

# **REPORTING ON VIOLENCE AGAINST CHILDREN**

**A thematic guide for non-governmental organisations  
reporting to the  
UN Committee on the Rights of the Child**

**NGO Group for the Convention on the Rights of the Child**

**With the support of:  
Save the Children  
and  
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## The NGO Group for the Convention on the Rights of the Child

The NGO Group for the Convention on the Rights of the Child (otherwise referred to as 'the NGO Group') has been in existence since 1983 when the drafting of the UN Convention on the Rights of the Child (or 'the Convention') began. It was then known as the Informal Ad Hoc Group for the Convention on the Rights of the Child and was actively involved in the drafting process. After the Convention came into force in 1990, the group changed its name to the present one and currently has a membership of more than 70 non-governmental organisations (NGOs).

The NGO Group's mission is to facilitate the promotion, implementation and monitoring of the Convention. Over the years the NGO Group has been a platform for action for members, primarily to influence the UN system but also regional and national forums.

One of the significant areas of the NGO Group's work is to enable national NGO and coalitions to participate in the UN Committee on the Rights of the Child (otherwise referred to as 'the Committee') reporting process. The NGO Group also has several thematic subgroups that play an essential role in coordinating member's efforts in order to have greater impact on particular issues.

This Guide was issued by the NGO Group for the Convention on the Rights of the Child in 2008.

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**Acknowledgements:** Many thanks to Roberta Cecchetti and Christine Cornwell for being the driving force behind this project and to their respective organisations, Save the Children and the African Child Policy Forum, for their financial support. We are also very grateful to Amaya Gillespie and Marcelo Daher from UNICEF, to colleagues from OHCHR and to NGO members of the subgroup on Children and Violence for their extensive comments and inputs. Particular thanks go to Stephanie Klotz of SOS-Kinderdorf International for taking care of the lay-out.

The NGO Group for the Convention on the Rights of the Child wishes to thank UNICEF for permission to reproduce parts of its Implementation Handbook for the Convention on the Rights of the Child (fully revised third edition 2007)

**Disclaimer:** The contents of this document do not necessarily reflect the views of the NGO Group for the CRC.

This publication was prepared within the framework of the subgroup on Children and Violence of the NGO Group for the Convention on the Rights of the Child.

## FOREWORD

***No violence against children is justifiable and all forms of violence are preventable.*** These basic principles underpin the Secretary-General's Study on Violence against Children that I had the honour to undertake. The Study takes a major step forward in highlighting the prevalence and the devastating impact of violence on boys and girls globally; the recommendations provide specific and concrete measures for UN Member States to assume their responsibilities and be held accountable for the protection of children's rights.

A Study, however, is only the beginning of a long process to stop violence against children. Continued action, by all those concerned, be they governments, international or regional organisations, local authorities, communities, civil society organisations, families, individual adults and children, must be ensured. Responsibility for stopping the scourge of violence lies with everyone.

One of the main difficulties in meeting this challenge is providing reliable and complete information on violence against children to the UN Committee on the Rights of the Child. A rights-based focus is a strong weapon to counteract violence. Fortunately means exist for civil society organisations, including children, to present reports to this Committee according to the provisions of the UN Convention on the Rights of the Child. These channels should be exploited to the fullest extent.

The guidelines presented below are designed to help non-governmental organisations to include comprehensive information on the incidence of violence in their reports to the Committee. NGOs have a unique role to play and they alone can give meaning to the data and statistics presented to the Committee. It is by making this information available that corrective measures can be identified that will move us towards our goal of ending violence.

I am personally very pleased to introduce these guidelines. They represent a direct and immediate follow-up to the Secretary-General's Study. They provide practical and specific steps for the preparation of reports. I congratulate the NGO Group for the Convention on the Rights of the Child for this initiative.

I urge the NGO community in all countries to use these guidelines.

Paulo Sergio Pinheiro

Independent Expert for the  
United Nations Secretary-General's Study on Violence against Children

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## **STEPS FOR REPORTING ON VIOLENCE AGAINST CHILDREN TO THE UN COMMITTEE ON THE RIGHTS OF THE CHILD**

- STEP 1**      **Be informed of recent developments on the follow-up to the UN Violence Study at national and international level**
  
- STEP 2**      **Clarify definitions of violence against children, your objectives and your priorities**
  
- STEP 3**      **Become familiar with the procedures and timeframes of the UN Committee on the Rights of the Child, plan your data collection, report structure and drafting**
  
- STEP 4**      **Ensure, value and anticipate child participation**
  
- STEP 5**      **Get some help as you go and make your experience part of the broader framework**

## 1. BACKGROUND

### The UN Secretary General's Study on Violence against Children

A significant development, related to the UN Convention on the Rights of the Child (CRC or 'the Convention'), has taken place in the past years. Spurred by the concern and initiatives taken by the UN Committee on the Rights of the Child (otherwise referred to as 'the Committee') and the former UN Commission on Human Rights, the UN General Assembly requested the Secretary-General to undertake an in-depth study on violence against children<sup>1</sup>. In 2003, the Secretary-General appointed Paulo Sergio Pinheiro, of Brazil, as an independent expert to lead a global study on violence against children, in close collaboration with the Office of the High Commissioner for Human Rights, UNICEF and the World Health Organisation, as well as other UN agencies, civil society organisations and with the participation of children<sup>2</sup>. It did not address the issue of children in armed conflict, as this had been the subject of an earlier milestone UN study<sup>3</sup>.

The investigation process lasted for over two years, during which thematic research and country-based information were gathered. A comprehensive questionnaire on the country situation and related policies was answered by 136 governments. Nine regional consultations allowed representatives of governments, academic institutions, civil society and children to exchange views and define a common regional contribution to the study<sup>4</sup>.

The United Nations Secretary-General's Study on Violence against Children (otherwise referred to as 'the Study') was submitted to the General Assembly in October 2006<sup>5</sup>. Together with child-friendly materials<sup>6</sup>, a more comprehensive companion publication "The World Report on Violence against Children<sup>7</sup>" was also released. This publication contains more detail on the settings in which violence occurs and also provides more detailed recommendations by setting.

The central message of the Study is that no violence against children is justifiable and all violence against children is preventable.

The main conclusions of the Study were that States should become more proactive. It denounced not only all forms of violence against children that are

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<sup>1</sup> A/RES/56/138 and A/RES/57/190

<sup>2</sup> E/CN.4/RES/2003/86

<sup>3</sup> Graça Machel, *Impact of Armed Conflicts on Children*, A/51/306, 26 August 1996, see: <http://www.unicef.org/graca/>

<sup>4</sup> See: <http://www.crin.org/violence/> : This website is a platform for civil society to exert an influence on the UN Study on Violence Against Children. It provides access to information on the many aspects of the study, including information about regional consultations and follow up activities.

<sup>5</sup> The report is available in several language under: <http://www.violencestudy.org/a555>

<sup>6</sup> [http://www.crin.org/docs/vio\\_child\\_friendly.pdf](http://www.crin.org/docs/vio_child_friendly.pdf)

<sup>7</sup> The book is available in English under: <http://www.violencestudy.org/a553> and in Arabic under: <http://www.violencestudy.org/a561>



not yet universally prohibited, such as death penalty, torture and harmful traditional practices, but also corporal punishment, which remains socially accepted in a majority of countries. The Study presented a set of recommendations to prevent and respond to violence against children.

### **The 12 Overreaching Recommendations of the Study on Violence against Children**

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

While the State has a direct responsibility for taking these steps, in each area NGOs have a role to play, as watchdog and/or partner, for example in:

- Advocacy/Proposals for improved legislation and adequate State budgets;
- Campaigns/Protests of sensitization, education and information;
- Service provision to victims and perpetrators of violence, including case litigation, psychosocial and material support, medical and other treatments, as well as services to professionals (e.g. training); and
- Research, including case studies and focus groups.

### **The NGO reports on violence against children under the CRC**

Most NGOs working on issues related to child rights are familiar with the UN Convention on the Rights of the Child adopted by the United Nations General Assembly on 20 November 1989 and which came into force on 2 September 1990.

Since that time the NGO community has been actively participating in the monitoring of the Convention by providing reports and oral presentations to the UN Committee on the Rights of the Child which meets in Geneva three times a year. These reports review, analyze and complement official State party reports,

as well as present additional information to the Committee on how the Convention is being implemented in a given national setting.

A number of guidelines and implementation handbooks have been produced to provide detailed information on the Convention, its optional protocols, the role of the Committee, the obligations of States party to the Convention and the part that can be played by the NGO community<sup>8</sup>.

The NGO community, particularly those organisations active in the NGO Group for the Convention on the Rights of the Child, have been heavily involved in the preparation of the United Nations Secretary-General's Study on Violence against Children. As part of the NGO contribution to the Study, the NGO Group Focal Point on Sexual Exploitation, Violence and Abuse of Children undertook a review of 140 NGO reports submitted to the UN Committee on the Rights of the Child between 1990 and 2005<sup>9</sup>. The aim was to highlight what information on violence was available from NGOs and to contribute to the Study.

The review of NGO reports to the Committee concluded that the availability of NGO information on violence against children is uneven both geographically and thematically, and that there is a compelling need to improve the reporting function.

Therefore, the NGO Subgroup on Children and Violence decided to assist NGOs in ensuring that:

- During the preparation of reports there is adequate discussion on violence against children;
- In the analysis of the report there is adequate attention to violence against children; and
- The concluding observations properly reflect existing concerns/issues regarding violence against children and represent a useful tool for follow-up at country level.

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<sup>8</sup> Reference to these guidelines is provided in Section III.

<sup>9</sup> Violence Against Children : What do NGOs Know ? What do NGOs say? Geneva, Feb. 2006 and its annex: A Compilation of Extracts from NGO Reports for the Committee on the Rights of the Child relating to Violence against Children. Available on: [www.crin.org/violence/](http://www.crin.org/violence/)

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### Why some more guidelines?

- A clear understanding of the indicators of progress will help governments to put more effective actions in place.
- The initial phase of follow-up on the UN Secretary-General's Study is critical to maintaining momentum, and many partners (including governments) are poised to take action.
- The prevalence of violence against children is high and action on many fronts is required to protect the rights and welfare of children.
- The more complete, specific and relevant the reporting on violence, the more opportunities will exist for stopping this violence.
- NGOs are in a unique position to provide meaning to statistics and official data.
- There are weaknesses in some NGO reports and the NGO community has a responsibility to assist in improving the process.
- There is a wealth of information among NGOs on violence against children and it is time to capture and share this expertise and experience in formalised ways.

### The follow-up to the Study

In 2007, an independent expert was requested by the UN General Assembly to focus on:

- Promoting the wide dissemination of the Study, including its translation in various languages;
- Supporting follow-up in national planning and legislative processes, through an integrated approach bridging public health, education, child protection and human rights, and the appointment of national focal points on violence against children;
- Submitting a progress report to the UN General Assembly, focusing on promising practices; and
- Anticipating future strategy, through networking and information-sharing with partners.

One important part of the future strategy included in the 2007 Progress Report to the General Assembly<sup>10</sup> is the proposal to establish a Special Representative of the UN Secretary General on Violence against Children. NGOs made a powerful

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<sup>10</sup> Paulo Pinheiro's report to the 62<sup>nd</sup> session of the General Assembly: [http://www.crin.org/docs/Progress\\_report\\_07.pdf](http://www.crin.org/docs/Progress_report_07.pdf) For the other UN languages, see on OHCHR's page <http://www2.ohchr.org/english/bodies/GA/62documents.htm> and click on the language symbol that you need.

call on all UN member States to adopt it, as “the best way of ensuring global leadership on the issue of violence against children”. NGOs with long standing experience with international human rights mechanisms issued an explanatory document backing this position<sup>11</sup>. Together with regional colleagues, these NGOs form the NGO Advisory Council on the Follow-up to the Study on Violence against Children.

At its 62<sup>nd</sup> Session (December 2007), the UN General Assembly adopted Resolution no. A/62/435 requesting the Secretary General to appoint a Special Representative on violence against children, at the highest possible level, for a period of three years.

The Special Representative will be charged with a mandate to:

- act as a high-profile and independent global advocate to promote the prevention and elimination of all forms of violence against children;
- promote the implementation of the recommendations of the Study;
- identify and share good practice;
- work closely with all UN treaty bodies and mechanisms, and with UN agencies;
- establish a mutually supportive collaboration with civil society, including relevant NGOs and the private sector, and work to promote the increased involvement of children and young people in initiatives to prevent and respond to violence against children; and
- Collaborate and coordinate the activities with the Special Representative to the Secretary-General on Children and Armed Conflict.

It will be very important that child-rights NGOs collaborate with the future office of the Special Representative by providing country-specific information on violence against children, examples of good practices and challenges in preventing and protecting children from all forms of violence.

All these global initiatives are only there to support progress on the ground. The main focus of the follow-up to the Study is placed on implementation at national level. Reporting on violence against children to the UN Committee on the Rights of the Child must stir, accelerate and monitor this implementation.

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<sup>11</sup> Follow-up to the UN Secretary General Study on Violence Against Children: Establishment of a Special Representative to the Secretary General, CRIN, DCI, ECPAT, Global Initiative to End All Corporal Punishment of Children, HRW, OMCT, Plan International, Save the Children, World Vision, June 2007.

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## 2. VIOLENCE AGAINST CHILDREN

### What is meant by “violence against children”?

***Various definitions exist, but article 19 of the CRC is the best reference when reporting to the Committee.***

The Study adopted the definition of violence of article 19 of the CRC: “all forms of physical or mental violence, injury and abuse, neglect or negligent treatment, maltreatment, or exploitation, including sexual abuse” and also referred to the definition found in the World Report on Violence and Health (2002): “the intentional use of physical force or power, threatened or actual, against a child, by an individual or a group, that either results in or has a high likelihood of resulting in actual or potential harm to the child’s health, survival, development or dignity”. The second definition is clearly more restrictive as it limits itself to intentional and physical violence. Various players, including child rights NGOs, insisted that the wider spectrum of violence be taken into account.

***Precise descriptions of acts, protagonists, responsibilities, trends and sources are essential to back up general observations and recommendations.***

It is sometimes difficult to draw limits between what would qualify as violence, and what would not. This is why it is essential that trends be described clearly in a report.

As an example, it is not sufficient to state that “the majority of secondary schools experience problems of violence”. Rather, the following details would be required:

- The nature and the severity of the acts that have been observed (insults, fights, bullying, gender violence, rape, armed, non-armed, etc.);
- The protagonists (child victims, adult victims, individuals, gangs, etc.);
- The responsible entities in prevention/intervention/follow-up;
- The scale of the phenomenon (geographic, social, age or gender disparities); and
- The evolution of the phenomenon over time (better documented than before and/or actually increasing/decreasing).

Of course, the source and type of data collection should always be cited (own data collection, focus group or representative sample, local or national, independent scientific report, or media report, etc.). Analysis of causes and consequences are a useful addition to the description of trends.

***All forms of violence are worth reporting. Violence that is not considered extreme is often widespread and damaging, and should be addressed.***

While the whole Convention is relevant to the protection of children from violence, several articles specifically refer to it. Article 19 addresses abuse and neglect. Article 37 prohibits torture, or other cruel, inhuman and degrading treatment or punishment. Article 39 calls for the rehabilitation of child victims of any form of violence. Other articles address various types of exploitation (32, 34, 35, 36). However, when reporting under any article, it is important to note that the UN Violence Study reiterated that “all forms of violence” are relevant to the Convention. Views on what is “most serious” may vary considerably. Therefore, explore “all forms of violence” in as much as possible, not just those that appear as ‘most severe’ or are most popular in the media, or less sensitive.

***Children’s views add context to the definition of violence and to the prioritisation of recommendations.***

Children’s perspectives must be given due weight and attention. For example, child-led research on sexual violence has revealed serious under-reporting of abuse cases. Some children think that sexual violence only means rape and that other types of sexual abuse are “normal” or that abuse that does not physically hurt is not violence. It is by involving children that cultural or linguistic nuances may be revealed. Without consulting with children, adult-led research and reports may overlook these crucial elements.

Children’s views and understanding will evolve with child rights training, capacity-building, and with parental and adult support. So, it is essential that you clearly describe what you are referring to and that you compare information obtained from children and from other sources, before and after clarification of concepts and definitions.

Children should also be supported in providing their own written and/or oral report. Using their own words and going themselves through the process of presenting their ideas and the results of consultations with their peers will have a distinct impact on the members of the Committee on the Rights of the Child and on all the national players. It is also a strong empowering process for all children involved.

### Young people as researchers

Children and young people have often been observers of action taken on their behalf, rather than players themselves, because adult workers have not known how to integrate them into the work. One workshop presented research in which young people are fully involved. (...) The young interviewers not only undergo training in the methodology but are also fully involved in developing the methodology themselves. The experience of the project was that the young interviewers were very successful in obtaining information from the young people they interviewed, not because they too were young but because they had shared experiences with the informants. This is an important lesson, because it means that age is not the primary factor in successful interviews, but some common point of reference between interviewer and interviewee. This can be applied more widely – for example a representative of a migrant ethnic group might be successful in interviewing other members of that migrant group. One illustration of this is the project director's observation that the young interviewers used the 'same language as the people they were interviewing, and that this was important both to establishing a relationship of trust between interviewer and interviewee, and in prompting the interviewee to express her/himself more freely.

(...) Young people in another project reported that they had themselves been changed by their involvement in the research. They reported greater motivation, enhanced understanding, improved skills and interest in developing follow-up actions. (...) One of the project coordinators pointed out that, in a control experiment within the project, she and her 'professional' colleagues duplicated the work that the young people had done: they found that of thirty informants, only one young person reported feeling threatened whereas, in the same group, four informants told the young interviewers they had been abused and eight said they had felt threatened. Clearly the young interviewers were able to obtain more information. (...) Other outcomes of the research itself was that it appears that children report only the most extreme forms of sexual violence and actually accept low levels of violence; this makes them even more vulnerable. It is therefore doubly important not only to ask questions but to give information, so that children and young people will know where to go for different kinds of support (medical, legal, counselling, safe accommodation etc).

*Second World Congress Against the Commercial Sexual Exploitation of Children  
June Kane, Analysis of workshops, 2001, page 12-14*

See: <http://www.csecworldcongress.org/en/yokohama/Reports/>

(See also *Save the Children* and ACPF publications in Section IV and Annex E)

### **International standards provide interpretations of what constitutes violence but formal compliance does not exclude the need for monitoring, reflection and improvements.**

For example, there is a need to make a distinction between child work in respect of international law and child labour as a form of violence in itself. While there are some situations and conditions where child work may be tolerated, millions of children are subjected to various forms of child labour, including in its worst forms. States have an obligation to work for the elimination of child labour<sup>12</sup> and

<sup>12</sup> ILO Convention on the Minimum Age for admission to employment, 1973 (no.138)

take immediate measures for the elimination of its worst forms<sup>13</sup>. Where children engage in work, you should check whether or not the requirements in terms of age and protective conditions granted in international conventions are observed. The minimum age of admission to light work is 13 (with the exception of 12 years for less developed countries) and not less than 18 for hazardous work (or 16 with specific protection and training). Yet, you must also check that even within these limits, prevention and monitoring of violence by employers, among co-workers, or in the work environment at large is taking place.

### Violence in working children's lives

The most obvious response to violence against children in the workplace is to remove them from it. However, it is important to recognise that for many children this is not an easy option. Programmes to remove children from violent workplaces have to ensure that the reasons they are there – economic, social and cultural – are simultaneously addressed, or they will simply return to them. Unless programmes engage with child workers and their families and seek to change attitudes, expectations and prospects, they are not likely to remove children permanently from an exploitative working life.(...).

Despite 150 years of experience in responding to exploitative and abusive child labour and the significant progress made in recent years in finding ways to remove children from the worst forms of child labour, experience in responding specifically to violence in working children's lives is limited.

P.Pinheiro, *World Report on Violence against Children*, pp. 233-234

***Legal norms, definitions and statistics must be checked against reality. You should also specify how existing norms prevent or, on the contrary, induce violence against children. Analyse how definitions influence data and statistics, and complement them if needed.***

Age limits may constitute protective factors, but they can also trigger abuse. For example, limits for marriage and sexual consent at the age of 16 can prevent domestic violence and sexual abuse for younger girls, but may send a wrong message about girls over 16, then considered or treated as adults. Or, whatever the minimum age of criminal responsibility, the government must ensure that responses to all persons under 18 in conflict with the law are non-violent and respect the dignity of the child.

Definitions also have an impact on statistics. These differences must be taken into account to properly reflect reality. For example, it is common that the age range under the definition of a child is not consistent across studies, or does not include 'all children' in a given context. The lack of common definitions can impede international comparative research. Disparities may also exist at national level, where State definitions and corresponding statistics do not reflect field experience of violence against children, or where different ministries do not use the same definitions as a basis for their inputs into the State party report to the

<sup>13</sup> ILO Convention on the Worst Forms of Child Labour, 1999 (no. 182).



Committee. The definition of torture is a significant example since many States do not even comply with article 1 of the Convention Against Torture, in terms of its definition in their national legislation. NGO reports may explain, analyse or complement these disparities and their impact on the record – or lack thereof – of violence against children.

### How does violence relate to CRC reporting?

Focusing on violence against children in your alternative report to the Committee is, of course, one way of contributing to the implementation of the Study recommendations. In annex D, you will find a model letter to help you go a step further in terms of requesting governmental follow-up. Regularly reminding officials of their international obligations back home remains extremely important.

Since the Study was issued, the Committee has been systematically referring to it in its concluding observations. It may do so under “Civil rights and freedoms” (art. 7, 8, 13-17, 37a) or under “Family environment and alternative care” (art. 5, 18, 9-11, 19-21, 25, 27, 39). Be aware that the Committee also makes violence related observations under other headings, and that your reports may be relevant to a range of articles or concepts under review.

Another essential element of the Committee’s review of violence against children is that it is rights-based. It therefore addresses the appropriateness of the State party actions in light of the fundamental principles of the CRC:

- Right to life, survival and development
- Non-discrimination
- Best interests of the child
- Child participation

### Settings where violence occurs

‘Settings’ refer to the locations or places where violence occurs. The Study refers to five settings in order to analyse violence through the prism of children’s real life environments:

1. **Violence against children in the home and family:** includes physical violence (homicide and non-fatal), neglect, sexual violence, violence in intimate relationships and child marriage, harmful traditional practices and psychological violence.
2. **Violence against children in schools and education settings:** includes physical and psychological punishment, links to discrimination and gender-based violence, sexual violence, bullying, fighting, physical assault, homicide and serious injury, and weapons in schools.
3. **Violence against children in care and justice institutions:** includes violence in institutional care such as orphanages, shelters and other care

homes, violence in custody and detention, and violence against children in other forms of State custody (refugees, asylum-seekers, migrants, unaccompanied children, children in jail-like facilities and in peacetime armies).

4. **Violence against children in places of work:** includes violence in domestic work, forced and bonded labour, traditional and modern forms of slavery, commercial sexual exploitation in the sex industry and child labour in hazardous conditions.
5. **Violence against children in the community:** includes physical and sexual violence, especially committed amongst adolescents, by police, and by other figures of authority, notably violence against children based on their sexual orientation and gender identity, against street children, HIV positive, refugee, returnee and internally displaced children.

Settings-specific recommendations of the Study are included in Annex A. We do not recommend that you follow the 'settings' approach in your report to the Committee, but rather that you use them as a way to contextualise and double-check that your overview of the issue is comprehensive.

### Categories of violence

In order to check whether you are considering all the information at your disposal, you may also want to use the following checklist of categories of violence. This list is part of the CRIN Website on violence against children: <http://www.crin.org/violence>. On the internet, you may click on a category to view associated resources available.

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#### **Physical and Psychological Violence**

- [Abduction](#)
- [Bullying](#)
- [Death penalty](#)
- [Domestic violence](#)
- [Extra-judicial execution](#)
- [Gang violence](#)
- [Harmful traditional practices](#)
- [Honour killings](#)
- [Infanticide](#)
- [Judicial use of physical punishment](#)
- [Kidnapping](#)
- [Physical abuse](#)
- [Physical punishment](#)
- [Psychological abuse](#)
- [Psychological punishment](#)
- [State violence](#)
- [Torture and cruel, inhuman and degrading treatment](#)

#### **Neglect**

- [Abandonment](#)
- [Dangerous, harmful or hazardous work](#)
- [Deprivation](#)
- [State neglect](#)

**Exploitation**

- [Pornography](#)
- [Sex tourism](#)
- [Sexual exploitation](#)
- [Slavery](#)
- [Trafficking](#)
- [Violence at work](#)

This is not meant to be a comprehensive and mandatory list but if you have not or are not planning to include one of these types of violence in your report, you may explain whether:

- There is a low incidence of this type of violence in the country;
- There is a general absence of awareness and/or relevant data on this issue; or
- There is a high incidence of this type of violence, but you lack evidence or details.

Your answer to these questions might be of interest to the Committee. So, you may include a paragraph to explain them, or you may decide to undertake further research and/or contact NGOs specialised in this area to provide you with further information to be integrated in your report.

### 3. REPORTING TO THE COMMITTEE ON THE RIGHTS OF THE CHILD

#### Existing guidelines

In order to fully benefit from the opportunity to report to the UN Committee on the Rights of the Child, it is essential to have a good understanding of procedures and processes in force both for State parties and for NGOs. There are many existing guidelines on this subject. Here is a selection of the most useful ones.

#### Guidelines issued by the UN Committee on the Rights of the Child

The Committee has issued a number of documents to inform State parties and other players of its methods of work and reporting requirements. All the information is available under: <http://www2.ohchr.org/english/bodies/crc/>.

#### 3 Suggested steps for NGOs to work effectively with the Committee

##### 1 Check your country's past record, including the Committee's previous concluding observations and the latest government report under:

<http://www2.ohchr.org/english/bodies/crc/sessions.htm>

Go through these documents as well as those relating to other State parties in order to have a sense of the Committee's approach.

##### 2 Carefully read the following official reporting and participation guidelines:

- *Overview of the reporting procedures*. CRC/C/33, 24 October 1994 (in English, French or Spanish):  
[http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/CRC.C.33.En?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/CRC.C.33.En?Opendocument)
- *The Committee's guidelines for the participation of partners* (Annex VIII in CRC/C/90 in English, French, Spanish, Russian, Arabic or Chinese):  
<http://www2.ohchr.org/english/bodies/crc/partners.htm>
- *General Guidelines for periodic reports of States Parties under the CRC* (revised) CRC/C/58/Rev.1., 29 November 2005 (in English, French, Spanish, Russian, Arabic or Chinese):  
[http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/CRC.C.58.En?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/CRC.C.58.En?Opendocument)

##### If relevant, check also

- *Revised guidelines regarding initial reports to be submitted by of States Parties under Article 8, paragraph 1 of the Optional Protocol to the CRC on involvement of children in armed conflict*. CRC/C/OPAC/2, 19 October 2007 (in English, French, Spanish, Russian, Arabic):  
[http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.OPAC.2\\_en.pdf](http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.OPAC.2_en.pdf)
- *Revised guidelines regarding initial reports of States Parties under the Optional Protocol to the CRC on the sale of children, child prostitution and child pornography*. CRC/C/OPSC/2, 3 November 2006 (in English, French, Spanish, Russian, Arabic or Chinese):  
[http://www.crin.org/docs/Reporting\\_Guidelines\\_OPSC.pdf](http://www.crin.org/docs/Reporting_Guidelines_OPSC.pdf)

**3** In order to expand your understanding and knowledge of the Committee's interpretation of violence related articles of the Convention, also read its General Comments N°8 on corporal and other degrading punishment (CRC/GC/2006/8) and the recommendations of its days of general discussion on violence against children:

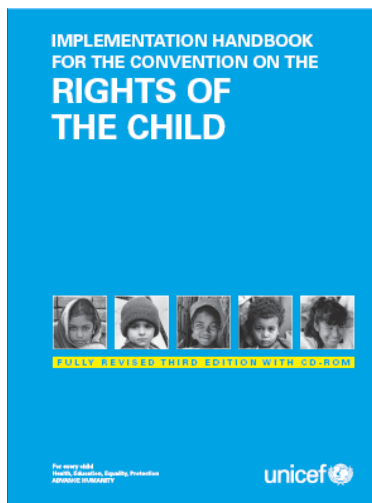
- *State violence against children* (CRC/C/97, 22 September 2000):  
<http://www.unhchr.ch/html/menu2/6/crc/doc/days/violence.pdf>
- *Violence against children in the family and in the schools* (CRC/C/111, 28 September 2001):  
<http://www.unhchr.ch/html/menu2/6/crc/doc/days/school.pdf>

If you have time, you may also consult the rich background documentation to these days of general discussion

<http://www.crin.org/docs/resources/treaties/crc.25/Annex-VII-CRIN.asp>

<http://www.crin.org/docs/resources/treaties/crc.28/Annex-III-CRIN.asp>

## Implementation Handbook from UNICEF



For step by step support to reporting, the *Implementation Handbook for the Convention on the Rights of the Child* (fully revised third edition 2007) commissioned by UNICEF is a must. It contains a very detailed analysis of each article of the Convention, as well as useful reporting checklists and tips.

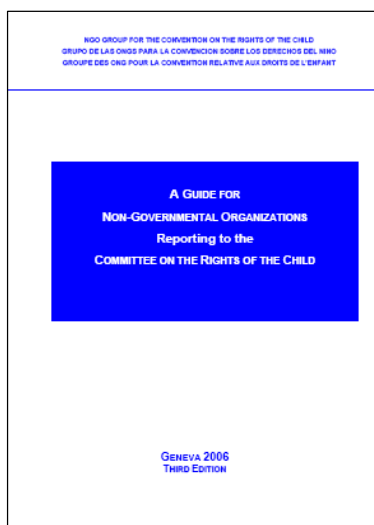
**Author:** Rachel Hodgkin and Peter Newell

**Languages:** English (edition 2007), French (edition 2002), Spanish (edition 2002)

<http://www.unicef.org/publications>

Excerpts from these guidelines are included in annex B.

## Guidelines issued by the NGO Group for the CRC



Being the international platform facilitating NGO participation in each country review since 1989, the NGO Group for the Convention on the Rights of the Child has accumulated knowledge and know-how presented in its *Guide for Non-Governmental Organisations Reporting to the Committee on the Rights of the Child (Revised 2006)*.

**Languages:** English, French, Spanish, Turkish and Azeri under:

<http://www.crin.org/NGOGroupforCRC>

Excerpts from these guidelines are included in annex C.

## Reporting objectives

Before organising your information, it is essential to have clear objectives in mind. Some of the objectives that were initially established for the UN Study on Violence against Children may also be valid for you, when reporting to the UN Committee on the Rights of the Child.

You may find it useful to go through these generic objectives, discuss and test to what extent they correspond to your organisation's priorities and capacities to obtain data.

- Expose the **multiple forms of violence in multiple settings**, illustrated by daily cycles and life cycles of violence against children.
- Demonstrate the **responsibility of the State** and other actors in preventing, intervening in, and supporting recovery from violence, through a review of existing human rights and other legal frameworks in relation to the situation and ensuring accountability.
- Illustrate **where and how the various forms of violence occur** as well as who can help to respond in different settings. (This could include an analysis of the root causes and consequences of the various forms of violence.)
- Distil key factors affecting violence in different settings in terms of types and level of violence, and key aspects of **prevention, intervention, and recovery**.

- **Justify why such or such acts or behaviour** should be considered as a form of violence falling into the Convention and explain why it does not comply with the Convention.
- Note **progress achieved** and give examples of positive prevention, intervention and recovery strategies and experiences.
- Give **recommendations for key actions** for prevention, intervention, and recovery.
- Suggest follow-up and further monitoring steps.

The outcomes of your reflection should be included in the introduction of your report.

### Report structure

*The challenge of reporting to the UN Committee on the Rights of the Child on the issue of violence against children is to find the right balance between mainstreaming the issue throughout a general report and providing the bulk of the information under specifically violence-related articles (art. 19 on protection of children from all forms of violence, art. 37 on torture and deprivation of liberty and art. 39 on the rehabilitation of child victims).*

States parties usually limit themselves to providing information on incidence of violence and related policies under these articles. Even under articles covering issues constituting violence *per se* (art. 34 on sexual exploitation, art. 38 on children in armed conflict, etc.), States parties rarely analyse the situation with a view to the impact of violence. They usually focus on legal provisions.

You have more flexibility than a State party to decide on your report structure. However, it will be more efficient if it relates in part, or whole, to the official format.

Depending on how best to complement/react to the State report, you may choose to either (1) focus (2) mainstream or (3) target your information on violence. You may, of course, combine the three approaches.

#### **1. FOCUS - Fully comment and complement the government's information provided under article 19 and 37 in terms of general trends, legislation and policies, by addressing the following points:**

- Integration in national planning processes of measures to prevent and respond to violence against children, including the appointment of a focal point to foster the implementation of this plan.
- Strengthening of legal frameworks in conformity with the Convention on the Rights of the Child, and sensitizing the public to the prohibition of all forms of violence.

- Prevention of violence.
- Promotion of the participation of children and structures to support it.
- Strengthening of data collection and research.

You may do the same under article 34, 38 and 39.

## **2. MAINSTREAM - Provide violence-related information under each grouping of articles suggested by the UN Committee on the Rights of the Child:**

- General measures of implementation (arts. 4, 42 and 44.6);
- Definition of the child (art. 1);
- General principles (arts. 2, 3, 6 and 12);
- Civil rights and freedoms (arts. 7, 8, 13-17 and 37a);
- Family environment and alternative care (arts. 5, 18.1, 18.2, 9, 10, 27.4, 20, 21, 11, 19, 39 and 25);
- Basic health and welfare (arts. 6.2, 23, 24, 26, 18.3, 27.1, 27.2 and 27.3);
- Education, leisure and cultural activities (arts. 28, 29 and 31); and
- Special protection measures:
  - i. Children in situations of emergency (arts. 22, 38 and 39);
  - ii. Children in conflict with the law (arts. 40, 37 and 39);
  - iii. Children in situations of exploitation, including physical and psychological recovery and social reintegration (arts. 32, 33, 34, 35, 36 and 39); and
  - iv. Children belonging to a minority or an indigenous group (art. 30).

### **Mainstreaming and highlighting violence throughout the report - The example of Belize**

#### **Alternative report by the National Organisation for Prevention of Child Abuse and Neglect (10/01/2005)**

([www.crin.org/docs/resources/treaties/crc.38/Belize\\_ngo\\_report.doc](http://www.crin.org/docs/resources/treaties/crc.38/Belize_ngo_report.doc))

The report follows the clusters of the State party report as suggested by the Committee. In each cluster, before getting into descriptions and in depth analysis, the report briefly recalls:

- the main points of the article;
- the main concern of the Committee under this article in the previous review; and
- key words of the reality observed by NGOs.

This technique is very useful for the reader. It highlights linkages and makes reading easier. Why not follow this model and introduce an additional “violence against children” bullet point to indicate briefly whether violence is a strong concern under each reviewed article of the CRC?



### **3. TARGET - Decide on a specific type of violence, victim, or area that you want to signal to the Committee.**

It may be that your organisation may be very specialised or that one area needs special attention as an emerging phenomenon, a particularly serious or widespread violation, or because of political timing. This may justify the production of a targeted report.

However, be aware that the Committee recommends NGOs to present a single coalition report in order to avoid the multiplication of separate thematic inputs. Hence, you can produce your report and contact your national NGO coalition to have it included in the general one. Or, you can submit your targeted input to the Committee – but it needs to be very clear and concise, as you probably won't be invited for the pre-session if the issue is highly specialised.

Of course, if your issue is closely related to one of the two Optional Protocols (OP) to the Convention, you should seize the opportunity of the OP implementation review to submit a full contribution.

#### **Focusing on a vulnerable group - The example of the Czech Republic**

**Written Comments of the ERRC Concerning the Segregation of Romani Children in the Czech Republic by ERRC- European Roma Rights Centre (13/01/2003)**  
[www.crin.org/docs/resources/treaties/crc.32/Czech\\_ERRC\\_ngo\\_letter.doc](http://www.crin.org/docs/resources/treaties/crc.32/Czech_ERRC_ngo_letter.doc)

This short report (5 pages) was presented in the form of a letter. It makes a clear description of the situation and its consequences for the concerned group of children. It contains few but powerful figures. It refers to field research on which this report is based, instead of integrating it in full. It lists key legal and political precedents on the issue. It concludes with a set of very specific recommendations to the government.

This approach is very efficient if it is well documented and well structured, as is the case in this example.

Finally, some NGOs take the opportunity of the CRC reporting process to analyse the situation of children in their country in an original, country-specific way – and combine various approaches.

### Selecting specific rights and their violation - The example of Brazil

**Supplementary Report to Brazil's period report on the implementation on the UN Convention of the Rights of the Child by ANCED (13/09/2004)**  
[www.crin.org/docs/resources/treaties/crc.37/Brazil\\_ngo\\_report.doc](http://www.crin.org/docs/resources/treaties/crc.37/Brazil_ngo_report.doc)

This report is divided into two parts. The first intends to approach four rights from an analytical point of view: (1) the right to participation, focusing on administration; (2) the right to survival, through health issues, especially malnutrition; (3) the right to development, a discussion about education starting from the right to quality fundamental education; and (4) the right to protection, a study about adolescents in conflict with the law (access to justice/ guarantee of the obligatory legal process in the application and execution of socio-educative measures) and a presentation of the problem of murders of young people in Brazil. The second part is children and adolescents' views regarding their rights.

This approach sends a strong message to the Committee in terms of priority areas that it request to be discussed with the State party.

### Collection, analysis and presentation of data

Once the objectives and the basic structure of the report have been established, you may organise data collection and analysis in different ways. Here are the most common approaches:

- Delegated/Decentralized data collection (e.g. field inquiry) with critical review/analysis by an editorial team, but with common guidelines and tools owned, agreed and tested by all at the beginning of the process.
- A 'one-person job' (e.g. desk review), but with careful review by other colleagues and necessary inputs from specialists (e.g. lawyer, statistician, etc.).
- Thematic organisation of work, for example through thematic editorial teams composed of members of various organisations (e.g. national coalition report), but with one overall editor ensuring balanced structure, inputs and style.

Beyond the core reporting group, think how to broaden the base of participation in data collection or analysis. Invite representatives of parents, pupils and teachers' associations, groupings of citizens from areas where violence is perceived as a problem, as well as specialised professional groups daily confronted by violence against and/or among children to request their participation in data collection, or collect their reactions to your findings.

### Taking the opportunity of reporting to engage in a participatory mobilisation process - The example of Benin

#### Comité de Liaison des Organisations Sociales de Défense des Droits de l'Enfant (CLOSE) (01/03/2005)

([http://www.crin.org/docs/Benin\\_CLOSE\\_Summary\\_NGO\\_Report.doc](http://www.crin.org/docs/Benin_CLOSE_Summary_NGO_Report.doc))

This NGO report highlights the efforts of the State in terms of legislation and administration for a society for children's rights. Yet, it addresses the phenomena of key violations of their rights, namely: trafficking, working children, lack of attendance to education, and lack of registration of births and ritual infanticide. This report is worth checking as it describes its methodology. The elaboration of this report included the following steps:

1. A workshop to officially launch the process and make key players aware of the foundations, mechanisms and importance of CRC reporting, as well as of the financial and practical issues related to the establishment of an editorial team.
2. A documentary review, which took into account all relevant policy documents and reports produced by the government, the agencies of United Nations, NGOs and local authorities. This literary review allowed the identification of differences and contradictions that required clarification through field inquiries.
3. Orientation of NGOs committed to contribute to data collection for the report.
4. A workshop with the children to collect their opinion on key violations of children's rights listed by themselves and their recommendations towards governmental actors and other partners to improve the situation and their right to participation.
5. Field inquiries: Interviews with selected children, on the basis of a questionnaire, in some strategic regions of the national territory. The selection of these regions corresponded to areas of intervention of the NGOs, thematic relevance of the region, regional representativity, information available from municipalities, social and cultural differences, and various levels of development. The inquiry also consisted of informal discussions with the local community, workshops with children on their participation, interviews with political decision-makers, visits to important facilities (e.g. children's reception centres, prison), and consultation of official documents. Official and community representatives, leaders of opinion and children participated as advisers.
6. Analysis of information and editorial staff of the report: The information collected was analyzed and compared with findings of the desk review. A temporary report was produced for discussion with a restricted scientific committee, before a final report was validated by the Assembly of NGOs.

In a recent guide on child rights monitoring, Save the Children Romania listed a series of data collection methods and issues<sup>14</sup>. Depending on the aspects of violence against children that you are aiming to document, you may choose from one or the other:

- **Documentary review:** It consists of checking the validity or complementing the State Report against a series of existing material (laws, official documents, existing research, written testimonials, etc.). You should always cite your source, contextualise your analysis and weigh its value. Was your source issued after the State report? Who commissioned it? How was it produced? For example, using contradictory media reports can be a useful complement to official information, but the level of trust one can have in the media should be indicated. Also, remember that even the obvious is worth checking. For instance, legal references are not always complete in State reports and ministries do not always agree. The difficulty or impossibility to access certain material, for instance inspection reports on abuse by teachers or violence in detention, should be noted.
- **Inquiries:** You may engage in questionnaire or interview-based inquiries. There are numerous existing methodologies, and listing them goes beyond this document. Simply keep in mind that the chosen methodology should serve your objectives, as well as correspond to your capacities and to the sensitivities of the respondents (large/small sample, adult/children, professionals/politicians, individual/collective, professional accompaniment of the process, capacity for preparation/follow-up, protection of respondents, anonymity, etc.). Especially for issues related to violence, you should give careful consideration to the target, scope and use of the inquiry (age, victim or mainstream, level of understanding, etc.). Sometimes, part of the information you are seeking already exists (i.e. quantitative data from police or health records) and it is better to concentrate on qualitative and/or peripheral follow-up to this information (ex. focus group interview with parents or peers of certain types of victims, longitudinal study of available data or new research on former victims rather than present ones, etc.). Ethical concerns are of particular importance when it comes to interviews: collection of preliminary information about respondents, clear communication of the interview goals, preliminary meeting, agreement on the interview place, confidentiality, respect for the respondent's opinions, accessible language, avoiding psychological discomfort, creating a climate of trust, clarifying the moderator's status, mitigating potential tensions, etc.
- **Opinion polls:** This specific type of inquiry is usually based on multiple choice questions, rather than open or yes/no questionnaires, aiming at testing the distribution of identified opinions and practice. This may be useful to test, for example, the degree of acceptance of various forms of violence against children in a given population.

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<sup>14</sup> Salvati Copiii, *Practical Guide on Child Rights Monitoring*, 2006.

- **Case studies:** By describing a specific group or individual situation, you give some life to your report and may highlight unknown or emerging phenomena. Case studies are good to trigger interest and further research and/or to illustrate other more abstract data. It may make the situation of 'invisible' groups of children or hidden violence more real.
- **Observation:** Accounts of events or behaviours that your organisation has observed and recorded can be a useful addition. Again, the conditions and references of these observations should always be clearly indicated to have some value.

***Violence against children is hidden and under-reported. Violence against children involved in the juvenile justice system is a noteworthy example as it is generally under-reported both in the State parties' reports and NGOs' complementary reports. Governments and NGOs alike lack information. Reliable data collection is a priority. So, remember to always back up your findings with exact references (author, scope and method of research) so as not to jeopardise the legitimacy and impact of your report.***

#### **Capturing Information on Children in the Juvenile Justice System – The Example of Ethiopia**

**Children in Prisons and Detentions Centres** (a 2007 publication by the African Child Policy Forum with the support of UNICEF Ethiopia)  
[www.africanchildforum.org](http://www.africanchildforum.org)

This study provides an example of participative research methods, including the voice of children, and outlines concrete recommendations. It addresses the legal framework, rehabilitation and integration issues and major challenges facing prison administrators and public authorities.

#### **Report recommendations**

You should conclude each section of your report with the corresponding recommendations and list them all again at the beginning or at the end of your report to make them easily accessible for Committee members.

In June 2007, the Committee revised the standard paragraph on violence against children. In the new wording the Committee will refer to some of the 12 overarching recommendations. It would be advisable to give an indication of which of these recommendations should be prioritized, in light of your findings.

## 4. PARTICIPATION OF CHILDREN IN REPORTING AND DATA COLLECTION ON VIOLENCE AGAINST CHILDREN

### Child participation as a right and a factor of change

Child participation in reporting is increasingly promoted as a right and recognised as a unique input into traditional forms of human rights monitoring. NGOs have led the way for several decades. The UN Special Session on Children in 2002 and the UN Study on Violence against Children in 2006, as well as certain sessions of the UN Committee on the Rights of the Child, have been among the first international processes, in which child participation was fully recognised and integrated.

### Children subjects and experts of violence

Children should play an essential role in planning and monitoring child protection systems. We know from retrospective studies that only a small proportion of the children suffering violence within the family tell anyone about it during their childhood (especially not adults – children often confide in friends or siblings). This indicates an almost universal failure of existing systems and an understandable lack of knowledge or trust among children. Children who have been involved in various aspects of these systems and young adults who have suffered violence in silence during their childhoods, can be the experts in improving systems and advising on how they can become genuinely sensitive and accessible to children. Their experiences can be used to transform systems and processes, but also to bring a sense of urgency to legislative and policy reform. The powerful direct testimonies and demands of children subject to violence can force policy makers to take action.

*NGO Handbook for the implementation of the UN Study on Violence against Children, Peter Newell, p.25*

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### The need for adequate preparation to involve children in reporting on violence

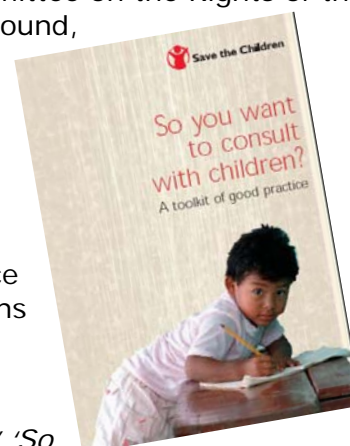
In order to involve children in child rights reporting, it is essential to first take the time to discuss the issues at stake, even more so when the subject – such as violence - is so sensitive. Educational materials for children and young people were prepared as part of the UN Study on Violence. These were designed for training programmes, sensitisation, and for promoting discussion, and have been translated into many languages<sup>15</sup>. For a preliminary discussion or training on the UN Convention on the Rights of the Child, numerous child friendly materials exist in each country. National coalitions for children's rights may be the best source of information and documentation<sup>16</sup>.

<sup>15</sup> See the full Web page 'For under 18' <http://www.violencestudy.org/r49>

<sup>16</sup> A list of national coalitions is available at: <http://www.crin.org/NGOGroupforCRC/ViewOrgsByC.asp?typeID=7>

Once children have been sensitised and if they are interested in participating in monitoring and reporting efforts, a number of precautions, organisational questions and lessons learnt by others are worth taking into account.

Members of the Save the Children Alliance have produced a number of guides on child consultation and participation in research<sup>17</sup>. Most of them may be applied to children's involvement in reporting to the UN Committee on the Rights of the Child on violence issues. They contain general background, guidance on research process and data collection with children, as well as tips for children's direct participation. These are most useful for NGOs planning to include children in their delegation to a pre-session with the UN Committee on the Rights of the Child.



Some of these International Save the Children Alliance publications were produced specifically as contributions to the UN Study on Violence:

- *A Workshop Report on Child Participation*
- *'So You Want to Involve Children in Research?' 'So You Want to Consult with Children?'*

Many others are listed in Annex E.

### **The specificity of reporting to the Committee on the Rights of the Child**

World Vision has recently produced guidelines to support child participation in the periodic reporting process, and the Child Rights Information Network (CRIN) is making these materials available in an interactive format in various languages on the its website. The World Vision guidelines draw upon lessons learned from the experiences of various NGOs that have supported children's participation in the alternative reporting process:

- 'Children as change agents: Guidelines for child participation in periodic reporting on the CRC'
- 'Children as change agents: A review of child participation in periodic reporting on the CRC'

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<sup>17</sup> See: <http://www.savethechildren.net/alliance/resources/publications.html#participation> and Annex E

#### What to remember when involving children and young people in advocacy initiatives

- Be prepared to listen to children's priorities
- Be clear about what you are trying to achieve
- Be clear about the boundaries of the proposed initiative
- Do the necessary research
- Be willing to consult with children on the methods of involving them
- Remember that children are not a homogenous group
- Be prepared to make the necessary time and resources available
- Remember the importance of working with adults as well as children
- Be prepared to be challenged

*Reporting to the UN Committee on the Rights of the Child  
A Starter Pack for Country Programmes  
Save the Children UK, Child Rights Supporting Strategy 2007*



## 5. OVERCOMING DIFFICULTIES

This section aims to highlight some of the main difficulties encountered by NGOs in the past when preparing reports on violence and some lessons that have been learned in order to address the problems.

### Key difficulties and suggestions on ways to approach them:

#### ***Lack of legal background***

Although this is less often the case than a decade ago, child rights NGOs sometimes lack competence in legal analysis because their constituency is from the education, health or social sectors rather than the legal field. This is not necessarily an obstacle to good report writing. However, NGO reports under the CRC often do lack clarity about State responsibility. As the signatory to the Convention, the State has the responsibility to ensure its implementation but various degrees of responsibility and intervention may be required. Especially in cases of violence against children, the government may have failed to take adequate general measures (e.g. legislation or policy), or some State services may have lacked due diligence (e.g. failure to act upon a signal), to investigate on cases, to prosecute the perpetrator, either public or private), or a State entity may be guilty of direct violations (ex. torture, systematic abuse at school, crimes against humanity). Some provisions of the Convention may be open to interpretation (e.g. best interests), others aren't (e.g. death penalty prohibition of torture). Some trends in violence against children may be beyond immediate State intervention (e.g. socio-economic consequences of the policy of multinational firms, international entities or foreign governments). In all these aspects, human rights NGOs usually have a solid background and should be associated to the report drafting process.

#### ***Lack of access to government reports and processes***

The situation in the country may be such that contacts with the government are neither easy nor recommended when intending to write an alternative report. In delicate situations, intermediates such as UNICEF may help. The government is only obliged to communicate the report once it is officially issued. If you still do not have access to it, then the easiest way is to request it from the Secretariat of the Committee on the Rights of the Child or access it on its website. Unlike the government, you may request the Committee to keep your report secret.

#### ***Safety risks for children or adults to report on violence***

Whether through interviews, questionnaires, or testimonials, informants may be at risk of reprisal from State agents, public entities, or private persons. External risks may be physical, but can also entail threats, legal suits, obstacles to professional advancement, etc. Internal risks may be depression, guilt, shame, family problems, etc. You should have these risks in mind, assess and discuss them before engaging in risk-taking activities. Confidentiality and anonymity may be useful tools. But in some cases, the opposite might be more secure. For

example, interviews with prison inmates might be less threatening if done in groups. Naming (of either victim or offender) sometimes protects more than it harms. All these elements should be carefully weighed with concerned persons and expert advisers (e.g. professionals working regularly with the informant, lawyers, etc.). Threats against report writers or any NGO member related to the reporting exercise should be signalled to institutions protecting human rights defenders<sup>18</sup>. Office of the High Commissioner for Human Rights (OHCHR) Training Manual on Human Rights Monitoring<sup>19</sup> is an excellent tool for advance preparation (especially the parts on interviewing, protecting testimonies, etc.). It may also be useful to check what relevant Special Rapporteurs and other Treaty Bodies have said concerning violence against children in the country, both as a reference and as a recourse, in case of urgent cases or threats revealed in the course of the reporting process<sup>20</sup>.

#### ***Lack of research and information gathering expertise and resources***

Reporting to the Committee on the Rights of the Child is an important step in child rights promotion. Therefore, several funding agencies and international NGOs may be interested in supporting you in this process through training, funding, and joint reporting. National coalitions from neighbouring countries can also be great allies in preparing a report at little cost (i.e. little travel, possible common working language, similar historical or political legacy).

#### ***Sensitivity of the subject; reluctance of parents, children, teachers, community members***

People should not feel forced to report. The cause of their reluctance should be identified in order to seek potential solutions: awareness-raising on violence against children prior to the inquiry, better explanations on the purpose of the research, change of researcher/moderator (e.g. gender), peer interview, written commitment of confidentiality, agreement on special meeting location or protection measure. In some cases (e.g. political or ethnic sensitivity) or on some specific issue, it might be better for the inquiry/reporting to be carried out by an external player. You should contact an international NGO to undertake this task.

#### ***Many forms of violence against children are not viewed as serious issues, or even as violent acts***

Indeed, some forms of violence are more discreet or socially accepted than others. This is one of the reasons why the UN Secretary General's Study on Violence was carried out. Hence, you should base yourself on the findings of the Study, as well as on the Convention. Local traditions or culture may explain some acts and are worth mentioning as root causes, helping the Committee to

<sup>18</sup> See International Service for Human Rights, *Defending Human Rights Defenders*, <http://www.ishr.ch/>

<sup>19</sup> See: <http://www.ohchr.org/Documents/Publications/training7Introen.pdf>

<sup>20</sup> You should check your country page regularly: <http://www.ohchr.org/EN/Pages/WelcomePage.aspx> (select your country on the column on your right)

understand the national context, but they do not justify violence (e.g. corporal punishment, or female genital mutilation). One way of encouraging change in mindsets is to explain consequences of the acts and how children perceive them (through, for example, case studies). This is how sexual exploitation of children was gradually recognised as a fundamental violation of children's physical integrity and human dignity.

***Reporting to the Committee is already a heavy task; adding more detail on a specific subject like violence would be too burdensome***

As suggested in part 5, you should organise both the structure and the process of data collection and report writing in the way that most suits your organisation. You can launch and coordinate the process while not being part of the editing team. The point is to make sure that it happens, not necessarily to do it yourself.

***No financial or human resources are available, as all efforts go into direct work with children***

It is difficult to see the point of 'scribbling' when there is so much to do with children, with so little money and people around. True. Yet, we all see the effects of policy change at times and as the point in reporting is more in the process than in the final product, integrating this activity into daily work is both desirable and possible. As violence against children is on the international agenda, it is also a good time to request financial and technical support to your national UNICEF office, foreign embassies and other NGOs active in the country.

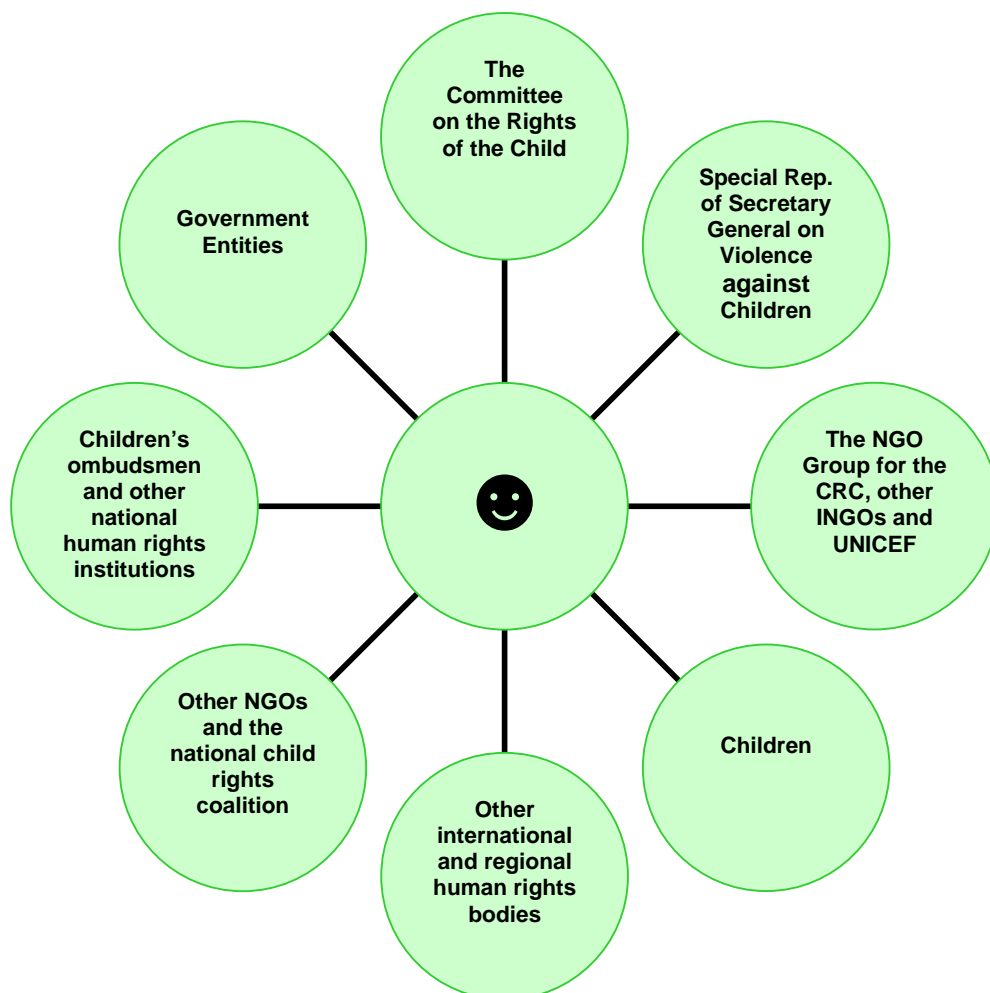
### **Methodologies, tools, partnerships as part of the solution**

Finally, the present guidelines are only a generic tool. You should take the time to look for more specific resources adapted to your country situation and language, for example:

- Guidelines that already exist in similar national settings;
- Model reports from other NGOs;
- Contacts with national coalitions with experience in setting up and working with 'core teams' to prepare reports;
- 'Best practices examples' on: working with governments, working with other NGOs, outreach to parents, teachers, community members to participate in collecting and documenting information, information gathering, collating and analyzing information, writing reports; and
- Contacts with the NGO Group for the CRC, who can liaise with potential partners (international NGOs, national coalitions, thematic NGOs).

## 6. DON'T FORGET

You are not working alone on monitoring violence against children...



**And have you...**

- ✓ Checked your government's responses to the study questionnaires on the Violence Study website?
- ✓ Carefully read the official reporting guidelines of the Committee on the Rights of the Child?
- ✓ Found some new tools and examples on the CRIN violence website?
- ✓ Decided on how children will participate in the reporting process?
- ✓ Planned some initial training of children on children's rights, on the Convention and the Committee, on their interpretations and experience of violence, and on research and reporting methodology?
- ✓ Undertaken all the necessary precautions and authorisation procedures (in relation to parents, media, insurance, school, etc.) to ensure that oral reporting to the Committee will be a positive experience for both children and adults?
- ✓ Discussed with your national child rights coalition or NGO partners if and how your findings on violence will be integrated into the general alternative report?
- ✓ Checked your findings against the list of categories and settings of violence to check or explain gaps in knowledge?
- ✓ Listed your recommendations in order and priority and indicated which of the 12 Study recommendations most apply to your country situation?
- ✓ Planned how you are going to use and publicise your report beyond the Committee on the Rights of the Child?

## 7. ANNEXES

### Annex A: Settings-based recommendations

As a reference, the following are the headings of the settings-based recommendations of the World Report on Violence against Children.

#### Violence in the home and family

1. Ensure that comprehensive systems to prevent violence and protect children are implemented at scale, in ways that respect the whole child and their family, their dignity and privacy, and the developmental needs of girls and boys
2. Assess the impact of public policies on children and their families
3. Increase economic and social safety nets for families
4. Implement evidence-based advocacy programmes on violence prevention
5. Develop an explicit framework of law and policy in which all forms of violence against children within the family are prohibited and rejected
6. Ensure that family courts and other parts of the justice system are sensitive to the needs of children and their families
7. Provide pre-natal and post-natal care, and home visitation programmes for optimising early childhood development
8. Implement culturally appropriate and gender-sensitive parenting programmes and programmes that support families to provide a violence-free home
9. Protect especially vulnerable children in the family and address gender issues
10. Build capacity among those who work with children and their families
11. Implement civil registration universally, including the registration of births, deaths, and marriages
12. Develop a national research agenda on family violence against children

#### Violence against children in schools and educational settings

1. Ensure universal access to violence-free learning environments, where the rights of all children are respected and promoted
2. Prohibit violence in schools
3. Prevent violence in schools with specific programmes which address the whole school environment
4. Prioritise attention to gender issues and their links with violence
5. Give special attention to vulnerable groups
6. Provide safe physical spaces
7. Establish and implement codes of conduct reflecting child rights principles
8. Ensure that schools' heads and teachers use non-violent teaching and learning strategies and disciplinary measures
9. Listen to students and encourage participation
10. Revise knowledge and skills for non-violence
11. Implement life skills education to enable students to build personal skills

12. Promote school-community partnerships and present schools as a resource to the community
13. Strengthen data collection systems on all forms of violence against boys and girls
14. Develop a national research agenda on violence in and around schools

#### **Violence against children in care and justice institutions**

1. Prohibit all violence in care and justice systems
2. Ensure institutionalisation is a last resort, and prioritise alternatives
3. Ensure quality staffing and training
4. Sensitise police, referral agencies, lawyers, judges, institution managers and staff
5. Ensure court systems are sensitive to the needs of children and their families
6. Regularly reassess placements
7. Ensure effective complaints, investigations and enforcement mechanisms
8. Effective sanctions against perpetrators
9. Ensure effective monitoring and access
10. Registration and collection of data
11. Support parents' capacities to care for their children
12. Ensure that alternatives to institutionalisation cover all children in need of care
13. Reduce detention
14. Legal reform
15. Establish child-focused juvenile justice systems

#### **Violence against children in places of work**

1. Violence against working children should be condemned
2. Relevant international legal instruments should be ratified and applied
3. Develop national action plans to address child labour
4. Tackle violence in the workplace generally
5. Set up services for children to report violence and escape from it
6. Provide services for working children and those leaving the workplace
7. Mainstream the participation of working children in the creation and implementation of policies, programmes and services for their benefit
8. Build the capacity for all who come into contact with working children
9. Perpetrators of violence against children in the workplace should be brought to account
10. Enforcement and judicial procedures should be child-friendly
11. Increase public awareness of the damaging effects of child labour
12. Enlist the support of the private sector and civil society
13. Collect data about violence against children in the workplace
14. Interventions should be monitored and evaluated

### Violence against children in the community

1. Support efforts to prevent violence in the family and home as a means of preventing violence in the community
2. Support programmes that encourage at-risk children to stay or to return to school, or to participate in non-formal education programmes
3. Implement programmes that engage responsible and trusted adults in the lives of high-risk children
4. Promote and support local government and civil society initiatives to provide safe recreational and citizenship-building opportunities for boys and girls
5. Reduce demand for and access to alcohol and weapons, such as firearms
6. Reduce risk factors in the physical environment
7. Train law enforcement agents to work with children, and end impunity of police who abuse the rights of the child
8. Increase efforts to both prevent and punish child trafficking
9. Provide improved pre-hospital care and emergency medical services
10. Improve access and quality of support services for victims
11. Provide effective reporting systems for children
12. Invest in social, housing, and educational programmes that strengthen families and improve linkages and social networks within and between different income groups
13. Conduct sustained campaigns in society at large to promote social norms that emphasise respect and non-violence and gender equity
14. Stop the use of mass media and information technologies, including the Internet and electronic games, in violence against children and sexual exploitation of children
15. Implement civil registration universally, including the registration of birth, deaths and marriages
16. Establish a national research agenda on preventing and reducing community violence



## Annex B: Checklists on article 19 and 37 from the UNICEF Implementation Handbook for the Convention on the Rights of the Child (fully revised third edition)

### Implementation Checklist



#### • General measures of implementation

Have appropriate general measures of implementation been taken in relation to article 19, including:

- identification and coordination of the responsible departments and agencies at all levels of government (article 19 is relevant to **departments of social welfare, justice, health, education**)?
- identification of relevant non-governmental organizations/civil society partners?
- a comprehensive review to ensure that all legislation, policy and practice is compatible with the article, for all children in all parts of the jurisdiction?
- adoption of a strategy to secure full implementation
  - which includes where necessary the identification of goals and indicators of progress?
  - which does not affect any provisions which are more conducive to the rights of the child?
  - which recognizes other relevant international standards?
  - which involves where necessary international cooperation?

*(Such measures may be part of an overall governmental strategy for implementing the Convention as a whole.)*
- budgetary analysis and allocation of necessary resources?
- development of mechanisms for monitoring and evaluation?
- making the implications of article 19 widely known to adults and children?
- development of appropriate training and awareness-raising (in relation to article 19 likely to include the training of **all those working in child protection or with or for children and their families, and in parenting education**)?

#### • Specific issues in implementing article 19

- Does legislation in the State protect children from all forms of physical or mental violence?
- Has the State ensured there are no exceptions or defences available to parents or others in relation to assaults on children?

Does legislation protect all children from any form of corporal punishment and any other form of cruel or degrading punishment or treatment:

- in the home?
- in schools
  - state run?
  - private?
- in child-care institutions
  - state run?
  - private?



## How to use the checklist



- in foster care?
- in other forms of alternative care?
- in day care institutions
  - state run?
  - private?
  - other arrangements (e.g. childminding etc.)?

- in the penal system
  - as a sentence of the courts?
  - as a punishment in penal institutions?

Does legislation, policy and practice protect all children from

- ill-treatment and violence, including violence by other children, in schools and all other institutions?
- traditional practices involving physical or mental violence, or prejudicial to health?

- Has the State taken appropriate measures to prevent all forms of violence to children?

Has the State taken appropriate educational and other measures to promote positive, non-violent forms of discipline and treatment

- in the family?
- in alternative care?
- in all institutions which include children?

Do all children in the State have access to effective complaints procedures in relation to ill-treatment

- while in the care of parents or others legally responsible for them?
- in all forms of alternative care?
- in all institutions including schools and custodial institutions?

- In cases of ill-treatment, do children have a right to appropriate remedies, including, for example, compensation?

Does legislation in the State require the reporting of all forms of violence and abuse of children to appropriate bodies:

- by certain professional groups?
- by all citizens?

- Have any reporting arrangements/requirements been reviewed in the light of the Convention's principles, including article 12 (respect for the views of the child) and article 16 (the child's right to privacy)?

Has the State established effective systems for

- identification of violence, abuse, etc.?
- reporting?
- referral?
- investigation?
- treatment and follow-up?
- appropriate judicial involvement?



## How to use the checklist



- Has the State taken particular measures to identify and respond to sexual abuse within the family and in institutions?
- Has the State ensured that the principle of respect for the views of the child is observed in child protection procedures and practice?
- Has the State taken special measures to encourage responsible reporting of child abuse by the mass media?
- Has the State established or supported confidential helplines, advice and counselling for child victims of violence, abuse or neglect?
- Has the State considered its law, policy and practice in the light of the recommendations of the United Nations Secretary-General's Study on Violence Against Children (A/61/299)?

**Reminder:** The Convention is indivisible and its articles interdependent. Article 19 should not be considered in isolation.

### Particular regard should be paid to: The general principles

Article 2: all rights to be recognized for each child in the jurisdiction without discrimination on any ground

Article 3(1): the best interests of the child to be a primary consideration in all actions concerning children

Article 6: right to life and maximum possible survival and development

Article 12: respect for the child's views in all matters affecting the child; opportunity to be heard in any judicial or administrative proceedings affecting the child

### Closely related articles

**Articles whose implementation is particularly related to that of article 19 include:**

Article 5: parental responsibilities and child's evolving capacities

Article 9: separation from parents following abuse or neglect

Article 18: parental responsibilities

Article 20: alternative care

Article 24(3): protection of children from traditional practices

Article 25: periodic review of placement or treatment

Article 28(2): school discipline without violence

Article 34: protection from sexual exploitation

Article 37: protection from torture and inhuman or degrading treatment or punishment

Article 38: armed conflict

Article 39: rehabilitative care for victims of violence

Optional Protocols to the Convention on the Rights of the Child

## Implementation Checklist



### • General measures of implementation

Have appropriate general measures of implementation been taken in relation to article 37, including:

- identification and coordination of the responsible departments and agencies at all levels of government (article 37 is relevant to **departments of justice, home affairs, social welfare, immigration**)?
- identification of relevant non-governmental organizations/civil society partners?
- a comprehensive review to ensure that all legislation, policy and practice is compatible with the article, for all children in all parts of the jurisdiction?
- adoption of a strategy to secure full implementation
  - which includes where necessary the identification of goals and indicators of progress?
  - which does not affect any provisions which are more conducive to the rights of the child?
  - which recognizes other relevant international standards?
  - which involves where necessary international cooperation?

*(Such measures may be part of an overall governmental strategy for implementing the Convention as a whole.)*

- budgetary analysis and allocation of necessary resources?
- development of mechanisms for monitoring and evaluation?
- making the implications of article 37 widely known to adults and children?
- development of appropriate training and awareness-raising (in relation to article 37 likely to include training for **the judiciary, lawyers, police, all those working in the juvenile justice system and institutional care including detention, and any other forms of restriction of liberty**)?

### • Specific issues in implementing article 37

- Is the prohibition of torture and all other cruel, inhuman or degrading treatment or punishment included in legislation specifically applying to all children in the jurisdiction?
- Is torture defined in this legislation?
- Are there no exceptions allowed to this legislation under any circumstances?
- Is capital punishment prohibited in legislation for offences committed by children below the age of 18?
- Is life imprisonment without the possibility of release not available in any circumstances for under-18-year-olds?
- Are indefinite or indeterminate sentences not available in any circumstances for under-18-year-olds?



## How to use the checklist



Is any form of corporal punishment prohibited in legislation and not used for under-18-year-olds

- as a sentence of the courts or a punishment in penal institutions?
- as a punishment in schools?
- as a punishment in any other institutions which include children?
- as a punishment in any forms of alternative care?
- as a punishment within the family?
- Is solitary confinement of children prohibited under all circumstances?
- Has the State initiated or promoted awareness-raising and information campaigns to protect children from torture and other cruel, inhuman or degrading treatment?
- Has the State ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment?
- Has the State ratified the Optional Protocol to the Convention against Torture?

### Arrest

Are all under-18-year-olds treated as children within the justice system?

Does legislation, policy and practice ensure that arrest of children is used

- only as a measure of last resort?
- for the shortest appropriate period of time?

Is there a minimum age below which a child

- cannot be arrested?
- cannot be detained prior to arrest by police or other authorities?

Do legislation and other measures in the State ensure that any detention of a juvenile prior to arrest is

- only used as a measure of last resort?
- for the shortest appropriate period of time?

### Deprivation of liberty following arrest

Is there a defined maximum period for detention of a child following arrest without a court hearing at which the detention can be challenged?

Is there a minimum age below which a child cannot be detained following arrest and prior to a court hearing?

Does legislation ensure that any detention of a juvenile following arrest is

- a measure of last resort?
- for the shortest appropriate time?

### Pre-trial deprivation of liberty

Does legislation ensure that any pre-trial detention of a child is

- a measure of last resort?
- for the shortest appropriate time?

Is there a minimum age below which a child cannot be detained prior to a trial?

Does legislation ensure that children detained pre-trial are separated from convicted children?





## How to use the checklist



- Are alternative measures available to prevent pre-trial detention of children whenever possible?

### Deprivation of liberty as a sentence of the courts

- Is there a minimum age at which a sentence of imprisonment may be imposed on a child?
- Are there no other arrangements that allow for the restriction of liberty of children who are alleged as, accused of or recognized as having committed certain crimes below this minimum age?

Do safeguards exist to ensure that sentences of imprisonment, or sentences that involve the restriction of liberty of a child, are used only

- as a measure of last resort?
- for the shortest appropriate time?

### Restriction of liberty other than as a sentence of the courts

Is all other legislation permitting the restriction of liberty of under-18-year-olds consistent with article 37 and other articles, wherever such restriction occurs, including

- in the criminal/juvenile justice system?
  - in the welfare system?
  - in the education system?
  - in the health system including mental health?
  - in relation to asylum seeking and immigration?
  - in any other circumstances whatsoever, including, for example, for "status" offences?
  - In each case, does the legislation define a minimum age below which no child (boy/girl) may have his or her liberty restricted?
- In each case, does the legislation ensure that any detention outside the penal system is
- a measure of last resort?
  - for the shortest appropriate period of time?
  - not for an indeterminate period?
- Is there restriction of liberty of children in circumstances not set out in legislation?
- Does legislation exist to prevent arbitrary restriction of liberty of children in
- State-provided institutions and services?
  - other institutions and services?
- Does legislation exist to limit deprivation of liberty of children by parents/guardians/foster parents, and so forth?

### Conditions in detention

*(See also the detailed standards in the United Nations Rules for the Protection of Juveniles Deprived of their Liberty)*

- Have the United Nations Rules for the Protection of Juveniles Deprived of their Liberty been incorporated into legislation applying to all situations of deprivation of liberty?
- Is there effective inspection and monitoring of all institutions in which children may be deprived of their liberty?



## How to use the checklist



- Is the right of the child deprived of liberty to a periodic review of his or her situation and treatment set out in legislation?
- Are the details of any restriction of liberty of any child appropriately registered, reported and recorded?
- Is disaggregated data available on all children deprived of liberty?
- Do all children deprived of liberty have access to effective complaints procedures concerning all aspects of their treatment?

### Separation from adults

Are children always separated from adults in detention unless it is considered not to be in the child's best interest

- prior to arrest?
- following arrest?
- prior to trial?
- following sentence by a court?
- in the health, including mental health, system?
- in the welfare system?
- in relation to asylum seeking and immigration?
- in any other situation?

### Contacts with family while detained

- Is the right of the child deprived of liberty to maintain contact with his or her family through correspondence and visits set out in legislation?
- Are any restrictions on this right limited to exceptional circumstances?
- In case of any restrictions, does the child concerned have a right of appeal to an independent body?

### Access to legal and other assistance

Does the child deprived of liberty have the right to prompt legal and other appropriate assistance

- when detained prior to arrest?
- on arrest?
- when detained pre-trial?
- when detained following a sentence of the courts?
- when deprived of liberty in any other circumstances?

### Arrangements to challenge restriction of liberty

Does every child deprived of liberty have the right to challenge the deprivation of liberty before a court or some other competent authority

- when detained before arrest?
- when detained following arrest?
- when sentenced to be detained?
- when their liberty is restricted in other circumstances?
- In the case of such challenges of restriction of liberty, does legislation guarantee the child a prompt decision, within a defined period of time?



## How to use the checklist



**Reminder:** The Convention is indivisible and its articles interdependent.  
Article 37 should not be considered in isolation.

### Particular regard should be paid to: The general principles

Article 2: all rights to be recognized for each child in the jurisdiction without discrimination on any ground

Article 3(1): the best interests of the child to be a primary consideration in all actions concerning children

Article 6: right to life and maximum possible survival and development

Article 12: respect for the child's views in all matters affecting the child; opportunity to be heard in any judicial or administrative proceedings affecting the child

### Closely related articles

**Articles whose implementation is particularly related to that of article 37 include:**

Article 19: protection from all forms of violence

Article 20: alternative care

Article 22: refugee children

Article 24: restriction of liberty in health service

Article 25: periodic review of placement/treatment

Article 34: protection from sexual exploitation

Article 38: armed conflict

Article 39: rehabilitative care for victims of torture, etc.

Article 40: juvenile justice



## **Annex C: Excerpts from the NGO Group for the CRC Guide for Non-Governmental Organisations Reporting to the UN Committee on the Rights of the Child**

(Fully revised edition 2006)

### **Government/States party reports**

To date, almost all States parties have submitted their initial reports to the Committee. Progress reports are thereafter required every five years. States parties are requested not to repeat detailed information that has been previously provided to the Committee.

Instead, they should focus on the following:

- Measures adopted as a follow-up to the suggestions and recommendations made by the Committee upon examination of its previous reports
- Measures taken to monitor progress including goals, timetables and actual impact of the measures taken
- Allocation of budget and other resources devoted to children
- Statistical data disaggregated by gender and age
- Obstacles encountered in the realisation of their obligations under the Convention

The Committee tries to examine all reports within one year of receipt. In order to obtain a more complete picture of children's rights in the country, the Committee seeks written information from other sources, such as non-governmental organisations and intergovernmental organisations. The report is examined by the Committee in the presence of the government during the following plenary session.

### **NGO reports**

NGO reports should contain a section-by-section analysis of the State party report. In this way the Committee will be able to compare the government report with non-governmental information. The report should reflect the experience of children throughout the State party: differences in legislation, administration of services, culture and environment of different jurisdictions need to be incorporated into the report. The latter should also draw upon the widest possible sources of knowledge, expertise and experience – and the views and experience of children should be identified and incorporated into the report. NGOs may also submit information that complements or supplements the State party report, particularly in areas where the government report lacks information. Reports that only focus on one issue or on the situation of a particular vulnerable group may also be useful.

**Main points to remember when preparing a report**

- Follow Committee guidelines
- Highlight key issues of concern
- Make concrete recommendations
- Prepare no more than 30 pages
- Write reports in English, French or Spanish
- Provide an abstract or summary in English
- Send the report to the Committee within six month of the submission of the government report

**Pre-Sessional Working Group of the Committee**

The pre-sessional working group is an opportunity to conduct a preliminary review of the State party report and to examine supplementary and alternative information. It meets three times a year, after the Committee's plenary session, in order to identify, in advance, the main questions to be discussed with State parties at the following session. It meets in private and only those invited may attend. NGOs, as well as national human rights institutions and intergovernmental organisations, who have submitted written information considered relevant by the Committee may be invited to participate. These meetings last approximately three hours for each country.

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**Main points to remember when preparing an oral presentation**

- The cover letter accompanying the written information should include a request to attend a working group
- Only NGOs who submit written information may be invited
- Statements should be no longer than ten minutes
- Give opinion on State party reports, highlight key problems, and provide updated information
- Provide information on government-NGO consultation on government reports
- All participants should be given the opportunity to speak during the meeting

**Plenary Sessions of the Committee and follow-up at national level**

The Committee meets for its formal plenary session three times a year. Scrutiny of a periodic report extends over a day (two meetings of three hours each) and that of a report under an Optional Protocol extends over half a day. The governmental delegation is invited to make a short opening statement, followed by series of thematic questions posed by the Committee members to which the delegation answers in several slots. NGOs have no right to speak during the meeting, but are encouraged to attend as observers. NGO follow-up to the session and to the Committee's concluding observations is key to ensure national-level implementation.

### Annex D: Model letter

The following model letter was prepared and kindly shared by Save the Children Alliance.

Dear Minister,

On behalf of (INSERT YOUR NGO NAME and/or THE GROUP OF NGOS LISTED AT THE END OF THIS LETTER] in (INSERT COUNTRY NAME), we are writing to you regarding your government's plans for national follow-up to the UN Secretary General's Study on Violence Against Children. As your government and others agreed in New York in October last year, 'no violence against children is justifiable; all violence against children is preventable'.

As a leading child rights organisation [OR 'AS CHILD RIGHTS ORGANISATIONS], we have already welcomed a number of steps that your government has taken to increase the protection of children from violence (INSERT EXAMPLES).

Still, much remains to be done, and the recommendations of the UN Study have now created the basis for a more comprehensive and effective approach by all governments to the elimination of violence against children. The report of the Independent Expert on Violence Against Children to the UN General Assembly (A/61/299) noted that the primary responsibility for implementing the recommendations of the UN Study lies with national governments. The report identified a set of priority steps that governments need to take in order to take forward implementation of the Study. We would be very interested to learn how your government intends to action these. In particular:

1. How does the Government intend to integrate measures to prevent and respond to violence against children, by addressing both immediate and root causes of violence in national planning processes by the end of 2007? What plans does the Government have to formulate a national strategy, policy or plan of action on violence against children with realistic and time-bound targets? How will the Government ensure that sufficient resources are allocated in order to achieve this?
2. Has a focal point at ministerial or any other level been appointed – or do you have plans to appoint such a focal point - to coordinate action to prevent and respond to violence against children? Has an agency been identified with the capacity to involve multiple sectors in a broad-based implementation of a violence prevention strategy?
3. What steps does the Government intend to take to ensure that national law explicitly prohibits all violence against children, including all sexual violence, all corporal punishment and all harmful traditional practices, by 2009?
4. What plans does the Government have for disseminating, and promoting awareness of, the report among children and in civil society more broadly?

5. How will children themselves participate in the development of the national strategy, policy or plan? How does the Government intend to act on children's recommendations and support children's organisations and initiatives that act to end violence against girls and boys? What commitment is there to create inclusive and child friendly support mechanism in schools and communities?
6. What process will be followed to encourage research, including with children, that provides information on the prevalence of all forms of violence against children and through successive studies enables progress towards its elimination to be measured.
7. [FOR COUNTRIES WITHOUT A CHILDREN'S OMBUDSMAN OR COMMISSIONER] Does the Government have any plans to establish an ombudsperson or commissioner for children's rights?
8. How does the Government intend to support the UN Study recommendation of establishing a Special Representative on Violence against Children at an international level - to act as a high-profile global advocate and encourage international and regional cooperation and ensure follow-up to the present recommendations?
9. Are there other actions that the Government has prioritized as a part of follow-up to the UN Study to eliminate violence against children?

[WE OR 'THE NGO COMMUNITY'] firmly believes that it is essential to maintain the momentum of the positive process that the UN Study has created in the past few years. We are committed to supporting the implementation of the UN Study and will be taking a number of actions to do so. [INSERT EXAMPLE IF AVAILABLE, FOR EXAMPLE THE PREPARATION AND DISSEMINATION OF A PUBLICATION, THE FOLLOW UP WITH CHILDREN AND YOUNG PEOPLE INVOLVED IN THE UN STUDY PROCESS, ETC]. We would be very happy to meet to discuss any of these issues if you feel that such a meeting would be helpful.

Yours sincerely,

## Annex E: Useful reference documents on child participation produced for UN Study on Violence against Children

Name of Publication	Produced by	Year	Language				Format			
			English	French	Spanish	Other	Hard copy	PDF/Word	CD ROM	Online <sup>21</sup>
1. So You Want to Consult with Children? A Toolkit of Good Practice	Save the Children	2003	✓	✓	✓		✓	✓		✓
2. So You Want to Involve Children in Research? A toolkit supporting children's meaningful and ethical participation in research relating to violence against children	Save the Children	2003	✓	✓	✓		✓	✓	✓	
3. Key recommendations for involving children in national and regional consultations for the UN Study on Violence against Children	Save the Children	2004	✓				✓			
4. Promoting Children's Meaningful and Ethical Participation in the UN Study on Violence Against Children: A Short Guide for Members of the NGO Advisory Panel and Others	Save the Children	2003	✓				✓	✓		
5. Creating a Process Fit for Children. Children and Young People's Participation in the Preparations for the UN Special Session Children	Save the Children	2004	✓				✓	✓		
6. 12 Lessons Learned from Children's Participation in the UN Special Session on Children	Save the Children	2004	✓				✓	✓		✓

<sup>21</sup> Materials listed are available online at [www.savethechildren.net](http://www.savethechildren.net) or [www.rb.se/eng](http://www.rb.se/eng)

Name of Publication	Produced by	Year	Language				Format			
			English	French	Spanish	Other	Hard copy	PDF/Word	CD ROM	Online
7. Children's Participation in International-Level Meetings: A report based on feedback from under-18 participants at the United Nations Special Session on Children	Save the Children	2003	✓				✓	✓		
8. Practice Standards in Child Participation	Save the Children	2003	✓	✓	✓			✓		
9. A Workshop Report on Child Participation in the UN Study on Violence Against Children	Save the Children	2004	✓				✓	✓	✓	
10. Save the Children's role and responsibility in relation to children's meaningful and ethical participation in the UN Study on Violence against Children	Save the Children	2004	✓				✓			
11. Seen and Heard: Participation of Children and Young People in East Asia Pacific in Events and Forums Leading up to and Following up on the United Nations General Assembly Special Session on Children4	Save the Children South east, East Asia and Pacific Region	2004	✓				✓	✓	✓	
12. What is the United Nations Study on Violence against Children?	Save the Children	2005	✓	✓	✓		✓	✓		
13. Questions & Answers for Children and Young People on the UN Study on Violence against Children	Save the Children	2005	✓				✓	✓		
14. Violence against Children. The voices of Ugandan Children and Adults. By Dipak Nader	Raising Voices/Save the Children in Uganda	2005	✓				✓	✓		
15. Voices of Girls and Boys to end Violence against Children in South and Central Asia. By Neha Bhandari with Fahmida Jabeen and Manoj Karki	Save the Children Sweden Regional Office for South and Central Asia	2005	✓				✓	✓	✓	

Name of Publication	Produced by	Year	Language				Format			
			English	French	Spanish	Other	Hard copy	PDF/Word	CD ROM	Online
16. Children's voices Against Violence against Girls and Boys. A film made for the UN Study on Violence Against Children in South and Central Asia	Save the Children Sweden Regional Office for South and Central Asia	2005	✓						✓	
17. What Save the Children thinks about physical and humiliating punishment. Information for children and young people	Save the Children	2005	✓				✓	✓		
18. Act Now – Some Highlights from Children's Participation in the Regional Consultations for the UN Study on Violence	Save the Children	2005	✓				✓	✓		✓
19. Children's Actions to End Violence against Girls and Boys	Save the Children	2006	✓				✓	✓		✓
20. Safe Me and Safe You – Violence is Not OK (for 5-12 Years Old)	Save the Children	2006	✓				✓	✓		✓
21. United Nations Secretary-General's Study on Violence Against Children: Adapted for Children and Young People	UN Study on Violence Against Children	2006	✓	✓	✓	✓	✓	✓		✓
22. Film: Children's Actions to End Violence Against Girls and Boys: A Global Initiative: A 26-minute DVD on children's actions	Save the Children	2006	✓						✓	✓

Note: Many regions have prepared child friendly reports from their consultation

Country specific information on child participation is also available in most regions. In Africa, for example, The African Child Policy Forum (Addis Ababa, [www.africanchildforum.org](http://www.africanchildforum.org)), with the support of UNICEF, has produced statistical presentations of opinions and perceptions of children and youth in Angola, Botswana, Burundi, Ethiopia, Malawi, Rwanda, Somalia and Tanzania (separate country reports); and *Violence against Children in Ethiopia: In their Words (2006)*



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## 8. Your comments and feedback

The NGO Group for the Convention on the Rights of the Child welcomes your comments and feedback on the usefulness of these guidelines. Your views are vitally important for the continuous work in progress needed to ensure that these guidelines serve their purpose. Please send your comments and suggestions for changes and improvement to:

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N.B. Plans are currently in hand to produce French and Spanish translations of these guidelines.

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