that there are over 100 street gangs in Davao City and that these gangs commonly abuse and assault girls.



Mr. Mondragon noted that many children are apprehended, beaten and mistreated by village police and law enforcers. In addition, the Davao Death Squad (DDS) is responsible for the summary killing of young people suspected of having committed petty crimes or of being involved in drug crimes. Many killings that the DDS is suspected of committing have been carried out in broad daylight and so far police and other law enforcers have failed to apprehend any members of the DDS.

Mr. Mondragon said there is a general public apathy towards violence against children, including summary killings, and that 37 young people have been murdered in Davao City since 1998.

In conclusion, Mr. Mondragon noted that the causes underlying violence against children in the street and community in Davao City are poverty and deprivation of basic rights. Inadequate access to basic services, unsanitary living conditions, economic hardship, unemployment and limited opportunities for productive activity and meaningful participation compound problems of violence against children in Davao City, and in urban environments with similar social problems.

## Understanding the Context and Identifying Issues

### Manifestations of violence against children in the street and community

The working group identified a range of key manifestations of violence in the community and on the street in the East Asia and Pacific region. Some of these include:

- Commercial sexual exploitation and sexual abuse and the trafficking of children for commercial exploitation.
- The killing of children by death squads, police and others and violence between gangs and individuals.
- Drug abuse and the use of children as couriers/dealers.
- Discrimination resulting in unequal treatment by law enforcers and others.
- Exposure to pollution; the high risk of injury through accidents as well as exposure to possible harm, degradation and or abuse through work.
- Problems associated with being forced to beg, such as increased vulnerability to abuse and exploitation or vulnerability to organised begging rings that exploit children.



### Children most at risk and the types of problems they face

The working group noted there are links between children subjected to violence in the home and children forced to live on the street. Rural to urban migration of families and young people is also a factor that may increase a child's vulnerability to violence.

The group noted that public misconceptions about the behaviour of street children, including an exaggerated perception of violent crime committed by such children, often leads to street children being targeted by authorities and other adults. In addition, poverty and financial pressures in the home, as well as cultural values, may lead some parents to rationalise that it is appropriate to send their children to work away from home. Parental unemployment and under-employment, drug abuse, and violence in the home are also factors that push children onto the streets, further exposing them to violence and abuse.

The working group noted that several groups of children may be particularly affected by violence in the street. These include:

- Children with HIV or otherwise affected by the impacts of HIV/AIDS.
- Children who experience discrimination and bullying and displaced children.
- Migrant children; refugee children; stateless children; ethnic minority children.
- Children without primary care givers; children living with families other than their immediate family.
- Out-of-school children.

### Causes of violence against children in the street and community

The working group considered the main causes of violence against children in the street and community to be:

- Impunity on the part of many who commit violence against children, caused by factors such as corrupt legal systems.
- Discrimination and prejudice towards people such as drug users.
- Inadequate resources allocated for child protection programmes and other social services.

## Gaps in policy and procedure that facilitate the perpetuation of violence against children in the street and community

The working group identified the following gaps in policies and procedures, resulting in a perpetuation of violence against children in the street and community.



- **Legal gaps:** The absence of good laws to address child labour; the multiple forms of violence against children; the care of children whose parents are unable to care for them; and discrimination against vulnerable groups.
- **Political will:** The lack of sufficient political will to make relevant policies and to properly implement laws for the protection of especially vulnerable children, such as those living and working on the street. Insufficient effort is made and resources allocated to establish reporting channels for young people to report violence and to receive protection against violence.
- **Family support:** Insufficient attention is directed towards strengthening families through the development of parenting skills and the provision of direct support and income-generating activities.
- **Basic services:** Inadequate efforts are made to establish and provide services for marginalized children, including those on the street and those who may not have access to basic social services, including health care, education and police protection.
- **Awareness raising:** Limited efforts are made to improve awareness-raising and training at all levels for teachers, government officials, police and other children.

- **Civil society:** In some cases, a vigorous civil society that might compel government authorities to enforce the law is lacking.
- **Lack of information:** Insufficient data on children's problems and inadequate public access to available data.
- **Monitoring:** Failure of monitoring organisations to address children's rights issues adequately. Human rights commissions and ombudsman's commissions should have the authority, independence and political will to protect children.

## Recommendations and Solutions

The working group noted that behind all recommendations is the expectation that all countries in the East Asia and Pacific region are making efforts to implement the Convention on the Rights of the Child. The working group noted that recommendations should be interpreted within country-specific contexts. It offered the following suggestions to prevent and deal with violence done to children in the street and the community.

### **Child and youth participation**

- Promote participation at all levels so that children and young people are involved directly in decision making processes and programmes and actions affecting their lives.

### **Service provision**

- Develop and make available adequate services for effective violence prevention, protection, repatriation and reintegration for children and their communities.
- Ensure adequate provision of community services including shelter, education, and family reunification where it is the best interest of the child.

### **Community attitudes**

- Address discrimination and misperceptions related to children on the street and other marginalised children. Conduct public education campaigns to raise awareness on the rights of all children.

### **Legal reform**

- Devise and implement laws providing improved protection for children living and working on the street. These laws must clearly define the various forms of violence and discrimination affecting children on the street, as well as other protection needs. Laws and their enforcement need to address actual and perceived impunity for acts of violence against children, and acknowledge and act against the corrupt management of resources and services intended to assist in addressing violence.

### **Child pornography**

- Children on the street are vulnerable to being made the subjects of child pornographers. Laws are required that explicitly prohibit and provide harsh punishment in order to deter the making and distribution of child pornography.

### **Other pornography**

- Children on the street also need to be protected against exposure to harmful materials such as pornography. In this context restrict outlets for pornography distribution as well as children's entry into locations where they may be at risk. Enforce harsh punishment for suppliers of pornographic materials to under-18s.

### **Substance abuse**

- Children on the street are vulnerable to substance abuse. Prohibit advertisements for cigarettes and alcohol. Provide education on the bad effects of substances including alcohol, drugs and solvents, and include warning labels on products. Provide harsh punishment for adults who sell or exchange illegal substances.

### **Prostitution of children and trafficking of children for various purposes**

- Provide harsher penalties for everyone involved in prostituting children and/or trafficking children.

### **Reporting**

- Create improved mechanisms for reporting violations against children.

### **Data collection and indicators**

- Develop data-collection systems and country-specific indicators on violence against children. Such indicators will assist in measuring progress and provide support in holding governments accountable for failing to act to protect all children against violence.

## Violence against Children in the Cyberspace and Online Environment

### *“Harassment and Intimidation: Violence to Children in and via Cyberspace”*

#### **Presentation to the Working Group by Mr. Will Gardner, Research and Policy Manager, Child Net International**



Mr. Gardner identified three ways that children are harassed and intimidated via the internet or online environment and other new technologies. These are: grooming, where children can be exploited through online venues including chat-rooms and dating sites and via cellular phones; stalking, where harassment and threats are delivered via new technologies including the internet and mobile phones; and bullying via the use of new technologies, where children are in situations where they may, for example, have no easy escape from the victimiser or where the person who is bullying them is protected by their anonymity. In regard to violence against children in the online environment the three concepts of access, anonymity and abuse are critical factors contributing to children's

vulnerability. Access refers to the way new technologies facilitate contact by exploiters with children at the same time as children increasingly have access to the internet and other technologies. The personal and private nature of this access also implies exploiters have increasing access to children. Mr. Gardner argued that anonymity allows children to experiment and engage in risky behaviour, which increases their vulnerability to exploiters. Anonymity in cyberspace increases children's vulnerability as abusers operate in the belief of anonymity, while children may take risks in the absence of an overseer. Abuse, Mr. Gardner argued, occurs as a consequence of the opportunities these new technologies provide for those who seek to harm children, including sexual abuse and exploitation. Mr. Gardner also noted that new technologies facilitate the exposure of children and young people to violent and exploitative images.

Mr. Gardner suggested that solutions to the problems of violence relating to new technologies, including the online and media environment, will require: legislative reform and enforcement; education and awareness programmes; and technological improvements, which help to protect the interests of the child, such as internet filters.

### *“Sexual Offending and the Internet”*

#### **Presentation to the Working Group by Dr Ethel Quayle, Department of Applied Psychology, University College Cork, Ireland, and Project Director, COPINE Project**

Dr. Quayle's presentation focused on sexual violence against children in and via virtual settings, with particular reference to depictions of child sexual abuse (child pornography). She noted that the criminal justice system's general response has been to focus on the

offender rather than the victim. Meanwhile, agreement is lacking within and between communities on definitions, laws and perceptions of what is appropriate, such as when children are sexualised within mainstream media or where abuse images remain legal, as in the case of some manga products in Japan.

The apparent increasing interest in images of abuse may be associated with the way the online environment facilitates change at many levels of human behaviour. It helps to alter moods; it lowers inhibitions; it enables multiple self-representations; it validates, justifies and offers a medium for the exchange of abusive images; it challenges concepts of regulation; and it disrupts conventional hierarchies.

## **Understanding the Context and Identifying Issues**

### **Manifestations of violence against children in cyberspace and virtual settings**

Violence against children in relation to virtual settings and the use of new technologies includes the production, dissemination and viewing of depictions of child sexual abuse (child pornography); abuse-intent adults seeking out children online in order to lure them into sex (grooming and dating); and harassment, bullying and psychological manipulation of children by adults or other young people. The group noted that child pornography includes the recorded abuse of a real child, for example, through photographs, as well as digitally altered images and illustrations such as Japanese manga. The abuses caused to children via new technologies may be both physical and psychological. A child's knowledge that her/his abuse has been recorded and may be made available to a wide audience is increasingly recognised as aggravating the violence experienced by a child violated in this way.

Some issues of concern include:

- Abusers forcing children to harm themselves.
- A confused understanding between online and offline worlds.
- Problematic role-playing in online relationship-building, chatting and camera usage.
- Breaches of trust.
- Children becoming involved in mass bullying. The normalisation of violence in mainstream media was considered a factor in forms of violence committed against and by children (whereby it was 'normal' to see children depicted in sexual and violent contexts, for example in mainstream advertising and gaming).

The working group noted that in the East Asia region in particular, where mobile phones and phone cameras have made a significant impact, children and young people with access to new technologies were more likely to interact via phone than through a personal computer. However, the group also highlighted that governments and others must recognise that images of sexual abuse could be made and distributed regardless of an abused child's individual access to cyberspace or new technologies. In the Philippines, for example, police data and new research presented to the group indicated that child pornography may now be more likely to be made in that country using phone cameras or via so-called cyber sex cafes (where commercial sexual performances for an 'unknown' audience occur in real time using web cameras). Meanwhile, in reference to other types of harms committed via new technologies, the group was told that young people in Thailand commonly used image morphing (or altering) services to blend images together in a way that serves to humiliate a peer.

### **Children most at risk and the types of problems that they face**

All children may be regarded as at risk, although some are particularly vulnerable because they are in economically and socially difficult situations or they have already been sexually abused and/or exploited; they feel lonely and distanced from their parents and others, or they have low self-esteem. Gender is a significant risk factor, with more girls than boys seeming to be at risk.

## Causes of violence against children in cyberspace and virtual settings

Sexual violence against children in cyberspace and virtual settings results from adult demand for child sex and abusive images. New technologies not only assist in meeting this demand but also appear to fuel demand by providing relatively easy and supposedly anonymous access to children and materials depicting their abuse. Sexual exploitation of children in virtual settings is also recognised to be facilitated in the region by the prior existence of child sex tourism and prostitution networks.



The various forms of violence against children in virtual settings are perpetuated by:

- The exploitative character of the private sector and IT industry.
- The allure for both children and adults of anonymity and role-playing.
- Personal developmental factors including the exploration of sexuality.
- A child's sense of isolation and/or desire to interact with others in virtual settings;
- Peer influences.
- Curiosity and the imitation of violence witnessed.
- Family difficulties and disruptions, including poor interaction between children and their carers.
- Continuing economic disparity and poverty in some parts of the region. Isolation is also a factor in the generational knowledge divide whereby many parents are said to be alienated from the technology with which their children are so familiar.

## Gaps in policy and procedure that facilitate the perpetuation of violence against children in cyberspace and virtual settings



There are massive gaps in policy actions, across the board. Jurisdictional issues are especially important, as is the lack of law enforcement where laws do exist for taking action. The group notes the difficulty in using the law to deal with bullying.

## Recommendations and Solutions

The group made the following recommendations for action at all levels. The proposals for community level actions may be regarded as applicable at all levels.

### Community level recommendations

- Provide education for all actors on how to use new technologies safely and responsibly. An example is to ensure technology users understand the short and long-term implications of sending an image or other information into cyberspace.
- Implement policies at all levels for the safe use of new technologies, including requiring the communications industry and all media to actively protect children. This includes funding reporting hotlines, awareness-raising campaigns and interventions such as regulations to monitor the operation of internet cafes.
- Support youth participation in identifying and acting on solutions, for example through children's forums.
- Provide psychosocial resources for children who have encountered harm, including resources to strengthen their resilience to cope with the multiple forms of violence committed against children within virtual settings and via new technologies.



### National level recommendations

- Set up legislation and harmonise laws to protect children from cyber crimes including grooming, stalking, bullying and child pornography.
- Relevant ministries to provide funded policy directives on safe use of new technologies.
- Develop a National Plan of Action to protect children from harm in relation to new technologies, outlining measures such as: the provision of quality care for children who have been harmed and integrating those measures into special response units dealing with crimes against children; providing training for relevant actors across disciplines; setting up hotlines for reporting crimes against children related to new technologies; and enacting legislation specific to cyber crimes committed against children.
- Set up regulatory mechanisms requiring the information and communications industry to protect children, including through the establishment of a Code of Conduct, which would be applicable to relevant industry actors, including Internet Service Providers, software makers, phone companies, credit card companies and financial transaction service centres, among others.

### Regional level recommendations

- Harmonise laws, establish common definitions related to harms perpetrated against children through new technologies, and develop common standards for dealing with such crimes and their consequences, including treatment for harmed children and rehabilitation of offenders.
- Establish and fund concrete measures for cooperation between countries, including setting up regional hotline networks and collaboration between law enforcement and psychosocial specialists.
- Undertake research to inform action and set up regional networks to share information and experiences to combat crimes against children through new technologies, including models of good practice.

## Violence against Children in Conflict with the Law



### **Video Presentation introduced by Ms. Tuul Tsend Ayush, National Advocacy Coordinator, World Vision International, Mongolia**

World Vision Mongolia presented a short video on what has been achieved after

five years of programme activity aimed at influencing government prisons and the police. The video shows that community work with young offenders reduces re-offending behaviours and has improved the situation of children who come into contact with legal processes. The video featured interviews with parents, children, teachers, police, prison workers and prosecutors.

Despite progress, the video presentation by World Vision identified a number of remaining obstacles. These include the lack of trained specialists to work with juveniles; gaps between legislation and implementation; bureaucratic delays in the court system and subsequent extended periods of pre-trial detention; a lack of pre-release programmes to aid community re-integration and a lack of resources for reform.

### **Understanding the Context and Identifying Issues**

#### **Manifestations of violence against children in conflict with the law**

Violence against children in conflict with the law (CICWL) happens to children caught up in the criminal justice system in practice (as opposed theory). The different stages of the criminal justice system through which these children pass include the following: pre-arrest; arrest; police custody/detention; juvenile or adult court; and adult prison or remand home. The experiences children undergo in these different stages, in a way, outlines the kind of violence inflicted on them and generally manifests itself in physical, psychological and sexual violence.

- **Pre-arrest** – Street children in particular are vulnerable at this stage to harassment including threats of arrest, insults and extortion (money or sexual favours). This is usually committed by the police and in some cases even by the public, for example by property owners or security guards.
- **Arrest** – The majority of arrests are usually without a warrant and this increases the risks of all forms of violence against children. The manner of arrest may also use force such as beatings, the unnecessary use of handcuffs or restraints and/or degrading or humiliating treatment. Illegal arrests also happen where individual or groups are “rounded up” for no particular reason at all but are simply used as “scapegoats” for a crime committed by someone else.
- **Police custody/ detention** – Following arrest, children are taken into police custody where abuse is rampant. Intimidation, forced confessions, false accusations and torture are common forms of violence against children. Parents or Guardians are usually not informed of their situation and the assistance of a lawyer is the exception rather than the rule. These children are often held in detention for long periods of time before their case is reviewed.
- **Juvenile or adult courts** - In general, there are very few courts designated as juvenile courts thus hearings are often held in adult courts. In many cases judges do not have specialized knowledge in

handling cases of children and are often not trained along human rights/children's rights standards. There are also no "children friendly" court rooms or facilities.

- **Adult Prison or Remand Home** - At this stage, children can spend an extraordinary amount of time in often inhumane and degrading conditions that can include a lack of food and water, overcrowding, no bedding or toilet facilities, poor lighting and extreme temperatures. Mixing of children with adults is common and even in cases where they are separated they are not adequately separated from children of different ages or criminal statuses. Girls are especially likely to be held with adults and inadequately separated from other categories of children because there are often insufficient facilities for detaining girls. As such girls are often prone to sexual abuse. Alternatives to detention are rarely implemented even if they exist as legislative options at the discretion of the judge. There is also a lack of support structures necessary to implement many of the alternatives.

### **Children most at risk and the types of problems that they face**

Some of the children considered most at risk in these situations are:

- Street children because they lack parental care and guidance and are most likely to commit crimes or be forced to commit crimes for their survival.
- Out of school children because they are the most likely to end up on the streets.
- Indigenous children, and those from various ethnic groups, because they are often directly or indirectly discriminated against.
- Children in institutions because they have limited access to legal services.
- The working group noted the following problems that these children face:
  - Lack of reintegration services.
  - Language problems.
  - Inadequate services. For example many children are not visited by a social worker or visited by parents within the first 24 hrs following arrest or detention.
  - Children may face particular risks under community law structures due to a lack of monitoring of community legal systems.
  - Under some community diversion programs community politics may exempt community members from fair mediation processes. For example, if the family has certain connections, mediation processes are often compromised.
  - Children are often exposed to sometimes inexperienced, insensitive and/or untrained police officers.

### **Causes of violence against children in conflict with the law**

- **Poverty:** the links between poverty and crime are well known not only in terms of income poverty but also in the way that poverty restricts access to basic services such as health and education and how it can limit life choices and opportunities. It must be stressed however that not all poor children end up in crime or in conflict with the law. Poverty is a push factor and must be seen within the broader context of supportive or non-supportive relationships in the family and community;
- **Problems in the family and community:** these include neglect, physical, psychological and sexual violence, death, separation, abandonment, imprisonment of parents, divorce, re-marriage and the pressures of child-headed households. These problems in family relationships render children more vulnerable to contact with and abuse within the criminal justice system due to lack of protection from responsible adults, absence of parents or Guardians to take responsibility for their custody and supervision; and
- **Society's negative attitudes toward CICWL:** who often endure discrimination and stigmatization which place a lot of stress on already difficult lives and results in children being less likely to benefit from diversion programs and alternatives to detention.

## Gaps in policy and procedure that facilitate the perpetuation of violence against children in conflict with the law



The experiences of children in the criminal justice system are defined by the relationships they experience in each stage of the processes described earlier. For simplicity, the gaps in policies and procedures will be explained according to the five pillars of the criminal justice system: law enforcement; prosecution; courts; correction; and community.

- **Law Enforcement:** Inadequate or poor law enforcement, non-adherence to the Beijing rules, Riyadh guidelines and international obligations under the CRC.

- **Prosecution:** A lack of accountability allowing perpetrators to act with impunity and problems with bureaucracy in the justice system.

- **Courts:** The absence of juvenile courts and “child-friendly” juvenile justice systems and the lack of training for key actors in the justice system such as lawyers, judges and prosecutors.

- **Correction:** lack of rehabilitation and reintegration programs and lack of appropriate alternatives such as diversion programs and restorative justice.

- **Community:** the scope of community is very broad ranging and includes many important actors in the lives of these children. Programs to help them can be oriented towards influencing: the child’s family, extended family and “alternative

family” of supportive peers and friends; specific influential and/or professional community members such as service providers like teachers, social workers, doctors and religious leaders; the business community, ranging from local shop keepers to large corporations; other community members such as neighbours; and civil society organizations such as NGOs, women’s groups, church groups, children’s clubs and unions.

The challenge to the community is to protect children from negative and harmful relationships as much as possible and to build “safety nets” through the various programs and services.

## Recommendations and Solutions

The working group developed the following overall recommendations:

- Develop preventative approaches through education and information dissemination and through community based prevention and diversion programs.
- Focus on restorative justice rather than retributive justice, which includes actions to divert children in conflict with the law towards appropriate alternatives, for example, family conferencing.
- Implement internationally agreed guidelines regarding the deprivation of children's liberty where detention is the last resort and only enforced for the shortest time possible. There should also be time limits for pre-trial detention, reviews for conditional release, good quality care, complaints systems, access to information and separate children's detention centres.
- Mainstream meaningful children's participation both at the preventative stage and when children are involved in the juvenile justice system. This should include decision making at all levels in a sustainable manner for all children without discrimination. There is a particular need to stress the child's right to participation when they are in custodial care.

### Community level Recommendations

- Education and provision of information for parents, Guardians, care givers, teachers, health workers, social workers, professionals, paraprofessionals and children on child rights and laws.
- Community-based prevention and diversion programs for children in conflict with the law.
- Access to adult/s of choice, social workers and a legal representative.

### National level Recommendations

- Develop comprehensive juvenile justice legislation based on international standards (CRC, Beijing, Riyadh and Tokyo Rules) which explicitly criminalizes all forms of violence against children in contact with the law.
- Rehabilitation which reintegration programs at the national and community level.
- Establish detention centres which are children friendly and conform to international guidelines.
- Establish independent monitoring bodies, both statutory and non-statutory.



## Closing Session - Highlights<sup>13</sup>



### Closing Statements by Under-18 Delegates

Under-18 Delegates from Timor Leste, China, Indonesia and Viet Nam shared with the plenary their concluding thoughts on the Regional Consultation. They all expressed their gratitude to the other Under-18 Delegates, to the governments of the region and to the organisers for encouraging and supporting their meaningful participation.

Secondly, they all promised as part of their own plan for follow up action that on return to their countries they would continue to engage in dialogues with other young people, UN Agencies, NGOs and governments to maintain the momentum the Consultation has generated. The Under-18 Delegates also reaffirmed their commitment to encouraging and fostering the participation of young people in regional forums and policy discussions and also noted the especially difficult situation faced by disabled children.



### Paulo Pinheiro, Independent Expert for the United Nations Secretary General Study on Violence against Children: Closing Remarks

Mr. Pinheiro emphasised that good laws are essential as they provide the framework for the mobilisation and organisation of civil society. However, laws are not magic wands and must be followed up with implementation and monitoring.

Mr. Pinheiro argued there was clear agreement during this Consultation that corporal punishment should be abolished and discouraged, as to do so is to express a fundamental respect for children and adolescents. Children need to have the same right not to be hit as do adults and this should be the case wherever children are found.

Mr. Pinheiro reiterated the need for adults to listen to the voices of children including the most vulnerable, such as orphans and disabled children.

Mr. Pinheiro concluded by saying that everything which has transpired over the three days of the Consultation pointed to the urgent need to implement the Convention on the Rights of the Child. Mr. Pinheiro also urged governments to take the messages from this Consultation home with them and not to wait for the completion of the Study to implement the recommendations which have evolved out of the Consultation.

<sup>13</sup> The closing statements by Under-18 Delegates and closing remarks made by Mr. Paulo Pinheiro, Independent Expert for the United Nations Secretary General Study on Violence against Children, Ms. Anupama Rao Singh, Regional Director, UNICEF East Asia and Pacific Regional Office and Excellency Minister for Social Development and Human Security, Mr. Pracha Maleenond, are available as annexes XV, XVI, XVII and XVIII respectively.

**Ms. Anupama Rao Singh, Regional Director, UNICEF East Asia and Pacific Regional Office:  
Closing Remarks**

The UNICEF East Asia and Pacific Regional Director argued that the link between development and human rights issues, such as violence against children, can not be underestimated. Violence against children is about power relations just as underdevelopment is about inequities. The Regional Director also reiterated there is a strong link between poverty and vulnerability to violence and posed to the plenary the following questions:

- How do we get the notion of a human rights based approach to development (such as ending violence against children) and the rule of law as central to international definitions of good governance and therefore as conditions to the flow of development assistance?
- In terms of the evolving capacities of the child, and the child's capacity to learn about responsibility and right and wrong, how can we explore these arguments through discussions with teachers, parents and communities? How can we use these discussions and harness the best of research on the evolving capacities of the child to assist with capacity building processes and initiate behavioural changes?

The UNICEF East Asia and Pacific Regional Director mentioned the need to look for and research examples of non-violent traditions for child rearing and see how traditional wisdom can be incorporated into strategies to end violence against children. The Regional Director also noted that involvement of faith-based organisations may well have assisted the Consultation to identify approaches to the issue of violence against children. Faith-based organisations need to be included in an intra-faith approach to stopping violence against children.

In conclusion the UNICEF Regional Director also reiterated Mr. Pinheiro's point that the momentum generated by the Consultation must be maintained and implored delegates to work with their partners to ensure the recommendations developed at the Consultation are implemented.

**His Excellency, Mr. Pracha Maleenond,  
Minister of Social Development and Human  
Security, Royal Government of Thailand:  
Closing Address**

The Minister closed the Consultation by offering his sincere gratitude to all participants and in particular the Under-18 Delegates. The Minister assured that Thailand will benefit from the Consultation and stated that the Ministry of Social Development and Human Security is looking forward to implementing the recommendations that have been developed. These recommendations include:

- To ensure the full and comprehensive implementation of the Convention of the Rights of the Child and all other relevant international standards and guidelines.
- To criminalize all forms of violence against children, including corporal punishment.
- To mainstream and institutionalise the meaningful participation of children at all levels.



# 5

## Conclusions and Emerging Issues

Substantive presentations, keynote addresses and the seven working group sessions of the East Asia and Pacific Regional Consultation on Violence against Children identified numerous commonalities in regard to the: manifestations of violence against children, categories of children who are most at risk of violence being perpetrated against them; causes of violence; and the legislative and policy gaps that allow violence against children to continue. While, as the reports for the working group sessions demonstrate, there are manifestations, issues of vulnerability, causes and legislative and policy issues that are specific to violence against children in each of the seven settings, it is nevertheless clear that violence against children, regardless of where it occurs,

is a consequence of many causal factors that cut across environments, institutions, communities and societies.

This section of the report will assess commonalities and consider some of the issues relating to violence against children which have emerged from the Regional Consultation. Please note that as mentioned above, there are many recommendations which have been made specifically in relation to violence against children in each of the seven settings. Therefore, readers who are particularly interested in these context specific recommendations are encouraged to refer to the individual sections of this report which deal with each of these seven settings.

### Manifestations

Although there are manifestations of violence against children specific to each of the settings, or manifestations, which could arguably be said to occur more frequently in particular settings, it is clear that the majority of violence against children manifests in ways common to all of the settings considered during the Regional Consultation. It is also clear from the working group reports that the manifestations of violence and abuse against children are many and inter-linked, and that violence and abuse against children can be broadly categorized as physical, psychological and emotional. However, psychological and emotional violence cannot be divorced from physical violence as these manifestations frequently occur together. For example, sexual violence and bullying both contain elements of physical and psychological violence. Similarly, psychological violence can also cause severe physical damage and physical violence can cause severe psychological / emotional damage.

Within these generic categories of violence the working groups identified specific manifestations of violence perpetrated against children.

**Physical violence:** Manifestations of physical violence perpetrated against children by adults and other children commonly noted by the working groups include:

- Sexual assault and abuse.
- The commercial and/or physical exploitation of children, which leads to exposure to hazard including, but not limited to, physical and emotional abuse.
- Torture, including, for example, children being forced to stand in the sun or forced to fast.
- Murder including, for example, summary execution and politically or sexually motivated homicide.
- Corporal punishment in its many forms.
- Bullying and physical harassment.

**Psychological and emotional violence:** In many ways psychological and emotional violence against children were identified as at the root of many of the problems of violence against children. Children, in the context of corporal punishment, identified emotional and psychological violence as often more damaging and hurtful than physical violence. Participants at the Regional Consultation also noted that violence against children is an abuse of power that results in psychological and emotional harm. It was also noted, in the context of the abuse of power, that psychological and emotional violence sometimes occurring in parallel with physical violence represent the most common manifestations of violence against children.

Manifestations of psychological and emotional violence perpetrated against children by adults and other children that were commonly noted by the working groups include:

- Physical violence in all its forms, which almost always includes elements of psychological and emotional abuse.
- Verbal abuse.
- Sexual harassment.
- Discrimination and stigmatization on the basis of ethnicity, size, gender or disability.
- Neglect by caregivers.
- Exposure to harmful substances or degrading materials either by adults or by other children.
- Manipulation, exploitation and/or intimidation.
- Ideological or religious coercion.
- The denial of privacy and/or confidentiality.

#### **Vulnerability and the children most at risk:**

The Regional Consultation recognised that all children are fundamentally vulnerable to violence in its many manifestations and that this vulnerability is sourced in the inequitable power relations between children and adults. Furthermore, all children are vulnerable to violence in each of the seven settings that the Consultation considered and like manifestations, vulnerabilities are inter-linked and multi dimensional.

While the Consultation recognised and emphasised that violence against children is widespread and that children are vulnerable to violence in all of the seven settings, the Consultation also recognised that, dependent on a range of variable factors, particular groups of children may be more at risk of violence either in general, or in any of the seven contexts that were considered. Although, it is extremely difficult to point to which factors make children most vulnerable to violence as the dynamics of vulnerability vary within individual contexts, it is nevertheless clear that certain groups of children are more vulnerable to violence than others. Especially vulnerable groups of children include:

**Girl children:** While boy children are often more vulnerable to physical violence (i.e. bullying, beatings and other forms of corporal punishment) girl children, especially teenage girls, are more vulnerable to sexual violence and sexual exploitation. It was also noted that violence against girls and women is in many ways culturally tolerated and that as girls grow older they become more vulnerable to all forms of violence in all settings. Boys also experience sexual and other forms of violence but if all other vulnerability factors are equal, it is reasonable to surmise that girl children may be more vulnerable to abuse. Girl children are frequently devalued in societies across the East Asia and Pacific region which can lead to their commodification (promoted within the media and advertising sector) and subsequent abuse.

**Children who experience violence in other contexts:** When children experience violence in one setting they are often more vulnerable to violence in other settings. For example, children from homes where violence occurs may be vulnerable to other forms of violence such as vulnerability to violence on the street (such as at the hands of law enforcers or traffickers) which is in part caused by being forced to leave home.

As Ms. Edwina Kotoisuva argued in her presentation, Children who live in homes where there is domestic violence, usually perpetrated against women, are often more vulnerable to violence against them. A child

having to witness violence in the home is a form of violence being perpetrated against them.

**Children with difficult home environments:** The Consultation recognised that violence in the home is a precursor to many other manifestations of violence against children and can cause children to be vulnerable to violence in other settings. If children are enduring a dysfunctional and/or impoverished home environment they can be forced in to contact with the law or forced to live on the street; compelled for economic reasons into unsafe or exploitative work; their behaviour at school may suffer which may in turn increase their vulnerability to bullying or corporal punishment; and they may be at increased risk of exposure to harmful substances, coercion by adults and/or sexual abuse. They may seek solace online and encounter abusive situations and inappropriate materials there. Without a protective home environment children are arguably more vulnerable to violence in other settings.

Factors that can lead to family violence may include, for example: economic hardship; drug abuse and/or alcoholism; domestic violence against women; and family isolation from the community caused by ethnic or religious differences.

**Out of school children:** While it is understood that children experience violence in the school, evidence also suggests that children at school are often less vulnerable to a range of other types of violence. For example, children out of school may be more vulnerable to: violence on the street; violence in the work place; sexual and/or commercial exploitation; and gang violence perpetrated by other children, or groups of children. For this reason there are strong arguments for ensuring that schools are children friendly and supportive of children's development needs, for if children are driven from school by bullying or corporal punishment in the name of discipline they may end up exposed to potentially more harmful violence.

**Children in emergencies and/or conflict situations:** This group of children can be extremely vulnerable to violence as a consequence of, for example, separation from family and community, the loss of identity or from exposure to adults and other children who may be less accountable for acts of violence. The trafficking and sexual exploitation of children who have lost the support of their families and communities is a common manifestation of violence against children in these contexts.

**Ethnic minority children:** Ethnic minority children, or for that matter children from any minority group, can suffer discrimination which can lead to other forms of violence such as bullying. Minority children and their families are also often economically and socially marginalised which can increase their vulnerability to violence and abuse.

**Children with special needs:** Children infected or affected by HIV/AIDS and other children with special needs such as disabled children, autistic children, or children with learning difficulties may have to endure discrimination and isolation, which aside from being manifestations of violence in their own right, may also, as mentioned previously, increase children's vulnerability to other forms of violence.

Similarly, orphaned, adopted or unwanted children are made vulnerable by virtue of their often diminished status within families, communities or institutions. Without the support of family and community children can suffer and be made more vulnerable to many forms of violence against them.

**Children who lack advocates, family or friends:** Related to the above categories of children, children without advocates are isolated when violence is perpetrated against them and have no one to turn to or to protect their rights. This group of children are particularly dependent on the quality of institutions (for example, orphanages, courts and schools) and the professionalism of caregivers such as teachers and law enforcement authorities.



### Causes of Violence against Children

As the manifestations of violence against children relate to vulnerability factors so do vulnerability factors overlap with causes. That is to say that factors resulting in vulnerability such as poverty and discrimination can also be seen as causes of violence against children. Similarly, the failure of societies in the EAP region and beyond to recognise children's human rights, as well as a culture of impunity and children's subordinate status are also fundamental causes of violence against children. Aside from these principal imbalances, other factors that exacerbate vulnerability and result in violence against children include:

- A lack of awareness or indifference to children's rights that underlies a fundamental lack of respect for children's dignity and integrity.
- Economic and social disparities that perpetuate the economic exploitation of children both as consumers and producers, and place pressures on families, which can lead to various instabilities and dysfunctional behaviours.
- Other social problems in the home and community which may have been caused by conflict, poverty or political and/or religious tensions.
- Criminality and the widespread exploitation of children for economic gain.
- The media and new technologies such as the internet, which are often unregulated and spread content contributing to the 'normalisation' of violence as entertainment and a selling point, whereby children's exposure to depictions of violence, sexual violence and exploitation has a



socialising effect on the child and the wider society which trivialises acts of violence and perpetuates gender stereotypes.

- In regard to sexual exploitation of children and young people, adult demand for children to be used for sexual purposes, as well as continued demand for sexual services in general (which in turn also sustains the sexual exploitation of children within the wider sex industry) is arguably increasing in line with easier and anonymous access to pornography, including child pornography, through the use of new technologies (including the internet and mobile phones).
- Insufficient prioritisation of children's welfare by state and community actors, institutional corruption and institutional indifference to children's rights.
- Inadequate capacity of parents, caregivers, teachers, law enforcement officials etc. regarding non-violent discipline and the teaching of peaceful values.
- Traditional customs and values that perpetuate the subordinate status of children and women and disregard, although not always, violence against them, including corporal punishment as a legitimate method of disciplining children.
- The impunity of adult perpetrators of violence in all of the settings considered by the consultation, for example: teachers continuing to beat children even when corporal punishment is illegal; employers continuing to exploit children economically when faced with only minimal sanctions or legal redress which, when they do exist, are often not widely understood or enforced; and parents abusing their children safe in the knowledge that their community considers violence in the home to be a "family matter".

## Gaps in Policies and Procedures

Just as factors which exacerbate vulnerability are also causes of violence against children, gaps in policies and procedures, or the failure of governments and communities to ensure measures that mitigate violence against children, can also be considered as underlying causes of violence against children. Some of the common gaps in policy and procedure identified by the Regional Consultation include:

- The failure to fully implement the Convention on the Rights of the Child and to ensure that human rights instruments are widely socialised within communities and nations.
- The lack of political will to develop and implement laws that are compliant with the CRC and in the best interests of the child.
- The absence of adequate enforcement and disciplinary measures for parents, teachers, employers, and law enforcement officials etc. who contravene existing laws aimed at protecting children.
- The failure of communities and governments to make citizens, including children, aware of laws and to provide means for legal redress.
- The lack of support provided to families both in terms of the provision of basic services and in terms of developing parenting skills.
- The lack of support provided to civil society and with regard to facilitating community and child participation in decision making.
- Insufficient research, monitoring and evaluation of issues relating to violence against children, both at the national and regional levels.
- The absence of child and family friendly reporting measures which provide confidentiality and facilitate the pursuit of justice.
- Inadequate coordination between government, civil society and communities on issues of violence against children and measures aimed at improving outcomes for children.
- Inadequately developed, or non-existent, child protection networks and the absence in many countries of National Plans of Action for Children.
- Inadequate child protection services.
- Lack of media regulation and accountability in relation to portrayals of violence and the targeting of youth markets by advertisers.
- The failure of governments to adequately prioritise violence against children and to link issues of violence against children with broader social development goals and strategies.



## Key issues emerging from the Consultation

### **The scope of violence against children and its affects on children and on society**

Throughout the Consultation it was clear that violence against children is an enormous social problem in the East Asia and Pacific Region that is not only hugely detrimental to children's development but compromises the wellbeing of communities and society as a whole. Violence against children was widely recognised as pervasive in all of the seven settings which were considered and recognised as a problem that must be confronted, not only to ensure that the rights of children are upheld, but also to ensure the long term sustainability of communities and society.

### **Understanding the issues and breaking the silence**

Having recognised the depth and severity of the problem of violence against children in the East Asia and Pacific Region the Consultation determined that the first priority must be for governments, UN agencies, NGOs, civil society and communities to come to terms with the extent of the problem and to encourage open dialogues at all levels about the nature and causes of this violence and how to end it. Recognizing the severity of the problem, as Mr. Vitit Muntabhorn suggested, also starts with facing our own experience of violence either as perpetrators or victims. Finding solutions starts with, as Ms. Judith Ennew suggested in her presentation "Child Rearing for Peace", recognising that violence is not necessarily innate human behaviour but rather an affront to human development. Instead we must be focused on social cooperation and respect. Only through having the courage to recognise and understand the problems of violence against children, and by extension the problem of violence within society as a whole, can we begin to break the silence and find solutions to a problem which impedes social progress and jeopardises the wellbeing of future generations.

### **Power relations and impunity**

The key to breaking down the cycle of violence against children is the need for adults to recognise that, as the Independent Expert Paulo Pinheiro noted, "Children are not mini-human beings with mini-human rights". Children must be understood

as human beings with full human rights and only through adults treating children with the respect that they are entitled to can violence against children stop. Also critical to ending violence against children is the need for communities and governments to cease their tolerance of violence against children and to understand and demonstrate both institutionally and in regard to the development of policy and legislation that adults are accountable for all acts of violence against children. Through debate, education and public information, governments, communities and other actors must ensure that violence against children becomes a public concern and is no longer perceived as something which, because it often occurs in private domains, is not considered a public responsibility.

### **Addressing vulnerability**

As has been emphasised and must be emphasised, the Consultation recognised that all children are vulnerable to violence in all contexts. However, the consultation also recognised that certain groups of children are especially vulnerable to violence and that all measures should be taken to assess who these children are and how their needs and rights can be better addressed. For measures to end violence against children to be effective, problems must be tackled from many different angles, and while violence against all children must be addressed this does not negate the urgent need to consider the circumstances faced by particularly vulnerable children.

### **Banning corporal punishment**

As the Chairperson for the Committee on the Convention on the Rights of the Child, Mr. Jaap Doek noted in his opening address "the ultimate test case for the respect for the rights of the child is the abolition of corporal punishment". The Consultation recognised that, as a minimum, children should be treated with the same respect as adults. In this context the abolition of all corporal punishment, including in the home, or the enforcement of existing laws banning corporal punishment in schools were highlighted as fundamental priorities. As Mr. Jaap Doek also noted in his opening address "if you don't beat your neighbour don't beat children either". Through enforcing the abolition of corporal

punishment in all its forms and in all the settings in which it occurs, governments in the region can take an initial and significant step towards breaking the cycle of violence against children and bestowing on children the respect they rightfully deserve.

### **Implementing the Convention on the Rights of the Child and community and child participation**

Underpinning all the recommendations which emanated from the Regional Consultation was the urgent imperative to fully implement the Convention on the Rights of the Child. All countries in the East Asia and Pacific Region are signatories to the CRC and are therefore obliged to ensure its articles are adhered to, that legislation is developed and enforced in compliance with the CRC and that state policies and development objectives are in the best interests of the child. While it was noted by some participants that there are major obstacles to CRC implementation in the EAP region this does not diminish state obligations to make every attempt to ensure that children's rights are both respected and promoted. Linked to CRC implementation is the urgent need to improve efforts to broadly disseminate and socialise the CRC within communities and at the national level. Only through children and communities becoming aware of their rights can governments and other state actors be held accountable for their actions and encouraged to prioritise interventions and programmes which are in the best interests of the child and, by proxy, the community at large. Key to all efforts towards CRC implementation will be a top-down and bottom-up approach. This is where governments support communities to realise their objectives and children and communities are empowered to participate fully in their own social development. Children's participation in decision making is, in particular, an important element of community empowerment strategies and has the potential to not only ensure that programmes, policies and services are in the best interests of the child, but also to guarantee the wellbeing and empowerment of future generations. Violence against children diminishes children's capacity to participate whereas, inversely, the participation of children empowers children and diminishes the power of those who would perpetrate violence against them.

### **Cultural considerations and child rearing for peace**

The Regional Consultation on Violence against Children noted from the outset that the East Asia and Pacific region is typified by cultural and ethnic diversity. In this context it became clear over the course of the Consultation that there is a need to pay greater attention to cultural considerations when developing solutions to the problems of violence against children. As previously mentioned, some participants noted there are cultural obstacles to the implementation of the CRC and that certain cultural and traditional values, such as the low status of children and women, allow the perpetration of violence to continue. In this context the importance of taking cultural practice and traditional values into consideration when designing programmes, for example programmes aimed at socialising the CRC, was emphasised by many of the presenters and the working groups.

However, as Ms. Judith Ennew noted in her presentation "Child Rearing for Peace", there are also many positive examples of peaceful cultural practices. For example, there are peaceful and non-violent child rearing practices within the East Asia and Pacific Region that can be learnt from and used in the design of programmes to provide alternatives to corporal punishment and to promote non-violent conflict resolution.

### **The media, cyberspace and violence against children**

As noted previously in this report a working group was convened at the Regional Consultation on violence against children in the cyberspace/online environment. This working group raised a number of concerns in relation to the exploitation of children within virtual environments, including production and dissemination of child pornography, and in regard to the damaging effects of exposure to the various forms of violence and offensive materials which can be found in the online environment. In many ways the emergence of information technologies, the internet, digital imaging and cellular telephones and the increasing prevalence of these technologies pose a whole new range of threats to children in the East Asia and Pacific region. While these technologies also present enormous learning and communication opportunities for children and young people they can also be used to manipulate, exploit and coerce children. These issues are dealt with more

comprehensively in the section of this report dealing with violence against children in the cyberspace. Linked to issues of emerging technologies and how violence is enacted is the broader role of the mass media and, by association, the private sector. It was noted by some of the working groups that the media frequently trivialises violence and fosters, within society, a tolerance and desensitization of violence in all its forms including sexual violence. The mass media, including, for example, corporate advertising, television entertainment and magazines, frequently: presents graphic depictions of violence; perpetrates the idea that violence is an appropriate way of resolving conflict; propagates values of competition and aggression; as well as gender stereotypes, the sexualization of children and the subordinate status of women and girls. All of this arguably contributes to the proliferation and tolerance of violence in society and against children. It was also noted by the working groups that the internet and, to a lesser extent, the mass media remain largely unregulated in the East Asia and Pacific Region and are largely driven by market forces.

However, working groups also noted that the media has in some cases played a positive role in promoting non-violence and has the potential to be a major catalyst for change. The question remains as to how governments, UN Agencies, NGOs and Civil Society can work with the media and private sector emerging technologies to promote peace and non-violence.

### **Violence against children, human rights and the regional development agenda**

As has been emphasised many times, violence against children is not only a fundamental violation of the Convention of the Rights of the Child, it is (as was noted by several participants at the Regional Consultation) also a human rights violation. In this context it was noted, in particular by the UNICEF EAP Regional Director Ms. Anupama Rao Singh, that the links between efforts to end violence against children and the global development agenda could be strengthened to each others mutual advantage. Ms. Rao Singh noted the importance of lobbying for governments to adhere to human rights principals, including as they apply to children, as pre-conditions to the flow of development assistance. It was also noted at the Consultation that ending violence against children is both a human rights issue and a development issue. That is to say that not only

is ending violence against children essential to the wellbeing of children and to realising children's rights to survival, development and protection but is also essential for the sustainability of social and economic development. Ms. Rao Singh noted that investments aimed at ending violence against children and promoting children's wellbeing and development are public goods that promote long-term social stability and cohesion and, by proxy, ensure economic prosperity and poverty reduction.

### **Sustaining momentum**

Aside from the contribution to the United Nations Secretary General Study that the Regional Consultation on Violence against Children will make, there was a strong feeling among participants that the processes leading up to the Consultation and the Consultation itself, have generated consensus and momentum around issues of violence against children and the types of actions needed to ensure that children can develop in a non-violent and peaceful world. Many of the participants, some of whom are experts in the fields of child rights and child protection, were in agreement that they had learned a great deal from the discussions and debates held. At the conclusion of the Consultation there was also a sense that much had been achieved and that an authoritative movement for peace, new approaches, self evaluation and positive change had been instigated.

Mr. Jaap Doek, the Independent Expert, Mr. Vitit Muntabhorn, Ms. Anupama Rao Singh, the Under-18 Delegates and many of the other presenters and speakers urged all participants, but especially participants from governments, to take forward what they have learnt and to make sure that the issues and recommendations that emerged at the Consultation find resonance at the highest level. The Regional Consultation clearly demonstrated that with the East Asia and Pacific there is the expertise, there is the commitment, there is the insight and there is the will to end violence against children.

Yet as well as ensuring that recommendations for actions at the community, national and regional levels are implemented it will be essential for all people who are committed to upholding children's rights to, as Mr. Vitit Muntabhorn stated in his keynote address, "start young, start firstly at home and start by example".

# 6

## Consultation Statement and Summary of Key Recommendations

### Concluding Statement of the East Asia and Pacific Regional Consultation on Violence against Children

We the adult and child delegates from governments of the East Asia and Pacific region; from regional and national non-government organizations; from international organizations and from United Nations agencies are committed to end violence against children. Following the successful conclusion of the East Asia and Pacific Regional Consultation on Violence against Children that was held in Bangkok from June 14 to 16, 2005, and in light of the comprehensive and wide ranging discussions that took place, we make the following observations:

- Violence has affected the lives of all children in the home, in schools, in work situations, in institutions, in conflict with the law, and in the street and the community.
- Participants recommended common approaches. These approaches include ensuring that special consideration and understanding is afforded for marginalized children; awareness raising and capacity building strategies; the review and development of appropriate legislation, policy and guidelines; the development of quality programs, services and standards; and effective monitoring and evaluation.
- That we recognize the importance of improving efforts towards rights based and participatory research that result in useful data and information for policy development and improved program responses.
- That parents need support in order to better understand issues of violence against children, and to develop non-violent parenting skills.
- That we work towards the elimination of all forms of corporal punishment in all the settings that it occurs.
- That we address the trivialization of violence by the media, which has resulted in an increasing tolerance of violence in society and in growing levels of violence against children by other children.
- That we also recognize emerging issues that were highlighted in the Consultation including violence against children in cyberspace and through other new technologies and we urge action be taken to address and prevent these forms of violence.
- That the Regional Consultation has been unique in integrating meaningful and effective participation of children at all stages, and that the establishment of an agreed Protocol for the Consultation that emphasized the equal status and full participation of children ensured their involvement in all decision making and interactions. Therefore, we urge all countries to mainstream meaningful child participation.
- That the cycle of violence can only be broken by creating a culture of peace and harmony and by improving cooperation and networking mechanisms among children, adults, communities, civil society, governments and international agencies.
- That country efforts to fight and sustain the campaign on violence against children should be supported through provision of technical assistance and resources.
- And finally, that we reaffirm our commitment to the ongoing efforts of the United Nations Study on Violence against Children and to the national, regional and international processes that will ensure the successful implementation of recommendations.

To conclude, we acknowledge that violence against children and violence in society as a whole are not inevitable, but rather an injustice that can be ended by recognizing that peace is a human right.

This responsibility belongs to everyone!



## Summary of Key Recommendations

### ***Violence against Children in the Home and Family***

- Ensure child participation by establishing mechanisms to include children in decision making, implementation and evaluation processes.
- Develop mechanisms to ensure that legislation, policy and programs are based on sound data and are implemented as well as evaluated for effectiveness.
- Ensure quality services by developing standards, prioritizing capacity building of caregivers and providers, building local & regional networks and providing children friendly services.
- Prioritize preventive initiatives aimed at changing attitudes, educating parents and prohibiting corporal punishment.

### ***Violence against Children in the School and other Educational Settings***

- Develop appropriate policies which include: prevention of violence, monitoring and reporting mechanisms, budget issues, curriculum that would integrate conflict resolution, human rights, gender, and child rights.
- Develop appropriate legislation that would ban all forms of corporal punishment in schools, including monitoring systems for effective enforcement and protection
- Conduct pre- and in-service training courses: for head masters, school administrators, teachers, peer counsellors of pre-school and primary schools on child rights, child psychology, and child-friendly learning environments
- Increase awareness on child rights, especially on learning standards in education, to promote violence-free and child-friendly schools.

### ***Violence against Children in Institutions***

- Develop awareness on child rights, existing relevant laws and policies related to prevention of inappropriate institutionalization of children, prevention of corporal punishment and stigmatization of children in institutions at all levels.
- Review and / or develop legislation, policies, strategies and guidelines and standards on institutionalization of children including in alternative care. This includes a ban on corporal punishment in

- institutions and respect for children's participation in all decisions about their care and treatment,
- Development of quality programs and services both for children in institutions and to prevent institutionalization of children.
- Develop and implement a guideline for government to monitor all institutions (government / non-government and private) including training of monitors, setting up community and institutional monitoring systems and assessing registering, licensing and accrediting all institutions.

### ***Violence against Children in Work Situations***

- Violence against children can be found in all work situations, whether these situations, are classified as hazardous or not.
- Protection mechanisms should cover all types of work situations, should function throughout the country and be accessible to working children.
- Geographical and physical isolation of workplaces and working children aggravates the perpetration of violence against children, regardless of work sector.

### ***Violence against Children in the Community and on the Street***

- Promote child participation at all levels to prevent violence against children on the street, and in the community.
- Pass laws that clearly define violence and discrimination, implement child protection mechanisms to address violence against children and allocate appropriate resources.
- Address public misconceptions of, and discrimination against, children on the street and marginalized children.
- Provide effective violence prevention, protection and reintegration services for children and their communities. Target marginalized communities such as those on the street, migrants, refugees and ethnic minorities.

### ***Violence against Children in Conflict with the Law***

- Preventative approaches through education and information dissemination and community based prevention and diversion programs. Focusing on diversion and restorative justice rather than retributive justice.
- Improved legislation to create comprehensive juvenile justice legislation based on international standards.
- Implementation of internationally agreed guidelines regarding the children's deprivation of liberty. Detention should be the last resort and for the shortest time possible. There should be time limits for pre-trial detention, review for conditional release, good quality of care, complaints system, access to information and separate children's detention centres.
- Mainstreaming meaningful children's participation, both at the preventive stage and when children are involved in the juvenile justice system.

### ***Violence against Children in the Cyberspace / Online Environment***

- Provide education and awareness for all actors on how to use new technologies safely and responsibly.
- Implement child protection policies at all levels for the safe use of new technologies, including requiring the communications industry and all media to actively protect children. This includes funding reporting hotlines, awareness-raising campaigns and interventions such as regulations to monitor the operation of internet cafes.
- Provide psychosocial resources for children who have encountered harm, including resources to strengthen their resilience to cope with the multiple forms of violence committed against children within virtual settings and via new technologies.
- Support youth participation in identifying and acting on solutions, for example through children's forums.

# **ANNEXES**

**TO THE**

## **REPORT ON THE EAST ASIA AND PACIFIC REGIONAL CONSULTATION ON VIOLENCE AGAINST CHILDREN**

**Bangkok, June 14 to 16, 2005**

**Contribution Document for the United Nations Secretary  
General's Study on Violence against Children**

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# Opening Address

## Mr. Apirak Kosayodhin, Governor of Bangkok

Let me first welcome you all to the City of Bangkok and to the East Asia and Pacific Regional Consultation on Violence against Children. It is indeed a special joy to see many technical experts, committed government delegates, colleagues from various NGOs and UN agencies, as well as children from 24 countries all over the region, gather here today to address one of our biggest regional concerns, the violence against children.

Violence against children comes in various forms such as physical and sexual abuse, corporal punishment and bullying, forced labour and harmful traditional practices. These violent acts can take place everywhere in homes and families, be it immediate or extended, schools, workplaces, communities, and other institutional settings. What's more concerning is that this brutality is committed practically everyday and victimizes children from all ages, even from the moment they were born. We often read from newspapers, or see from television, increasing cases of violence inflicted upon children by their own parents, caregivers, teachers, authorities, and employers, and which in too many cases the ultimate result is the children's untimely death.

In the East Asia and Pacific Region the situation is by no means less serious than any other part of the world. There is constant media

coverage on attacks on children and infants, including rape, physical and drug abuse, illegal child labour, as well as children trafficking. In Thailand, authorities, joining with concerned agencies, both local and international, have long been trying to eradicate these problems.

In Bangkok, I have committed my office as well as all resources to be actively involved in addressing this matter. Recently, the Bangkok Metropolitan Administration has launched a program called "Friends of the Community," which people can report any harmful activities or misconducts around their neighbourhood to the city police, who will then cooperate with the police or other responsible agencies to solve the problems together.

Yet violence is still very much a reality in many children's lives. There are millions who suffer in silence in the confines of their homes under the misled perceptions in some societies that consider certain forms of violence acceptable, or in other societies that there simply is no problem. Numerous children are living in misery, fear, and extreme anxiety from the acts of corporal punishment in the name of discipline, early and forced marriages, emotional ill-treatment, and interpersonal violence inflicted by siblings and friends. These kinds of brutality are unacceptable and can no longer be protected by

silence or ignorance.

We all have a responsibility to eliminate violence against children in all possible ways. We must promote awareness and understanding of the rights of children to live free from violence and fear. The Regional Consultation, as part of the UN Secretary General's Study on Violence against Children, provides us opportunity to expand and activate dynamic and effective networks and partnerships both at the international and local levels to tackle this serious problem. I urge you all to make this East Asia and Pacific Regional consultation on Violence against Children a success by accepting the challenges during these next three days, please do your utmost to ensure that we leave with practical recommendations and a commitment to follow up on any future developments as well as important decisions that are to be made.

Once again, on behalf of the people of Bangkok, I welcome you all, especially the children, and wish you the best for these next three days and for the future.

### Opening Remarks

#### **Ms. Anupama Rao Singh, Regional Director, UNICEF East Asia and Pacific Regional Office**

As Regional Director for UNICEF East Asia and Pacific it is a real pleasure and an honour for me to be here with you today at this timely and important Consultation on Violence against Children.

First of all I would like to congratulate the Steering Committee for the Regional Consultation for all the hard work that they have put into ensuring that this Consultation is a success, and to ensuring that children are properly engaged in the process of developing outcomes to stop violence against children. I welcome the children present here today and encourage all the adults to make every effort to listen to their advice.

In addition, I would also like to thank the many experts and child protection practitioners from governments and non-government organisations that have contributed towards developing the substantive themes that will be discussed here over the next three days.

Violence against children is a global issue and one of the most serious problems affecting children today. The World Health Organization estimates that 40 million children below the age of 15 suffer from violence, abuse and neglect. Violence does not discriminate between rich and poor nations and pervades all societies within which children grow up. Sadly, violence

is part of the economic, cultural and societal norms that make up many children's environment. Violence against children occurs in schools, orphanages, detention centres and other residential care facilities, on the streets, in the home as well in the relatively new context of the internet where children are both abused and exploited by the production of pornography, and risk being exposed to images of violence and degradation. Violence in all its forms has its roots in issues such as the power relations between men and women, exclusion, absence of a primary care giver and in societal norms and values that often disregard the rights of children. Other factors contributing towards the unacceptable prevalence of violence against children include drug and alcohol abuse, unemployment and youth disenfranchisement, crime, and a culture of silence and impunity.

The launch of the UN Secretary-General's study on violence against children provides an opportunity to raise awareness globally, and in this region, around issues that have for too long remained hidden or denied. The leadership of the East Asia and Pacific is crucial to this process and therefore I am deeply grateful to all of the governments represented here for having the courage to grasp hold of these issues and for their commitment towards realising the rights of

children. Let us aim to ensure that the outcomes and strategies discussed and developed over the next three days resonate through this Consultation to the highest levels.

The recent 7<sup>th</sup> Ministerial Consultation on Children that was held in March of this year in Siem Reap also recognized the importance of issues of violence against children, and of the UNSG Study. To this end a side event was specifically convened on the topic of violence against children. In this meeting which many of you here today were present, a number of key points were made. These points, which will also be explored in more detail over the next few days, include:

- The need to improve data collection systems, monitoring mechanisms and reporting mechanisms.
- That the message that violence against children is a fundamental violation of human rights must be vigorously articulated at all levels.
- That wide ranging partnerships be established for the prevention of violence against children.
- That children be fully engaged in the development of policy and programme interventions.

Minister and participants at the side-event also affirmed their wish

to see violence against children referred to in the Siem Reap – Angkor Declaration. Explicitly and in the context of Advancing Adolescent Development the Declaration states:

“Improve protection for adolescents from exploitation, abuse and violence through more effective law enforcement, targeted economic and poverty reduction policies and awareness raising and mobilisation”.

This brings me to my final point. While we must, as recommended at the side event on violence against children, seek to argue on all fronts that violence against children is a fundamental violation of children’s rights, we must also be mindful that violence against children compromises social and

economic stability. We must recognise that investments in children’s development is a public good that benefits all members of society and has the capacity to ensure the sustainability of social and economic development strategies. Just as we prioritise children’s education and health we must also ensure that they are allowed to develop free from the negative and destructive impact of all forms of violence.

Everyone has a responsibility to end this violence and build a protective environment for children. This will help ensure that children are in school, laws are in place to punish those who exploit or harm children, governments are truly committed to protection, communities are aware of the risks which children face, civil society addresses certain ‘taboo’

issues, and monitoring is in place to identify children who are at risk. All of us here today are I am sure, strongly committed to working with our partners and ensuring that the protection of children is at the centre of our efforts for a better world.

I would close by congratulating all those who have contributed, and will contribute, to this national consultation for they will all also play a part in shaping a better, more peaceful world. I therefore urge delegates and participants, both children and adults, to strive over the next three days for every possible success.

With all my heart I look forward to learning of your recommendations and hearing how we can work to “stop violence against children”.

# Opening Remarks

## Mr. Paulo Pinheiro, Independent Expert for the United Nations Secretary General Study on Violence against Children

The East Asia and Pacific Regional Consultation on Violence against Children is the sixth regional meeting that is being held by the UN Secretary-General's Study on Violence against Children between March and July this year. These consultations are being held all over the world and are organized with the support of UNICEF, in coordination with the OHCHR, WHO and other local partners.

Firstly, I must acknowledge the commitment of the Government of Thailand have shown by generously inaugurating this meeting and through intensively collaborating with the study. I am also happy to recognize the commitment to fight violence against children in this region, demonstrated not only through governmental engagement, but also by this broad group of participants from NGOs, academic institutions, child welfare organizations, community groups, professional associations, practitioners, faith-based groups, industry, and young people. This diversity will allow a broad and unique dialogue that is crucial to the development of compelling and concrete recommendations on how to respond and prevent the complex problem of violence.

I would also like to thank the Steering Committee and its members for the prolonged efforts that they have invested to ensure that this Consultation will be a success.

I also must acknowledge the engagement of national governments in promoting national consultations. About one month ago, I participated in the Chinese National Consultation whose excellent outcomes I am sure are going to be shared here. I am also thankful for the efforts of governments of the region in promoting national processes which support this Regional Consultation.

The meaningful participation of children in forums such as this one is also very important to understanding the issues from their unique points of view. Many organizations have carefully prepared the youth delegates for this meeting, and we appreciate their efforts. Their inputs and those of the youth delegates with us today, will provide us with insight and fresh perspectives in the fight against and prevention of violence against children.

Even if the vast majority of the world publicly disapproves of violence against children, violence remains too common and yet, too hidden. It is present in every country, frequently invisible and cutting across boundaries of culture, class, education, income, ethnic origin and age. At the same time, every society, no matter the cultural, economic or social background, can and must stop violence against children.

The massive ratification of the Convention on the Rights of the Child by 192 States (out of the 194) is a landmark for recognition of Human Rights at the international level and clearly reflects the commitment of those States to respect and promote the positive development and protection of children. The Convention on the Rights of the Child has had a definite impact on the situation of children around the world, by enhancing mechanisms for their protection and respecting their best interests.

The East Asia and Pacific region has shown progress in responding to and preventing violence in the various settings that it occurs. Comprehensive child protection laws have been developed in certain countries and a Juvenile Courts Act has been enacted in Papua New Guinea. In addition, NGOs, UN Agencies and governments are collaborating for the development of appropriate Juvenile Justice Legislation in seven countries. In the Lao PDR a Memorandum of Understanding has been signed between the Ministry of Justice and Save the Children UK.

Inter-governmental Memorandum's of Understanding on Cross Border trafficking have been signed by Thailand and Cambodia and by China and Viet Nam. Also, and in addition to commitments

made during the 7<sup>th</sup> Ministerial Consultation cited by Ms. Anupama Rao Singh, the Bali Consensus of the 6<sup>th</sup> Ministerial Consultation on Children identifies the combating of trafficking and the commercial sexual exploitation of children as one of four key priorities. This priority was re-asserted by the Siem Reap Angkor Declaration that emanated from the 7<sup>th</sup> Ministerial Consultation on Children.

*"Children are not mini human beings with mini human rights. As long as adults continue to regard children as mini-human beings, violence against children will persist".* Every boy and girl, as any human being, must have their rights completely respected to develop with dignity. Any form of violence can only undermine their development.

As you are probably aware, in 2000 and 2001, the Committee on the Rights of the Child devoted two days of general discussion to the theme of violence against children, and, as a result of those discussions, recommended that the Secretary-General be requested, through the General Assembly, to conduct an in-depth international study on violence against children. In February 2003, I had the honour to be appointed to take on this challenging role to lead this global study. A coordinating group formed by the Office of the High Commissioner for Human Rights, UNICEF and WHO was also established to support the endeavour.

The UN Study on Violence against Children was conceived not only to gather information, breaking down the walls of silence that frequently surround the problem of violence against children, but also to build feasible recommendations

on how to address and prevent the occurrence of violence against children based on experience in different areas of the world. Breaking the silence does not mean merely compiling shocking stories, but requires continuous efforts to understand the root causes of violence, the factors that allow it to occur frequently and, most importantly, the effective ways to adequately prevent and respond to this violence, where it occurs. We can't wait to see violence occurring to act; many successful initiatives have already showed that much violence is absolutely preventable.

As described in the concept paper prepared subsequent to my appointment, the study will approach the various types of violence against children by concentrating on the different settings where it may occur. It will pay special attention to violence in homes and within the family, in the community, in schools, in care and residential institutions, in detention facilities and prisons and in the administration of justice.

The responses to the Questionnaire for Governments prepared especially for the study are an important source of information: to date I have received the impressive number of 97 responses. I am especially thankful to say that Australia, China, Indonesia, Japan, Malaysia, Mongolia, New Zealand, Republic of Korea and Singapore already answered the questionnaire, with detailed and useful information exemplifying legislation and policy frameworks to counter violence against children.

While the questionnaire is aimed at governments, a separate call for public submissions has been made

to encourage experts, civil society organizations and other institutions to provide us with additional information on specific aspects of violence against children. The Study Secretariat has extended its call for public submissions, and I urge you to take advantage of this opportunity before 30 June.

Significant obstacles to the elimination on violence against children persist in the East Asia and Pacific region. Foremost among these obstacles is the reluctance of some governments in the region to adequately acknowledge the scope of the problem and to address specific issues within their own countries.

Other problems that impede progress in East Asia and the Pacific include problems with border conflicts and the impact that these conflicts have on children; specific issues relating to violence against refugees and other stateless/displaced people; and the problem of violence against ethnic minorities who are also being denied many other rights to development and participation, in themselves manifestations of violence.

Data systems in this region also need to be overhauled. Mandatory reporting is not as widely practiced as it could be; data collection is often fragmented and lacks overarching coordinating frameworks. Efforts to track regional trends in relation to violence against children are at best in their infancy.

All violence caused to a child will reflect in the development of this human being with consequences to that child and the society as a whole. Allowing physical and

psychological chastisement of a child in their homes and in our schools or accepting the use of degrading treatments against adolescents in conflict with the law by state agents are examples of clear violations of human rights that must be combated by all available means.

Of course, when I am speaking about combating the various forms of violence, I am not speaking about merely criminalizing eventual perpetrators, but I am talking about developing initiatives to change the hearts and minds of society and prevent those events to happen. For example, it is important to promote ways to deal with child discipline excluding physical chastisement. It is also crucial to develop comprehensive strategies to tackle the root causes that may be associated with violence such as discriminative patterns and economic deprivation.

In all countries of the world it is difficult to discuss the sensitive and emotional issues of violence against children. The preparation of a truly global picture of violence against children which seeks to propose effective and clear recommendations requires the support and active participation of a vast number of networks, especially those working in the field, directly with children, and children themselves. It is also essential to establish solid links with key actors for change, who can follow up the recommendations of the report.

To have such a representative group from the East Asia and Pacific region is a very impressive achievement. As I said, we are here to learn from each other about what works to counter violence, why it works, and how it works, and will eventually share and amplify this knowledge

within the global community. We need to identify what we can do, collectively, to strengthen our efforts to reduce violence against children in East Asia and Pacific; to create action priorities to guide our work and to collectively identify and pursue important gaps and opportunities.

I praise the involvement of Governments, civil society organizations and young people in promoting an open discussion on this delicate topic and I am confident that this continuous engagement in the development of concrete and successful responses to violence will be a significant contribution to protecting the children of the entire world. The study on violence against children and this consultation are going to be important steps in this direction.

# Opening Remarks

## Mr. Jaap Doek, Chairperson for the Committee on the Rights of the Child

Good morning everyone, we are equal before the law. If you don't beat your neighbour don't beat children either! Why are you here today?

Why a study on Violence against Children? Don't we already know that children are subject to violence on the streets of our cities, in our caring institutions, in the context of criminal law? Do we need to know more? Why a study? We do know a lot, but when the Committee organized two days of discussion in 2000 and 2001 on violence against children we had the feeling that there was a need to focus on this phenomena which is not only widespread but apparently widely accepted as part of human behaviour that is normal.

The reason for study is to know more about the extent of the problem and to better understand why, for example, do teachers who are supposed to educate children about tolerance, understanding and respect for human rights, instead beat up children? Why do professional people in institutions who are providing alternative care for children who are abandoned or left behind beat and torture children? Why also do parents, whom children trust the most, beat their children?

The Convention on the Rights of the Child Committee has met with many governments and one of our findings has been that corporal

punishment is widespread and it is difficult not only to prohibit but also to eradicate.

We need the Study because we want to know why, and because we want to develop effective methods to prevent and eradicate every form of violence against children. The Study is not just an academic exercise and it is not a United Nations ritual. Supported by nine regional consultations and a lot of interest from state parties and NGOs the Study is going to produce a report and you are here today to make sure that this report reflects the reality on the ground, your determination to prevent and eradicate violence against children and provide insight as to what works and doesn't work within this region in terms of prevention and eradication. While this meeting will be completed in three days, the Study, which I am sure will be adopted by the UN General Assembly, represents not the end of the exercise but the beginning. The regional consultations and the report are not in themselves going to eradicate violence against children as this is up to you, the governments, the NGOs and the UN agencies including the Committee on the Rights of the Child to use this study as a tool for action. The Study and the consultations are action orientated activities. This is not an exercise to satisfy curiosity but is meant to provide information that can be transformed into action such as

policies, legislation and measures that must be implemented. In addition, energy must be channelled into changing attitudes.

The ultimate test case for the respect for the rights of the child is the abolition of corporal punishment. The respect for the rights of the child and the child as a rights holder does not fit with a practice where children are subject to physical violence, including corporal punishment. And it is the challenge of the next three days that we all start to create a momentum in this region that is maintained not only until the report is submitted to the General Assembly but after the report has been submitted.

The Committee's wish is that the report should contain specific time-bound targets for the eradication and prevention of violence against children in all the settings that it occurs. The report should be the "road map" for the eradication of violence against children.

### Session 1

#### **Ms. Helen Veitch, Consultant, Children's Participation, *The Importance of Children's Participation for the Regional Consultation on Violence against Children and that Rationale for Children and Adults***

Twenty six of the 250 or so delegates at this consultation are Under-18. They come from 12 countries in the region and a variety of backgrounds. I would like to explain a little bit about how their participation at this meeting is, perhaps, unique.

Many children from this region have previously participated in various local, regional and particularly international events, United Nations Special Session, Ministerial Consultations, the Stockholm and Yokohama Congresses, to mention just a few. Analysis has concluded that although children were being seen and heard at conferences, they were not involved in the decision making process at the meetings.

When the UN Study on Violence against Children was announced, a number of initiatives were developed to try to ensure that children are involved in research for the UN Study as well as the various consultations, at national and regional levels that form an integral part of the Study.

Materials such as toolkits, guidelines, children friendly documents have been produced to support children's involvement and have been particularly well used in this region

Each region has its own interpretation and approach towards strengthening the involvement of children in the work around the UN Study.

In this region, where there is a long history of strong collaboration between governments, UN agencies and NGOs, a Regional Steering Committee was established to promote and coordinate regional input to the global study and organise the regional consultation.

The Regional Steering Committee agreed that the time was right to develop and evaluate some Minimum Standards on children's participation. Lessons had been learned at previous events but were not necessarily being applied. It was felt that the UN Study on Violence was the ideal opportunity to apply a comprehensive approach that was based on all the recommendations from the past.

The Committee felt that Minimum Standards on children's participation would contribute to the institutionalisation of children's participation, contribute to work towards permanent and sustainable mechanisms at national and local levels where children can be involved in matters that concern them.

Consequently the Regional Steering Committee commissioned the development of Minimum Standards on Children's Participation and a set of guidelines to be used at this consultation.

These standards are an attempt to develop an agreed set of statements that describe the minimum expectations of the ways in which adults and children should behave and operate in consultations with children.

In other words, the standards draw a line for everyone that shows what is acceptable and what is not acceptable in terms of children's participation. They aim to facilitate the meaningful participation of children and they have been developed to help improve the quality and practice of children's participation.

But why do we need Minimum Standards? Although many lessons have been learned from previous experience of children's participation in regional and international meetings, no-one has yet focussed on producing a policy and set of guidelines that can be used in many different contexts. No-one has yet monitored or evaluated, as closely as we are, the implementation of such guidelines.

When I have had time to go through all the questionnaires and the feedback from the participation of children at this consultation, the Regional Steering Committee aims to produce a revised set of Minimum Standards and guidelines that can be used in future consultations with children.

However, the impact of the Minimum Standards at this consultation is that there are a number of crucial changes to the structure and organisation of this meeting in comparison to other regional events. These changes include:

- Children who participate in the Regional Consultation are full delegates. They come with a clear mandate to present and discuss children's experiences of violence in their own country. A transparent and fair process has been used in the selection of these children. They are experts on the issue of violence who can give a children's view, they have worked with organisations for which violence against children is a concern. They, like the rest of us here, may well be victims of violence, but they have come here to talk about solutions to the problem of violence not their personal experiences of abuse.
- The children who attend are all Under-18 years old, this is why, for clarity's sake they are being called Under-18 Delegates at this meeting. In addition, Under-18 Delegates are NOT required to speak English, as at other consultations this requirement alone has prevented many children from participating.

- No separate, parallel, meetings with Under-18 Delegates will be held during the Regional Consultation. This means that Under-18 Delegates will discuss and decide along with Adult Delegates in the plenary and workshops.
- Adults and children have equal status at the Regional Consultation. Their opinions and suggestions are equally valued and taken into consideration. The final outcome document will reflect the views brought forward by both adults and children. There will be no separate 'children's statement' or "declaration".

A number of measures have been taken, to ensure that these points are implemented. These measures are:

- A Children's Forum was organised at the weekend to help prepare Under-18 Delegates for the Regional Consultation and the tasks they would be undertaking here. There is a five minute video of the Children's Forum being shown continuously on the TV monitors in the UN building, if you want get an idea of what happened at the Children's Forum.
- A number of professionals have been contracted to ensure meaningful participation of children at the Regional Consultation.
- A team of facilitators who are working in the plenary and workshops to ensure that all of us are able to participate and to be particularly aware of the needs of Under-18 Delegates in discussions.
- A team of translators who will be making consecutive

translations during the Regional Consultation. Please bear in mind when you are speaking, that translators will need you to pause in order to make their translation for Under-18 Delegates.

- Additionally there is a Child Protection Team, lead by the Child Protection Focal Person, Ms. Amalee McCoy.

Child Protection is an issue that underlies the Minimum Standards and has therefore been taken very seriously at this Consultation. I would like to outline a number of key structures in place at this meeting regarding child protection.

- A briefing on child protection is in everyone's Conference kit. In it you will find the contact details for the Child Protection Team and how to use the complaints procedure should you need to, or the comments box, which is at the entrance to this conference hall.
- A children friendly briefing booklet which you can't miss because it is bright orange explains, in children friendly language, the roles, rights and responsibilities of being an Under-18 Delegate here.
- Also in the conference kit is the Child Protection Policy for the Consultation. I would urge you to read this. It will help to explain why and how you can help us to ensure that the participation of children at this consultation is a pleasant experience for everyone.

With the practicalities over, I would just like to bring you back to the word meaningful.

The Regional Steering Committee uses this word to describe the kind of participation we are aiming for at this consultation. But what do we mean by meaningful? This is something I hope all of us will have a clearer idea about by the end of our time together. For the Regional Steering Committee it means:

- Respecting children's views and appreciating the fact that children have their own experiences and ways of looking at issues.
- Helping children to share and express their views, taking them seriously and considering children's views in the decision making process here. Children need to be supported, or empowered, in bringing forward their issues on violence.

- Creating the right environment for children to participate; developing children friendly documents; allocating personal translators; and sensitizing adults to the implications of children's presence in a typical adult environment such as this conference hall.
- And finally, meaningful refers to the quality of the process, its transparency and accountability, but also in terms of thorough preparation, clarity of purpose, of roles, responsibilities and follow up.

There is a tendency to see young people as either perpetrators of violence, or as victims in need of protection.

The commitment, professionalism and sheer energy of the Under-18 Delegates in their work at the Children's Forum is proof enough that young people are competent campaigners and social actors in addressing violence, and effective partners in promoting positive changes.

I hope that children's participation at this consultation can contribute to the efforts that are being made at national and local level to involve children in discussions on policy and practice to stop violence against children. This is where consulting with children can reap huge rewards, where policy can be more appropriate and practice can be more effective.

# Keynote Presentation

## Under 18 Delegates'

Our region the "South East Asia Pacific" consists of 13 countries coming as far as New Zealand to Mongolia to attend this conference. There are two delegates from every country with an equal number of boys and girls participating in the forum. For the last two days we have been working together in thematic groups, discussing the priority issues for children as well as recommendations to lessen the violence against children in our region.

Our keynote presentation includes:

- Importance of child participation.
- What we did in our forum.
- Main issues concerning children of the region.
- Short and long term goals.

### How will the Under-18 delegates continue to participate in the UN study on violence against children?

By keeping ourselves informed as researchers and by sharing our experiences and views specific to our countries.

Participation in the national and regional consultation, in planning of the research for the study and examining what the information collected means and being part of the implementation of the outcomes.

### Why is children's participation so important?

We believe that when a child participates we can contribute new insights into the issues children find most important, and provide an improved understanding about the rights of children. We are able to give recommendations and will become partners in the future implementation of strategies.

### How can young people's participation be meaningful?

Participation is meaningful when we involve children in different levels of consultations, recognizing young people's opinions. Also, involvement in planning, advocacy, decision making, implementation, monitoring and evaluation.

### What we have been doing in our forum?

As a group we have come a long way in a very short amount of time. There was the initial cautious nervousness, quickly broken by ice breaker games, and even performing a haka together! Mixing 14 different countries and cultures together resulted in an atmosphere of trust and friendship because of the respect we treated each other with. We shared knowledge of violence against children in our respective countries and discovered that while our countries may be very different, the issues affecting our peers are the same.

Communicating in English through translators, we discussed violence against children before breaking out into the seven thematic groups of the conference in which we went into greater depth; creating recommendations to the issues we find the most important.

### Why has our participation been unique?

We are all under-18! We are pure! We just say what we think without filtering. We are representing the children of our countries. We bring our ideas, as well as their ideas, to the forum. And discuss them with children from other countries.

In "violence against children", children are the ones who are being hurt. We have to voice out and take action in order to protect ourselves! We are children. We can communicate with children more easily. We can help to reflect the view of the victims.

It is more difficult for us to participate in an international forum than an adult participating in such a forum because most of us do not know English. We need our parent's consent. We need the support from the community, from our parents/guardians and from you! And the chance for children to participate in an international forum is limited.

Although this topic is serious and wide-ranging, we feel passionate about making a difference and we are not afraid to carry the responsibility of representing our peers!

## These are the issues we found to be the most important in the seven thematic groups:

### 1. Violence against children in the home

In many cases, in different cultures and traditions, there is conflict with the ever changing technology and society reforms of the 21<sup>st</sup> century thus contributing to the violence against children in the home and family.

Issues:

- Divorce or marriage break-up.
- Child Labour.
- Verbal Abuse.
- Sexual Abuse.
- Physical Abuse.
- Neglect.

### 2. Violence against children in the street and community

The priority issues include:

- Drugs, alcohol, crime etc., related to "GANGS".
- All forms of child abuse of children on the streets and in the community.
- Pornography on the streets.
- Discrimination, cultural and custom conflicts.
- Hunger on the streets.
- Maltreatment from shop owners, bus drivers, police officers especially towards street children.
- No freedom of expression.
- Child trafficking.

### 3. Violence against children in school

Issues:

- Corporal punishment by teachers and other school personal. Example: Teachers threatening students.
- School bullying by peers, both physical and mental. Example: students fighting each other.
- Mental abuse by teachers. Example: Discrimination by teachers.
- Sexual abuse by teachers. Example : Molestation of students by teachers.

Examples of what is already happening:

- Partnership of children's association and UNICEF to create a child friendly school (Philippines).
- Workshop on violence against children (in Indonesia and across this region).

### 4. Violence against children in work situations

The priority issues are:

- Lack of education about children's rights.
- No opportunities for working children to study.

### 5. Violence against children in conflict with the law

Priority Issues are:

- In all 14 countries represented at our Regional Consultation, corporal punishment is permitted in the home.
- Children are convicted through the adult justice system and often imprisoned with adults.
- Children are abused or feel threatened during the Police interrogation process.

### 6. Violence against children in institutions

Priority Issues are:

- Staff are saying bad hurting words to children.

- Sometimes when children do not do their work, they are punished and not allowed to eat.
- Older children make younger children their personal servant.

## 7. Violence against children in cyberspace

Definition:

- On the Internet.
- New technology (e.g. mobile phone).

Priority Issues are:

- Children are cheated by bad people online.
- Children meet up with the person they know online.
- Sexual and Violent content online.
- Hateful language and abusive messages sent online and through mobile phones.
- Icky things (e.g. weapons, drug, etc.) can be bought from online shops easily.

### Key recommendations for issues

- Corporal punishment **MUST** be banned in homes, schools and as a punishment in the justice system. Children need to be treated the same as adults.
- Government should fund organisations where children can participate and discuss the violence in institutions.
- Have the UN, Governments and communities share information and work together to prevent sexual violence happening to children in the family. The UN, Governments and communities should help children who have been victims of sexual violence. Implement strategies into our governments and traditional societies. Implement strict laws for those who commit sexual abuse.
- Draft regulations on child working conditions and minimum age requirements and stronger provisions for punishment of perpetrators then conduct trainings for adults about the UNCRC.
- Educate the children's rights at school then every school should have monitoring and implementation of legislations, regulations concerning the torture of students, then orientation on children's rights to teachers.

### Vision for regional consultation

To build international unity to fight violence against children and to see the recommendations of young people included in the solutions to lessen and eliminate violence against children.

For young people and adults to become partners in understanding the violence and to cooperate and work together in peace with adults.

### Vision for the future

To see young people expressing their views, concerns and issues affecting them, and for governments in all the countries to prioritize the issue on violence against children; giving appropriate funding and resources to immediately respond to the violence that happens and strictly implement laws to prevent violence.

### Conclusion

This was our chance over two days together, to represent the 24 Under-18 delegates from East Asia and the Pacific, and to promote and convey the issues that are most important to us and the millions of children we are representing back in our home countries.

We need your support to stop violence against children, not just in our region, but all over the world. There is a Chinese saying, "Gu Cheung Lan Ming," that means "no sound can be made if only one hand claps." We, children, are one hand. Adults are the other hand. The community is one hand. The government is one hand... We strongly believe that a community with peace, love and unity can be built if we work together for the future!

On behalf of all Under-18 Delegates:

Audrey Kamali (Fiji)

Minnie Wah Man Yin (Hong Kong)

Maggie Harou (Papua New Guinea)

Cora M. Buala (Philippines)

Casey Haverkamp (New Zealand)

Bella Diyyah Putri (Indonesia)

### Keynote Address

#### **Mr. Vitit Muntabhorn, Faculty of Law, Chulalongkorn University, Former United Nations Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography, *Violence against Children in the East Asia and Pacific***

Welcome to you all and especially the children. I prefer to listen to the children.

I look within myself to find the child and I am going to become a child myself. That is when I was pre-eighteen which is the international definition, and pre-grey hair.

We all have experiences to relate, both good and bad. As a child of the Asia and Pacific region what do I remember?

I remember some things. One incident was that I was bullied and as I was going to the toilet one day a rifle was pointed at me by someone who had bullied me for a long time. I didn't quite know what to do and even though I reported the incident not much could really be done. Are we going to solve problems such as the incident I experienced by having a new law? How do you solve it psychologically? I still remember the incident psychologically.

Let's not forget about the psychology of it all for violence is about psychology of subjugation and subservience. That is when the powerful exert a certain act be it physical, mental or psychological to get a certain result in terms of subjecting someone else to the whole process.

And when we say violence is very invisible, I will say violence is very visible inside ourselves because we all have experiences in one way or another. The second experience I had is this:

I grew up, I became a teacher and I still deal with teachers and I still deal with children. Two years ago I was training hundreds of teachers in northern Thailand and I was asked to speak on human rights. So I asked the teachers what they wanted to hear about human rights and the teachers said that they wanted to hear about child rights because they had been ordered to be interested by the Ministry.

I said what aspects of child rights do you want to hear about? In the end they chose child discipline. Ultimately their grand questions related to their frustration with the law that prohibited corporal punishment in schools. At first I and my colleagues kept saying that it's a good law and that to beat children at school was a violation of child rights. Every time we said that we got a huge negative reaction, a very verbal, very rhetorical, very, at times, personal attack. One of the teachers went up to the microphone and pointed the finger at me and said that he couldn't stand that professor preaching to us all like that. That was at the beginning of our little campaign and we subsequently learnt to shift our presentations and communicate

our ideas a little better by asking teachers what alternatives do we have in terms of non-violent discipline?

We asked for some examples. One teacher mentioned how they deal with the most difficult children in various closed institutions and we don't use violence instead we use other means. We talk to the children; we use environmental means such as planting a tree, meditation, or other ways of communicating both emotionally and psychologically. So I as an educator also learnt that while we can call something that is a violation a violation, there are ways of communicating with people and inviting them to look at non-violent options. Rather than just saying violence is wrong, we have to move towards choices and document those choices which to date has not been done enough.

So there are two examples from very real live situations which invite reflection when we work towards a global strategy on this issue. It's multi-levelled, multi-stakeholder, multi-pronged, and intensely psychological. I am not sure if that will ultimately come through in the Study, but I challenge you my friends. Violence against children is intensely related to power and it's intensely culturally ingrained, needing the highest political will, but also the most personal empathy and maybe it is the

greatest challenge that we face because violence is so personal yet so systemic.

Let me reflect on a few other concerns. Firstly violence is both personal and societal and we all have personal experiences of it. Sometimes we have been involved in it and we have to face both the societal environment as well as the personal environment be it the school, the family or the home.

I know that a lot is being talked about corporal punishment and I talk a lot about it as a certain negative practice but I am inviting us to have a wholesome strategy to deal with it from a personal angle and a societal angle. And there are many many more types of violence at stake.

Secondly, violence is invisible, or allegedly invisible, and intractable. We all see it and yet in the documents you will find that it says data is sparse. So it's really to do with sometimes you see it but you don't know what to do with it, just as when I had that gun pointed at me as a child. Especially if it's intra-family violence or extra-family and it is difficult to document it because some consider it as a private matter whereas it's not a private matter it's increasingly a public matter but even public people think that violence is a private matter. Or maybe they're all involved anyway in one way or another as either victim or abuser. Maybe everyone is involved as a victim or abuser or simultaneously at the same time.

Thirdly it is single and multiple. We have a whole litany of categories of those being affected and a litany of categories of instances, in the house, in facilities,

in schools, in residential care, in institutions, on the street, in work situations, in prisons, in relation to law enforcement, corporal punishment, drugs related and crime related. Violence can be a single incident or multiple but it also can be a multiplication of incidents, multiple victimization and we know of the cliché abuse breeds abuse and violence breeds violence, but who is going to break the cycle? And the various victims, of sexual exploitation, child soldiers, life on the streets, armed conflict situations, media related violence, psychological violence, and state related violence and so on.

I would say we break the cycle personally. We break it through us. Start young and start with ourselves and start personal. That is my approach. So that's why I went out to the teachers to be challenged by them, but to work with them particularly on the issue of corporal punishment. It's an ongoing affair.

Fourthly, violence is physical and psychological. Physical damage, emotional harm and psychological consequences as well as long term generational and inter-generational, gender related. You can see so much of the literature on all this but I think that the real challenge is not just the physical response or the legal response but the psychological response. Even a spiritual response and anyway are the spiritual leaders here? I am not so sure if they are here. And do they condone violence at times?

Fifthly, it is traditional and technological. All the traditional stuff we have in the literature: early marriage; female genital mutilation; corporal punishment etc. On the

technological side technology is arriving at the doorstep. Everybody knows child pornography on the internet is replicable in the millions.

So the state of violence in the East Asia and Pacific is one, particularly through the literature, that invites reflection. I would say that particularly from the literature that has been compiled and is available in your meeting kits it is quite interesting that a lot of countries have responded to violence through law and that we don't quite know what to do about it. Also, it is clear that psychological violence is not yet adequately addressed in available literature on violence in the East Asia and Pacific. I would say there that cliché is to say that we need integrated responses. A holistic response in accordance with the Convention on the Rights of the Child, article 19 says so. Not just law but other interventions in the many other articles of the Convention on the Rights of the Child. Apart from international standards testing us to improve there is also local wisdom testing us to improve. Why don't we identify some local wisdom?

But what about the good side of our local wisdom? Let's collect as an example of what to do. While we move internationally on these issues let's not forget some of the local wisdom as well as the negative practices.

So where are we today? I would say that most of the responses in terms of the Study process have been in relation to the law and this is not adequate. I say this because Thailand was very late in responding and I had a look at the version that they were going to send to my friend Professor Pinheiro and most of

those responses were in regard to law. This law, that law, the new Child Protection law. But what about everything else that we talked about in terms implementation particularly through the psychological side of peer pressure, peer examples and bearing in mind local wisdom?

But the law is not complete at this point in time. The Convention on the Rights of the Child has been an instrument in revolutionizing the law but it's still not complete. Many countries still have no law against corporal punishment, or if there is a law it does not deal with the private domain. As a lawyer I would say prepare the people, not just have the law because we have to have a public debate in regard to evolving a law on corporal punishment.

I would say also that some countries in this region still have problems with capital punishment although this is not unique to this region alone. Quite interesting that some of the new laws in this region stipulate mandatory reporting of cases but many systems still don't have mandatory reporting. The new Thai Child Protection law says that if you find a situation of abuse you must report it otherwise you're responsible, you become involved as part of the abuse if you don't report.

I just came from Malaysia yesterday where there is a domestic violence law which enables the authorities to use a protection order so you can go to the court and ask for an interim protection order to keep abusers away. Another innovation from this region is inter-disciplinary teams that involve psychologists

working together with social workers, lawyers working with police, sometimes to interview children who are abused, but also with protection teams with an inter-disciplinary perspective and/or special units that can deal with the situation. But you know it really bothers me a lot in a way that when we say these teams, these units and so on, I mean how can we be sure that psychologically the people that are members of these teams are really empathetic with non-violence, or are they involved with corporal punishment at home and so on? How do you ensure that the personnel is really what you want in terms of empathy for non-violence? So it's not just the mechanism of setting up such solutions but capacity building for the members.

Another interesting angle: law to punish the customer. Thailand has a law to punish the customer of sexual exploitation. So tackle the demand don't just tackle the supply. But we know very well that it is very difficult and there are very few cases against the abuser, and even if you lock him or her up is it really going to make a difference ultimately when it is a psychological issue? Some of them are psychologically impaired as well but that doesn't always mean that you shouldn't punish them. Sanctions should be available.

And the crunch that we have to bear in mind, particularly from the children's angle is something very immediate, particularly in terms of what happens at home and in the school. A lot of it is to do with discipline. The other action that we see from the region is various policies as part of the rights based initiatives. Most countries have policies to protect children, at

least nominally, which is also to do with the global World fit for Children strategy. The difference between the law and the policy is that the policy is much more targeted in terms of what needs to happen within a certain time frame and is more targeted towards the actors at play, but there again is a challenge in terms of implementation.

I would like to see more discussions on anti-corporal punishment programmes and certainly we can learn more from Thailand that is already documented. In regard to juvenile justice many systems are now trying to get children out of prison to use community types of interventions as well as restorative justice including community based types of changes.

De-institutionalization is being called for on many fronts even though we are faced with institutions on other fronts and when we have institutions the question of monitoring comes into play as of course advocated by the Convention on the Rights of the Child, but there is actually not that much monitoring yet. It's quite interesting that the Thailand Human Rights Commission now does pre-empted visits to prisons and police stations before the event. They call it a friendly visit.

In relation to mechanisms and personnel, both prevention and remedial, here again there is a flourishing of mechanisms in many countries. National human rights commissions now exist in over 15 countries, an Ombudsmen has been established in Timor-Leste and all of these factors act as a certain set of checks and balances but of course not adequate in

that we also need non-state checks and balances. Community groups, NGOs, volunteers are very extensive on many fronts but I think from the very personal angle I am not sure whether we have dealt with it. What about parental associations and teacher groups? If we are going to deal with corporal punishment that is where we have to start and particularly committees at school, which link up between children, teachers and parents to help monitor as well as set the rules to avoid corporal punishment.

Likewise outreach to police and army such as those by the Philippines Human Rights Commission in terms of training on child rights. And there again I think with personnel and mechanisms you need both incentives and at times capacity building and sanctions for irresponsibility. But if the police are underpaid I am not sure if many of the issues that we are talking about here are going to be very important to them, because it's a low priority for them. Please don't forget the systemic side of building a good law enforcement authority.

Another issue is money and resources. I would like to be comforted by the fact that many countries are lessening their expenditure on military and hopefully shifting that resource to the social sector including the children. But in a country next door even though the military expenditure was dwindling the extra resources were not being shifted to the social sector. The judges are not being paid for example and the judges are dealing with children as well. It is

not only a question of budgetary allocation but also of budgetary execution and delivery in terms of targeting impacts. However, it's not just money, social resources or social capital, volunteers, spiritual elements which are a certain resource. I am a volunteer very often and I teach NGOs for free very humbly and that angle is also important in terms of overcoming some of the physical elements of resources, which do not tackle enough the psychological elements and social contributions.

The next entry point is information and monitoring and you can see from the UNICEF Assessment in your kits that all the children say they see violence at home and yet here we are claiming that it is invisible, allegedly invisible. Well it's invisible in the sense that it has not been documented enough perhaps and not used in terms of mobilization and socialization but personally it's not invisible at all, it's purely allegedly invisible or very personally visible. But there again we need to use the data well and systemize it well to act for prevention and remedy.

Capacity building in education is also an important issue and here again it's very much linked with not just the schooling process but socialization and mobilization as a whole. The easy part is to talk about violence with children but the difficult part is how do we talk about it with parents and the teachers and as I said, again it's a very psychological approach that we have to look to in terms of mobilization. I would say that learning by doing is very important from a young age. You can have

human rights education at school, you can cite the Convention of the Rights of the Child, but it's not the same as doing voluntary work to help needy groups and building a sense of care and non-violence through action. This type of learning should go hand in hand with bookish learning as well as to ensure gender sensitivity of the mind from a young age and using non-violence.

Cooperation and participation are also vital. It is truly wonderful to have child participation and through that the energy can help us very much spreading the word, but also through using peer examples and peer pressure. However, it takes two to tango and we must also work with adults particularly parents and teachers. The very important role of getting them involved together with localities supported by national and international cooperation and not forgetting ultimately the media angle and the private sector angle. A lot of violence comes through the media. Also the private sector angle and the internet and good cooperation from there are most welcome. Some of this cooperation is coming through for example internet programs that block violent material as well as some of the media that are willing to join the perspective of non-violence.

The humblest message that 'peace begins in the minds of men' but is much more than that my friends, as it also begins in the minds of women and children. Start young, start freshly at homes and start by examples.

# Regional Overview

## Ms. Sawon Hong, Regional Advisor for Child Protection, UNICEF East Asia and Pacific Regional Office

I would like to start the presentation with a quote from John, a 17-year young man from Suva city, Fiji. His two sentences represent the essence of what we will be discussing in the next three days.

**“Living in the streets is not fun.  
The police would come around and whack us.  
When I was younger  
I was bullied by the older street kids.”**

### INTRODUCTION

- Violence against children is **a global problem and endemic** to all societies in the world.
- Violence against children **negatively impacts on all children** regardless of their age, gender, education, or socio-economic status.
- Violence against children is **many faceted**: psychological, physical, social, and gender-based.
- Violence against children in all its forms is **a violation of the Convention of the Rights of the Child** and other human rights instruments.
- Violence against children is **a threat to the well-being and development of children**, and therefore, a threat to economic and social development of the society as a whole.

### PURPOSE OF THE OVERVIEW

- The purpose of this Overview is **to present a general picture of the regional situation** of violence against children, and **to introduce** some of the topical discussions that will take place during the Consultation.

### DATA BASE AND ITS LIMITATIONS

- This Overview is based on **the Regional Assessment and other research documents** from government agencies, non-governmental organizations, academe, and UNICEF Country Offices.

Please note that because of the limited availability of good quality data; especially data that indicates regional trends or allows comparisons between countries, this overview can NOT be considered a fully comprehensive review of the situation. This is one of the principal reasons why the UN Global Study has been initiated and it is hoped that when the Study is completed we will have a far clearer picture of the situation of violence against children.

Please also note that data presented in this overview is not meant to reflect negatively on the countries to which data refers. Country specific data has only been used to indicate the overall situation in the region. In fact, the countries that do have data are often the countries which have made the most effort to collect data and to improve the situation of children affected by violence.

## REGIONAL CONTEXT

The East Asia and Pacific region is home to 1.9 billion people, and 600 million of them are children under 18-years-old. Given the sheer size of the region, there are inevitable diversities.

- It has one of the largest and one of the smallest countries in the world.
- It has both wealthy and poor countries.
- There is a wide range linguistic, religious and cultural diversity as well as diverse political systems.

As we can see in the pyramid diagram above, the majority of violence against children goes unreported and only the most visible and fatal forms of violence are apparent.

## MANIFESTATIONS OF VIOLENCE AGAINST CHILDREN

Despite these diversities, all countries share similar problems of violence against children, which are manifested in many ways. Most violence against children is, however, hidden and the violence that does get reported publicly represents only the tip of the iceberg.



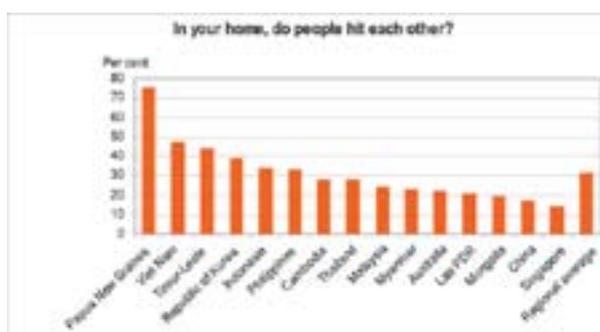
Source: Modified based on WHO presentation "Public health support for prevention of violence against children", WHO, Beijing, 2005.

## COMMON PATTERNS OF MANIFESTATIONS

From our review, several common patterns have emerged:

First, violence **in the home and the family** is a primary concern of governments, UNICEF Country Offices and NGO partners. This is because:

- Violence against children in the home and family affects **all** children.
- In addition, and to varying degrees, it is a root cause of violence in other settings. For example, many children on the street have made the difficult choice to run away from home to avoid violence and abuse.



Source: UNICEF, "Speaking Out", 2001

As the graph above shows, violence against children in the home is widely prevalent across our region, ranging from 75 per cent (PNG) to 14 per cent of children (Singapore), who stated that they have witnessed violence in their home.

Second, **physical and psychological violence is evident** in all settings: homes, schools, work places, streets, and institutions.

One example is violence against children in the work place. In Cambodia, a survey showed that 40 per cent of child domestic workers are reported to be either physically or verbally abused on a daily basis by their employers.

Another example is corporal punishment, which is accepted and in some cases encouraged, as an appropriate way to discipline children. Although in some countries, corporal punishment has been explicitly prohibited in schools and other institutions either by law or by other mechanisms such as policies and/or formal decrees, it still remains widely practiced across the region. Corporal punishment within the family and the home remains legal in all countries.

#### **Percentage of Children by Reported Experience of Teacher and Parent Behavior, Timor-Leste, 2005**

	NO		Sometimes-Often	
	Parent	Teacher	Parent	Teacher
<b>Spit</b>	<b>85.7</b>	<b>82.1</b>	<b>14.3</b>	<b>17.8</b>
<b>Curse</b>	<b>81.6</b>	<b>79.8</b>	<b>18.4</b>	<b>20.2</b>
<b>Slap face</b>	<b>58.9</b>	<b>61.3</b>	<b>41.1</b>	<b>38.7</b>
<b>Yell violently</b>	<b>50.9</b>	<b>44.1</b>	<b>49.1</b>	<b>55.9</b>

Source: *Managing Children's Behavior: A study from Timor-Leste*, UNICEF, Timor-Leste, 2005

The table above from Timor-Leste indicates that parents and teachers often use both psychological and physical violence to discipline children and interestingly, there is little behavioural difference between parents and teachers. This reflects a societal norm of discipline, where violence against children is considered appropriate and normal.

Third, the perpetrators of violence against children are many. However, most violence against children is **perpetrated by those who are responsible for the care and protection of children**. In the Philippines for example, 92 per cent of perpetrators are known to their victims, and, out of those, 39 per cent are relatives. A similar pattern is reported in Timor-Leste where 31 per cent of perpetrators are either parents or Guardians, and 58 per cent are members of the extended family.

Violence against children is also **perpetrated by state actors**. For instance in Cambodia, 46 per cent of children reported having been beaten while in police custody.

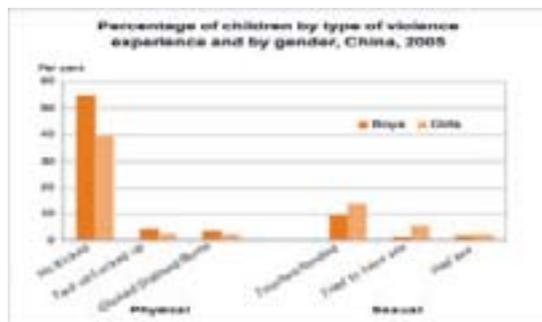
**Violence against children by children** is also a major concern. In a survey conducted in the Lao PDR, 98 per cent of primary school students claimed to have witnessed bullying. Another survey in Mongolia shows that 27 per cent of students reported to have been subjected to abuse by other children. However, violence between children must be considered as primarily the responsibility of communities and governments.

**Marginalized children** such as children from ethnic minorities are often more prone to violence at the hands of state actors. For example, in Australia, indigenous children (aged 10 to 14) are detained at around 30 times the rate of non-indigenous children.

Fourth, in terms of victims of violence, **boys** tend to be more often physically assaulted than girls. On the other hand, **girls** are more frequently assaulted sexually than boys. The graph below shows that this is the case for China.

#### WHY IS VIOLENCE AGAINST CHILDREN HAPPENING?

There is no single cause of violence against children. Causes are complex and linked with many other social, economic, cultural and political problems. Underlying this complex web of causes, two main forces are at work: vulnerability of children and the inadequate protection measures.



Source: C. Jingga and M. Dunne, "Preliminary Analysis of the Survey on Childhood Maltreatment Experiences and Associations with Mental Health and Behavior" (mimeo), 2005

Why and what makes the children vulnerable? Children are NOT vulnerable. They are MADE vulnerable by:

- Deeply embedded patriarchal and hierarchal traditions put children in a subordinate status. Examples are the voiceless-ness of children, the lack of self-esteem, and the silence that surrounds violence against children in society.
- Another factor to make children vulnerable is socio-economic and political forces that perpetuate inequities, therefore sustaining the social conditions where violence occurs. Examples are: lack of economic resources and inequitable access to education, knowledge, and information.

Inadequate child protection measures include:

- Insufficient government commitment towards creating legislative environments that comply with the Convention on the Rights of the Child and help to reduce the prevalence of violence against children.
- Justice systems that sometimes fail to enforce special provisions of these existing legal mechanisms.
- Inadequate knowledge within communities of human rights and of the avenues for legal redress.
- Political and cultural sensitivities which restrict the visibility of violence. Even though violence against children is known to be widely occurring, communities and governments sometimes choose to ignore, or partially ignore, its manifestations, especially in regard to violence that occurs out of public view.
- Another inadequate protection measure is a lack of social support groups and organizations and a lack of services to protect children from violence.

### SIGNS OF PROGRESS

Realizing these underlying factors that allow violence against children to happen, there have been some signs of progress.

- First, there is increased **openness and willingness**, especially on the part of governments, to engage in dialogue about violence against children. This is evidenced by the commitment governments have demonstrated for the UNSG Study, this Consultation and the national processes that support it.
- Second, government support for the issue of violence against children has increased, especially in the areas of developing **comprehensive child protection laws and more specific laws** such as the Anti-Violence against Women and Children Act enacted in PNG last year.
- **Third, data collection systems** have improved, and it's becoming more common to have evidence-based and child- focused research to improve programmatic responses. For example, Save the Children is currently conducting rights based child centred research in nine countries in our region.
- **Fourth, cooperation** among civil society, inter-governmental organizations and national governments has increased. For instance, the Regional Plan of Action against commercial sexual exploitation against children is signed by 24 countries in the region and ratified by seven.
- Fifth, there have been more signs of transition **from institutional approaches to alternative care methods** such as foster care. One good example is in China where the Government is in the process of moving 50 per cent of children from institutional care to alternative care.
- Sixth, most of the countries in the region have in recent years set **a minimum age for employment** in accordance with international standards.
- Seventh, **participation of children** has increased in discussions about violence, in development of policies, workable programmes and projects to reduce violence against children. This Consultation is a very good example.

## CHALLENGES AHEAD

Given the magnitude and severity of the problems, however, we have more challenges ahead. We have selected seven priority issues.

### 1. Ending the silence about violence against children

- We have to further improve advocacy effort for children, adults and communities in order to change attitudes towards violence against children, and increase awareness of child rights, and;
- Develop stronger linkages between efforts aimed at curbing violence against children and broader development goals, such as fostering multi-sector approaches to violence that encompass a range of child rights issues and community empowerment strategies.

### 2. Strengthening legal mechanisms

- It is essential to legislate for the prohibition of all violence against children.
- In addition, the effectiveness of legal mechanisms and their enforcement have to go together.

### 3. Improving services that protect children

- Service delivery should be child-sensitive, community-based and participatory.

### 4. Improving reporting and data collection system and analysis

- Although the situation has improved, we need to build more useful data collection systems and to further improve analysis to assess the scope and nature of violence against children.
- We also need to strengthen the monitoring and reporting systems of violence against children, including services such as hotlines which allow children to report cases of violence against them. Information gathered needs to be disaggregated by gender, age and ethnicity.
- The understanding of what approaches to the reduction of violence are most effective is critical.

### 5. Addressing the vulnerability of marginalized children

- It is critical to understand and to deal with the special situation of girls and the types of violence that they are exposed to, such as sexual violence, forced prostitution, spousal abuse, and trafficking.
- The needs and rights of marginalized children and their vulnerability to violence cannot and should not be ignored. Examples are: refugee children, children from ethnic minorities, displaced and/or stateless children, disabled children and children from impoverished families, migrant children, and children not registered at birth.

### 6. Anticipating emerging issues

We have to anticipate and tackle emerging issues, including:

- One of the most important issues is the increasing demand for child pornography, the negative effects of its production and dissemination, and the portrayal of violence in the media; especially in virtual/online settings.
- Another key emerging issue is increasingly consumerist aspirations among young people undermine family and community values.

### 7. Encouraging participation and partnerships

Lastly, in a fight to stop violence against children, everyone needs to be involved.

- Partnerships among governments, non-governmental organizations, private sector, and academe should continue to be fostered.
- The media should play an active role in shaping public's attitudes and generating positive responses toward violence against children.
- Most importantly, children and young people should be encouraged to be directly involved as agents of change. Positive avenues for self-expression and participation should be made available.

### Working Group Annexes

#### Working Group Participants

#### Violence against Children in the home and in the family

Country	Name	Organization/Institution
<i>Chair</i>	Emily Duituturaga	Government of Fiji
<i>Presenter</i>	Phally Hor	PADV
<i>Presenter</i>	Varin Sun	Tearfund

#### Sub-working group 1

Country	Name	Organization/Institution
<i>Rapporteur</i>	Bruce Grant	UNICEF Papua New Guinea
<i>Facilitator</i>	Eva Maria Cayanan	Save the Children (UK) Philippines
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Laos PDR	Khounkham Thammalangsy	Save the Children Norway
Malaysia	James Nayagam	Shelter
Mongolia	Narantuya Choijantsan	Ministry of Justice and Home Affairs
New Zealand	Brenda Hegarty	Ministry of Social Development
Philippines	Lina B. Laigo	Council for the Welfare of Children
Solomon Isl.	Julianne Manemaka	Save the Children
Thailand	Maytinee Bhongsy	Association for the Promotion of the Status of Women (APSW)
Viet Nam	Le Quynh Lon	Plan Vietnam
Timor Leste	Jaquelina Conceicao Fonseca	<i>Under-18 Delegate</i>
Timor Leste	Natalino Soares Ornai Guterres	<i>Under-18 Delegate</i>
U.N.	Jennifer Kraft	UNESCAP
Steering Com.	Elizabeth Protacio-De Castro	Psychosocial Trauma & HR Programme Center for Integrative & Dev Studies
PNG	Isabel Salatiel	Dept 4 Community Development
Australia	Teena Blewitt	Govt
Indonesia	Andarus Darahim	Indonesia Commission 4 Child Protection
Japan	Takao Saito	Govt
Viet Nam	Le Dinh Phuong	Govt
Viet Nam	Duong Thi Xuan	Women's Union

## Sub-working group 2

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China	Leung Pong Ying Kelly	Against Child Abuse
Indonesia	Maria Clara Bastiani	National Coalition Against CSEC
Malaysia	Siti Darmawan	Department of Social Welfare Malaysia
Singapore	Sue Lee	Singapore Children's Society
Mongolia	Daryhand Bayar	UNICEF Mongolia
Viet Nam	Nguyen Te The	Terre des Hommes Germany
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Solomon Is	Ruth Lilogula	Govt
Brunei	Siti Hazizah Saleh	Govt
Cambodia	He San Arun	Govt

## Violence against Children in Schools and other Educational Settings

Country	Name	Organization/Institution
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<i>Presenter</i>	Lynette Petueli	Save the Children Fiji

## Sub-working group 1

Country	Name	Organization/Institution
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Philippines	Dania S. Gamboa	Council for the Welfare of Children
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Viet Nam	Tieu Huy Hoang	<i>Under-18 Delegate</i>
Steering Com.	Terence McCaughan	Plan International
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Country	Name	Organization/Institution
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### Sub-working group 2

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Viet Nam	Nguyen Duclam	Govt
Viet Nam	Dang Hoa Nam	CPFC
Cambodia	Chan Haranvaddey	Govt
Kiribati	Uriam Labeta	Govt

## Violence against Children in Conflict with the Law

Country	Name	Organization/Institution
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Presenter	Tuul Tsend Ayush	World Vision Mongolia

### Sub-working group 1

Country	Name	Organization/Institution
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Laos PDR	Aith Inthaphonh	Law Dissemination Division, Ministry of Justice
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UK	Veronika Yates	Child Rights Information Network
Philippines	Agnes Zenaida V. Camacho	Psychosocial Trauma & Human Rights Programme Center for Integrative & Development Studies
CRC	Jaap Doek	Committee on the Rights of the Child
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Indonesia	Beauty Erawati	LBAPIK

Country	Name	Organization/Institution
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Myanmar	Hang Za Thawn	UNICEF Myanmar

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Indonesia	Makmur Sunusi	Min of Social Affairs
Indonesia	Gli Hakim Silaban	Children Rights Foundation
Thailand	Brigitte De Lay	UNICEF Thailand

## Violence against Children in Institutions

Country	Name	Organization/Institution
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<i>Rapporteur</i>	Laurence Gray	World Vision International
<i>Facilitator</i>	Birgithe Lund-Henriksen	UNICEF Indonesia
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China	Huang Xiangbin	Soong Ching Ling Foundation
China	Guo Congcong	<i>Under-18 Delegate</i>
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Thailand	Somporn Wongwetsawat	Promotion Women's Status Club Korat
Timor Leste	Amandio Amaral Freitas	Division of Social Services
Philippines	Gerald B. Concepcion	<i>Under-18 Delegate</i>
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Steering Com.	Henk van Beers	Save the Children Sweden
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Laos	Soukmanee Phanit	Participatory Dev. Training Centre

Country	Name	Organization/Institution
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Myanmar	U Sein Win	Dept of Social Welfare
Timor-Leste	Amandio Amaral Freitas	Div. of Social Services
Viet Nam	Julie Bergeron	UNICEF Viet Nam

## Violence against Children in Work Situations

Country	Name	Organization/Institution
Chair	Lawrence Kalinoe	School of Law, Papua New Guinea
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### Sub-working group 1

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<i>Rapporteur</i>	Junita Upadhyay	Child Workers in Asia
<i>Rapporteur</i>	William F. Stafford, Jr.	Child Workers in Asia
<i>Facilitator</i>	Thetis Mangahas	ILO/IPEC
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Indonesia	Nining Sholikhah Mukhtar	KAKAK Foundation
Japan	Natsu Nogami	Save the Children Sweden
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### Sub-working group 2

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Philippines	Dolores Alforte	ECPAT Philippines
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U.N.	Tone Bleie	UNESCAP
DPRK	Kim Chol Nam	Govt

## Violence against Children in the Community and on the Streets

Country	Name	Organization/Institution
Chair	Michele Smith	WHO
Presenter	Bernardo Mondragon	KABATAAN

### Sub-working group 1

Country	Name	Organization/Institution
<i>Rapporteur</i>	Zama Coursen-Neff	Human Rights Watch
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Netherlands	Kritsta Krufft	Plan Netherlands
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Thailand	Katesanee Chantrakul	ECPAT Foundation
Viet Nam	Le Quynh Lon	Plan International Vietnam
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### Sub-working group 2

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Philippines	Esperanza Hope E. Tura	Plan Philippines
Thailand	Nartnaree Luangmoi	Center for Girls
Thailand	Khununya Junthonoauun	<i>Under-18 Delegate</i>
Vanuatu	Flora Kalsaria	Dept Economic and Social Develop.
Viet Nam	Tran Ban Hung	Save the Children, Sweden
Brunei	Masni Jamil	Govt
Indonesia	Sri Pardina Puidiasuti	Govt
Viet Nam	Nguyen Dinh Theit	Govt
Viet Nam	Nguyen Thi Hiev	Govt

## Violence against Children in the Cyberspace/On-line Environment

<b>Country</b>	<b>Name</b>	<b>Organization/Institution</b>
<i>Chair</i>	Yoshihisa Togo	UNICEF Nat Com
<i>Presenter</i>	Will Gardner	Childnet
<i>Rapporteur</i>	Deborah Muir	ECPAT International
<i>Facilitator</i>	Carmen Madrian	ECPAT International
Australia	Sonya Tufnell	Child Wise (ECPAT Australia)
Brazil	Fabio Reis	CEDECA-BA Brazil
China	Wah Man Yin Minnie	<i>Under-18 Delegate</i>
Ireland	Ethel Quayle	University College Cork
New Zealand	Marie Connolly	Dept. Child Youth/Family
Philippines	Thelsa Biolena	Dept of Social Welfare/Dev.
Philippines	Anna Piskonen	UNICEF Philippines
Thailand	Paroon Sanoonrat	<i>Under-18 Delegate</i>
Thailand	Chalin Subpamong	Plan Thailand
South Korea	Young-Sok Cho	National Youth Commission
Steering Com.	Jay Wisecarver	Save the Children Sweden
Cambodia	Por Neng	World Vision Asia Pacific
PNG	Molly Ixillie Daure	Dept. 4 Community Dept.
Philippines	Yolanda Tanigue	National Policy
Brunei	Suriana Bte Radin	Govt

## Working Group Guidelines

<b>Day</b>	<b>Session</b>	<b>Objective</b>	<b>Agenda</b>	<b>Time (net)</b>
<b>Day1</b>	<b>Defining the Issues and Context</b>	In respective working groups, participants analyze current manifestations of violence against children and identify a) gaps in response b) priority issues	13.30 17.30	3.5 hrs

<b>Day</b>	<b>Session</b>	<b>Objective</b>	<b>Agenda</b>	<b>Time (net)</b>
<b>Day2</b>	<b>Identifying solutions</b>	In respective working groups, participants analyze current manifestations of violence against children and identify a) gaps in response b) priority issues	11.00 17.30	4.5 hrs

**Workshops** will be divided, by theme, into the seven environments being considered in which children suffer violence:

- Violence in the home and the family.
- Violence in the school.
- Children in conflict with the law.
- Violence against institutionalized children.
- Violence in work situations.
- Violence in the street/community.
- Violence in cyberspace.

### Forming working groups

Participants will be required to select one 'environment' based upon their interest and professional responsibilities. They will focus on this one environment for the duration of the event.

Country delegates are strongly encouraged to split among different themes.

If there are too many subscriptions to a particular workshop, two parallel workshops may be created. Recommendations made will then be compiled from the two workshops for final presentation.

### Workshop Format

- All sessions, on both days, will be initiated by a presentation.
- For small groups discussion and planning, subgroups will be formed of 10 to 12 participants (Depending upon the number of participants who select a particular workshop, there may be two or three small groups in each workshop).
- These small groups will come back together at the end of the sessions to consolidate a report for each of the seven areas.
- It is suggested that participants do not remain in the same small group for the full two days.

## DAY 1 - Breakdown

### Defining the Issues and Context

3.5 hrs net, 13.30 - 17.30

Working group participants will analyze forms of violence and specific aspects of the problem. The purpose is to get a collective vision of the seven thematic areas of violence against children by responding to three key questions:

The key tasks will be the same for all the working groups, referring to the seven thematic areas:

- Q1): Which children are most at risk of violence in "1-7 thematic area"?  
Identify the children who are most at risk.
- Q2): What are the specific factors that foster violence against children in "1-7 thematic area"?  
Define the specific factors.
- Q3): What are the gaps in policy / procedures / systems that allow the perpetuation of violence in '1-7 thematic area'?  
Identify the gaps.

### Working session schedule

13.30 – 14.00	Presentation (by an expert, situating violence against children in the particular setting in the broader context). The seven thematic presentations should have a common structure.
14.00 – 15.00	Working groups (split into subgroups/small groups): Answer key questions above.
15.00 – 15.30	Break.
15.30 – 16.30	Working groups, continuation.
16.30 – 17.00	Working group plenary: the sub-groups present their findings.
17.00 – 17.30	Panel discussion to consolidate the thematic area report. (Panel formed by one spokesperson per subgroup + the presenter + the chair)

## DAY 2 - Breakdown

### Identify solutions

3.5 hrs, 13.30 - 17.30

Present innovative projects/models of good practice in the fight against violence against children

Decide priorities for response to forms of violence in each of the seven thematic areas.

In answering a specific question, participants' input should refer to the community, national and regional level to make recommendations for effective interventions concerning:

- Actions.
- Actors.
- Resources.
- Prioritization.

The key question will be the same for all the working groups, referring to the seven thematic areas:

Q) "What strategies need to be developed at the Community/National/ Regional levels in order to protect children from violence in the specific thematic area?"

Answers should feed into the working group outcome matrix.

### Working session schedule

11.00 – 11.20	Presentation (expert – maybe same as day before to put broader response to violence into context).
11.20 – 12.00	Presentation 2 (describe specific actions at the grass-root level). Possibly delivered by children (if any with concrete experiences to share: campaigns, services, programmes, etc.) including some discussion period.
12.00 – 13.00	LUNCH
13.00 – 16.00	Answer the key question.
16.00 – 16.30	Break
16.30 – 17.30	Panel discussion to consolidate the thematic outcome matrix. (Panel formed by one spokesperson per subgroup + the presenters + the chair)

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- Q) "What strategies need to be developed at the Community/National/ Regional levels in order to protect children from violence in the specific thematic area?"

Answers should feed into the working group outcome matrix

<b>Levels</b>	<b>Actions</b>	<b>Actors</b>	<b>Resources</b>	<b>Prioritization</b>
<b>Community</b>				
<b>National</b>				
<b>Regional</b>				

### **Working session schedule**

11.00 – 11.20	Presentation (expert – maybe same as day before to put broader response to violence into context).
11.20 – 12.00	Presentation 2 (describe specific actions at the grass-root level). Possibly delivered by children (if any with concrete experiences to share: campaigns, services, programmes, etc.) including some discussion period.
12.00 – 13.00	LUNCH
13.00 – 16.00	Answer the key question.
16.00 – 16.30	Break
16.30 – 17.30	Panel discussion to consolidate the thematic outcome matrix. (Panel formed by one spokes-person per subgroup + the presenters + the chair)

## Panel Presentations and Discussions

### **Ms. Natsu Nogami, Save the Children Sweden, *Corporal Punishment of Children: A Review of Laws, Attitudes and Practices in the East Asia and Pacific***

This presentation summarizes a rights-based Save the Children desk review of laws on, attitudes to, and practices in, the discipline and punishment of children in the East Asia and Pacific Region.

People often talk as if discipline and punishment are the same. But discipline means to teach or train, which does not necessarily entail punishing children, much less using corporal punishment. Corporal punishment is violence against children.

What are the consequences of continuing to use or excuse corporal punishment of children? Let me first ask another question 'Is it OK to hit other adults?' The answer is 'No.' Hitting people is wrong, legal systems and social attitudes do not allow people to hit each other and, as Peter Newell always reminds us, children are people too. Yet adults hit children, because law and social attitudes make it possible. Adults hit children because they can. The smallest people, with the softest skins, the people it is easiest for adults to hurt, are the only people it is legal to hit.

Recognition that corporal punishment of children is wrong follows from new ideas about children and childhood. Children are human beings, and subjects of human rights, whose dignity must be recognized and respected.

They are not adult possessions but people in their own right, with opinions that must be respected. Childhood is not just a transition to adulthood. It is an important life stage in itself, and it is the entire, current reality of children.

The Committee on the Rights of the Child has made it clear that corporal punishment violates: the human rights of children; their rights to human dignity; protection from violence; equality under the law; physical survival and development and education in the widest sense, including raising them in a spirit of understanding and peace. Nevertheless, the Save the Children regional review of discipline and punishment of children shows that corporal punishment is a reality of children's lives throughout the region, a main form of violence against children, practiced daily by a variety of adults, legally permitted and socially accepted and a violation of their human rights that children want stopped now.

What will be the consequences of not responding to children and abolishing this violation of their human rights? A future of continued violence for everyone at all levels, because corporal punishment of children sends two messages to the next generation. The first is that violence is acceptable as a means of childrearing and conflict resolution.

The second is that it is OK for strong people to practice violence on weak and powerless people; the strong are allowed to hit the weak. This means that eliminating corporal punishment of children is a key move in improving the world for everyone, a means of establishing a culture of peace and nonviolence, not only for children but for each one of us.

Save the Children works in partnership with many other organizations in the international movement against violence against children, focusing on corporal punishment. In the East Asia and Pacific region Save the Children has established a regional Save the Children Strategy and examined national needs for and challenges to carrying out the strategy. The desk review of 19 countries, and comparative primary research in nine countries, contributes to knowledge about corporal punishment in the region; understanding the issue, so that plans can be made to address and eliminate corporal punishment as well as being a contribution to the UN Secretary General's Global Study on Violence against Children. The review examines:

- Homes, families and communities.
- Schools and other educational contexts, including private schools and informal education projects.

- Children outside family care, who are the particular responsibility of states: Children in institutions, such as orphanages; children in alternative family care, such as foster homes; children in conflict with the law, in police stations, courts and places of detention; and children living alone on the streets.
- Violence in children's workplaces.

Information is required about laws and attitudes and practices, if the goal of eliminating corporal punishment is to be achieved. The review begins by examining not only existing laws but also the current priority corporal punishment has on the children's agenda of states through examining their reports to the Committee on the Rights of the Child. Then existing research on current attitudes towards, and practices of, corporal punishment are examined. It is not possible to move to legal abolition of corporal punishment, and the successful implementation of the law, without changing attitudes first to provide an enabling environment for legal changes, and then to ensure successful implementation of laws and regulations.

The review found that either there are no laws about corporal punishment of children or parents have the legal right to use corporal punishment on their children, as long as it is 'reasonable'. But what is seen as 'reasonable' depends on people's values and experiences, which make the law impossible to enforce. In addition, laws almost never take emotional punishment into account, or even mention it, even though children say they find

verbal abuse and humiliation more hurtful than being hit.

Laws on corporal punishment of children in families face obstacles to enforcement: such as family privacy, family reputation and other people's reluctance to intervene in family life. Corporal punishment in homes and families is accepted, allowed, encouraged and favored as a means of childrearing and discipline. Family life often entails confusion between love and punishment. In the words of Vietnamese girl, Vu Thanh Quyen, 'With these two hands, my mother holds me, cares for me, this I love', But 'With these two hands, my mother hits me, this I hate'. Love is not an excuse for hitting or hurting children

Corporal punishment of children in families happens in all countries in the region, in almost all groups and all social classes. It is more likely to be used as a disciplinary measure than encouragement or reasoning. Corporal punishment is quick and easy, but it is not effective except in perpetuating violent behavior. Parents and other family members use a very wide range of physical punishments, some of which seem to be exclusive to certain countries or social groups.

Turning to the context of schools and other places of education, it is very clear that, although legislation on corporal punishment is relatively common, it tends to focus on state schools only. Many private and religious schools, as well as informal education schemes run by non governmental organizations, fall outside the law. In any case, where legislation exists, it is weakly enforced or not used at all

Corporal punishment in schools is used because teachers have strong authority over children and over parents, who are reluctant to intervene and may even encourage teachers to punish their children to make them learn or behave better. Every time the cane is used to punish a child in school the full weight not only of the teacher's power, but also of the state, parents and community, is brought to bear on a single child.

Physical punishment of children in schools is widespread, taking many forms, including verbal abuse and punishments involving total humiliation and loss of dignity. Physical and emotional violence are closely linked. A drawing by Sun Tine, aged 13, from Cambodia, not only shows a boy being hit with a stick, but also at the same time being dragged by the hair in an undignified manner across the floor. Other children watching are also affected by fear, and probably dread of receiving similar punishments. Another characteristic of school punishment is that children are not involved in disciplinary decisions, even in countries where there is no provision for this, and they are seldom involved in complaints procedures, even where these exist.

When families cannot or will not care for children, the state has special responsibilities. Children outside direct family care may be found in:

- Institutions, such as orphanages.
- Alternative families, for example in foster care.
- In the custody of police, judicial systems and detention centers, where they are often referred

to as 'children in conflict with the law', although it often seems more as if the law is in conflict with children.

- Children living alone on the street, who are often the victims of violence from community members, vigilante groups and police, although ironically many have left home because of family violence.

In all contexts in which children are outside family care the legal situation is usually unclear. Legislation may be absent, or not take children's developmental needs into consideration, which is reflected in the frequent absence of juvenile justice law, and the fact that legal provisions are scattered in different parts of national legislation. An overall impression is that state employees, from orphanage staff to police have social permission to use corporal punishment on children. They are often not accountable for their actions and legislation is poorly monitored and weakly enforced.

Attitudes to children outside family care reflect the low priority given to their rights and needs. The way they are treated shows discrimination, prejudice and inadequate resources, including information. These children are out of sight and out of mind. Very often, states are only too pleased to hand over care of these children to civil society, national and international non governmental organizations, whose activities are not supervised or monitored, violating Article 25 of the Convention on the Rights of the Child. Thus, there is very little detail available about children outside family care in the region. The conclusions of the review

are depressing however. These children are particularly powerless and largely invisible, which opens the door for those who care for them to abuse their authority with impunity. Thus, such children are vulnerable to violent forms of punishment and it is reported that punishments take severe forms. One problem in finding out more about practices with children outside family care is that information is lacking, especially about children detained in penal systems. This is because these are closed institutions to which researchers are given little or no access.

Working children are not protected against violent punishment because legal provision focuses on the age of the child (ILO Convention 138) or the hazards of work (ILO Convention 182). For the same reason, there is very little information about workplace punishment of children. However there is concern expressed by Child Workers in Asia and Anti-Slavery International about physical and emotional punishment of invisible child workers. Child domestic workers, the majority of whom are girls, are thought to be particularly at risk because they are isolated and also because so many are treated as if they are family members.

In summary, the review leads to the realization that corporal punishment is: widespread; a main form of violence against children, which is legally sanctioned, publicly permitted; a violation of human rights and of concern to children. Emotional punishment must be taken seriously because according to children it hurts more, and, according to psychologists, it lasts

longer. The damage caused by emotional punishment is invisible, but lasts a lifetime.

Legal change is important because, as Peter Newell says, in addition to protecting children, it sends a clear message that violence against children is unacceptable and a violation of their human rights. Thus, a major recommendation is an explicit and immediate ban on physical and emotional punishment of children in all contexts:

- Families and homes.
- Schools and all other places of education.
- Institutions.
- Alternative family care.
- Penal systems.
- Workplaces.

What should we do to ensure that attitude changes provide an enabling environment for legal changes and implementation of laws?

The activities should be integrated:

- Public education, so that corporal punishment is recognized as a violation of the human rights of children, and people begin to want changes to take place. This would include information about positive discipline that does not use physical punishment.
- Rights-based research to provide better information about the incidence and prevalence of physical and especially emotional punishment.
- Putting the research to work to monitor the effects of public education and legal changes.
- Advocacy, based on research and monitoring, which makes sure change really takes place and lasts.

Who should do what? What are the responsibilities of different social actors? Governments must fulfill their responsibilities under the Convention on the Rights of the Child by initiating public education, legal changes and implementation of laws. Civil society can motivate governments to act and keep on acting. But combating violence against children is the responsibility of each adult individual, requiring reflection, inner changes and commitment. There is no quick fix. This is a serious commitment, long-term because it must last into all future generations. So change must be sustainable and it requires adequate funding; adequate, trained and committed human resources; and communication and training materials that are appropriate to the varied cultural contexts of East Asia and the Pacific.

We can make it happen. Each one of us can and should play apart in changing violence against children into non-violence, as the reality in which children live and grow.

### **Ms. Judith Ennew, Centre for Family Research, University of Cambridge, *Childrearing for Peace: A Search for Solutions***

The record of violence against children is depressing. But my purpose is to emphasise the positive by reporting on a search for solutions to the problem of violence against children in the family, in response to the request from the Secretariat of the UN Study for examples of non-violent childrearing practices. I shall be summarizing a book, which I co-authored with Dominique Plateau. Writing this book was a quest, which we began two years ago when Professor Chaiwat Satha-Anand, Director of the Peace Information Centre at Thammasat University, remarked to us that the East Asia and Pacific Region is home to many traditions that emphasise peace rather than violence, traditions that must surely be reflected in the ways children are reared.

We examined evidence from three regional traditions:

- Peaceful peoples: small, indigenous groups, living on the margins of modern societies, who shun violence and raise their children without physical punishment. It is notable that around half the 24 recorded peaceful societies of the world are to be found in this region.
- Socialization for harmony, reported in detailed studies of childrearing in rural Indonesia.
- What have been called the 'great traditions' of religions and ideologies, such as Buddhism and Confucianism,

which are characteristic of wider, national society in this part of the world; traditions emphasizing non-violence and self-control, which probably grew out of small-scale traditions of peacefulness.

Some evidence we looked at was recorded several decades ago, but it still demonstrates the possibility of non-violence in human existence, providing lessons to be learned about the way we rear our children

Certain popular theories suggest that we cannot help being violent, that we are descended from bloodthirsty, killer apes from whom we have inherited aggressive and competitive tendencies. This idea is very popular with the media. It implies that violence and war are inevitable, peace must be enforced and children must be firmly disciplined in order to keep their natural aggression under control. But there is another theory about human society, which states that sociality is the basis of our nature. Societies could not exist or persist unless people communicate, share and acknowledge their interdependence. Thus, war and violence are not inevitable and peace is an option everyone can adopt in both personal and social life.

In 1986, with the support of UNESCO, 20 eminent scientists signed a Statement in the Spanish

city of Seville, condemning the biological pessimism of the 'killer ape' theories and stating that they are scientifically incorrect. But the media did not take much notice of this Statement. War and violence are better 'news'.

The peaceful peoples of the world, and this region, demonstrate that the scientists who signed the Seville Statement were correct. The existence of these small-scale societies depends on cooperation. Peacefulness is a necessity. The goal of childrearing is to foster responsibility. Children are reared for peacefulness, and learn to avoid violence. One crucial factor in achieving this is that they are raised in a non-violent environment. There are no adult models of aggression to learn from.

The childrearing practices supporting the social value of peace are simple. Even before children are born, parenting is supported by the whole community; infants are always in close physical contact with adults; childrearing practices for older children develop values, particularly recognition of the effects of an individual's actions on other people. Above all children are taught to fear violence, and avoid it.

Beyond infancy, children are not subjected to adult rules and supervision. Indeed forcing a child or an adult to do something they do not want to do is not allowed.

Instead children learn to respect other people's feelings, to take responsibility for community life, as well as for their own actions and the consequences of their actions.

Needless to say there is no physical punishment of children in these societies. Nor are children subjected to emotional punishment. Adults might reason with children saying 'I don't like your behaviour', but they make it clear that this does not mean 'I do not love you'. So children learn not to obey a set of rules, but rather how to use the rules for making rules.

The childrearing of larger-scale societies, practising what we call 'socialization for harmony', have been recorded in most detail for the islands of Bali and Java in Indonesia. These are hierarchical societies, in contrast to egalitarian peaceful peoples. The aim of childrearing is to achieve social and physical harmony, in which differences of social status have a moral value. Children are taught rules of respect and politeness, beginning with physical adaptation to others. As in peaceful societies, the language of harmony begins before speech, through physical contact between children and their carers. Children learn the lessons of gentleness in the way they are held, carried and shown how to use their growing bodies.

Socialization for harmony shares other characteristics with childrearing in peaceful societies. Children are relatively free from rules, from being forced to obey and from physical punishment. They have very few models of aggression to learn from, but cooperation, respect, politeness,

physical and emotional control and above all avoidance of violence are the models followed. Some scholars suggest that early involvement in dance is related to physical harmony, while children learn and practice cooperation and harmony by making music together.

Finally we examined childrearing techniques in some of the great traditions of the region, literate traditions that grew out of the smaller traditions and are known to advocate peacefulness, inner tranquillity, self control and balance. Here too it is clear that interdependence is a value taught to children as a key to achieving these goals. Frequently this focuses on relationships within families and emphasizes the gratitude children owe to parents, whom they must respect and obey. The values of harmony and self-control learned by children in the great traditions of the region are related to the expectation that children will be obedient, not only in childhood but throughout their lives. Early physical and emotional closeness develops lifelong attachments to parents.

But, in contrast to the childrearing of peaceful people and of socialization for harmony, children of the great traditions may be severely scolded and beaten, to maintain parental authority and children's obedience. Once they start school, children tend to find themselves in an atmosphere of harsh discipline in which parents may encourage teachers to punish. As educational success becomes an overriding goal of childrearing throughout the region, disciplinary measures may be becoming more punitive.

What are the factors that act as obstacles to learning from these examples?

First there is a tendency (fuelled by the media) to believe in the killer ape and inherited aggression. Yet, what some people call 'aggression' is a human trait, better viewed as an energy that can be used in positive ways, creative, daring, gentle and peaceful, as well as negative violence. Second, the idea that aggression is innate in each one of us leads to techniques of childrearing based on rules and control.

In addition, the emphasis on success in life based on success in school is leading us away from the idea of developing peacefulness in children right from the start. The emphasis is not on the language of physical gentleness, but on the need to stimulate intelligence and brainpower so that children may be able to compete and win the prizes of modern life. Respect now tends to be selective, based on power, money and position rather than on recognition that other people have feelings, for which we are responsible.

Societies in this region are urbanizing at incredible speed. People seem to hurtle from the face-to-face relationships of a village community to the faceless environment of a huge metropolis without preparation or support. How can the principles of peacefulness and harmony be preserved and built upon in complex societies?

We have no easy answers, no simple techniques of childrearing that can be included in parenting programmes. But we do have one

simple proposition: the problem of childrearing for peace in complex societies is not that the societies are complex, it is that childrearing has the wrong goal.

We have a choice of goals. Do we want to develop peace power or brainpower in our children? Or do we want to foster mindfulness of others or brain fullness for success? And what is the current definition of success? Power, money, possessions and social position? Or being a responsible member of society, defined by the Convention on the Rights of the Child as living an independent life in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity'.

If this sounds too idealistic, we should remember that it is an ideal shared by all governments and peoples involved in the United Nations system. In any case, it is also possible to identify some practical implications on which action can be taken now.

The key implications for the way children are reared are:

- Childrearing is about respect for individual children and about teaching children to respect others.
- Childrearing should progressively encourage individuals to take responsibility for the consequences of their own actions.
- Childrearing should develop the capacity for reasoning about values, beginning with a physical language of gentleness even before children discover words.
- All three of these implications are rights-based.

The key implications for parents and other adults are:

- Parenthood is a responsibility that parents share with all other adults.
- Parents have a right to support and understanding in their parental role, including the expectation that other adults will not provide models of violent behaviour.
- Physical punishment is not necessary and has no part in rights-based childrearing.
- It is important to tell children that even if you do not like their behaviour you do not dislike them.

Key implications for those of us who work on behalf of children are:

- Do not assume that violence is inevitable.
- The goal of childrearing is the goal of society as a whole, developing a Culture of Peace.
- Peace is a human right, not an ideal.
- Actions should be holistic, committed and long-term. A Culture of Peace is not built in a day, nor is it just a mirage in the future. Small steps can be taken now, and the hardest part of a journey is the first step.
- Advocacy and public education to prevent violence against children should take a broad, positive approach of peacefulness. This can be built on examples from peaceful societies.

Finally, the media have a key role to play. Currently the tendency is to emphasise violence, but the media have the means to promote non-violence. The media should be challenged to become partners in change by:

- Basing the messages they communicate on well-grounded information, and re-examining myths such as the killer ape.
- Providing a variety of perspectives, not simply multiple images of violence but also non-violent images, stories and solutions.

Once again these implications are based on human rights. Although the 'freedom of the press' is an important principle, it is balanced by some of the articles of the Convention on the Rights of the Child, such as:

- Article 29 Education for understanding and peace.
- Article 17 Access to diverse, truthful information and protection from injurious information.

We set out to search for mechanisms of childrearing societies in East Asia and the Pacific that might be used as the basis of better practice, but found ourselves engaged in more basic issues. Above all, we realize that when parents and teachers ask for 'alternatives' to corporal punishment, the correct response is that although some techniques can be identified they are less likely to work unless embedded in an alternative way of thinking rooted in human rights; respect for each child and each adult as a human being. Models of violent human nature are counter-productive, even if they are true. Surely it is more creative and fruitful to promote the values of interdependence and peacefulness? As the final sentence of the Seville Statement on Violence says, 'The responsibility lies with each of us'.

### **Ms. Edwina Kotoisuva, Fiji Crisis Centre for Women, *Violence in the Home and Family***

I remember when I first started work at the Fiji Women's Crisis Centre about ten years ago. I remember visiting a woman in prison who was being held in custody for the murder of her defacto husband. She recounted her story to us of how she was being beaten for several hours and she felt she was slipping into unconsciousness and her two and a half year-old son ran towards her as she sat on the floor of the kitchen. She says she remembers her defacto picking up the child who came in his way and throwing him against the fridge and it was at this moment that she gathered her strength and stood up and attacked her defacto with a knife.

Ladies and gentleman, violence against children in the home, while it does not always happen in such dramatic circumstances, is real, is an everyday affair and is an act of power and aggression. It permeates through all levels of society and occurs in many different forms including physical, emotional, sexual, psychological abuse and neglect. I wish to talk about violence against children in the home and in the family in relation to violence against women because I am of the view that the two are intrinsically linked. In addressing this issue I will relate to the situation as it exists in the Pacific and the ways in which groups in the Pacific and my organization are addressing in the issue.

As you would have gathered from your material prepared by UNICEF there is no substantive research on violence against children in the Pacific. However, what does exist in terms of research data are researches on violence against women within intimate relationships. Population-based surveys from around the world show that 10 to 69 per cent of women reported being physically assaulted by an intimate male partner at some point in their lives (WHO World Report on Violence and Health). In Fiji, a national survey conducted by the Fiji Women's Crisis Centre showed that 66 per cent of women had been beaten by their intimate partner at some point in their life. Of these, 30 per cent reported that they had been repeatedly abused. 80 per cent of the respondents said that they witnessed abuse within the home as children. In PNG, the National Survey conducted in 1985 showed that 67 per cent of women responded that they had been beaten at least once. In Samoa, their national survey on family violence and health showed that 37.6 per cent of women respondents had experienced physical abuse, while 18.6 per cent had experienced emotional abuse and 19.6 per cent had experienced sexual abuse. While these researches are hardly comparable because of the different methodologies they do provide some food for thought for a region that has been predominantly

known for its white sandy beaches and smiling, friendly people. The reason why I have presented you with data on violence against women within the family is because most often as in all of our countries, where there are women there are children, and when women live in violent relationships this increases the vulnerability of children, making them either direct or indirect victims of abuse.

Violence against children in the home includes physical abuse which is very often used as a means of disciplining children. Very often physical abuse may be accompanied by verbal and emotional abuse, put downs which tell the children they are no-good, they are useless and they really have no value. It builds on the idea that children are to be seen and not heard and that children are the property of their parents and therefore parents have the right to inflict violence upon them as a means of discipline. Sexual abuse of children also happens within the home and includes incest and rape by extended family members. In Fiji, approximately 93 per cent of perpetrators of child sexual abuse are someone who is known to the victim and more than 50 per cent are close family members including fathers, stepfathers and grandfathers. This sexual abuse which takes place within the home just like other forms of sexual assault is not about sexual gratification, it is about power and

control, and exploiting the most vulnerable. When the mothers of these children are victims of domestic violence it makes it difficult for the cycle to be broken as they may be disempowered to make decisions for themselves let alone their children. Other forms of violence against children within the home include making them witness to violence, placing them within the cycle of abuse either as witnesses and victims and of course there is neglect.

There is also the issue of children being abused by other children. We have an emerging trend where 14, 15 and 16 year-olds are sexually abusing five, six and seven-year-olds. This is a cause for concern and needs to be addressed. What we also need to address is what we do so that these young boys do not re-offend after they have been through a system that is hardly rehabilitative.

In the Pacific, violence against children is compounded by interpretations of religion and culture for sometimes these are often used to justify various forms of violence against children and can be a very difficult area to challenge. In addition to this, traditional forms of reconciliation and compensation are sometimes used as a means of deterring formal legal processes.

Friends, while trying to share with you some of the solutions, I would also like to pose some of the challenges.

We need to address violence in the family by addressing the power relations that exist within the family. And in most of our families that power lies with men. In Fiji, in 2002, the Fiji Women's

Crisis Centre in partnership with the Ministry for Women piloted the first training on Male Advocacy for Women's Rights. Since then we have conducted two other trainings in various parts of Fiji. The Fiji Women's Crisis Centre has also specifically targeted the Fiji Military Forces and the Fiji Police Force as male dominated areas in attempts to try to effect behavioural change. We have taken the program into Vanuatu and there are plans to conduct similar trainings in Bougainville and Cook Islands. Essentially what this program aims to do is to address men's behaviour, masculinity and how they can become advocates for change. Fundamental principles are:

- The use of a human rights framework to increase men's awareness of gender equality as a fundamental human right, which involves challenging traditional and cultural beliefs and practices on violence against women and gender relations.
- The importance of men addressing their own violence before they can be effective advocates, or provide counselling to other men, and the provision of training and support to facilitate this process.
- The importance of accountability of men's groups to the women's movement, and to the human-rights of women and men and children.<sup>1</sup>

Effecting behaviour change is very important and it is not only about managing anger. While this can be an important strategy for reducing physical violence it is about recognizing other members in the family as equals who contribute to

the unit as a whole. If we are going to use role modelling for younger men then we need to ensure that we find suitable role models. In the Pacific, where everyone knows everyone else, we have had to ensure that those we use as role models for younger people do in fact adhere to the principles they may be espousing in media campaigns, only then can they be effective.

Physical violence against children is also perpetrated by women who are very often in the position of primary caregiver within the home. Targeting them as primary caregivers in programs on parenting skills and non-violent methods of discipline is crucial for trying to break the cycle of violence. About two years ago, I was asked to give a presentation at a school about child abuse and I talked about physical abuse and children's rights, and the children pointedly asked questions about whether teachers and parents were allowed to beat them up. In fact they asked the same question in many different ways and the head teacher, who was actually a distant relative of mine, got quite frustrated and tried to make a point by asking me a question. She said to me, "You and I were brought up that way. We were beaten up by our parents and we learnt to listen and do the right things and look at us now, it really has not had any negative effects has it?" I actually stopped and thought for a while. Well, while it was true that we could sit and exchange stories

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<sup>1</sup>Manish Verma 2003 "How can men work as partners in ending violence against women and in HIV/AIDS related prevention, care and support? An examination of The Men as Partners (MAP) program in South Africa" AWID Resource Net Friday File, Issue 135, 18th July, 2003; and Alan Berkowitz and Carole Sousa 2003 "Summary of Discussion", Ending Men's Violence Internet Forum <http://www.communityforum.net/mailman/listinfo/pemv-net> 19 July 2003.

about what was actually used as a strap, whether it was the electric cord or palatine pipe and we could laugh about the times we tried to escape these and look back at our lives and feel that we had achieved several things and were actually worthy citizens of our country. So what exactly was the impact? The impact is much far-reaching than that head teacher would have realized. The impact of your stifled voice as a child hampers your growth, the impact of doing things through the fear hinders potential development and more worse is the message that we learnt as children and that which contributes to the greater cycle of violence and that is violence is an acceptable means of controlling situations around you.

In addressing sexual assault within the home, we need to start breaking taboos and begin addressing such issues within the family. Several years ago we took a campaign out into the community, titled 8 Rules for Safety, which looked at protective behaviours for children and getting them to recognize what child sexual abuse was, what their rights were and how they could inform other people around them who could actually assist them in accessing justice. This campaign was translated into Bislama and Pidgin by our counterparts and Vanuatu and Solomons and was distributed to children there. To develop programs in protective behaviours, we need to understand the dynamics of the violence. We need to name it and then we can move forward.

While levels of awareness have definitely increased and more cases are being reported, the

response of service agencies is not always appropriate and is hardly supportive or friendly towards child victims. We need to ensure that we do these children justice when they come forward to report. We need to ensure that when they are taken to the police station they are not asked to recount details of what has happened to them in front of several uniformed police officers, who stand around in an intimidating manner and judge them for their behaviour. We need to ensure that when they go to the hospital and are waiting for medical attention, nurses and other medical personnel don't walk around whispering and sharing stories of what this child has been through. We need to ensure that the homes that they are sent to have people who know how to empathise and provide real care and support towards their empowerment and not label them and treat them as bad children. We need to ensure that when they are sitting in the witness box, the prosecution is able to ask questions in manner which is sensitive and not distant, unfriendly and demeaning just like everyone else. We need to ensure they are integrated and accepted back into their community after they report an incident not alienated and blamed. Not sent away to a home to give birth to a child conceived from rape and then told that maybe its better if they just stay in the home because the family is too uncomfortable to deal with issue. We need to ensure to that they receive some justice. For what right have we to deny them justice after they have made that bold step of reporting violence inflicted upon them in their home.

This is why children's coordinating committees, which coordinate

and monitor the work of services, are so important. But we need to make sure that they work and not just fizzle out when it is no longer the flavour of the month and that they are driven by a Ministry that is committed and has adequate resources. We need to ensure that these central committees actually monitor what these service providers are actually doing. This includes police, prosecution, welfare services, medical facilities and court. Medical personnel in the Pacific region have recently met to discuss appropriate Protocols for hospitals in the region and assessed areas where they need capacity building to ensure that victims of sexual assault and violence in the home are dealt with in an appropriate manner. In the Pacific, it is often very difficult for cases to be pursued where the offender is the relative of someone within one of the service agencies, and very often we are related. Thus mechanisms such as the police complaints section and the Human Rights Commission become an important mechanism for enabling addressing the lack of appropriate attention and service.

An area of concern is that there continues to be a lack of intervention at community level. There have been cases of physical abuse of children which have resulted in death. While the details of such cases are shocking, what is even more shocking is when neighbours or people in the community say in the media "oh, yes, there was a lot of violence in that family, we used to hear that child being beaten up all the time". The idea of intervention at the time of incident is often hard to conceive. How does one intervene, what does one actually

say and what about in situations in the Pacific where the people involved are actually related to you? How do you intervene without “damaging” family relationships? Traditional Pacific thought and knowledge addresses this issue of public versus private and how what was previously public, through communal practices, is now made private through individualistic outlooks which are currently adopted. Child rearing was a community responsibility in traditional Pacific contexts and it is important to harness that particular thinking and body of knowledge to get people to address harmful behaviour and practices that are damaging to children and society as a whole. To do this, we need to conduct community education that is effective and which is correct and by that I mean that which does not make excuses for violence perpetrated against children. And we need to provide sound practical means to the community of taking responsibility for the issue.

We need to utilize customary practices and knowledge that are positive to ensure that violence against children is not perpetuated in the home. In Fiji and Vanuatu, we specifically targeted chiefs and traditional leaders as they are bastions of power within the community and very often cases end up before them. The VWC have tried to provide training for chiefs who officiate at custom court meetings or they have appeared personally at custom court meetings to ensure that when cases of family violence come before the chiefs, they are dealt with appropriately. Trying to change the mind-set of chiefs so that they begin to question the power relations within the family is a challenge but there is some progress in this area in the Pacific. For the reality is for some children and women this is the only accessible form of justice and we need to ensure that it works for them. Therefore, traditional

methods of justice which reflect the restorative justice model need to be utilized with caution, to ensure that victims are empowered to speak and face their perpetrator without fear of reprisals.

The cycle of violence against children in the home and in families can be broken, but we need to be able to challenge religious and cultural interpretations which perpetuate it, we need to harness those that are against it, we need service agencies to have a rights-based approach with children at the forefront of our minds as we work together in our communities to address this issue. And we need a basic starting point and for me as I am sure it is for most of us that starting point is simply saying that any form of violence against children is wrong, it is inexcusable and should not be tolerated.

### Transcript of Plenary Discussions

#### Delegate from Papua New Guinea

The greatest challenge to the speedy and effective implementation of the CRC in Melanesia, as well as in other Pacific Island Countries, revolves around the unavoidable tensions between the imperatives of the CRC and what society claims as the parental rights to educate, socialise and train children to become useful adults for their communities. The use of corporal punishment is perceived as a means for achieving that wider objective and involves the rejection of the wrong but the embracing of the wrong doer. It would seem to me that societies that are as the CRC envisages do not exist in Melanesia and the child that is brought up in the context of the CRC may not have a community or society to belong to in Melanesia. In that sense the CRC may be counterproductive for the child as there may be no community that that child can belong to. Corporal punishment was made illegal in Papua New Guinea some years ago because it was seen as an encroachment on the rights of the parents.

My question is then should there be room for a critique of certain aspects of the CRC in societies like Papua New Guinea?

#### Delegate from the Philippines

I was wondering what Judith meant when she referred to 'peaceful societies'? What do you feel constitutes a peaceful society? What indicators are there for a peaceful society?

#### Delegate from the Republic of Korea

I would just like to offer a short comment and ask a question. One of the panellists this morning mentioned that the use of corporal punishment is quick and easy but not effective. Does this then mean that alternatives to corporal punishment are slow and not easy but effective? Maybe we should have some sort of parenting licence. I mean not every parent is an expert at parenting skills so maybe the elimination of corporal punishment may not be workable? For example, implementing International Humanitarian Law and other human rights convention is unrealistic as they are too comprehensive and as such not really workable. So I would just like to seek your clarification and comments in this regard.

#### Delegate from Fiji

I think all presenters have brought to light the importance of cultural relevance and I am particularly interested to learn of the research that has been done on cultural approaches. It seems that often there is a common assumption that culture is a constraint to non-violence and I would be interested to hear from the presenters whether the strengthening of families and communities can be achieved through a more positive approach to understanding culture and non-violence?

#### Under-18 Delegate from the Philippines

In the home and the family most parents say that they beat their children because they love them. Do you agree with that and what can you say about that?

## Response from the Panel

### **Ms. Natsu Nogami, Save the Children Sweden**

I would like to talk about the cultural relevance issue because I couldn't agree more with the notion that the cultural context must be taken into consideration because I am also from a culture where international standards of children's rights may not be applied. What I would like to emphasise is that cultural relativism may be justified when we are talking about how we define violence and abuse, what is abuse. Just a little slap on the bottom, is that abuse? If you say that you would be thought crazy in some cultures. However, the whole point of eliminating corporal punishment is to eliminate the very concept of violence so if the culture has the concept of violence that is what we are trying to address.

### **Ms. Judith Ennew, Centre for Family Research, University of Cambridge**

Following on from the point about cultural relevance and questions about the relevance of the CRC and whether we can criticise it, I would say that while I live in this region I come from the United Kingdom and let me assure you that in the United Kingdom the CRC is not culturally relevant. Indeed many people in the government in the United Kingdom have complained in exactly the same way in the same terms and the argument is made about loving smacks that is also made in other cultures. In addition, arguments that not all parents are experts and that a quick smack is better than bad words do not recognise that to discipline doesn't mean punish. Discipline means teach and discipline means that children should be learning about how to behave in society whatever that society is. All societies have rules, cultural ways of looking at things and different definitions but with respect to children's rights and with respect to human rights culture is not a trump card, the trump card is rights. If you can discuss what these rights mean in our context, or what words mean in our context that is very important, but there is no negotiation possible about violence. If a country has signed up to any of the human rights conventions it has signed up to a system which says we are trying to stop violence in societies and between societies, so although this discussion must be part of creating an enabling environment where rights can be realised it doesn't mean that we say it's difficult and that, therefore, we can't do it. Peace may be more difficult

than violence but it doesn't mean that peace is not possible. The final point that I would like to make is in regard to the question about indicators of a peaceful society. There are none. While there is a whole body of literature about peaceful societies this is not work done by programme people and what we are trying to do is to bring it into the programme sphere to say these are good pieces of research and good things to think about and good examples that we can use in the programme sphere.

### **Ms. Edwina Kotoisuva, Fiji Crisis Centre for Women**

I would just like to address the issue of violence being a quick fix and how the alternatives are slow but difficult. I think that the challenge for us in our society today is to resist the higher tolerance of violence in society as is perpetuated by the media. If we use physical violence it only contributes to the cycle of violence and we should not want for our children to have a higher tolerance of violence than we had as children and I think that those are the kinds of warnings for us that point to the high levels, and tolerance, of violence in society. Violence is often being perpetrated by young people and we need look at ways that we can break that cycle and I believe that the slow and painful ways of doing things is sometimes more effective.

### **Under-18 Delegate from Thailand**

I want to ask you about what is the best method to teach the child when the child makes some mistake? In Thai culture it is believed that punishing the child will help the child to become a good person.

### **Delegate from Papua New Guinea**

In the presentation on Fiji it came out very strongly that women and mothers will influence the CRC very much because we influence the lives of children in our cultures. I would also like to endorse the approach that men and women should address the CRC in the real situations and cultural contexts. The CRC should be looked at more carefully and analysed in the cultural context so that we can identify aspects of the CRC that are relevant and that are good for us.

### **Delegate from the Philippines (Police Officer)**

What do you expect from the Police when children who can no longer be disciplined by their parents are brought to the police?

**Under-18 Delegate from Indonesia**

What are the alternatives to corporal punishment?

**Under-18 Delegate from Viet Nam**

In the first presentation it is mentioned that we should provide advocacy and increase awareness but I think that for the children and people from poor families even if we increase advocacy efforts it will not make much difference because of their culture. I think also for the poor family the government should provide support and even though we mention the need to develop the peaceful society we also need to find specific ways to do that.

How can we find ways for the parents to control their anger so that they don't beat their children?

**Under-18 Delegate from Mongolia**

How can we ensure that today's children will not behave violently towards tomorrow's children? Also what do we do with children that behave very badly if we have no corporal punishment?

As another example of cultural context: in Mongolia there is a saying that children between 0 to three should be treated like kings, from four to six respect them as the queen, between six and 13 advise them as a brother, between 14 and 17 advise them as their best friend and between 18 and 25 advise them as their sweetheart.

**Delegate from World Vision**

My question relates to Edwina's presentation. You mentioned about the need to engage with community leaders. As part of that can you comment on ways that religious leaders can be engaged? World Vision is involved in some work with on inter-faith dialogues and I would appreciate some comments on the way to engage religious leaders in ways to promote peace in their role as community leaders.

**Under-18 Delegate from China**

Just now we have discussed a lot about physical punishment against children but in my opinion I think the mental punishments against children are more harmful so what are you planning to do about that?

**Under-18 Delegate from Cambodia**

How will we implement decisions and recommendations that come out of this Consultation?

**Delegate from the Solomon Islands**

I would like to comment that we need to do more research to find out how we can make laws empower communities to protect children against violence. At the moment existing laws do not empower positive systems and practices.

**Under-18 Delegate from Viet Nam**

Changing the attitudes of the adults is very difficult so we should also change the attitudes of children themselves so that they do not accept violence against them and do not use violence against their children in the future. What do you think about this?

**Under-18 Delegate from Hong Kong**

I want to know how to define violence? Are there any general definitions of violence? Are all forms of corporal punishment considered as violent? Maybe children do not think that it is not violence if their parents do not beat them seriously?

**Under-18 Delegate from Cambodia**

We know that much violence happens in families where parents are uneducated so how do we help parents to understand the CRC?

**Under-18 Delegate from China**

Since a lot of measures have been recommended in regard to normal children what measures can we implement to ensure the rights of disabled children?

## Panel Response

### **Ms. Edwina Kotoisuva, Fiji Crisis Centre for Women**

In response to the question by World Vision in regard to the engagement of religious leaders, getting religious leaders on board was very difficult especially because there is a lot of denial about such issues. However, over the years that has changed and more and more we are seeing religious leader addressing issues of violence against children. In relation to how we engage faith-based organisations it is really about finding within the religious teachings the positive interpretations and the positive aspects of child rearing in relation to non-violence and emphasising those teachings. Theological research is also important for groups working in these areas in order that they can relay the positive values of faith based organisations. In terms of the Pacific Religious Leaders are also cultural.

Children with disabilities are also an area of concern and it is not just about the abuse that happens but about their vulnerabilities as a minority group and also the lack of services to respond so we need to work with organisations that have a focus on children with disabilities and on the programmes that are in place. My own organisation, for example, has had to ensure that we have the human resources to communicate with, for example, deaf children and these are the kind of responses we need to be looking at. We need to address the lack of services and appropriate resources in this area.

### **Ms. Natsu Nogami, Save the Children Sweden**

So many links and commonalities in the questions that have been asked that I would like to make a comment on some of the objections that children have voiced in relation to the elimination of corporal punishment. Some of the children mentioned that punishment is to make you better so I think that it is better to get a different perspective and ask yourself what if you are not punished in the first place and instead parents would reason with you and you became better. There is no need for physical punishment. Why do you think punishment is good, because parents teach you so. The whole process of questioning yourself and getting the right answer is very important. The idea of banning corporal

punishment by law is not to criminalize parents but to talk about the nature and the role of the law. The law can never define violence but it can send the right message.

### **Ms. Judith Ennew, Centre for family Research, University of Cambridge**

First of all I think we all agree that violence is not acceptable, which means that corporal punishment is not acceptable as corporal punishment is a form of violence. It is not true that it is possible to bring up children without violence and discipline them without corporal punishment. And corporal punishment includes verbal punishment, humiliation and anything that does not respect the dignity of a child or for that matter an adult. I myself am a mother and a grandmother and have experience of child rearing and I know that it is possible without hitting people. Instead, you reason with people and reflect as an adult on your own behaviour. If children behave badly it is because parents behave badly because children learn from us. We give them examples of aggression and we give them examples of un-managed anger and a very important point that one of the Under-18 Delegates made is that adults need to learn to handle their anger. Anger and aggression are not necessarily bad but instead are energies that can be used in other ways, in positive ways to bring about good results. I will give you an example that we used in the book. It's from Gandhi and his grandson. Gandhi taught his grandson to keep an anger diary and the idea was that anger is an energy that can be used for good or for bad. If we are honest in reflecting on our own behaviour as adults and as children then it's a good thing. If we have been wrong then we can reflect on it and say we are sorry. In fact Gandhi's grandson reflects on his own anger and mentions that if he, or his sister, were bad and needed some form of punishment then it wasn't they who got punished but their parents. They would discuss it as a family and decide that the parents would take the responsibility and then the children didn't like their parents having to do something like fast for the day. A very good lesson that we can learn from societies that have peaceful goals is that parenting is not just for one or two people but rather is a matter for the community as a whole and a matter in which everyone is implicated especially with respect to not giving examples of violence and aggression going wrong.

## Closing

### Closing Statements from Under-18 Delegates

#### **Under-18 Delegate from Timor-Leste**

On behalf of children from this region and of children of the world I would like to offer my thanks and gratitude to the United Nations for leading this process and to UNICEF and other international agencies for leading the process of under-18 participation.

Our special thanks to children of the region who have already put much hard work into the realisation of national consultation on violence against children and have shared their views, ideas and experiences to create the recommendations presented here today. Our thanks also to governments of the region for the hard work they have put into preparations and for giving us the opportunity to meaningfully participate, and for all the willingness that they have shown to overcome violence against children and to move forward to a future that is more valuable and bright. This comes from our hearts, thank you very much.

#### **Under-18 Delegate from Viet Nam**

For the last few days in the Children's Forum and the Regional Consultation I have seen delegates contribute their many different opinions which all are important to combat violence against children. I promise to pass all information to Vietnamese children and I will write articles for the newspaper and will never permit violence against children either now or in the future.

#### **Under-18 Delegate (country unclear)**

What I plan to do after this Consultation is to share the experience and knowledge that I have got from this Consultation to my members in our child protection team. I will talk about the CRC in the work place, in the school and in the community to help end violence. Also after this Consultation I know my role will be to report to the authorities and to the relevant agencies where I see that violence is taking place in order to help prevent violence against children. I hope that all of you that are here and get the knowledge and experience from this Consultation share this experience and knowledge with others in your country.

#### **Under-18 Delegate from China**

I am a child delegate from China and I feel very honoured to stand here and state my opinion about the challenges we face when trying to stop violence against children. The first challenge is to ensure the full participation of children in discussions and decisions aimed at stopping violence against children. We hope that governments all over the world will take action immediately too, especially in regard to establishing relevant laws and policies. In our region many children are regarded as being in adult positions and we need to challenge these traditions and work together with adults to stop violence against children. We also need to communicate on an equal level and work together. Finally I would like to say that in the world today there are still many children with special difficulties such as disabled children and street children who are neglected and discriminated against. As children we should not remain silent any longer and when facing violence we should bravely say 'no'. Thank you very much for your attention.

### Recommendations from Under-18 Delegates Developed by Under 18 Delegates during the Children's Forum (11-12 June, 2005)

#### 1. Children in conflict with the law

##### *Priority issues*

- Countries with legislation that does not protect the child against corporal punishment.
- Children don't know their rights and the specific laws of their government.
- Children imprisoned with adults.
- Children convicted through the adult justice system.
- Children are abused or feel threatened during the Police interrogation process.
- Countries allowing corporal punishment as a sentence of the courts or a punishment in penal institutions.
- Countries not promoting and enforcing the articles of the UNCRC.
- Children in jail/detention centres are abused by officials.

##### *Recommendations*

- Change of laws to make it illegal for parents, teachers and others to use corporal punishment against a child.
- Adults need to be taught non-violent ways of raising children and solving conflicts or arguments.
- NGO's and Governments should work together to educate ALL children (in schools, institutions, etc.) about their rights and the laws of their country.
- Establish child friendly reform schools and centres.
- However, judicial proceedings and placing children in institutions are to be avoided where possible.
- Measures to be put in place to ensure that a child has a fair interrogation with a relation present.
- Countries introduce specific laws to enforce and carry out the articles of the UNCRC.
- NGO's monitor government implementation of the legislation and regulations that enforce and carry out the articles of the UNCRC.
- Establish juvenile courts.
- Laws introduced banning corporal punishment as a sentence of the courts or punishment in penal institutions.

#### 2. Violence in the workplace

##### *Priority issues*

- Lack of education about the children's rights.
- Weak implementation of the law on minimum age requirement of child labour.
- No opportunity for working children to study.
- Unfair treatment for children who are working.

##### *Recommendations*

- Draft regulations on child working conditions and minimum age requirements.
- Conduct training for: adults about the UNCRC (Licadho in Cambodia); working children to develop the specific skills (45 days cooking course, Mongolia).
- Stronger provisions for punishment of perpetrators.
- Propagate the UNCRC through the media.

#### 3. Violence in cyberspace

##### *Priority issues*

- Bad people taking advantages of emotional children (easily feel lonely) trying to make friends online.
- Children meet up with the person they know on the internet.
- Sexual contexts: pornography; some of the pornography is about children; some is taken secretly. Because of the pornography children are victims: children being taken; and children seeing the pornography.
- Threatening comments, swear-words, hateful language and abusive text messages being sent to children: In chat-rooms; by email; through mobile phone.
- Violence content: in online games; on photos and video; messages sent to mobile phones.
- Lcky things can be bought from online shops easily, such as: weapons; drugs; sexual relationships; porn via media.

### *Recommendations*

- Education and promotion of online safety. Educating parents on how to carry out preventative measures and how to use computers. Educating children on how to prevent themselves from getting into violence.
- Giving Advice and Counselling. Psychologists online, some psychologists may hide their identity as some children may be nervous while chatting with psychologists as they think they have psychological illness. Set up hotlines.
- Blocking bad websites/emails and prevent them from reaching children by installing software and by parents monitoring.
- Governments should have strict control over materials being posted on the internet.
- Cyber police (experts for checking and finding out bad websites). Programmers should make the software for filtering the websites free.
- Support children in creating platforms for outdoor activities to avoid too much time spent on activities in cyber space.

## **4. Violence at school**

### *Priority issues*

- Corporal punishment by teachers and other school personnel such as: teachers force student to kneel down; children are hit by stick by the teachers because they don't know the answer to a question; teacher threaten students; teachers throw erasers at students (no explainable reasons); janitors abusing toddlers in school; and teachers force the students to stand under the sun.
- School bullying by peers, physical and mental such as: school bullying between peers; and students fight each other.
- Mental abuse by teachers such as: discrimination by teachers; and teachers using abusive language (swearing).
- Sexual Abuse by teachers such as molestation of students by teachers.

### *Recommendations*

- Educate the children about their rights at school.
- Provide training to teachers on positive discipline techniques.
- Every school should have a child protection policy and procedures.
- Every school should have a reporting mechanism for teachers who practice corporal punishment.
- Introduce and strengthen laws to prohibit corporal punishment.

- Create magazines for pupils promoting non-violence in schools.
- Children should have places they can go for advice and free legal advice.
- Monitoring of implementation of legislation and regulations.
- Provide peer counselling for pupils.
- Orientation on children's rights to teachers.
- Set up committee of students and teachers to monitor and take action on violence.
- Give punishment to teachers who torture students.

### *Examples of what is already happening*

- Passing of law on violence against children in Mongolia.
- Consultation with children about violence.
- NGO's helping to advocate for children's rights (CCF, Plan, Save the Children, UNICEF etc.).
- Pupils are participating in meetings to stop violence and have a supervisor to monitor what is happening (Mongolia).
- National Commission for Children's Protection (Indonesia).
- Existing laws to protect children (Indonesia).
- Viet Nam is the second country in the region to sign the UNCRC.
- Workshop on violence against children in Beijing.
- In Viet Nam every Monday there is a gathering of students to talk about school concerns, including Violence Against Children.
- Partnership of children's associations and UNICEF to create a child-friendly school (Philippines).

## **5. Violence in the Home**

### *Priority issues*

- Divorce/marriage break-up.
- Child labour.
- Verbal abuse.
- Sexual abuse.
- Physical abuse.
- Neglect.

### *Recommendations*

- The Governments should stop early marriage, regulate education of parents on the impact of early marriages and girls should be ready and mature before marriage and not married because of dowry. Stop polygamy and punish severely the perpetrators.
- The Governments should give equal education opportunities to children who work. The

Governments should enforce strict laws to stop child labour, enforce child rights and punish those who do not respect children's rights.

- Governments should give training to the parents on how to communicate with children in a nice way. Parents should not say bad words that cause children to lose confidence. Governments should educate parents and duty bearers of their roles and responsibilities to children. Children should not be called bad names.
- Have the UN, Governments and communities share information and work together to prevent sexual violence happening to children in the family. The UN, Government and communities should help children who have been victims of sexual violence. Implement strategies into our governments and traditional societies. Implement strict laws for those who commit sexual abuse.
- Governments and NGO's establish an organisation/institution that protects children from physical abuse and educate parents and duty bearers to prevent the violence in families. Ask the Government to implement harsh penalties to law breakers and to stop corporal punishment.
- Take care of and action for the children who are neglected. Governments should look after those children who have been neglected and put them in institutions. Stop all forms of neglect and implement strict laws. Establish children's rights at school.

#### *Comments*

- We ask the parents to create love. Love can start at home to prevent the violence. Respect your children.
- Parents have to participate in stopping violence in the family.
- Training for parents on being responsible parents.
- Whatever's happening behind closed doors there is always an abuse. Abusers always come from abused families.
- Child discrimination by parents.
- Organise workshops on children's rights for adults and children.
- Conduct seminars for parents about the UNCRC.
- Local authorities help families to radically reduce violence.
- Explain to the parents about children's rights.
- Parents should accept the opinion of the children. Provide training on how to be a good parent.

## **6. Violence against children in institutions**

### *Priority issues*

- Staff say bad, hurting words to children.
- Sometimes when the children do not do their work they are punished and not allowed to eat.
- Older children beat younger children.
- Older children make younger children personal servants.
- In some institutions no-one stops fighting children.

### *Recommendations*

- Provide education for all children in institutions.
- Train caregivers in institutions on how to prevent violence.
- Children should participate in the monitoring of violence against children in institutions.
- Children in institutions should have equal medical care.
- Train caregivers in institutions on how to prevent violence.
- In some organisations composed of children there should be some different abled children participating.
- Monitor violence in all children's institutions.
- Children need somewhere to report violence and access help.
- Government should fund an organisation where only children participate and they gather together to discuss the violence against children and find solutions.

## **7. Violence against children in the community and on the streets**

### *Priority issues*

- Pornography on the streets.
- Drugs, alcohol, crime related to 'Gangs'.
- All forms of child abuse.
- Discrimination, cultural and custom conflicts.
- Children's hunger on the streets.
- Maltreatment from shop owners, police etc.
- No freedom of expression.
- Child trafficking.

### *Recommendations*

- Restrictions on porn outlets and where children are allowed to enter. Harsher penalties for suppliers of porn to under-aged children.
- Police crack down on gang involvement. Government must monitor and control the implementation of laws in practice. Educational improvement.

- Promoting public education of children's rights. Adequate provision of social workers, funding etc. Immediate action when violence occurs. Harsher penalties for perpetrators. Warning people in advance of action that will be taken.
- Compromising traditional and cultural virtues. Equality in culture and religion. National, regional and international forums for children and adults. Media promotion of cultural mutuality and understanding.
- Gather background information on children's circumstances, why the children are on the street. The Government need to ensure that those children who have no family are provided with child centres/ homes that provide food, shelter, education etc. Provision of drop-in centres. Encouragement of family rehabilitation. If parents are abusive deal with them legally.
- Prohibit advertisements of cigarettes, alcohol etc. Education on bad effects of drugs, alcohol etc. Label warnings on products. Harsher punishments for those selling illegal drugs etc. Stronger law reforms.
- Harsher penalties for traffickers. Serious control of immigration and migration of may be traffickers. More social workers for child prostitutes. Financial support for rehabilitation.
- Implementing and promoting UNCRC. UNCRC training to both parents and children. Children's media programmes. Little report clubs to report issues.
- Safe houses for victims. Increasing social workers.
- Stronger implementation of government policy. Educate how to keep house safe.
- Harsher penalties for law officials misconduct. Social workers for when people become detained.
- Equality in the treatment of children.

#### *Overarching themes*

- The children and young people want to know their rights, and be in a position of knowledge.
- They want adults to know about the rights of children.
- Want to participate in the things that affect them.
- Adults need to be held accountable for their actions towards children
- Monitoring of the systems, laws etc., needs to happen to make sure the intentions are being met.

## Closing Remarks

### **Mr. Paulo Pinheiro, Independent Expert for the United Nations Secretary General Study on Violence against Children**

Excellency, Minister for Social Development and Human Security, my colleague Anupama Rao Singh, UNICEF EAP Regional Director, I think that my first words must express my enthusiasm for this great Consultation. Why was this Consultation great? My friend Dominique from Save the Children commented a few minutes ago that this region has a tradition of cooperation and I don't want to compare the regions or the Regional Consultations but I think that this cooperation has been a very important element for the success of this consultation. The second element that has contributed to the success has been, Minister, the hospitality of your government. Yesterday we had the opportunity to express our gratitude to the Minister of Foreign Affairs and I would just like to reiterate this gratitude.

I think that after all the presentations of the recommendations it would be very repetitive to try and present a synthesis of the work of the last few days. However, I would like to mention some highlights. I think that most of the recommendations contain a belief in good laws. However, laws in themselves are not magic wands. Laws need implementation and monitoring, but what is great is that laws furnish the framework for mobilisation and organisation of civil society. The UN Study will deal with member

states, not only the executives but also the parliamentarians, the judiciary and the legislators as a whole. All of these people have an important role to play.

There seem to have been clear consensus at this Consultation that the elimination of corporal punishment is a high priority. This was reiterated by child delegates and recommended by all working groups. Why is this so important? Because when we ban corporal punishment we express respect for children and adolescents and that we will treat them as citizens. Why is it that when people hit a cat or a dog there is upheaval on the streets, but when people hit children no one seems to speak out? We have to change this and I think that this study must assert the urgent need to end corporal punishment and demand law reform so that children have the same right not to be hit as do adults. This should be the case wherever children are, in the home, in the street and in the school.

We also need to listen to the voices of children and the most vulnerable such as orphans and children with disabilities. The other point that I would like to stress is that the Regional Consultation is not the last station and that the travel will continue and it is very important that governments, civil society, children and adolescents and all those involved in this

consultation are able to continue to contribute to the maintenance of the momentum that we have generated. Governments do not need to wait for the Study to follow up the recommendations that have been made at this Regional Consultation. In the South Asia region for example mechanisms have been established to try to follow up on the recommendations of the South Asia Consultation. I am sure that this region with its tradition of cooperation will be able to follow up on the recommendations that have been made.

Another thing that was said this morning, that I think is very important, is that everything that we are doing translates into the need to implement the convention on the rights of the child. When I hear suggestions of a new document or a new covenant I panic. We need to implement the Convention as it stands and I would like to express my thanks to Jaap Doek, the chair for the Committee on the Rights of the Child, who I am sure thinks as I do on this issue. What we have prepared through this Consultation represents a very important contribution to the Study. I also hope that the Regional Report that follows this Consultation will also have a life within the region and beyond this region.

The last thing that I would like to say is to thank the Under-18 Delegates for their participation in this Consultation. Their discussions and suggestions have made a splendid contribution. I cannot thank everyone but I would like to thank the Regional Consultation Steering Committee, the NGO advisory panel and friends and colleagues from UNICEF, especially the Regional Director and my friend and colleague Sawon Hong the Regional Advisor for Child Protection. I am sure that this region will provide a formidable contribution towards the Study. Thank you very much.

## Closing Remarks

### **Ms. Anupama Rao Singh, Regional Director, UNICEF East Asia and Pacific Regional Office**

Thank you very much Mr. Chair. I want to take this opportunity to echo what other speakers have said about the fantastic Consultation we have had and how much we have benefited from the participation of all of you including the NGOs, Under-18 Delegates, the government delegates as well as the expertise of Professor Pinheiro, Jaap Doek and Amaya Gillespie from the Study Secretariat. All of this would not have been possible without the hard work the Consultation Steering Committee has put into planning and coordinating for the Consultation, backed up by the staff of UNICEF.

I really have found the three days very fascinating and as I was listening to all of you three or four points kept coming back to my mind. Some of these relate to the Study itself, but others relate to follow up action at our level and I think that I will use this opportunity to place some ideas before you for what they are worth, knowing that the Steering Committee is also going to meet tomorrow to discuss follow-up actions.

First of all I want to touch upon the links between development and the kinds of human rights and protection approaches and imperatives that we have talked about over the past few days. It came out in an implicit fashion in the sense that we understood

that violence against children is all about power relations just as underdevelopment is all about inequities. There is a relationship and people who are living in poverty are perhaps more vulnerable to violence both as perpetrators and as victims of violence. It also came out in the Presentation of Judith Ennew on child rearing and socialisation where we looked at some examples of traditional societies where child-rearing practices promote peaceful cooperation, and how there are also tensions between traditional practices and the compulsions of the current day situations whether we call it modernism or another term. We also understood that not all tradition is bad or harmful and in fact some traditions contain some very good elements.

As this Consultation took place we also saw global announcements of debt relief for the 18 most indebted countries, and in September the General Assembly will discuss five years of progress against the Millennium Development Goals and I wondered what is it that we can say about the link between these debates and what we have been discussing here? In this context I would just like to make a few suggestions.

Clearly the world community has mobilised itself around the Millennium Development Goals

and is making all sorts of aid commitments to help achieve these goals. For international aid to flow good governance is considered very often to be an integral element of development and in many cases is also a kind of condition to the flow of development aid. On the other hand we have said that the rule of law is an essential element of good governance but the international development community often defines good governance as transparent administration and macro-economic and financial discipline and the elimination of corruption. The question that I have been grappling with is how do we get the notion of a human rights based approach to development and rule of law as central to the definition of good governance and therefore central to conditions for the flow of development assistance?

So that's one question that comes to mind. I don't have answers but I think that these issues are something that we can work on collectively. The second element that I think came out resoundingly is that this region really has to do more in terms of legal protection of children against corporal punishment. At the same time, as Vitit Muntabhorn and others have mentioned, there are frustrations to be faced in trying to discuss the issues of corporal punishment with teachers. The Convention on

the Rights of the Child also has a notion of the evolving capacities of the child which we need to look at in the context of child participation in the decisions that impact on their lives. Maybe one gap we have in terms of follow up actions is that we need to harness the best of research and information on the evolving capacities of the child in terms of his or her own ability to learn right from wrong, to learn about responsibility and to have these elements as the framework for the ongoing discourse with teachers, with community members and with parents so that along with the normative framework that the legislation will provide we will also be able to provide substantive information that can help in this capacity building process which can lead to actual behaviour changes. This

is a feeling that I will take back as something that possibly UNICEF can work on with partners and carry forward.

I think that the third point that I would want to make is that clearly we would have benefited in this Consultation if we had encouraged representation from faith-based organisations. Perhaps as one of the follow up actions we really need to see how we can bring into the partnerships faith-based organisations so that we are able to simultaneously look at an inter-faith approach to stopping violence against children.

Finally to state the very obvious I am glad that Professor Pinheiro thinks that this Consultation has been an invaluable contribution to the Study, but I also think that

it would be a missed opportunity if we thought of that as the only objective of this Consultation. There has been a tremendous momentum that has been generated and I believe that we should carry that forward while we wait for the Study to emerge.

On behalf of UNICEF I want to be able to commit our effort in working with all of you both at the country and regional levels to be able to carry this dialogue and actions forward in terms of implementation. Finally, I want on behalf of all of you to thank our chair for the closing session who I think has done an excellent job.

Thank you all once more for everything that you have done.

## Closing Address

### **His Excellency Mr. Pracha Maleenond, Minister of Social Development and Human Security, Royal Government of Thailand**

Today I have the very great honour and pleasure to be the final speaker at the East Asia and Pacific Regional Consultation on Violence against Children held in Bangkok, Thailand. On behalf of the Government of Thailand, I would like to express my sincere gratitude for the participation of Your Excellencies, Distinguished guests, government delegations, ladies and gentlemen, children and young people, and representatives of national and international NGOs, civil society and the United Nations. I want to especially thank the Independent Expert Professor Paulo Pinheiro, Mr. Jaap Doek, the Chairperson for the Committee on the Rights of the Child and Ms. Anupama Rao Singh, Regional Director of UNICEF East Asia and Pacific, all of whom found time in their busy schedules to participate in this Regional Consultation. The work that all of you have done over the last three days to end violence against this region's children is an inspiration for us all.

I highly appreciate the work of all the country delegations during this Consultation who worked hard and well together with NGO and UN Colleagues. Throughout this Consultation we have discussed the achievements of countries in the East Asia and Pacific Region in addressing violence against children, and we have affirmed

our commitment to addressing the challenges that remain. In order to achieve the goal of ending violence against children we have underlined the need to do more to improve programming for children and families and to adopt and enforce better laws and policies for their protection.

We have agreed in the outcome statement, to prepare plans, strategies and programmes that will help us achieve an end to violence against children. In seeking to make progress towards achieving this goal, we will need to involve not only governments and their development partners but all members of society, including civil society, children and the private sector. Certainly Thailand will benefit from this Regional Consultation and I am sure that the Ministry of Social Development and Human Security will look towards implementing the recommendations that have been developed. These recommendations include:

- To ensure the full and comprehensive implementation of the Convention of the Rights of the Child and all other relevant international standards and guidelines.
- To criminalize all forms of violence against children, including corporal punishment.
- To mainstream and

institutionalise the meaningful participation of children at all levels.

Distinguished delegates, ladies and gentlemen, and dear children. On behalf of the Government of Thailand and myself, I would like to express my great appreciation to all of you for this successful Regional Consultation and sincerely thank all of you for the support and for sharing your views and expertise.

I would also like to take this opportunity to express my sincere thanks to the staff of the UNICEF East Asia and Pacific Regional Office. In addition, my deep thanks go to the Steering Committee for the Regional Consultation for their untiring efforts in ensuring the success of this meeting. I wish all delegates bon voyage and safe return home.

On behalf of UNICEF and the United Nations Secretary General, I would now like to officially announce the closing of the Regional Consultation on Violence against Children.

## List of Participants and Agenda

### List of Participants

#### AUSTRALIA

1. Ms. Teena Blewitt, Section Manager, Children's Issues Section, Family and Children's Policy Branch, Australian Government Department of Community Services
2. Ms. Sonya Tufnell, Development Manager, Child Wise (ECPAT in Australia)
3. Mr. Robert Vokey, Asia Programme Manager, Save the Children Australia SEAP

#### BRUNEI DARUSSALAM

4. Siti Hazizah Saleh, Community Development Officer, Department of Community Development, Ministry of Culture, Youth and Sports
5. ASP Masni Hj Jamil, Head of Women & Child Protection Unit, Royal Brunei Police Force
6. PG HJH Zabaidah BTE PG HJ Kamaludin, Assistant Solicitor General, Attorney General's Office
7. Ms. Suriana BTE Radin, Legal Counsel, Attorney General's Office
8. Haji Bulat Bin Baoap, MOE

#### CAMBODIA

9. HE. Mr. Nim Thoth, Secretary of State, Social Affairs, Veteran and Youth Rehabilitation
10. HE. Ms. San Arun, Under-Secretary of State, Women's Affairs
11. Ms. Chan Haranvaddey, Secretary General, Cambodian National Council for Children
12. Mr. Ekvisoth Khat Ty, Manager & National Focal Point on Violence/Corporal Punishment, Save the Children Norway, Cambodia
13. Mr. Glenn Michael Miles, Children at Risk Facilitator, Tearfund, Cambodia
14. Ms. Phally Hor, Project Against Domestic Violence, Cambodia
15. Mr. Thary Prum, Child Rights Advisor, Plan Cambodia
16. Mr. Sun Varin, Project Manager, World Vision Cambodia
17. Mr. San Sorn, Child Right Coordinator, World Vision Cambodia

18. Ms. Kim Thida, Under-18 Delegate
19. Mr. Ngach Samin, Under-18 Delegate
20. Ms. Touch Setha, Child Labour Advocate, Licadho Cambodia (Guardian)
21. Mr. Sok Pal, Translator
22. Ms. Huot Davoan, Translator

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23. Mme. Jiang Yue-er, Director-General, Children's Affairs Department, All-China Women's Federation
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26. Ms. Zhang Ying, Section Chief, International Cooperation, All-China Women's Federation
27. Mr. Li Xikui, Translator
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29. Professor Jiao Fuyang, Expert, Plan China
30. Mr. Huang Xiangbin, Soong Ching Ling Foundation
31. Ms. Guo Congcong, Under-18 Delegate
32. Mr. Wapadaer Abudouwaili, Under-18 Delegate
33. Ms. Guo Ying, Guardian
34. Ms. Wang Qing, Translator
35. Ms. Haixia Lu, Translator
36. Ms. Wong Hiu Tung Hilda, Under-18 Delegate, Hong Kong
37. Ms. Wah Man Yin Minnie, Under-18 Delegate, Hong Kong

#### DEMOCRATIC REPUBLIC OF KOREA

38. Mr. Kim Chol Nam, Counselor, Permanent Representative of UNESCAP
39. Mr. Han Young, Secretary of Embassy DPRK, Embassy of DPRK, Bangkok

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41. Ms. Sri Pardina Pudiastuti, Deputy Assistant of Child & Youth Rights, MoWE
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45. Ms. Distia Aviandari, Laha - Bandung West Java, Indonesia
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47. Mr. Ahmad Taufan Daumanik, Chairperson, KKSP Foundation, Medan, Indonesia
48. Ms. Yolande Armstrong, Education Specialist Save the Children UK, Indonesia
49. Ms. Jipy Prisilia, Manager, CNSP Project, Plan Indonesia
50. Mr. Rudy Sukanto, Project Officer, Terre des Hommes Netherlands, Indonesia
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52. Mr. Andarus Darahim, Vice Chairperson, Indonesian Commission for Child Protection
53. Mr. Mohammad Farid, Commissioner, National Commission on Human Rights, Indonesia
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55. Ms. Bella Diniyah Putri, Under-18 Delegate
56. Mr. Rahmat Ali, Under-18 Delegate
57. Ms. Eli Hakim Silaban, Guardian
58. Ms. Fanny Landrea, Translator
59. Mr. Seto Ambara, Translator
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74. Mr. Phouthasone Inthachak, Under-18 Delegate
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76. Ms. Sengamphone Phanavanh, Translator
77. Mr. Sisavath Homdara, Translator

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79. Madam Teoh Kim Lian, Assistant Director, Legal and Advocacy Division, Dept of Social Welfare
80. Datuk Mohd Sham Kasim, President, Legal and Advocacy Division, Department of Social Welfare
81. Ms. Shazeera Ahmad Zawawi, Assistant Secretary, National Human Rights Commission of Malaysia (SUHAKAM)
82. Mr. James Nayagam, Executive Director, Shelter

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61. Ms. Mayuri Hirata, Special Assistant to the Permanent Representative of Japan to UNESCAP, Embassy of Japan, Bangkok
62. Mr. Yoshiro Hidaka, Translator
63. Mr. Natsu Nogami, Save the Children Japan
64. Ms. Junko Miyamoto, Coordinator & Co-representative, ECPAT/STOP Japan

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65. Mr. Khamkong Liemprachanh, Director General, Law Department, Ministry of Justice
66. Ms. Chantoum Latmany, Executive Member Committee of the Lao Women Union, Chief of the Cabinet, Lao Women Union
67. Mr. Soukhala Phrakonkham, Director, General Department of International Organization, Ministry of Foreign Affairs

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86. Ms. Battuya Tsanlig, Executive Director, Equal Step Center
87. Ms. Badamtsetseg Luvsansodov, Coordinator for Child Protection Unit of National Center Against Violence
88. Ms. Uranchimeg Bumtsetseg, Director of Volunteer & Exchange Unit, National Coalition against CSEC, Mongolia
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90. Ms. Oyunchimeg Duni, National Coordinator for CEDC program
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97. U Sein Win, Deputy Director
98. U Nyi Nyi Nyeing, Assistant Director, Attorney General Office
99. Ms. Sian Platt, World Vision, Myanmar

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101. Ms. Brenda Hegarty, Team Manager, Ministry of Social Development
102. Ms. Sonya Hogan, Save the Children New Zealand
103. Mr. Alan Bell, ECPAT New Zealand
104. Mr. John Hancock, Solicitor, YouthLaw, Action for Children and Youth
105. Mr. Michael Sheehan-Bendall, Under-18 Delegate
106. Ms. Casey Haverkamp, Under-18 Delegate
107. Ms. Terry Dobbs, Guardian

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108. Ms. Emile Duituturaga, CEO, Ministry Women, Poverty Alleviation and Social Welfare, Fiji
109. Ms. Edwina Kotoisuva, Fiji Women's Crisis Centre
110. Ms. Lynette Petueli, Child Rights & Participation Officer, Save the Children Fiji
111. Ms. Audrey Kamali, Under-18 Delegate
112. Mr. Samuela Ralawa Raika, Under-18 Delegate
113. Ms. Rejei Ali, Guardian

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114. Ms. Uriam Labeta, Assistant Secretary, Internal & Social Affairs Kiribati

### **SOLOMON ISLAND**

115. Ms. Ruth Lilogula, Permanent Secretary, Solomon Islands Government
116. Ms. Anika Kingmele, Senior Crown Counsel, Solomon Islands

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120. Ms. Molly V. Willie Daure, Deputy Secretary, Department for Community Development
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123. Mr. John Luluaki, Lecturer, School of Law, University of Papua New Guinea
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125. Ms. Margarita Harou, U18 Participant
126. Mr. Nos Werao, U18 Participant
127. Ms. Christine Wakum, Guardian

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136. Ms. Maricris Calipjo, Programme Officer, Christian Children's Fund
137. Ms. Agnes Zenaida V. Camacho, Program Officer, Psychosocial Trauma & Human Rights Program

- 138. GAT-ALA A ALATIIT, Open Hart Foundation, NCSD
- 139. Mr. Gerald B. Concepcion, Under-18 Delegate
- 140. Ms. Maria Corazon M. Buala, Under-18 Delegate
- 141. Ms. Denia S. Gamboa, Information Officer IV, Council for the Welfare of Children (Guardian)

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- 142. Mr. You Ki-jun, First Secretary, Embassy of the Republic of Korea, Bangkok
- 143. Ms. Cho Young-seok, National Youth Commission

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- 144. Ms. Grace Cheong, Assistant Manager, Policy and Development Branch, Rehabilitation and Protection Division, Ministry of Community Development, Youth and Sports
- 145. Ms. Sue Lee, Director, Research & Outreach, Singapore Children's Society

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- 146. Professor Vitit Muntabhorn, Chair, Youth Coordination Committee
- 147. Mr. Anuwat Boonpan, Social Development, Office of Welfare Promotion, and Empowerment of Vulnerable Groups
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- 151. Ms. Maytinee Bhongsvej, Association for the Promotion of the Status of Women (APSW), Thailand
- 152. Ms. Katesanee Jantrakul, ECPAT Foundation, Thailand
- 153. Ms. Waranya Tiandee, TDH-Germany
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- 156. Mr. Chalin Subpamong, Programme Support Manager, Plan Thailand
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- 158. Dr. Suteera Vichitranonda, APSW
- 159. Mr. Phuminat Suvarnatemiya

- 160. Mr. Paroon Sanoonrat, Under-18 Delegate
- 161. Ms. Khununya Junthongauun, Under-18 Delegate
- 162. Ms. Preeyakamol Noykorn, Guardian
- 163. Ms. Siriphan Suwanchandee, Translator
- 164. Ms. Suneerat Tritarntipvikul, Translator

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- 167. Mr. Jose Francisco de Sousa Vicente, Asst. Programme Co-ordinator, Plan Timor-Leste
- 168. Ms. Jaquelina Conceicao Fonseca, Under-18 Delegate
- 169. Mr. Natalino Soares Ornai Guterres, Under-18 Delegate
- 170. Ms. Laura Soares Abrantes, Guardian

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- 172. Mr. Nguyen Dinh Thiet, Director, Children Department, Vietnam Committee for Population, Family and Children
- 173. Mr. Dang Hoa Nam, Director, Centre for Consultation and Communication Services, VNCPFC
- 174. Ms. Vu Thi Hieu, Deputy Director, Social Protection Department, Ministry of Labour, Invalids and Social Affairs
- 175. Mr. Nguyen Manh Te, Deputy Director, Criminal Investigation Police Department, Ministry of Public Security
- 176. Ms. Nguyen Thuy Hong, Translator
- 177. Mr. Nguyen Lam, Vice-Chairperson of Central Young Pioneer Council
- 178. Ms. Duong Thi Xuan, Director, Communication Department, VN Women Union
- 179. Ms. Le Thi Thu Thuy, Executive Chief, Thao Dan Programme, Ho Chi Minh City
- 180. Mr. Tran Ban Hung, Save the Children Sweden, Vietnam
- 181. Ms. Deepali Khanna, Country Director, Plan Vietnam
- 182. Ms. Le Quynh Lan, Child Rights Coordinator, Plan Vietnam
- 183. Mr. Nguyen Te The, Country Coordinator, Terre des Hommes, Germany

- 184. Ms. Huynh Thuc Minh Thao, Sai Gon Giai Phong
- 185. Mr. Tieu Huy Hoang, Under-18 Delegate
- 186. Ms. Hoang Thi Hue, Under-18 Delegate
- 187. Ms. Pham Thi Mai Huong, Guardian
- 188. Ms. Nguyen Thi Hoa, Translator
- 189. Ms. Ngo Thi Thuan, Translator

## **UNITED NATIONS**

- 190. Professor Paulo Pinheiro, Independent Expert
- 191. Professor Jaap Doek, Chairperson, Committee on the Rights of the Child
- 192. Ms. Amaya Gillespie, Director, Secretariat of the UN Study on Violence Against Children, UNICEF Geneva
- 193. Mr. Sheldon Shaeffer, Director, UNESCO Asia and Pacific Regional Bureau for Education
- 194. Ms. Thetis Mangahas, CTA, Trafficking in Children and Women (TICW) Project, ILO-IPEC
- 195. Ms. Ayaka Matsuno, Programme Officer, Project on Child Domestic Labour, ILO-IPEC
- 196. Ms. Ms. Taneeya Runcharoen, ILO/IPEC-TICW
- 197. Ms. Audrey Ryan, Associate Human Rights Officer, UNHCHR Geneva
- 198. Ms. Kirsten Young, Assistant Regional Representative (Protection), UNHCR
- 199. Mr. Peter Chen, Advisor on Adolescent Reproductive Health, UNFPA
- 200. Ms. Tone Bleie, Chief, Gender and Development Section, Emerging Social Issues Division, UNESCAP
- 201. Ms. Jennifer Kraft, Emerging Social Issues Division, UNESCAP
- 202. Mr. Bernhard Barth, Emerging Social Issues Division, UNESCAP

## **INTERNATIONAL ORGANIZATIONS**

- 203. Mr. Peter Newell, Global Initiative to End All Corporal Punishment
- 204. Ms. Krista Krufft, Plan Netherlands
- 205. Ms. Deborah Muir, ECPAT International
- 206. Mr. Will Gardner, Research and Policy Manager, Childnet International, UK
- 207. Ms. Zama Coursen-Neff, Human Rights Watch, USA
- 208. Ms. Ethel Quayle, Lecturer and Researcher, COPINE Project, University College Cork, Ireland
- 209. Mr. Fabio A.S. Reis, Executive Career Service Member, Internet Voluntary Consultant, CEDECA -BA – Brazil
- 210. Mr. Munyaradzi Gwisai, Professor of Labor Law, University of Zimbabwe

- 211. Ms. Veronica Yates, Communications Officer, CRIN
- 212. Ms. Piyanut Kotsan, Regional Programme Officer, Save the Children Sweden SEAPRO
- 213. Ms. Thunwarat Pimukmanaskit, Programme Support Assistant, Save the Children Sweden SEAPRO
- 214. Ms. Hua Phoung Tran, Plan Asia Regional Office
- 215. Mr. Terrence McCaughan, Plan Asia Regional Office
- 216. Ms. Por Neng, Research Assistant for Advocacy and Child protection, World Vision Asia and Pacific
- 217. Ms. Yuyun Wahyuningrum, Program Coordinator for Southeast Asia, Child Workers in Asia
- 218. Mr. William F. Stafford, Jr., Child Workers in Asia

## **STEERING COMMITTEE MEMBERS**

- 219. Ms. Judith Ennew, Senior Research Associate, Center for Family Research, University of Cambridge
- 220. Ms. Carmen Madrinan, Executive Director, ECPAT International
- 221. Ms. Kritsana Dechalert, ECPAT International
- 222. Ms. Amihan Abueva, Regional Campaign Coordinator, Southeast Asia/Terre des Hommes -Germany
- 223. Mr. Jay Wisecarver, Regional Advisor, Save the Children Sweden SEAPRO
- 224. Mr. Dominique Pierre Plateau, Regional Advisor, Regional Focal Points on Violence/Corporal Punishment, Save the Children Sweden SEAPRO
- 225. Mr. Henk van Beers, Save the Children Sweden
- 226. Mr. Mark Capaldi, Save the Children UK
- 227. Ms. Elizabeth Protacio de Castro, NGO Advisory Panel Member
- 228. Mr. Mattias Bryneson, Plan International, Asia Regional Office
- 229. Mr. Jonathan Blagbrough, Anti-Slavery Child Labour
- 230. Ms. Junita Upadhyay, Executive Director, Child Workers in Asia
- 231. Mr. Laurence Gray, Advocacy Advisor, WVI – APRO
- 232. Ms. Wan-Hea Lee, Acting Regional Rep. for Asia and the Pacific, UNHCHR
- 233. Ms. Annelene Rør, Associate Expert - Early Childhood Care and Education APPEAL – UNESCO

234. Mr. Ochirkhuyag Gankhuyag, Programme Assistant - Gender and Basic Education, UNESCO

## **UNICEF**

235. Mrs. Anupama Rao Singh, Regional Director, UNICEF EAPRO
236. Mr. Hironobu Shibuya, Special Advisor, UNICEF EAPRO
237. Ms. Gaye Phillips, Representative, UNICEF Malaysia
238. Mr. Gopalan Balagopal, Senior Advisor, Child Protection, UNICEF New York
239. Mr. Greg Carl, Regional Project Officer, HIV/AIDS, UNICEF EAPRO
240. Mr. Guy Thompstone, Consultant, UNICEF EAPRO
241. Ms. Chiharu Kondo, Assistant Programme Officer, UNICEF EAPRO
242. Ms. Sarah Lendon, Program Coordinator, UNICEF Australia
243. Mr. Men Sedtharoat, Assistant Project Officer Child Protection, UNICEF Cambodia
244. Mr. Marc Ono, Child Protection Officer, UNICEF China
245. Mr. Wang Daming, Project Officer, UNICEF China
246. Ms. Holly Doel-Mackaway, Assistant Project Officer – Child Protection, UNICEF Fiji
247. Ms. Birgithe Lund-Henriksen, Child Protection Officer, UNICEF Indonesia
248. Ms. Astrid Dionisio, Assistant Project Officer, UNICEF Indonesia
249. Ms. Khamsay Iemsouthi, Assistant Project Officer, UNICEF Laos
250. Ms. Daryhand Bayar, Assistant Project Officer, UNICEF Mongolia
251. Mr. Hang Za Thawn, Project Officer, Juvenile Justice, UNICEF Myanmar
252. Ms. Elizabeth Wood, Advocacy Manager, UNICEF New Zealand
253. Mr. Bruce Grant, Child Protection Project Officer, UNICEF Papua New Guinea
254. Mr. Albert Muyot, Child Protection Officer, UNICEF Philippines
255. Ms. Anna Piskonen, Assistant Project Officer, UNICEF Philippines
256. Ms. Kitiya Phornsadja, Child Protection Officer, UNICEF Thailand
257. Ms. Naiyana Thanawattho, Programme Assistant, UNICEF Thailand

258. Ms. Johanna Eriksson Takyo, Child Protection Officer, UNICEF Timor-Leste
259. Ms. Le Hong Loan, Chief, Child Protection Section, UNICEF Vietnam
260. Ms. Julie Bergeron, Child Protection Officer, UNICEF Vietnam
261. Mr. Yoshihisa Togo, Executive Director, Japan Committee for UNICEF

## **SECRETARIAT/ORGANISING COMMITTEE**

262. Ms. Sawon Hong, Regional Advisor – Child Protection, UNICEF EAPRO
263. Mr. Manuel Finelli, Assistant Programme Officer, UNICEF EAPRO
264. Mr. Karl Spence, Consultant, UNICEF EAPRO
265. Ms. Shantha Bloemen, Communication Officer, UNICEF EAPRO
266. Ms. Urai Singhapaiboonporn, Assistant Communication Officer, UNICEF EAPRO
267. Mr. Karen Mangnall, ECPAT
268. Ms. Arunee Achakulwisut, Plan International
269. Ms. Warisara Sormpet, Plan International
270. Ms. Karen Emmons, Consultant
271. Mr. Yokonton Ratarasarn, Photographer
272. Mr. James Marion Wygal, Videographer
273. Mr. Peerayot Lakkananukul, Cameraman
274. Ms. Helen Veitch, Consultant on Children's Participation
275. Ms. Amalee McCoy, Child Protection Focal Person
276. Ms. Ratjai Adjayutpokin, Children's Participation Co-ordinator
277. Mr. Ernie Cloma, Facilitator, Children's Participation
278. Ms. Poonsri Sangbut, Nurse
279. Ms. Metinee Attakarnpong, Nurse
280. Ms. Chongkolnee Tiantrarat, Senior Secretary, UNICEF EAPRO
281. Ms. Inthira Chutinthararuk, Programme Assistant, UNICEF EAPRO
282. Ms. Wassana Kulpisitthicharoen, Programme Assistant, UNICEF EAPRO
283. Ms. Pathamapond Yiamsudhisopon, Consultant, UNICEF EAPRO
284. Ms. Pojanee Supalak, Receptionist, UNICEF EAPRO
285. Ms. Saovaluck Onampai, Admin. Assistant, UNICEF EAPRO

## **OBSERVERS**

286. Ms. Udomsiri Parnrat, Bureau of Health Service System Development, Department of Health Service Support, Ministry of Public Health
287. Mrs. Rarithip Sirorat, Director of International, Protection, Ministry of Social Development and Human Security
288. Ms. Kannika Ratanamanee, Office of Welfare Promotion, Protection and Empowerment of Vulnerable Groups
289. Ms. Sirirath Chunnasart, Office of Women's Affairs and Family Development

## Agenda

Day 1, Tuesday 14 June 2005	
0730	<b>Registration</b>
0830	<p><b>Welcome:</b> Apirak Kosayodhin Governor of Bangkok</p> <p><b>Opening Remarks :</b> Anupama Rao Singh Regional Director, UNICEF EAPRO Paulo Pinheiro Independent Expert The UN Study on Violence against Children Jaap Doek CRC Committee Chairperson</p>
0945	<p><b>Session 1</b></p> <p>Children's participation: importance in the regional consultation, and rationale for children and adults Helen Veitch Steering Committee on Children's Participation</p>
1000	<p><b>Session 2</b></p> <p>Keynote address 1 "Violence against children in East Asia and Pacific" Representatives of the Children's Group</p>
1030	Coffee / Tea Break
1100	<p>Keynote address 2 "Violence against children in East Asia and the Pacific" Vitit Muntabhorn Faculty of Law, Chulalongkorn University Former United Nations Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography</p>
1130	<p><b>Session 3</b></p> <p>East Asia and Pacific Regional overview on violence against children Sawon Hong Regional Advisor for Child Protection UNICEF EAPRO</p>
1200	<i>Lunch</i>
1330	<p><b>Session 4</b></p> <p>Presentation of agenda, objectives, guidelines, and expected outcomes for the seven thematic working-groups: Elizabeth Protacio de Castro, NGO Advisory Panel Member</p> <p>Working Group Sessions</p> <ul style="list-style-type: none"> <li>• Violence against children in the home and the family</li> <li>• Violence against children in schools and other educational settings</li> <li>• Violence against children in institutions</li> <li>• Violence against children in work situations</li> <li>• Violence against children in the community and on the streets</li> <li>• Violence against children in the cyberspace/online environment</li> <li>• Violence against children in conflict with the law</li> </ul>

<b>Day 2, Wednesday 15 June 2005</b>	
0830	Recap of the previous day and announcements Mark Capaldi Save the Children UK
0900	<b>Session 5</b> Panel Discussion "Corporal punishment of children; Review of laws, attitudes and practices in East Asia and Pacific" Natsu Nogami, Save the Children Sweden "Childrearing for Peace: a search for solutions" Family life without corporal punishment in East Asia and the Pacific" Judith Ennew Center for Family Research University of Cambridge "Violence in the home and the family" Edwina Kotoisuva Fiji Crisis Center for Women
1030	<i>Coffee/Tea Break</i>
1100	<b>Session 6</b> Working group parallel sessions
1200	<i>Lunch</i>
1330 1730	Working group parallel sessions (con't)
<b>Day 3, Thursday 16 June 2005</b>	
0830	Recap of the previous day and announcements Mark Capaldi Save the Children UK
0930	<b>Session 7</b> Working group reports and discussion
1030	<i>Coffee/Tea Break</i>
1100	Working group reports and discussion (con't)
1200 1430	Country Team Lunch Meeting
1430	<b>Session 8</b> Summary of the Consultation Lina Laigo Executive Director, Council for the Welfare of Children, Philippines
1500	<b>Closing Remarks:</b> Paulo Pinheiro, Independent Expert The UN Study on Violence against Children  Anupama Rao Singh, Regional Director UNICEF EAPRO  Under-18 Delegates  His Excellency Mr. Pracha Maleenond, Minister of Social Development and Human Security, Royal Thai Government

