

Human Rights Council
Ending violence against children: a global call to make the invisible visible
Panel discussion

23 September 2014
9:00-12:00

CONCEPT NOTE

I. Background and mandate

1. In its resolution 25/10 of 26 March 2014 on “ending violence against children: a global call to make the invisible visible”, the Human Rights Council recognized the serious immediate and long-term consequences of violence on children, both physical and psychological, affecting their development and their ability to learn and socialize. In doing so, it reaffirmed that States have the primary responsibility to promote and protect human rights and to take appropriate measures to protect the child from all forms of physical or mental violence. It urged States to give priority to prevention and to raise awareness of the negative effects of violence against children, as well as to strive to change attitudes that condone or normalize any forms of violence against children. In the same resolution, the Council decided to convene at its 27th session a panel discussion on the ways and means of accelerating global efforts to end violence against children, with a particular focus on how to better prevent violence and protect children as a global priority and cross-cutting concern, and to share best practices and lessons learned in this regard, and requested OHCHR to organize a panel discussion. The panel discussion will take place **on 23 September 2014 from 9:00 to 12:00**.

II. Protection of children from violence – an urgent priority

2. Violence against children is never justifiable and it can be prevented. Yet, violence against children exists in every country of the world, cutting across boundaries of race, class, religion and culture. Despite progress made since the presentation of the UN Study on Violence against children to the General Assembly in 2006¹, children continue to be victims of violence in different settings -the home and family, school, care and justice institutions, in communities, in places where children work and more recently also in cyber space- in contradiction with human rights norms and standards, particularly the Convention of the Rights of the Child and its Optional Protocols.
3. The Global Survey released by the Special Representative of the UN Secretary General on Violence against Children in 2013² assesses progress since the United Nations Study and confirms that children’s protection from violence is gaining increasing recognition on international, regional and national agendas. The understanding of how and why children are exposed to violence has deepened and strategic actions are under way in many countries to safeguard children’s effective protection. There are now more than 80 countries that have some form of a policy agenda on this issue whereas in 2006 there were only 47.
4. In addition, whereas in 2006 only 16 countries had adopted legislation prohibiting violence in all settings, today 38 States have introduced such a comprehensive legal ban. In all regions there are significant legislative reform initiatives under way to achieve full prohibition and in many countries laws have addressed specific forms of violence against

¹ UN Study on Violence against Children, A/61/299

² http://srsg.violenceagainstchildren.org/page/Global_Progress_Survey_2011

children, including sexual abuse and exploitation, trafficking and traditional practices prejudicial to the health of children. In many countries important campaigns have been launched to raise awareness on the extent of violence, on how to prevent and report it and to support change in attitudes and behaviours that condone violence.

5. At the same time, however the SRSB notes that progress has been too slow, uneven and fragmented to make a genuine breakthrough in the protection of children from violence³. There has been an insufficient investment in prevention, as well as in well-coordinated and well-resourced national strategies, sound laws and their effective enforcement, and sustained investment in family support and gender- and child-sensitive approaches and to support child victims and fight impunity. Overall, data and research remain scarce and insufficient to overcome the invisibility and acceptance of this phenomenon and to safeguard children's freedom from violence at all times⁴. While it is impossible to measure the true magnitude of violence against children worldwide, given the lack of data and the secrecy surrounding this subject, UNICEF estimates that between 500 million and 1.5 billion children experience violence annually⁵. The magnitude this phenomenon remains unacceptably high and is a serious cause of concern.
6. There can be no compromise in challenging violence against children. Every society, no matter its cultural, religious, economic and social background has the capacity to stop violence against children. This means not only adopting legal measures, but a need for transformation of the mindset and the underlying economic and social conditions associated with violence⁶. This can only be achieved through the involvement and collaboration of many different actors. Violence is a complex multidimensional phenomena which calls for a multifaceted response. Public health, criminal justice, social services, education, human rights organizations, media and businesses all must work together in eliminating violence against children.
7. This multifaceted response must also acknowledge the primary role of the family in the upbringing and development of the child, and the obligation of the state to support parents and caregivers in this role.

III. Ongoing trends

8. Violence against children is understood in the context of article 19 of the Convention on the Rights of the Child and includes all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parents, legal guardians or any other person who has the care of the child⁷.
9. Physical violence includes fatal incidents such as homicides and infanticides as well as non-fatal violence, like hitting, kicking, shaking and beating. In addition, practices that are harmful to children's health, such as female genital mutilation/cutting, violate the right of the child to physical integrity. Moreover, violent disciplinary practices are common in both developed and developing countries. A recent UNICEF report on Child Disciplinary Practices at Home, with data from 35 low-and middle-income countries, confirms that violent disciplinary practices are extremely common: on average, three in four children between the ages of 2 and 14 were subjected to some kind of violent discipline⁸. In addition, corporal punishment continues to be authorized in schools in 76

³ Report of the SRSB-VAC to the HRC, A/HRC/25/47, 18 and 20.

⁴ Report of the SRSB-VAC to the HRC, A/HRC/25/47, 21

⁵ http://www.unicef.org/media/media_45451.html

⁶ A/61/299

⁷ For further details on the interpretation of art. 19, see CRC General Comment 13 on the right of the child to be free from violence.

⁸ UNICEF, Child Disciplinary Practices at Home, Evidence from a Range of Low-and Middle-Income Countries, 2010

countries and in 39, corporal punishment – caning, flogging, and whipping – is lawful as a sentence for a crime under state, religious and/or traditional systems of justice⁹.

10. Some countries still have the death penalty and other forms of inhuman sentencing for crimes committed under the age of eighteen.
11. Another form of violence against children that is particularly damaging is sexual abuse. It puts an abrupt end to childhood and its consequences continue long into adulthood. The World Health Organization estimates that approximately 20% of women and 5 to 10% of men report being sexually abused as children¹⁰. Much of this sexual violence is inflicted by people close to the child at home, institutions and schools. The increasing availability of pornography, including through the internet, has contributed to trends that sexualize children and contribute to child sexual abuse¹¹. In addition, the internet is opening new areas in which children are subjected to violence, for example cyber-bullying and child website sex tourism.
12. In addition, it is recognized that children in care and justice institutions are at higher risk of violence than any other children. Research indicates high levels of abuse of children living in care and justice institutions. In some countries studies show that rates of sexual abuse of children in the foster care system are four times higher than among the general population of children. According to the World Health Organization children with disabilities are four times more likely to experience violence¹². In addition, children who are deprived of liberty are highly vulnerable to physical, psychological and sexual assault.¹³
13. Independently of the form of violence as well as the settings, preventing and ending violence against children requires a global effort of unprecedented scale. The human dignity of children and their right to protection from violence must be at the heart of this global effort¹⁴. This is particularly relevant as 2014 marks the 25th anniversary of the adoption of the Convention on the Rights of the Child.

III. Violence against children in the Post-2015 agenda

14. The process underway to inform the post-2015 development agenda highlights children's protection from violence as a crucial concern. In its submission to the General Assembly¹⁵ the Open Working Group highlighted violence against children as a key concern under several of the suggested sustainable development goals, including as a component of peaceful and inclusive societies with a specific target to "end abuse, exploitation and violence against children"; under gender equality and empowerment, with a target to "eliminate all forms of violence against women and girls in public and private spaces", as well as under education, under decent work for all and under safe cities and human settlements. Over the coming months, these need to be retained and underpinned with strong indicators. The panel discussion at the Human Rights Council can make a positive contribution to this process.

IV. Objectives of the panel discussion

15. The panel discussion offers a unique opportunity to advance progress in the implementation of the recommendations of the UN Study on violence against children,

⁹ Ibid

¹⁰ <http://www.who.int/mediacentre/factsheets/fs150/en>

¹¹ Ibid

¹² <http://www.who.int/disabilities/violence/en/>

¹³ See joint report OHCHR, UNODC, SRSG on Violence against Children, A/HRC/21/25

¹⁴ SRSG-VAC Statement to the Human Rights Council, March 2014.

¹⁵

elaborated by Paulo Sérgio Pinheiro and presented to the General Assembly in 2006, and address concerns at a high level discussion with States. The panel discussion will reaffirm the role of the Human Rights Council its global efforts to fight violence against children, including through follow up of recommendations made by the SRSG on violence against Children and State mobilization. With this in mind, the panel will:

- a) Focus on ways and means of accelerating global and national efforts to end all forms of violence against children, with a particular emphasis on prevention;
- b) Share experiences, good practices and lessons learned at national and regional levels on how to prevent and respond to all forms of violence against children.
- c) Highlight remaining challenges to prevent and eliminate violence against children and make recommendations on the way forward.

V. Composition and format of the Panel

Opening:

- Zeid Ra'ad Zeid Al-Husseini, High Commissioner for Human Rights (tbc)
- Video - UNICEF Campaign on ending violence campaign

Moderator:

- **Deputy Executive Director UNICEF**

Panelists:

- **Marta Santos Pais**, Special Representative of the Secretary General on Violence against Children
 - *Building upon the findings of the Global Survey: progress achieved, persistent challenges and looking ahead, including post 2015*
- **Pavel Astakhov**, Russian Ombudsman on the Rights of the Child
 - *Emerging international issues and challenges*
- **Benyam Dawit Mezmur**, Vice-chairperson of the Committee on the Rights of the Child, Chairperson of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC)
 - *Good practices in prevention and response to violence against children in the African region*
- **Dr. Fatiha Hadj Salah (Algeria)**, Medical doctor
 - *Data collection and health sector response to violence against children*
- **Jorge Freyre (Uruguay)**, Latin American and Caribbean Movement for Children
 - *Strengthening partnerships and strategies in Latin America and the Caribbean to follow up the recommendations of the UN study and their impact on the lives of children and adolescents in the region*
- **Laila Khondkar (Bangladesh)**, Save the Children-Liberia
 - *What have we learned from children's participation in the prevention of violence?*

After the opening remarks by the High Commissioner for Human Rights, the Moderator will introduce the topic and give the floor to the panellists for their statements. The remainder of the session will be dedicated to Member States and Observers to interact with the Panellists.

Representatives of Member and Observer States are encouraged to share concrete examples and experiences on the issues identified in Section II and III above.

VI. Outcome

As mandated by resolution 25/10, OHCHR will prepare a summary report of the discussions of the panel and will submit it to the Council before its twenty-eight session.

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