

# **ARC resource pack**

*Study material*

## **Critical issue module 1**

**Abuse and exploitation**



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## Training material for this module

*Exercises and handouts are also listed at the end of each topic.*

*When referred to in the text, exercises and handouts are always from the list of training material at the end of the topic where the reference appears, unless the reference specifically points to other topics.*

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This module is one of the following series of **ARC resource pack** modules.

**Foundation modules**

- 1 Understanding childhoods
- 2 Child rights-based approaches
- 3 Programme design
- 4 Participation and inclusion
- 5 Advocacy
- 6 Community mobilisation
- 7 Psychosocial support

**Critical issue modules**

- 1 Abuse and exploitation
- 2 Education
- 3 Children with disabilities
- 4 Sexual and reproductive health
- 5 Landmine awareness
- 6 Separated children
- 7 Children associated with armed forces or armed groups

All modules include:

- **study material** giving detailed information on the module's subject and a list of further reading
- **slides** giving key learning points and extracts from the study material, offering a useful resource when introducing training events and exercises
- **training material** for participatory workshops that comprises **exercises** giving practical guidance for facilitators and **handouts** for participants.

The following documents are also included in the ARC resource pack CD-ROM to ensure you can make the most of these modules.

- User guide  
*An introduction to the ARC resource pack and the relationships between modules.*
- Training manual  
*Advice and ideas for training with ARC resource pack materials.*
- Facilitator's toolkit  
*General guidance on how to be an effective facilitator, with step-by-step introductions to a wide range of training methods.*
- Definitions of terms
- Acronyms

See **Guidance for training on critical issues** at the end of this document for further help in developing ARC workshops.

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**Cover photograph**

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## Introduction

Facilitators who have not recently trained or worked in the area covered by this module should read carefully through the various topics, slides, exercises, handouts and readings before starting to plan their training activity. Please note that these materials aim to stimulate learning and discussion, and should be used in conjunction with stated policy (they do not replace it). Trainers are encouraged to adapt the module to their specific geographical or cultural context and to supplement topics with their own or locally relevant material.

The vulnerability of children to various forms of abuse and exploitation in emergency situations has increasingly been recognised as a major and serious protection issue.

In 2006 the UN Study on violence against children was released as a comprehensive analysis of the forms of abuse and exploitation that children around the world are facing. It builds on the model of the study on the impact of armed conflict on children, prepared by Graca Machel and presented to the General Assembly in 1996, and follows the World Health Organisation's 2002 World report on violence and health.

Throughout this module, references to refugee and other displaced children should be taken to include internally displaced children, returnees and children in resettlement situations.

Dealing with child abuse and exploitation (especially sexual exploitation) requires a high level of skill and sensitivity. This module aims to provide guidance on essential aspects, highlighting the main forms of abuse and presenting some possible action against it.

### Structure and content of this module

The circumstances relating to the abuse and exploitation of children are very different in different contexts and cannot be addressed through one approach or model. No single model can either explain all the factors, or outline a uniform procedure that will prevent child abuse and exploitation. This is dependent upon an understanding of the local context, and the resources available to protect children and secure their wellbeing. Throughout this module the importance of situation analysis is emphasised; this may need to be repeated or updated in rapidly changing circumstances. The situation analysis should include a risk analysis, and a gender analysis is essential to ensure girls are not at risk of being invisible.

The table below outlines the structure and content of this module and also provides references to the **Foundation** modules relevant to each topic.

Topic	Subject matter	Relevant Foundation modules
<b>Topic 1</b>	<b>The issue for children</b>	
	Working with abused and exploited children: approaches and key principles.	Understanding childhoods Child rights-based approaches
	This topic introduces the subject of abuse and exploitation of children and it considers how definitions can vary according to the context. There is also an examination of how refugee and other	Programme design Participation and inclusion Advocacy





Introduction

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displaced children may be at greater risk; an overview of the impact that each key form of abuse and exploitation has on children; facilitating the participation of those affected: children, their families and communities, in all aspects of prevention and protection; working to support a broad child protection framework rather than targeting individual children; the importance of situation analysis, including a risk analysis. The issue of girls, including those who have children as a result of their exploitation, and their children, is introduced in this topic in order to call attention to the need to develop specific initiatives for their support.

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**Topic 2      The law and child rights**

A rights-based approach: legal and normative framework relating to the abuse and exploitation of children.

Child rights-based approaches  
Advocacy

This topic emphasises the importance of using a child rights-based approach and being informed by a child development perspective. It outlines what is meant by a legal and normative framework, what agency staff need to know and why, what the law says in relation to protection of children and the promotion of their rights, prevention of abuse of children, the treatment of children in the justice system and the prosecution of those responsible for the exploitation of children.

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**Topic 3      Assessment and situation analysis**

Understanding the reasons for abuse. Children are abused and exploited for many reasons and as a result of different underlying causes. This topic underlines the importance of situation analysis in order to understand the precise interplay of factors in any situation and develop prevention strategies which respond to these. Child rights situation analysis (CRSA), which should be used where possible, is introduced in this topic.

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Programme design  
Participation and inclusion



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**Topic 4 Planning and implementation**

Implementation strategies

This topic underlines the importance of collaboration, cooperation and complementarity between all actors and outlines the different levels of implementation: advocacy, capacity building and direct service delivery.

Capacity building looks at the importance of building a protective environment and developing the capacity to protect children. It highlights the importance of a realistic assessment of gaps in capacity at all levels (community, local government, national government) in order to inform a strategic and collaborative approach to building capacity to protect children.

Understanding childhoods  
Child rights-based approaches  
Programme design  
Participation and inclusion  
Advocacy  
Community mobilisation  
Psychosocial support

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**Topic 5 Monitoring, evaluation and learning**

This topic outlines the need for programmes working with abused and exploited children to ensure they have the capacity for monitoring in the following areas:

the wellbeing of children

monitoring and evaluation of programmes (M&E)

monitoring and reporting of human rights violations.

The dynamic nature of monitoring is highlighted and the range of purposes for ways in which monitoring is used.

Child rights-based approaches  
Programme design  
Community mobilisation  
Participation and inclusion

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This module draws extensively on a number of key documents which should be referred to in full for those requiring a more detailed understanding of abused and exploited children (see the reading list at the end of the study material for resources).

**The importance of the UN Convention on the rights of the child**

The human rights of children are fully articulated in one treaty, the UN Convention on the rights of the child (CRC 1989), offering the highest standard of protection and assistance for children under any international instrument. The approach of the CRC is holistic, which means that the rights are indivisible and interrelated, and that all articles are equally important.



### Definitions of terms

- **Baseline study** This should take place at the start of a project and aims to provide a reference point against which changes can be measured so that the impact (changes) of the project or programme, or of external factors, can be measured. It should collect data against the indicators selected in a project design or planning matrix. This is different from a needs assessment or situation analysis which should be undertaken to inform the design of a project or programme.
- **Gang violence** Violence committed by a group of persons associated for some criminal or other antisocial purpose.
- **Impact** Final or longer-term changes which occur as a result of contributions made by the project or programme activities. For example, changes in children's development, wellbeing, experience of violence, and fulfilment of rights. They may sometimes only be realised after the lifetime of a project or programme, and are often difficult to attribute solely to agencies' interventions.
- **Input** The resources that organizations use (eg. funds, staff, materials) to bring about a result (output).
- **Indicator** An objective way of measuring that progress is being achieved. Indicators can refer to each level: input, output, outcome, objective or impact. Indicators provide an indication that something has happened, or that an objective has been achieved.
- **Monitoring** The regular, routine tracking of data on a given indicator in order to detect intended and/or unintended changes over time. Monitoring tells us firstly, whether a project or programme is being implemented as planned and allows us to make improvements and changes and secondly, provides the evidence for a more substantive evaluation of a piece of work.
- **Mutilation** Deliberately damaging or disfiguring someone's body.
- **Objective** A specific, time bound and measurable change which contributes to achieving the longer term aims and purposes of projects or programmes. For each programme or project objective it should be possible to identify one or more anticipated outcome.
- **Outcome** The intermediate changes as a result of project or programme activities. For example, changes in knowledge, behaviour, attitudes, children's access and use of services, policy. Outcomes can usually be measured during the lifetime of a project or programme.
- **Output** The immediate product of completed project or programme activities. For example: x number of children receive training; x number of training workshops held; number of meetings held with government officials or community leaders; community mechanisms are set up; food distributed; school rehabilitated or water pond cleaned.
- **Physical punishment** Any kind of physical violence including smacking, beating, whipping which is done with the intention of controlling, educating, or disciplining.
- **Torture** Causing severe pain or suffering to someone, either mental or physical, in order to obtain information, to get them to admit or agree to something, or to scare them.



## Topic 1

### The issue for children

#### Key learning points

- The term **child abuse** includes physical, emotional, sexual abuse, and neglect.
- The term **exploitation** can cover a multitude of situations or practices. An agreed-upon working definition needs to be context appropriate.
- Abuse and exploitation of children are pervasive global phenomena, regardless of socioeconomic status. Their forms may vary by age and sex of the child.
- Both short- and long-term impact of violence against children can be devastating and therefore command the highest priority.
- During an emergency, forms of abuse and exploitation often increase in both scale and severity.
- Some key forms of abuse and exploitation of children are:
  - physical violence
  - worst forms of child labour
  - trafficking
  - gender-based violence (GBV).

Children are at risk of abuse and exploitation in most of the critical issue areas that are covered in the resource pack, including children associated with armed forces or armed groups and separated children. Please refer to these modules for additional information. Specifically, the following issues covered in this module include:

- abuse and exploitation
- violence against children
- child labour
- trafficking
- GBV.

This topic will discuss each of the issues, including definitions, risk factors and the impact of each of these issues on children.

Power refers to the capacity to make decisions or the ability to influence control. Understanding power is key to understanding the abuse and exploitation of children. Unequal power relationships are exploited or abused through the use of physical force or other means of coercion, such as threats, inducement or promise of a benefit to obtain sexual favours from a more vulnerable person. Children depend on the protection and assistance of individual adults and institutions. Humanitarian aid workers, government, teachers, security and law-enforcement officials are in a privileged position, as they have the power to make decisions that will affect the wellbeing of the children and communities they are assisting.



### **Statistics and facts about exploitation and abuse**

- An estimated 150 million girls and 73 million boys under 18 have experienced forced sexual intercourse or other forms of sexual violence involving physical contact.<sup>1</sup>
- UNICEF estimates that in sub-Saharan Africa, Egypt and Sudan, three million girls and women are subject to female genital mutilation/cuttings (FGM/C) every year.<sup>2</sup>
- ILO estimates that 218 million children were involved in child labour in 2004, of whom 126 million were engaged in hazardous work.<sup>3</sup> Estimates from 2000 suggest that: 5.7 million were in forced or bonded labour; 1.8 million in prostitution and pornography; 1.2 million were victims of trafficking.<sup>4</sup>
- Only 2.4% of the world's children are legally protected from corporal punishment in all settings.<sup>5</sup>

### **Risk factors for all forms of abuse and exploitation**

There are some conditions or contexts in which children are especially vulnerable to all forms of abuse and exploitation.

### **Emergency contexts**

Generally, about half of populations affected by emergencies are children and adolescents. During emergencies, children may be exposed to increased levels of risk and vulnerability of becoming victims of abuse and exploitation. The protective environment in which children are usually raised may have been compromised or shattered. Critical components affected may include:

- positive attitudes
- customs and behaviours
- governmental commitment
- open discussion of the issues
- protective legislation and its enforcement
- the family, community or government's capacity to protect
- children's skills and knowledge
- monitoring and reporting mechanisms
- social services.

**In situations of civil unrest** children are often targeted for abuse by the military, police and/or other persons in positions of power in the place of origin. Schools may be targeted for recruitment, and both boys and girls abducted on their daily journey there. Frequently, children have been subjected to sexual violence during the unrest, prompting the desire to flee. Sexual violence may even happen with the complicity of community members, in the form of bartering women and children for arms, being left alone, or other benefits.

**In an emergency** (including conflict, natural disaster or chronic insecurity), children are likely to find themselves living in camps or in close urban quarters where privacy is compromised. The stress of being uprooted, dependent and confined (especially for nomads or peasants) can engender great frustration and anger, which is sometimes



borne out on children in the household and other vulnerable members of the community. Highly dependent on humanitarian officials and community leaders, children and their families may be particularly vulnerable to misuse of power and authority. For example, children may be forced to carry goods and perform other tasks in order to receive their share of non-food items; some girls may be approached for sexual favours in exchange for rations. This type of corruption continues to be perpetrated by humanitarian workers and peacekeepers in whom the international community has placed trust.

**During flight or mass population movement** children are vulnerable to physical violence in the forms of shooting and beating. Young girls in particular are at high risk of sexual attack by pirates, bandits, members of the national security forces or rebel groups, smugglers and other opportunists. Border guards may detain and abuse young girls, while boys may face interrogation and even torture. Bandits may capture girls and extort sex in exchange for their safety or onward passage; and smugglers may assist their movement in exchange for sex and/or money. Children who become separated from their caregivers may be especially vulnerable to abuse and exploitation.

**In situations of displacement** children may lack legal documents and may not enjoy the legal protections enjoyed by children within host communities. They may be unable to enrol in school and access health services. They may not speak the language spoken by the host community. The risk of deportation as illegal immigrants may force children and their families underground into more dangerous situations and put them at risk of more extreme forms of abuse and exploitation. Without legal documents, children may be forced into debt bondage or illegal confinement, suffer violence and abuse, poor living conditions and long working hours.

**During return operations** women and children may be separated from their support systems. Crowding and other changes leave children vulnerable to the same dangers they faced during flight, displacement or exile. In addition, one study showed that adolescent girls become vulnerable to sexual exploitation and GBV as they try to return home alone or marry to access transport or other kind of assistance (early marriage).

**During reintegration** returnees, particularly women and children, may be targeted by the local military, government or even neighbours in retribution for having left. Special attention must be paid to women and children during the rehabilitation phase to prevent sexual extortion in exchange for material assistance, protection or documentation.

### The context of the streets

In situations where children are living either part-time or full-time on the streets, they face a number of dangers and the risk of abuse and exploitation is high. It is a situation that demands special consideration given how common and visible children are on the streets of major urban areas throughout the world. There is a range of ways in which a child may use the streets. Recent research has shown that many children are only part-time street children. Some work on the streets out of school term or hours, some work on the streets when resources are scarce at home and then stop when times are better, others work on the streets and sleep at home every or most nights, while a final group has cut all ties with their families.



Of particular concern is the last group whose familial ties have loosened and whose parents are unable to meet their responsibilities to guide their children in the exercise of their rights or to provide for them materially and/or emotionally. Some of these children gravitate to the streets, where they may become members of gangs or groups with ostensibly positive characteristics, such as an orphanage or religious school, but which runs as a begging ring. Sometimes in order to control the children's conduct, these new parental figures encourage them to become substance addicts dependent on drugs, alcohol, solvents or glue. Gangs themselves may be involved in looting, targeting opponents for beating, and other crimes, such as drug trafficking or forms of prostitution.

### **Gender aspects of all forms of abuse and exploitation**

It should be noted that boys and girls are likely to be exposed to different risks, for example, while both are vulnerable to sexual, physical and economic violence and exploitation, girls may be more likely to be raped and forced into prostitution. Boys are more likely to be recruited by an armed group; they are also more at risk of drug and alcohol abuse. The impact of abuse and exploitation can also be very different for boys and girls, in particular in relation to sexual violence and exploitation. Girls may not be able to marry due to perceptions that they have been spoiled. At the same time, boys do also suffer from sexual abuse. This can be even more taboo than for girls, and boys may find even less space to look for support following such abuse. The impact that abuse and exploitation has for boys and girls needs to be considered when planning both prevention and response to these acts.

Some types of work are seen to be more appropriate for either girls or boys. Hence, for example, it may be relatively unusual to find girls working in the construction industry. Boys may be more exposed to injury in the work that they perform. On the other hand, domestic workers are normally girls, who may face the risk of sexual abuse and exploitation. The workload of girls within the family is often much heavier than that of boys, this can be a factor in the lower enrolment of girls in school. Girls are more likely to become involved in commercial sexual exploitation, though in some places, boys are also involved.

Girls are mainly victims of trafficking associated with commercial sexual exploitation (for prostitution or pornography), marriage and work as domestic servants. However, boys are also trafficked and both boys and girls are subjected to most forms of exploitation.

### **Impact of all forms of abuse and exploitation on children**

#### **Cycle of abuse**

It is not uncommon for abused children to grow into abusing adults. For example, there is a risk that boys who have been victims or witnesses of sexual abuse may later become abusers themselves, while emotionally neglected children may grow up without the personal knowledge of the importance of love and affection, which may have a negative effect on their own parenting skills. There is also an intergenerational element to acceptance of abuse: if a girl was abused or witnessed abuse as a child, she is more likely to suffer further abuse or to accept abuse later on in life. Children in households that suffer GBV are considered to be GBV survivors (for example when their mother is a direct survivor).



### Increased vulnerability

Vulnerability and risk are cumulative. In other words, children suffering from one form of abuse or exploitation can become more vulnerable to other forms of abuse and exploitation. For example, a domestic child worker may be more vulnerable to sexual abuse by her employer due to her isolation and dependency on her employer. Extreme distress may cause feelings of isolation and potentially suicide. Children in these situations may also lose access to services in the community.

### Incomplete development

Children will compromise their own full development in order to survive a volatile situation. They may sleep on the street when they know that their father has been drinking alcohol or they may become submissive and disengaged when their older brother is angry. Their very personality and potential are negatively shaped and limited by direct or indirect (ie. witnessing) abuse, exploitation or neglect in the home. Early exposure to abuse and exploitation is especially dangerous because it can have an impact on the maturing brain. In the case of prolonged violence, including witnessing violence, the disruption of nervous and immune systems can lead to social, emotional, and cognitive impairments, which may be lifelong, as well as behaviours that cause disease, injury and social problems.

### Health risks

Exposure to abuse and exploitation in childhood may also result in greater susceptibility to obesity and to health-risk behaviours such as substance abuse, early sexual activity, and smoking. Related mental health and social problems include anxiety and depressive disorders, hallucinations, impaired work performance, memory disturbances, as well as aggressive behaviour. These risks are also associated later on in life with lung, heart, and liver disease, sexually transmitted diseases and foetal death during pregnancy, as well as intimate partner violence, and suicide attempts. Exposure to abuse and exploitation in the community is also associated with troubling health, behavioural, and social consequences. Associations have been established between exposure to community violence and post traumatic stress disorder (PTSD), depression, antisocial behaviours, substance abuse, decline in academic performance, problematic peer relations, and greater involvement with the criminal justice system.

### Physical violence

There are a number of definitions of violence used depending on the focus and approach taken to it, for example, whether it is defined for legal, medical or sociological purposes.

The *UN Study on violence against children* (2006) definition of violence draws on CRC Article 19 'all forms of physical or mental violence, injury and abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse'.

The definition used by WHO in the World report on violence and health (2002) is 'the intentional use of physical force or power, threatened or actual, against a child, by an individual or 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'.

### Definitions

- **Physical punishment** covers any kind of physical violence including smacking, beating, whipping which is done with the intention of controlling, educating, or disciplining.





- **Torture** means causing severe pain or suffering to someone, either mental or physical, in order to obtain information, to get them to admit or agree to something, or to scare them.
- **Mutilation** refers to deliberately damaging or disfiguring someone's body.
- **Gang violence** is the violence committed by a group of persons associated for some criminal or other antisocial purpose.

### Nepal

17-year-old Subhadra was asleep at home in the early hours of 13 February 2004 when security forces personnel entered the house and forced her outside. Witnesses report that she was crying and pleading with her attackers to let her go to the district headquarters to surrender. She was then reportedly interrogated before being taken to a spot further away from the house. At around four in the morning nine shots were heard. Her body was later discovered with gunshot wounds to her face and stomach.<sup>6</sup>

Chandra told of how, after her husband was killed by security forces in 2001, the police came to her home and arrested her 10-year-old son. They dragged him from the house and beat him with a pistol while accusing him of being a Maoist. The boy was held in custody for six days, during which time he was beaten with a plastic pipe all over his body. After he was released the security forces continued to visit his home and threatened to rape his 12-year-old sister.<sup>7</sup>

### Risk factors of physical violence

Individual and groups of children may be targeted for political reasons, for example, as leverage on their politically active parents or for being student leaders, and subject to arrest and illegal detention. Children are frequently rounded up with their relatives and held in the same conditions as adults. Being a child may offer no protection against torture, maiming or extra-judicial killing, especially if the child is linked to any sort of armed group.

Displaced children may be singled out for physical harm when they mix with the host population, because they are seen as outsiders who bring social unrest and diseases such as AIDS. If fighting breaks out, they may be attacked by locals who resent their ethnicity or status as an internally displaced person (IDP).

Children become caught up in wider societal or communal fighting. Children also may simply find themselves in the wrong place at the wrong time, and that may be at home in their beds when a security sweep or armed attack occurs.

Children attempting to cross a border in order to flee violence or join relatives may be intercepted by immigration or security forces. They may be beaten and freed or detained indefinitely and it can be very difficult to detect the extent of this problem when there are many crossing points.

In addition, the breakdown in children's protective environments can lead them into anti-social and violent behaviour. They can drift into gang life as a means of belonging and being protected. Boys, in particular, can turn to looting and drug trafficking and/or consumption. Sometimes their actions put them in confrontation with police who beat



or harass them. For a full discussion of children living and working on the streets see **The context of the streets** within this topic.

Finally, while an in-depth analysis of light arms and small weapons is beyond the scope of this module, it is clear that children pay a heavy price for the prevalence of guns in societies that are in crisis or that are emerging from a state of emergency. Beyond death and injury as a result of accidents, there is the emotionally numbing acceptance of mass violence or the threat of violence in one's childhood. Hundreds of thousands of children live in daily dread of an armed attack, directed at their own family or not, that will lead to them or a loved one being abducted, raped, wounded or killed. Personal stories abound in Afghanistan, the Occupied Palestinian Territories, Colombia and Iraq of children whose civilian lives were devastated at the barrel of a gun.

### **Impact of physical violence on children**

Physical violence can have many effects on children, sometimes with a lifetime impact:

- physical health problems, such as changes in the development of the brain, injuries, bruises and fractures
- difficulties in dealing with other people
- learning problems
- finding it hard to express feelings in a way that other people can understand
- emotional health problems including anxiety, depression, aggression or even wanting to kill him or herself.<sup>8</sup>

### **Worst forms of child labour**

The vast majority of children around the world undertake some form of daily work, be it within the home, on a family farm, or outside the family home. Whether or not particular forms of work can be called child labour depends on the child's age, the types of work performed, the conditions under which it is performed and the objectives pursued by individual countries. The answer varies from country to country, as well as among sectors within countries.

While it is now widely recognised that the total elimination of child labour can only be a very long-term goal in most developing countries, there is a growing international consensus that certain forms of child labour are so unacceptable and harmful to the welfare of the children concerned that they can no longer be tolerated. ILO estimates that in 2004 there were 218 million child labourers worldwide, with 126 million of them involved in hazardous work. While the incidence of children's work is highest in sub-Saharan Africa, the largest number of child workers is found in the Asia-Pacific region.<sup>9</sup>

### **Definitions**

Not all children's work is child labour. Child labour is work that:

- is exploitative or likely to be hazardous
- interferes with a child's education
- is harmful to their health or physical and emotional development.

In its worst forms, child labour involves children being separated from their families, living in slavery-like conditions or being exposed to serious hazards and illnesses.



Safe, light, part-time, legal work that does not affect children's health and personal development or interfere with their schooling is not child labour and is generally regarded as a positive experience.

**Child work** refers to light tasks which are not harmful to a child's health, safety or morals, does not interfere with formal schooling, but rather can contribute to the child's development and learning.

**Child labour** refers to work that:

- is mentally, physically, socially or morally dangerous and harmful to children
- interferes with their schooling by:
  - depriving them of the opportunity to attend school
  - obliging them to leave school prematurely
  - requiring them to attempt to combine school attendance with excessively long and heavy work.

The difference between child work and child labour can be determined using the following criteria.

- **Work activities** These can range from a huge variety of agricultural activities to domestic work; caring for younger children; carrying goods; sweeping; construction work; a wide variety of tasks within manufacturing industry including operating machinery as well as manual tasks; vending; gathering and sorting rubbish; shining shoes and prostitution.
- **The work environment** This can be the family home; an employer's house; the family's fields or land to which they have access; land owned by other people; a factory; shop; market or warehouse; a mine; the street or a building site.
- **The presence of specific hazards** These may include using dangerous agricultural or industrial chemicals; operating dangerous machinery; working in a hazardous environment eg. mined areas; undertaking heavy manual work which may be dangerous for younger children; working excessively long hours; exposure to the dangers of physical or sexual abuse. Children may be more prone to occupational injuries than adults because of their developmental stage, for example, shorter concentration span, fatigue, poor judgment. Issues of psychological hazards have been under-researched; work characteristics such as boredom, or emotional abuse by employers or customers may have a negative impact on children.
- **The nature of the employment relationship** Children may work for their own parents; for other adults within the friendship network of their own families; for employers (ranging from householders to factory owners); for brothel-keepers; criminal gangs and so on. In the case of bonded labour, children may have been sold, in effect, to employers, giving the latter great power over them and effectively denying the children the protection of their own families. Other young people work on a self-employed basis in the informal sector, for example, shining shoes, collecting waste or vending on the street.

Worst forms of child labour refers to tasks that are especially exploitative or hazardous and involves children being enslaved, separated from their families, exposed to serious hazards and illnesses and/or left to fend for themselves on the streets of large cities, often at a very early age.



According to Article 3 of the ILO Convention 182, worst forms of child labour are defined as follows.

- All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict.
- The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances.
- The use, procuring or offering of a child for illicit activities.
- Work which is likely to harm the health, safety or morals of children.

In determining the types of work referred to above, and in identifying where they exist, consideration should be given to the following.

- Work which exposes children to physical, psychological or sexual abuse.
- Work underground, underwater, at dangerous heights or in confined spaces.
- Work with dangerous machinery, equipment and tools or carrying heavy loads.
- Exposure to hazardous substances, agents or processes, or to temperatures, noise levels or vibrations damaging to health.
- Work for long hours, night work, and unreasonable confinement to the premises of the employer.

#### **Tanzania**

In a local study in the United Republic of Tanzania, 43% of child domestic labourers reported being beaten, insulted, denied food, fined for damages, or forced to remain out of doors.<sup>10</sup>

#### **Brazil**

In remote parts of Brazil, children are cheaper to hire and considered more docile. They work doing tree-logging, cutting wood, on sugarcane plantations, mining, in distilleries and coal production, all of which are dangerous<sup>11</sup>. Since they have been invariably hired deceitfully, they are indebted and have no chance of returning home.

#### **Peru**

The intolerable situation of children in small-scale gold mining in Madre de Dios, Peru, is well known to human rights organisations and the authorities. Around 20% of the miners are 11 to 18 years old.<sup>12</sup>

#### **Risk factors of the worst forms of child labour**

There are many reasons why children and adolescents work. In probably the majority of societies, they are simply conforming to long established cultural norms. In many societies, it has been normal for children to start contributing to the family economy as soon as they have the physical capability and for the extent of this work to increase as they get older and more capable. There is probably a gender dimension with girls undertaking domestic tasks or caring for younger siblings, and for boys to undertake

other kinds of duties within or outside of the family economy. Most societies see it as normal and positive for children of particular ages to undertake particular types of domestic tasks. Work is seen as having a socially educative value, as well as an economic one. With the establishment of the right of every child to access an education there is now a counter pressure to adjust the demands made upon children, not to exclude contributions to the family economy, but to make adequate space in a child's life for education and development opportunities. The obligation falling on parents is to support their children in this, ensuring that they do get the pedagogical and social and community inputs that contribute to children's mental, physical and spiritual development.

In other situations, economic pressures or exploitative adults can bring pressure to bear on young people to undertake work of a nature, or at an age, which is outside acceptable cultural norms. Circumstances may require young people to contribute to the family economy when the family is faced with severe poverty and possibly limited opportunities for the adults to work. The particular problems facing displaced families may compel children to seek work in non-traditional areas in order to ensure family survival. Separated children, children in child-headed households and the children of parents with disabilities may be under particular pressure to seek paid work.

Sometimes children work not so much to contribute to the family economy as to provide for their own consumption. This is to be seen most clearly in western societies (where it is regulated), where children work in service industries, delivering newspapers or babysitting, but is a growing trend in parts of eastern Europe and in some developing countries. In fact, a recent study of Liberian IDPs found that while girls frequently 'went with men' to gain sustenance or money, many also sought consumer items eg. mobile phones, jewellery, makeup or entrance to a video parlour.

From the point of view of an employer, the exploitation of child labourers may have specific advantages. For example, they may be cheaper to employ, less aware of their rights, more compliant, more willing to carry out monotonous tasks, easier to lay off, and do not join trade unions.

#### **Impact of the worst forms of child labour on children**

One of the problems in much of the literature on child labour is that assumptions are made about the effects of work on children. Very often there is a strong emphasis on work hazards and assumptions are made on their effects on children's wellbeing and development. However, the relationship between work hazards and children's development is a complex one. On the one hand, children may be more susceptible to some work hazards than adults because they are in the process of growth and have particular developmental needs. On the other hand, research has demonstrated that working children can have an extraordinary ability to weigh the complex costs and benefits involved in work.

In attempting to determine whether or not work is harmful to children, it is vital to determine not just the objective conditions of their work but also the subjective value given to work by children themselves. Children can be extremely resilient and the advantages that they themselves perceive may serve to shield them from some possible detrimental outcomes. However, resilience should never be a reason for not confronting work that is clearly damaging and exploitative. The concept of resilience in children is detailed in **Foundation module 1** Understanding childhoods, **Section 4** under the heading **The concept of resilience: risk and protective factors**.



In emergency contexts, where child labour is seen to be a significant issue, it is important to undertake a thorough child rights situation analysis. Some of the most serious hazards may be the most difficult to see, for example children sent away to relatives to be domestic workers. An essential aspect of a child rights situation analysis is to facilitate children's participation in order to ensure that their perceptions about the costs and benefits of work are fully taken into account. For methods to use, reference can be made to **Foundation module 3 Programme design, Section 3**.

### **The benefits of work**

Until recently the literature on child work tended to give much more prominence to the perceived hazards than to the benefits of work. More recent research has highlighted that work can be seen as beneficial to children in many societies. Benefits may include, for example, economic benefits, socialisation into adult roles and responsibilities, learning how to manage time and money, dealing with the public, and gaining a sense of independence, pride and satisfaction leading to enhanced self-esteem and self-confidence. Again, any potential benefits should not be used as a justification for labour that is dangerous or interferes with a child's education or development.

### **Trafficking**

Trafficking violates children's rights to family life and personal freedom, and is believed to involve over a million children worldwide a year.<sup>13</sup> Trafficking should be seen as a process, starting with the recruitment and ending with the exploitation of the victim's work. The main elements of the process are coercion, which could start at any moment during the process, and exploitation, which normally starts once the child has been put to work.

### **Definitions**

**Trafficking in persons** means the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

**Child trafficking** is the recruitment, transportation, transfer, harbouring or receipt of a child for the purposes of sexual or labour exploitation, forced labour, or slavery either within or outside a country.

**Exploitation** shall include, at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

Exploitation can take various forms:

- commercial sexual exploitation (for prostitution or pornography)
- marriage
- work as domestic servants
- adoption
- bonded labour



- begging
- other illicit activities (such as burglaries)
- work that is so hazardous that it endangers the health or life of the child concerned.

All these forms of exploitation are characterised by constraints imposed on the movement of the children involved, who are virtually held captive.

Consent of the child victim to the intended exploitation is irrelevant even if none of the following means have been used: *'force, coercion, abduction, deception, abuse of power or actions taken while one is in a state of vulnerability or while one is in the control of another person'*. A child victim of trafficking (**child victim**) is any person under 18 years of age.

### **Nepal**

There has long been a serious problem of trafficking of Nepali girls for commercial sexual exploitation, primarily to India, as well as to other countries. The Minister for women and children and social welfare, Nepal Police, UNIFEM and local women's NGOs believe that this problem was exacerbated by the armed conflict. In particular, the thousands of girls who had already been displaced by the conflict were especially vulnerable to trafficking and sexual exploitation. Moreover, while in the past trafficking was mostly across the border into India, agencies report that rural girls are increasingly being trafficked to urban centres in Nepal, where many of them are forced to into sex work in dance parlours and bars.

### **West Africa**

Overwhelming poverty, combined with lack of educational and job opportunities in rural areas, fuels much of the child trafficking. Selling a child for \$30 (a typical sum), plus having one less mouth to feed, can make a huge difference for a family on the brink of survival. However, the motivation for many is not just economic, as parents desperately want to offer their children an opportunity for a better life and readily believe that their prospects are better elsewhere. Parents' willingness to relinquish their children is rooted also in the African tradition of **confiding**, or placing children in another household. Moving in and out of home and staying temporarily with other families are a normal part of growing up.

### **Risk factors of trafficking**

During a period of crisis, families may wish or need to place their children at a distance from home. They may feel that the children will be safer and/or better provided for by others in a calmer place. Unfortunately, these positive motives can be manipulated by unscrupulous people who make promises about the child's placement but in reality, wish to exploit his or her work. Finally, it should be noted that there are some cases of parents or caregivers selling their children solely for economic gain, this of course would raise additional issues of long term care and/or family mediation.

Unfortunately, the expectations on either end of this confiding arrangement can be very different. Parents may assume that their child will be well cared for and will receive schooling in exchange for some household work. The host family, however, may regard the child merely as a servant, expected to perform all household chores



while the family's own children attend school. Confided children are easily exploited and often abused. Separated from their families and forced to spend their days serving others, many are emotionally deprived and fail to develop a healthy self-image.

Some children go missing during times of population displacement. Sometimes it is a matter of being lost in a sea of people, other times, they are killed in the natural disaster or recruited by an armed actor. Perhaps they have been detained by security forces or police, or they have been persuaded to leave for religious instruction. However in a small number of cases, they simply disappear while carrying out a daily routine, such as walking to school or collecting firewood. A gang may have encouraged them to join for survival, they may have been encouraged to depart under false premises, or they may have been abducted, especially if they were very young. Children are trafficked for forced labour, adoption into new homes, and for sexual purposes. Trafficking networks, both international and national ones, look for communities' moments of weakness. In fact, the absence of border controls and normal policing make conflict-affected countries, or those which have recently suffered a natural disaster, prime routes for traffickers. It is difficult to ascertain figures in these situations.

#### **Impact of trafficking on children**

Trafficked children may suffer direct physical harm and/or damage that continues to affect them over a long period. They may also be exposed to harm once they are in the safe keeping of police or others responsible for protecting them. In most cases, children's socialisation and education are halted prematurely, leaving a permanent mark on them.

Children who are moved illegally are exposed to all the dangers of migrants being smuggled, thousands of whom are reported to have drowned in unauthorised sea crossings in recent years. They are at the mercy of both their smugglers and any police or other officials who come across them.

In the case of children kept in commercial sexual exploitation the feeling that they have no alternatives is reinforced by feelings of guilt and fear of social stigma, of never being able to return to their home community.

#### **Gender-based violence (GBV)**

GBV is a violation of human rights, perpetuating the stereotyping of gender roles that denies human dignity of the individual and stymies human development. The overwhelming majority of the victims and survivors of sexual and GBV are women and girls.

GBV includes much more than sexual assault and rape. Although it may occur in public contexts, it is largely rooted in individual attitudes that condone violence within the family, the community and the State.

#### **Definition**

**Gender-based violence (GBV)** is an umbrella term for any harmful act that is perpetrated against a person's will, and that is based on socially ascribed (gender) differences between males and females. Around the world, GBV has greater impact on girls and women than boys and men, and thus, it is often termed **violence against women**. However, the term **GBV** highlights the importance of gender in these forms of violence, in other words, the relationship between females' subordinate position in society and their increased vulnerability to violence. This vulnerability is only





exacerbated by being a child, as the 2006 UN Study on Violence against Children has demonstrated.

While GBV is a phenomenon that can be seen in some shape in virtually every society, its nature and extent varies. Examples of GBV are:

- sexual violence, including rape, threats, coercion of a sexual nature
- domestic violence
- forced pregnancy
- sexual exploitation, including prostitution, sex for favours, child pornography
- early or forced marriage
- forced recruitment of males (see **Critical issue module 7** Children associated with armed forces or armed groups)
- trafficking
- harmful traditional practices, such as female genital mutilation, honour killings or widow inheritance.

It is important to note that boys and men can also be victims of GBV, in particular forced recruitment (as males are **supposed** to bear arms) and sexual violence. Indeed, up to one third of child sexual abuse survivors are boys.

As one of the forms that GBV takes, the Inter-agency Standing Committee (IASC) has defined **sexual violence** as: *'any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic a person's sexuality, using coercion, threats of harm or physical force, by any person regardless of relationship to the victim, in any setting, including but not limited to home and work.'*

### Sex vs. gender

Although **sex** and **gender** are often used interchangeably, they are quite different and should be used distinctly. **Sex** refers to the physical differences between males and females, whereas gender refers to the different socially-prescribed roles of males and females. **Gender** roles are context based and are learned through socialisation. Physical differences between males and females are universal, whereas gender roles vary across cultures and may prescribe all aspects of social life ranging from access to resources, public and private responsibilities, and patterns of courtship. Gender roles may change over time, but are reflections of long-standing assumptions that a society holds about women, men, girls and boys. An example would be that bone structure is determined by sex (amongst other factors), whereas the role as the family cook is determined by gender.

It is widely recognised that girls and women's needs tend to be overlooked within humanitarian assistance and assessment interventions. Addressing gender issues in the context of humanitarian assistance therefore involves looking at the different needs and interests, power imbalances, and inequalities that exist between girls and boys, and women and men.

**Survivor or victim** a person who has experienced GBV. The terms **victim** and **survivor** have been used interchangeably. **Victim** is a term often used in the legal and medical sectors. **Survivor** is the term generally preferred in the psychological and social support sectors because it implies resilience.



**GBV in emergencies: some statistics<sup>14</sup>**

- During the civil conflict in Liberia, local media reported on the massive increase of sexual violence, with nearly 50% of the 658 rape survivors aged between five and 12 years old. In 90% of the cases involving children, the attacker was someone known to the victim.
- In the Democratic Republic of Congo, tens of thousands of women and girls have been raped. UN officials in just one part of eastern Congo, North Kivu, estimate there are 25,000 cases of sexual violence against women and children each year. Hundreds of women line up to receive extensive surgery due to the mutilations from the rapes.
- In mid-2006 in Darfur, 200 women experienced sexual violence in a single five-week period. Earlier in 2005, 500 rape survivors received medical care.
- Internally displaced women and girls from Sierra Leone have suffered an extraordinary level of rape, sexual violence and other gross human rights violations during their country's civil war.

**Risk factors of GBV**

In an emergency, GBV takes on new forms and can have a range of impacts. In some cases, it is an intentional strategy of humiliation and violation, while in others it is conducted randomly as 'spoils of war'. In times of crisis brought on by chronic insecurity, war, forced displacement, or natural disaster, incidents of GBV tend to increase due to social upheaval and mobility, disruption of traditional social protections, changes in gender roles, and widespread vulnerabilities.

Refugee and other displaced children are particularly at risk of sexual and GBV. Others at increased risk are:

- unaccompanied and separated children
- children in detention
- children associated with armed forces or armed groups
- adolescents
- children with mental and physical disabilities
- working children
- girl mothers
- children born to rape victims and survivors
- boys as victims and survivors
- child perpetrators.

Conflict, and to a lesser extent natural disasters, greatly increase the mobility of populations. With displacement, girls and women frequently lack the traditional protection of their families, and often face the additional threat of armed groups who regard them as the 'spoils' of the chaos. Indeed, even when abuses are not aimed at them individually, they suffer violations of their human rights disproportionately when normal codes of social conduct are ignored in times of crisis.

During an emergency, girls and women may also be forced to assume traditional male roles, such as taking responsibility for the household because men are engaged in

fighting or have been killed. Certain responsibilities may put them at greater risk of harm, for example, in the course of collecting firewood, water or food, they must venture away from protected areas. They may have to walk near armed encampments and checkpoints in order to collect resources, exposing them to harassment and possible sexual assaults.

**Impact of GBV on children**

GBV may result in physical, psychological and/or social harm. Survivors of GBV may experience deep psychological trauma, depression, terror, guilt, shame and loss of esteem. Some survivors commit suicide rather than bear the burden of societal shame. In many societies, they may become socially marginalised because they are viewed as being unmarriageable or without virtue or honour. Other GBV survivors who witness this social marginalisation are unlikely to report the incidents themselves and, as a consequence, may not receive the support services they need.

**Training material for this topic**

- Exercise 1** What is child abuse?
- Exercise 2** What is sexual exploitation and abuse?
- Exercise 3** Impacts of violence
- Exercise 4** What is acceptable work and what is exploitative?
- Exercise 5** The reasons why children work
- Exercise 6** Abuse and exploitation in the home: exploring reactions
- Exercise 7** How to determine risk factors and groups
- Exercise 8** How to determine priorities
- Handout 1** Case studies
- Handout 2** Case studies
- Handout 3** Overview of children's work
- Handout 4** Strategies to address harmful child work
- Handout 5** Case studies
- Handout 6** Case study



## Topic 2

### The law and child rights

#### Key learning points

- The CRC accords all children, regardless of their legal status, the right to be protected from abuse, neglect and exploitation.
- Protecting children necessitates knowledge of international and national law, as well as national policies and procedures.
- There are clear universal guidelines and legal protection for refugee and other displaced children.
- Legal provisions exist to protect children and adolescents from employment that is likely to be hazardous, to interfere with their education, or to be harmful to their development.
- Legal provisions exist to protect children from sexual exploitation and abuse, as well as against trafficking, sale and abduction.
- Sexual violence is a gross violation of fundamental human rights and, when committed in the context of armed conflict, a grave breach of humanitarian law.

#### Overview of relevant legal instruments and standards

Human rights and humanitarian and refugee law are the legal underpinning of all humanitarian work. In a rights-based approach, people, including children, are encouraged and empowered to claim their rights. This means that they should not be seen as objects of charity but rather as people who are claiming their legal entitlements. It is the responsibility of the national government to ensure that the basic needs and rights of all children on their territory are met. In emergencies, a government's ability to do this may be limited and agencies may step in to fill the gap. However, best practice is to intervene in such a manner as to assist the government as duty bearers to ensure they fulfil their responsibilities.

The basis of protection from abuse and exploitation of children can be found in various legal instruments that differ by nature and importance. Treaties, such as conventions or covenants, are formal legal texts to which States become parties. They are considered **hard law**, because they create legal binding obligations. Once ratified, a State must ensure these international treaties are reflected in national law; ratified international law becomes de facto domestic law. UN Security Council resolutions are also considered binding on all UN member states if they made under Chapter 7 of the UN Charter to refer to threats to peace and security. Other instruments, such as declarations, principles or rules, are non-binding on states, and are often referred to as **soft law**. The provisions they set out are often more detailed than those found in treaties, and can therefore complement hard law. These instruments are authoritative standards because states participated in their elaboration and they reflect international consensus, ie. states did not object to the provisions they contain. An example of soft law is the 2002 World fit for children declaration and plan of action.

In addition, staff working in a region should be aware of the regional instruments and their provisions, such as the African charter on human and peoples' rights, the African charter on the rights and welfare of the child, the European convention for the



protection of human rights and fundamental freedoms, the American convention on human rights, and the Arab charter on human rights.

National laws (criminal and/or family laws) and ministry regulations, policies and procedures are particularly important and should always be referred to. These laws should provide intervention procedures for the authorities in cases of abuse and exploitation, complaint and representation procedures, measures adopted for investigation, reporting, referral, rehabilitation and follow-up, as well as educational measures. They are essential knowledge for an urban-based intervention, as it might deal with issues of police harassment for loitering. It should also be noted that by ratifying the CRC, states commit to integrating all its provisions into national law.

It is important to keep a focus on national and local authorities. In many countries, local governments are increasingly assuming responsibility for protecting child rights. Indeed, local authorities have a pivotal role to play in giving support to other service providers and also in the areas of regulation, enforcement and monitoring of child rights. This role is increasing where decentralisation and reduction of safety nets have created vacuums in social provision, adding to the burden at the local level. In many such cases, city and municipal authorities and local branches of national agencies become the primary actors in providing basic services for children. Even where assistance from higher levels of government is lacking, local authorities maintain the legal responsibility to respond as best they can to the situation of children under their jurisdiction. Thus, it is important to provide support wherever possible, as well as to target them in advocacy strategies.



**Legal instruments (hard and soft) applicable to abuse and exploitation**

- International Bill of human rights (Universal declaration of human rights, 1948; International covenant on economic, social and cultural rights, 1966 and International covenant of civil and political rights, 1966)
- CRC, 1989
- Optional protocol to the CRC on the sale of children, child prostitution and child pornography, 2000
- Optional protocol to the CRC on the involvement of children in armed conflict, 2000
- Convention on the Elimination of All Forms of Discrimination Against Women, 1979
- Convention on the Elimination of All Forms of Racial Discrimination, 1965
- Declaration on the elimination of violence against women, 1993
- Convention on the rights of people with disabilities, 2006
- UN Security Council Resolutions 1261 (1999), 1314 (2000), 1379 (2001), 1460 (2003), 1539 (2004) and 1612 (2005) on children affected by armed conflict
- Supplementary convention on the abolition of slavery, the slave trade, and the institutions and practices similar to slavery, 1956
- Convention relating to the status of refugees, 1951
- ILO Convention concerning the prohibition and immediate action for the elimination of the worst forms of child labour no.182
- Guiding principles on internal displacement, 1998
- Convention for the suppression of the traffic in persons and of the exploitation of the prostitution of others, 1949
- Fourth Geneva convention of 1949 relative to the protection of civilian persons in time of war
- Geneva conventions of 1949
- Protocol 2 relating to the protection of victims of non-international armed conflicts, 1977
- Rome statute of the International Criminal Court, 1998
- UN Security Council Resolution 1325 (2000) on women, peace and security
- UN Secretary General's Bulletin on special measures for protection from sexual exploitation and sexual abuse, 2003
- UN Convention against transnational organised crime, 1998
- Protocol against the smuggling of migrants by land, air and sea
- Protocol to prevent, suppress and punish trafficking in persons, especially women and children

- UN Standard minimum rules for the administration of juvenile justice (Beijing rules)
- UN Rules for the protection of juveniles deprived of their liberty
- Convention against torture and other cruel, inhuman or degrading treatment or punishment
- UN Guidelines for the prevention of juvenile delinquency (Riyadh guidelines)
- UN General Assembly Resolution 41/126 on the plight of street children, 1992
- African [Banjul] charter on human and peoples' rights
- African charter on the rights and welfare of the child
- American convention on human rights
- European convention for the protection of human rights and fundamental freedoms.

(Selected articles of the legal standards are presented in **Handout 1**)

### CRC, relevant articles

The key international instrument protecting children from abuse and exploitation is the CRC, which is applicable to all children regardless of their legal status in a country. CRC Article 19 explicitly accords the child the right to be protected from abuse and neglect, without discrimination:

*'States parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.'*

In other words, it is the duty of governments to put into place the means to protect children against abuse and neglect in any setting. This provision includes abuse within the family or other caring environments, eg. foster care, schools, and institutions. The failure of the government to fulfil this duty often leads to depriving the child of access to help, and the mistreatment or abuse may then continue undetected for long periods of time.

Physical assault against the child constitutes child abuse. In this sense, punitive corporal punishment, whether in the family or in institutions is incompatible with the child's right to physical integrity. CRC Article 37 explains that State parties are required to ensure that no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. The Human Rights Committee stated that this should include physical and mental pain, and extends to corporal punishment. Regarding corporal punishment in schools, CRC Article 28.2 states that all appropriate measures shall be taken to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the CRC. This includes Article 19 and the broader protection of the child from physical and mental violence.



### Agency policies

Every agency has its own set of policies and guidelines,<sup>15</sup> however, as outlined in sections above, there are a number of common guidelines to be used. These include but are not limited to:

- IASC's Guidelines for GBV interventions in humanitarian settings
- the Inter-agency guiding principles on unaccompanied and separated children.

While not an interagency document, UNHCR's Guidelines on formal determination of best interest of the child (2006) offer a detailed and clear path for determining the best interest of a child in an emergency setting. They state that:

*'In the absence of any State authorities or when they are either unwilling or unable to take responsibility, UNHCR may have to take urgent measures to protect the fundamental rights of a child of concern, which may involve separation from his or her parents. This may be the case in situations in which there is evidence of serious child abuse or neglect by the parents in a refugee camp where national authorities are non-existent.'*

Any intervention would be a temporary one until the competent government authorities can make a formal decision.

### Overview of stakeholders

The responsibility to protect the rights of children and enable children to claim their rights falls to many different individuals and groups of individuals.

#### The State

The State is the primary duty-bearer in all rights, including those relating to violence, abuse, exploitation and neglect. As such they have the primary responsibility for ensuring that these rights are respected, protected and fulfilled. This includes not only the national government but government departments, local administration, decision makers and local leadership.

#### Parents

Parents and legal guardians have a key role in the protection of their children and that of the children around them. They have the responsibility to ensure that their children are safe and able to access services and engage in activities that are beneficial to them and allow them to claim their rights. Sometimes parents may not protect children if they don't believe that their children deserve to be protected, that children with disabilities require special care or that girls are anything other than commodities. These situations are especially challenging and require specific intervention strategies.

#### Other children

Children can be the effective protectors of other children and indeed support each other in claiming rights. In many contexts there are astounding examples of how children can play a key role in the identification of a problem and how best they can protect themselves and other children. In some cases children don't protect each other because they don't know how, because they have certain attitudes towards more vulnerable children or because they are suspicious of children from certain circumstances (formerly associated with armed groups or girls who have been raped and face stigmatisation).





### **Communities**

All people within a community have a responsibility and a role in protecting children. This does not only refer to children that community members know or that they are related to, but also other children around them within the community. This can happen in many ways; adults can be alerted to the signs of abuse or exclusion of a child and intervene in an appropriate manner; they can offer to help the child and assist in accessing certain services, if the child wishes; they can inform certain groups or committees of a particular problem that they feel children are facing. In some cases, communities will not take on these responsibilities, whether this is individuals or the community as a whole. This is again for many reasons, attitudes that view children as commodities or subjects of abuse; certain children are viewed as tainted (again, association with armed groups or a victim of sexual violence are examples of reasons why); lack of ability to respond effectively; lack of ability to do something about the root causes which can be linked to economic hardship. In times of emergency, communities are often uprooted and displaced, which has a negative impact on social cohesion and community based care. Often these communities are desperately trying to survive and this can also have a negative impact on their ability and/or willingness to care for and protect children. For more information see **Foundation module 6 Community mobilisation**.

### **Teachers**

Teachers spend much time with children, usually more than with any other person outside of the home. They often notice signs of abuse and neglect, whether the child comes to school with visible signs of injury or cannot concentrate because they are too tired, sad or worried. They should be mindful of these indicators and be confident on how they can respond when presented with them. Teachers can also fail in their responsibility to protect. They can also be the abusers themselves as in many locations children suffer from abuse and sexual violence in schools.

### **Police**

Police are mandated to protect; they are awarded powers by the government to protect all civilians, with a particular emphasis on children. They have responsibility to maintain law and order, to investigate and prosecute individuals or groups that breach national law and commit acts of abuse against children. The police may also fail in their responsibility especially in emergencies (conflict in particular). This can be for many reasons: they can be the abusers of rights themselves; they can fail in their responsibilities due to negative attitudes towards children or in some cases entire communities; they can fail to respond appropriately to reported crimes, which can be considered abuse by omission. In times of conflict, national armed forces should also protect civilians, and failure to do so is a breach of international humanitarian law, as well as national law. This happens for reasons of unprofessionalism and in some cases because the armed force views an entire community, including children, as the enemy.

### **International community**

The international community comes in many packages. They can include the UN, peace keepers, international NGOs, volunteers, media, faith based organisations and political representatives. All of these agents have a mandate, whether official or are self mandated, to protect and care for children. This includes running large scale humanitarian and development interventions to enable communities and children to



claim their rights, patrolling areas of insecurity (peacekeepers); conducting high level advocacy on issues of access to vulnerable populations. However, often the international community fails in this responsibility. Abuse of power (sexual exploitation and abuse) of vulnerable communities, in particular children, by agents of the international community remains a grave issue. Agencies are responsible for not implementing sufficiently the processes both internally and at the community level to identify and deal with this form of abuse.

**Training material for this topic**

**Exercise 1** Familiarity with legal texts

**Exercise 2** Legal issues protecting children on the streets

**Handout 1** Case studies

**Handout 2** Legal tools to protect children



## Topic 3

### Assessment and situation analysis

#### Key learning points

- A clear child rights assessment and analysis helps to determine how to prioritise actions against exploitation and abuse.
- Qualitative and quantitative data, when properly analysed and contextualised, can help determine the best intervention to enhance the rights of children to protection from abuse and exploitation.
- A solid situation analysis points to prevalence and severity of violations, as well as opportunities for immediate and longer-term action.
- Children's experiences and their own proposed solutions are an essential precondition for the development of strategies for prevention and intervention.

This module aims at improving the reader's conceptual understanding of an appropriate situation analysis in relation to abuse and exploitation issues, and to strengthening practical skills in the same area. It is important to recall that a situation analysis simultaneously discharges two functions.

- Firstly, it becomes a key source of facts and information on which the following programme will be based.
- Additionally, it is in and of itself an intervention, possibly the first concrete interaction with children that are of concern together with the community at large. Often the first impression will shape how the population perceives the efficiency of an organisation and its programmes.

Participation remains one of the basic principles that underpin all work in this area. Therefore it is necessary to consider the appropriate involvement of children in the design, preparation and carrying out of the situation analysis.

Young people have numerous strengths that can contribute significantly to the correct assessment of the situation. They can be far better placed to communicate with their peer groups than many adults, especially those who are perceived to be in authority. Children and adolescents are the experts of their own situation, being the ones who understand the actual problems and fears that they and their peers face. Last but not least, children are better equipped to identify successful strategies for addressing these issues, and are therefore a crucial resource for providing sustainable solutions.

The principle of the best interest of the child remains imperative, not only regarding the voluntarily participation of children, but throughout the whole design of the situation analysis. Human rights principles and codes of conduct apply to all assessment and analysis processes.

Developing an understanding of the types of abuse and exploitation that children face is a process undertaken in different ways at different stages, depending on the context. At the very early stages of an emergency, an initial understanding of the child protection issues can be gathered using the Interagency first phase child protection assessment resource kit (included as a handout in **Foundation module 3** Programme design). A more in-depth understanding of the child rights and protection issues can be gathered using a child rights situation analysis approach. Important and helpful



tools for data gathering and analysis include The problem tree. For more on tools for situation analysis see **Foundation module 3** Programme design, **Section 3**.

### **Rationale for using a child rights situation analysis (CRSA)**

A child rights situation analysis (CRSA) utilises the normative framework of the principles and provisions established in the 41 substantive articles of the CRC and other related human rights instruments as its point of reference for standards to achieve, and as guidance to methodologies used. A CRSA is broken down into:

- **assessment** which looks at **what** is happening (which children are not enjoying which rights, are things getting better or worse, who are the key stakeholders and what are they able to do, what are the causes)
- **analysis** which looks at **why** this is happening (what is the situation of duty bearers, do they have the capacity, resources and motivation to protect children, do those affected know how and are able to claim their rights).

A rights-based approach involves the use of analytical tools to explore the functioning of the rights holder and duty bearer relationship, and produces information that helps clarify where this can be improved. Good analysis is an important input into the process of decision making.

### **Importance of a child rights programming approach**

Any situation analysis will study children and their rights in their broad social, economic, legal, political and cultural contexts. It will provide a different context for the analysis of information and demand the collection of some new information. In taking a child rights programming approach it is important to emphasise the following areas.

- Rights which have been violated and the impact on children.
- The causes of violations of children's rights.
- The obstacles to securing children's rights.
- Data disaggregated by age, gender, ethnicity, ability and location.
- Roles in, and responsibilities for, children's rights among individuals, organisations and institutions.
- The legislative, administrative and economic frameworks.
- The level of awareness of children's rights among children, the general population and decision makers.

### **Methods for gathering data**

The information gathered during the phase of assessment will inform the type of intervention that will be planned. Assessments for abuse and exploitation can start with a desk review, which will reveal the most current information and thinking. It is important to understand the root causes for this problem and therefore, opportunities for change. Positive, protective factors should also be included in the analysis.

Information should be sought from **primary sources** (eg. girls, boys, mothers, fathers, carers, teachers, health workers, community leaders, with first-hand experience) and **secondary sources** (such as reports, survey censuses, databases,



maps and publications, already collected and analysed by other actors). A useful source of secondary information is the documentation of the UN Committee on the Rights of the Child, particularly concerning the host country. To examine these documents with particular regard to the right to protection from abuse and exploitation may give important information as to the situational context and other socio-political background factors.

In the first phase of an emergency, often an interagency assessment of the critical protection issues facing children will be conducted, usually through the child protection sub-cluster if there is one in operation. The latest child protection working group tool for such an exercise is the Interagency first phase child protection assessment resource kit (included as a handout in **Foundation module 3** Programme design).

In many locations information will be available through the existing coordination mechanisms. In countries where the cluster system has been implemented, the protection cluster will generally have a sub-cluster on child protection, usually led by UNICEF. This is an obvious starting point for interagency collaboration on a range of issues related to the abuse and exploitation of children. It is a key venue for the discussion of protection concerns, information sharing, and planning and coordination of a joint advocacy strategy.

Conducting focus group discussions will also be an important step in gathering data on abuse and exploitation. Ideally, focus group discussions include a small group of individuals (children, carers, professionals) where discussions around certain topics will give some quantitative and rich qualitative data. Interagency-led focus group discussions on border areas (for example in Liberia and Ivory Coast) have provided agencies with a deeper understanding of issues such as cross border movement, reasons for the movements, scale of the problem, potential **push** and **pull** factors across borders and also the types of abuse and sexual exploitation that children face as a result of this movement.

One-to-one interviews have also been used as a more successful way of gathering data around sensitive issues such as sexual abuse and violence. In Sri Lanka, Save the Children UK has used the **neighbourhood methodology** developed by Columbia University as well as one-to-one interviews with 16- to 18-year-old girls to determine prevalence of sexual and physical violence that women and girls face.

While collecting information and data about abuse and exploitation, it is necessary to try and identify the drivers or causal factors for these risks. A useful approach is to do a **problem tree**:

- identify a **focal** problem
- brainstorm a list of causes and consequences of the focal problem
- rank them in terms of importance
- arrange into a problem tree, discussing the links between factors. Some causal links will be clear, and may go in one direction only, whereas others may be more complex, linking with other factors in a complex web of causal relations.

UNICEF's Conceptual framework for child protection can assist in ordering the different components of the causal tree into functional components.

- First, involving children. It is vital that children and adolescents who are affected are enabled to voice their own concerns and problems, as well as potential solutions. It is



also likely that there will be varying perspectives put forward by the different age groups and genders.

- Trying to conduct a baseline needs assessment to take into consideration the sampling strategy.
- Taking into consideration evolving capacities of the child. When asking children about contentious and difficult issues, will children be asked about issues that they are facing now, or will 18 to 20 year olds be asked about problems that they faced 10 years or so ago (retrospective method). In an emergency this will likely not be a very appropriate method.
- Go through the different methods (focus group discussions, individual interviews either on current issues or retrospective).

### Analysis

Once the above activities are carried out and there is a better understanding of the situation, a determination should be made as to who is responsible to fulfil the particular right that is being violated, and any temporary ameliorating action that may be necessary as an interim measure. From this, necessary change(s) can be identified; these are known as **change objectives**, and need to be specific, measurable, achievable, realistic, and time bound (SMART). They should be both short term and long term, consider different levels of change (ie. camp management and national policy), and take into account the potential capacity to achieve the changes, as well as the external environment (ie. the problem analysis). It may also be useful to set out milestones, to ensure that the initiative stays on the right track. Ultimately, all interventions should aim to contribute in the long term to the building of effective national child protection systems which would enhance the protection of all children.

**Stakeholder analysis** is a process to help identify the main stakeholders, as well as whether they have the power to bring about change, and who has influence over them. It is necessary to be familiar with political decision-making processes in the setting. Once key stakeholders and influential people have been identified, it will also be necessary to think about their interests and how to mobilise their support.

For a listing of the various stakeholders and the implications see **Topic 2**.

### Training material for this topic

**Exercise 1** Identifying potential child abuse within a given setting

**Exercise 2** Causal analysis

**Handout 1** PESTLES



## Topic 4

### Planning and implementation

#### Implementation strategies

##### Key learning points

- Preventive measures against abuse and exploitation are preferable to measures dealing with the consequences.
- Preventive interventions can include: livelihood issues; education and training; awareness raising; visible procedures for reporting and monitoring, and effective police and judicial systems.
- Risk factors are cumulative. Early intervention can both prevent more children from being harmed and prevent child survivors from being re-victimised.
- Focus groups with children and a community-based model structured according to the child rights situation analysis provide a solid base for intervention.
- It is important to work in a multi-sectoral manner, as different actors will likely identify different forms of abuse and exploitation.

##### Different levels of implementation: prevention, service delivery, capacity building and advocacy

Action against abuse and exploitation of children may take multiple forms and should be adapted to the different stages of the problem. The most effective strategies are preventive ones, while addressing root causes leads to long-term solutions and may help eliminate the negative effects of abuse and exploitation altogether. Response interventions are necessary in order to end impunity and to address the urgent needs of the victims. Building the capacity of various actors is an important milestone for a successful intervention, while awareness-raising exposes the dangers that children around the world are facing in situations of emergencies.

Coordination with other agencies is essential for a systematic and integrated framework to address abuse and exploitation against children in all settings.

##### The concept of prevention

As with all violations of children's rights, the key to tackling child abuse and exploitation lies in building capacities for prevention rather than remedial interventions. However, the concept of prevention is deceptively complex and can take many forms. From the outset, it may be helpful to ask what the intervention will try to prevent, how this will be achieved, and how the results will be demonstrated.

For example, in respect to working children, prevention can be applied in various ways, and at different levels:

- by impacting on the reasons why children need to work, and providing meaningful alternatives for children and families
- through promoting awareness of the importance of education and discouraging parents from allowing children to work in ways that impact on their development



- by interventions to prevent working children from drifting into more exploitative types of work.

Some children are more vulnerable to abuse or exploitation than others, and they in turn are more likely to engage in high-risk behaviour, such as living and/or working on the streets, prostitution or association with armed actors. Similarly, those children who have been demobilised from combat or who have been placed within families after living on the street may find it particularly difficult to resume a normal life and may be more likely to drift into activities that ultimately lead to increased risk of exploitation.

Topic 1 discusses a wide range of issues relating to vulnerability.

### Preventive strategies

Most strategies share a number of common elements to tackle the ways that children are mistreated. Listed below, are some key issues to address. They should be balanced with a consideration of the context, as a strategy that is geared at rural adolescents who have lived through a devastating earthquake will differ markedly from one that seeks to prevent sexual exploitation of refugee girls in an urban area. The following are some specific ideas for the prevention of GBV, physical violence, exploitation of children's labour and abuse in the home.

- Risk assessment by means of a child rights situation analysis is an essential precondition for any preventive strategy. This will need to involve children of a range of ages and abilities, adult community members, governmental and non-governmental agencies, and relevant humanitarian actors. Members of the community such as traditional birth attendants and women's leaders may help to identify hidden exploitation.
- Abuse is not always planned but often opportunistic by those who spot an opportunity when protection systems break down. It is important to conceptualise prevention strategies with this in mind.
- The development of adults' listening skills at all levels of the community will enable children and adolescents to speak freely about problems and solutions in an on-going manner. All staff who engage in participatory work with children should be aware that as children have a space to voice their opinions and concerns, they may identify things that are uncomfortable, and that may require action. Staff should have clearly identified protocols for dealing with issues that are raised.
- The creation of opportunities for issues around child abuse and exploitation to be discussed in community forums and in private homes will raise general awareness. This may occur through child protection committees (CPCs), media, parent-teacher associations, meetings with religious leaders, women's groups or food-for-work meetings.
- Issues of poverty frequently at the root of cases of exploitation. Thus, interventions which address livelihood issues (in a way that is sensitive to children's rights and doesn't inadvertently exploit their labour), provide appropriate job training, income-generation schemes or credit for micro-enterprise, may be vital in preventing exploitation.
- Facilitating children's access to education, including secondary and vocational education, is a significant pull factor away from risks of exploitation or involvement in





gangs. Advocacy efforts may help to raise awareness of the value of education within the community as well as to the long term interests of the child.

- Children’s participation is key in prevention activities (ie. awareness, advocacy); educating children on their rights and ensuring that they have accessible information about options open to them, with various forms of social and life skills training, helps young people to make better life choices and develop the skills of protecting themselves.
- Addressing the needs of separated children promptly, through family tracing and securing appropriate and protected forms of care (preferably within families), is essential.
- Organisations must have their own codes of conduct to ensure that children are never harmed by an agency’s actions or by its staff’s behaviour (see **Topic 2**). Government responsibilities and responses should be encouraged and/or facilitated. For example, stressing government duties to implement legislation and investigate complaints. Training and capacity building both in general children’s rights and in more specific professional skills may be important in order to enable government staff (police, soldiers, social welfare workers) to undertake their duties in a responsible, sensitive and skilled way.
- Assessing the situation of all people who have access to children may reveal the incidence of abuse and exploitation in unexpected situations, for example, in schools and childcare centres. It is essential to maintain rigour on staffing matters. For example:
  - during recruitment it is vital to ensure follow-up on references and have applicants make a declaration as to their clean record of dealing with children and other vulnerable people (or do a police check where available)
  - ensure new staff are aware of child abuse policies and procedures
  - be approachable, so staff can air any concerns
  - be quick and decisive in acting on allegations.
- It is important to support colleagues in this emotionally draining task.

Here are some examples of how focusing attention and resources on key concerns in an emergency setting can reduce or eliminate problems children may have at a later stage.

Area of concern	Particular risk(s)
Camp or settlement security	sexual violence physical violence
Separated children	recruitment sexual violence and exploitation exploitation of labour unable to access full rations or attend school living or working on streets
Child-headed households	sexual violence and exploitation exploitation of labour unable to access full rations or attend school



Lack of basic food and other essential services	sexual exploitation exploitation of labour living or working on the streets
Camp design, geographic location, and social structure	sexual violence
Availability of fuel (firewood) and water	sexual violence access to education
Inadequate screening of caregivers	physical violence sexual exploitation exploitation of labour sexual violence
Incarceration in closed detention centres	physical and/or sexual violence unable to attend school
Children and women without their own documentation	sexual exploitation exploitation of labour unable to access full rations or attend school
Lack of child-friendly centres and child participation in service provision	sexual and labour exploitation unable to access services or aid
Male responsibility for distribution of aid	sexual exploitation unable to access aid

### Developing a preventive approach

Although the primary responsibility for preventing and responding to cases of child abuse or exploitation lies with local authorities, including the police, judiciary, and welfare services, there may often be a lack of either capacity, will, resources, motivation, or skills to deal with the situation appropriately. Even in situations where local authorities are responsive, a community mobilisation approach may be one of the most appropriate and effective means of protecting children and adolescents from abuse and exploitation, as well as for responding to individual cases as and when they arise. Whether the issue at hand is one of GBV or not, it would be useful to liaise with the GBV coordination group as it will also likely be engaged in a strategy of community awareness and prevention.

Facilitators may consider the ideas presented here in conjunction with **Foundation module 6** Community mobilisation. Such an approach might involve some of the following steps.

- Bringing a group of key people within the community together to define and explore the problem(s) they are concerned with, such as the sexual exploitation of women and girls, or the abuse of children within the family. The group might involve people who have experienced the problem personally (eg. a mother of a girl who has been raped or a child who lives in a violent household), as well as other key people such as community leaders, health and social welfare workers, teachers or an agency protection officer.
- The group might explore the problem by undertaking modest surveys, using participatory learning and action methods or other simple techniques (see **Foundation module 3** Programme design, **Section 3**).



It will probably be necessary to gather qualitative and quantitative data, but care must always be taken in eliciting personal and sensitive information. It is important to be alert to the possibility that abuse and exploitation are found in unexpected places; it is not uncommon, for example, to encounter abusive aid workers, schoolteachers, foster parents and institutional staff. It would be important to draw from existing ethical guidelines, such as the IASC Guidelines for gender-based violence interventions in humanitarian settings

(available at <http://www.humanitarianinfo.org/iasc/pageloader.aspx?page=content-products-products&productcatid=3>).

- It is important that ways are found to listen to what children themselves have to say, and avoid assuming that adults know what their problems are; young people have their own ideas and resources which facilitate the identification of appropriate solutions.
- It is important that the provision of community services is complemented by a public awareness and educational campaign to sensitise people to the problem, raise awareness of the various aspects of the problem, encourage people to take action when a child is thought to be abused or exploited and inform people about possible sources of help and support. A public awareness campaign, particularly if tackling GBV, must also aim to target men and to seek ways both to address the problems they experience and to influence their behaviour within the family and community; it is unlikely to be sufficient just to target women.
- Community groups, with the support of international and local agencies, may also be encouraged to find ways of advocating for the prosecution and punishment of offenders. Effective and visible means of bringing offenders to justice is an extremely important factor in deterring exploitative behaviour.
- The situation analysis should have clarified whether a structured advocacy campaign is needed to raise awareness with key influential people and institutions (for ideas on how to approach this task see **Topic 3**).

#### **UNICEF programme after the tsunami, India**

In the Indian tsunami shelters, UNICEF supported the printing and distribution of 5,000 booklets and posters, along with 1,000 banners on trafficking awareness. The materials had phone numbers of a helpline and helped to report child trafficking cases quickly.<sup>16</sup>

#### **UNHCR Women victims of violence project, Kenya**

This project worked with policemen to discover their views of women and girls, vulnerability, violence and rape. The objective was to enable the police to work better with refugee girls and women to reduce the incidence of sexual and gender-based violence.<sup>17</sup>

#### **Intervention approaches: starting point**

As previously discussed, priorities for interventions should be determined through a strong child rights situation analysis (see **Topic 3** and **Foundation module 3** Programme design, **Section 3**). In many situations it will be necessary to focus, at



least in the early stage of an emergency, on the most egregious violations of children's right to life without violence. This might initially mean documenting and tackling issues related to violence in the public sphere, such as mass rape, beatings by the security forces, attacks on populations during flight or detentions.

On the other hand, a range of other factors that the situation analysis highlights may be deemed to be more important. These may include: the prevalence of a particular abuse, an immediate opportunity to act and to have a positive impact, no other actor working on the problem or the issue being the root cause of other protection problems. It is crucial to fulfil children's right to be heard in the development and implementation of individual or general plans. For a full discussion of children's right to participate see **Foundation module 4** Participation and inclusion.

### The interplay between prevention and implementation

As discussed above, early intervention can both prevent more children from being harmed and prevent child survivors from being re-victimised. For example, regular monitoring of prisons assists children currently incarcerated and hopefully, deters officials from detaining and mistreating children. General prevention and intervention activities are often intertwined. An example of this would be an income-generation intervention to help girls who work as prostitutes near a peacekeeping base, which also targets girls who are at risk of becoming prostitutes such as those who are in child-headed households and not in school.

### Intervention strategies

#### Within the family

In times of crisis with the breakdown of family structures and societal values, the stress on households can be enormous. Children and adolescents frequently bear the brunt of that stress. Often children are the first to suffer as new or renewed victims of violence, neglect or exploitation within the home (also referred to as **child maltreatment**). For example, the UN Study on violence against children stated that 38.5% of Kurdish children in Iran reported episodes of violence in the home that had caused them physical injury.<sup>18</sup> Children may not discuss the issue, as it has always been part of their, and their friends', lives. The abuse may be perpetrated by older family members or even between children themselves. Girls may be encouraged, or even expected, to prostitute themselves to help support the family.

#### Abuse within the family

In the Occupied Palestinian Territories, 19% of surveyed undergraduate college students reported at least one act of sexual violence against them by an immediate family member prior to the age of 16. Males and females reported similar rates of childhood sexual abuse.<sup>19</sup> Similar figures were reported in Somalia with 20% of the children stating that they knew of a sexual assault against a child in their family.<sup>20</sup>

### Community-based intervention model

Humanitarian intervention is temporary, while communities are long lasting. Even at the earliest stages, an approach which mobilises people's own resources and creates a



sense of community based on human rights principles helps children and their families recover and begin to rebuild their lives. This is true whether the crisis looks to be short lived or prolonged. Re-establishing community structures is vital in providing a sense of normality for children and their families, and is key to all three components of a **protective environment**: environment building, responsive action, and remedial action.

A community-based model that is structured according to the child rights situation analysis and the results of focus groups with children and adolescents provides a solid base for intervention on a wide range of child protection issues. Common elements might include the following.

- Starting a dialogue about children's rights generally, and their protection rights in particular.
- Establishing a central point for reporting allegations of abuse and exploitation, with assurances that such information will be treated confidentially.
- A child-friendly rights education programme so that children themselves are informed about their rights and appropriate complaint mechanisms.
- An empathetic contact person(s) for survivors to turn to for initial help and support.
- The development of **safe house** arrangements to provide a refuge for abused children while allegations are being investigated.
- The negotiation of clear liaison arrangements with local authorities, the police, social welfare agencies, schools, health workers, security forces, community leaders, camp management and agencies such as UNHCR; these arrangements would need to have an explicit understanding regarding the use of information.
- A support service, possibly operated by women and adolescents who have themselves been abused or exploited and to whom people can refer themselves.
- Social services for families in crisis.
- A mediation service (possibly using trained community leaders) that can intervene and assist families in respect of inter-personal difficulties.
- The development of child-friendly spaces such as clubs and organisations in which young people can play and share their ideas and concerns with each other and with sensitive and caring adults.

#### Responding to individual cases

The guiding principles are to do no harm and to make children's best interests the primary consideration. It is imperative not to make a situation worse for a child. Most agencies now have a code of conduct, which outlines how staff is to behave (see **Topic 2**), as well as concrete steps to take if there is a suspected case of child abuse or exploitation. Each set of procedures has a focal person within the agency with clearly delegated responsibility for following up on individual child protection cases. Any child protection coordination group (for example, through the child protection sub-cluster or other coordination mechanism) also will likely have an interagency referral mechanism for sexual violence and exploitation and possibly for other forms of violence against children. It is essential to consider the degree to which referrals may



have legal implications for survivors. In Sudan for instance, young girls were arrested following rape, as sex before marriage is illegal under Sharia law.

If a child discloses abuse, it is essential to react calmly and to indicate that their account is believed, especially in cases of sexual violence or exploitation. While a tiny number of children may be lying, the vast majority of children are so pained by describing what has happened to them, and/or have disclosed before but to no avail, that it is imperative to build on the enormous amount of courage and trust that they have shown in reporting the abuse. It is important to avoid leading questions and let the child say what he or she needs to, while reassuring them that the abuse was not their fault, but something the abuser or adult was responsible for.

When speaking with a child survivor of abuse, it is necessary to explain in clear, age-appropriate language what needs to happen and make sure he or she is happy with those actions. It is unwise to promise confidentiality, as a report needs to be made to a supervisor or focal person. The child may not be pleased with this, which may give rise to tensions around determining a child's best interests. While strict confidentiality is not possible, work must be undertaken with the utmost professionalism and all related information must be on an absolute need-to-know basis. Confidentiality is not only what is said or written, but also what is done. If the child is rushed off to the doctor and then a foster home, neighbours will talk and guess what has happened. Keeping the interventions as normal as possible will ensure a good level of social ease for the child. However, balanced with the above is the decision on whether the abuse is so severe that the child needs a foster home, removal from school or work, or medical attention.

In some cases, a decision may be taken by the child or the agency to pursue the matter through the legal system. The case is turned over to the police or Ministry of Social Services. The child and family will need adequate on-going support through what will undoubtedly prove to be a tremendously difficult time. Whether it is a matter of sexual abuse or not, colleagues in the GBV sub-cluster or other established GBV coordination group will likely be a source for allies and good information on the justice system.



### Case study: supporting safe migration in Myanmar

During their journey, children who are on the move need advice and practical support. Protection measures include:

- information booths at busy transport hubs
- drop-in centres in places where young migrants who have just arrived tend to gather together (such as city markets in west Africa)
- providing safe residential accommodation
- telephone help lines to give advice to young people wanting to migrate.

Child migrants from a village in northern Shan State in Myanmar registered that they would be migrating at an information centre set up by the child protection committee, supported by Save the Children, in their village of origin. At the time of registration, they were given the number of a 24-hour mobile phone hotline to call in case they needed help. When they were abused and exploited in China, they called the hotline, and following this, they were traced and rescued.

However, supporting children in transit is challenging. First, tracking children's routes can push them into looking for more invisible routes to evade detection, if they suspect that the aim is to control their movement. As a result, they may be exposed to even harsher travelling conditions. Second, when travelling involves crossing borders illegally, it is more difficult for service providers to assist children legally. Governments, therefore, need to ensure that the protection of children takes priority over other policy and political considerations. In addition, the role of police and, in the case of children moving across borders, immigration officers is central. In many cases, police and immigration officials are not trained to protect children on the move, and are even responsible for violence and exploitation against them. Building these professionals' capacity to identify children at risk and to ensure that they act for children's protection and in line with their best interests, is part of an effective child protection system.

### State authorities: a national child protection system

The State should provide the following components of a national child protection system to ensure access for all children to quality care and protection.

- Close inter-sectoral cooperation between relevant government departments (social and children's welfare, education, health, justice).
- Legal reform fully consistent with the State's obligations under the CRC and other regional child rights instruments. In addition, policy development and protocols clarifying roles and responsibility of actors in the protection system.
- An ongoing intervention on public education on violence against children, designed to inform, create insight and mobilise people to take action and change behaviour.
- A permanent research programme, for example, established in the most competent universities, to generate relevant data which can support evidence-based action to end violence against children, expand existing knowledge, fill gaps and develop competence in researching with children and evaluate and document good practice.



- The government takes responsibility for the initiation, leadership, coordination, accountability and resources related to the system.
- The system operates within a child rights framework.
- Children and young people contribute actively to the development and implementation of the system.
- The system is characterised by its ability to react urgently and compassionately in response to violence against children.
- The system develops through clearly defined and realistic goals.
- Mechanisms are in place ensuring close contact between central and community levels.
- Clear protocols and guidelines for procedures at all levels are in use.
- The system has established internal as well as external monitoring and is able to learn from the insights this produces.
- The system invests in capacity building among all its actors and supporters.

### Capacity building

Governments should ensure that professionals and non-professionals who work with and around children and their families receive adequate training and ongoing capacity building which includes basic information on children's rights and the law, violence against children, its prevention, early detection and response, non-violent conflict management and children's rights. In addition, workers must have a clear understanding of the physical, sexual, emotional and cognitive development of children and young people, and the links between gender and violence. Specific skills in communicating with and involving children in the decisions affecting them should also be promoted.

### Advocacy

Advocacy is the strategic use of accurate information in order to improve a situation where children's human rights are at risk of violation or are being violated. The improvement will be accomplished through the intervention of those in a position of power who can change the situation. Advocacy can be a form of protection.

In addition to the prevention and intervention strategies discussed above, advocacy strategies are needed to address specific causes of and obstacles to securing children's right to protection. While successful advocacy can be opportunistic, it usually is more effective to have a well defined strategy, stemming from a child rights situation analysis. For more information on advocacy and how to develop an advocacy strategy as part of a response to the abuse and exploitation of children see **Foundation module 5** Advocacy.

### Training material for this topic

- Exercise 1** Refining the advocacy message
- Exercise 2** Reflection on prevention
- Exercise 3** A stitch in time saves nine
- Exercise 4** Positive indigenous protection mechanisms





- Exercise 5** Intervention audit
- Exercise 6** Action planning
- Exercise 7** Where does sexual exploitation and abuse occur within the supply and distribution chain?
- Exercise 8** Sexual exploitation in transit centres
- Exercise 9** Influencing
- Exercise 10** Building a protection plan: abuse within the family
- Handout 1** Concerns and preventions table
- Handout 2** Activities which potentially address the issue of exploited children
- Handout 3** Case study
- Handout 4** Questions
- Handout 5** Child protection stakeholder roles
- Handout 6** Case studies



## Topic 5

### Monitoring, evaluation and learning

#### Key learning points

- The success of programme interventions must be measured at the individual level, particularly considering children who have experienced abuse or exploitation.
- Monitoring and evaluation should assess whether children are being appropriately identified and protected from exploitation and abuse through programme implementation without causing stigmatisation.
- A monitoring and evaluation system should be set up at the start of a programme with indicators, collecting, analysing and using data to improve the wellbeing of children.
- Rights-based monitoring and evaluation should be participatory, thereby involving children themselves, culturally appropriate, ethical and monitor fulfilment of rights as well as needs.

Monitoring and evaluating the impact of child protection programmes can be difficult especially where emergency response programmes are short in length of implementation. But with careful thought at the beginning of the process, practitioners can ensure that impact is measured and that communities and children have an active role in this process. It is key that this is considered a process that starts at the beginning of programme design and implementation and built into the core activities. For further information please see **Foundation module 3** Programme design.

#### Guidance on monitoring abuse and exploitation

It is critical to consider the scope of monitoring and evaluation initiatives expected to be implemented within the different settings. These contexts tend to range from the very short-term response (three months) through to longer responses that can typically run for up to two to three years (or indeed longer).

At first, when needs assessments have been completed and activities begin, monitoring systems should focus on output level. As the situation moves from the initial response to later phases, it should be possible to track impact changes. At this point, an assessment should be made of the outcomes of the work undertaken so far, which may also need to incorporate new output indicators that are relevant to any new work that is starting.

Any monitoring system should look at both the quantity as well as the quality of the outputs and outcomes, including whether these are meeting the needs of affected populations, and children in particular, as articulated by them.

Abuse and exploitation is one of the most challenging areas for monitoring and evaluation. Selection of monitoring indicators for abuse and exploitation interventions in emergencies must therefore be very practical in terms of assessing what data can feasibly be collected with limited resources and without negative impact on children affected. As it is mostly not possible to monitor incidence or prevalence of abuse and exploitation, proxy indicators are instead developed to measure reporting, usage of services and quality of services (eg. speed with which children are seen, child friendliness, free access). It is also useful to include some qualitative monitoring



indicators which assess children and community views of safety from abuse and exploitation.

### **Indicators**

When thinking about what indicators to use, it is important to ask, '*How will this information be used?*' and '*Who will use it?*' If those two questions cannot be answered, then do not collect this information.

Indicators should be developed in conjunction with target populations, including children. This ensures that they are relevant and meaningful to them, and that their views are being taken seriously. At the very outset of an emergency this may not seem possible. However, if affected populations, including children's, views about the problems they face (through needs assessments) are being listened to, then these views should be reflected in the indicators.

In addition, staff that has direct contact with affected populations should be heavily involved in deciding which indicators to use (and especially so if target populations are not involved). They will have a more realistic sense of what is relevant and feasible, and involving them in the process will ensure their buy-in; they will understand why the data is going to be collected and, critically, they will know how to use it to improve their own work.

Suggestions for indicators on gender-based abuse and exploitation:

#### **Output level indicators**

- number of staff who have received training on child rights, exploitation and GBV prevention and responses
- number of peacekeepers and officials who received training on child rights, exploitation and GBV
- number of officials (eg. health workers, social workers, police-camp workers) trained on how to prevent and respond to child abuse, sexual abuse and GBV
- number of children affected by exploitation and GBV who receive support services
- number of awareness raising activities on GBV and exploitation
- number of girls who received training on basic GBV issues
- whether or not reporting mechanism is in place
- number of children who receive life skills training
- number of GBV focal points trained
- whether or not referral system is in place
- number of active community based services in place preventing and responding to sexual and gender-based violence (SGBV).

#### **Outcome level indicators**

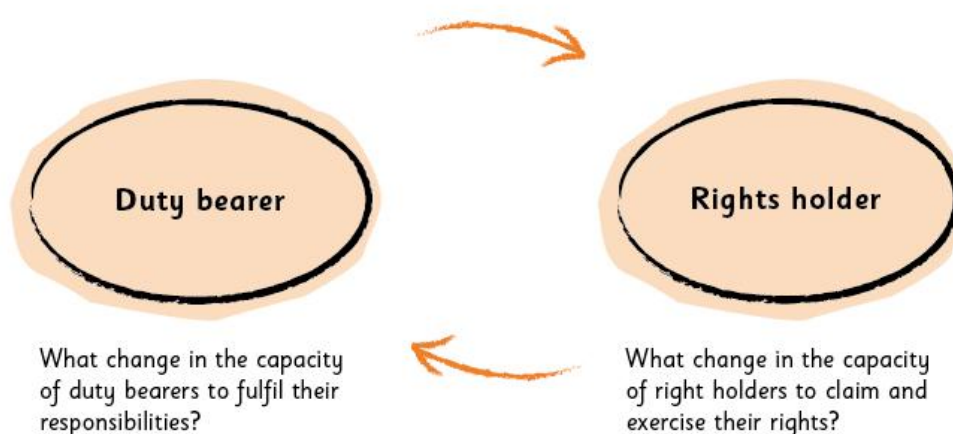
- Percentage of women and children who demonstrate basic knowledge of available local protection services and how to access them.
- Percentage of children who demonstrate increased knowledge of life skills and SGBV.
- Percentage of children and community who know where and how to formally report on exploitation and abuse.



- Percentage of children and community members who feel confident that punitive action will be taken against perpetrators of violence against children.
- Percentage of community leaders and group members that demonstrate basic understanding of SGBV (how to identify, what services are available and how to respond and refer).
- Views from children on whether GBV response services are child friendly.
- Percentage of health units that have documented and adopted a protocol for the clinical management of survival of SGBV.
- Number of health units that have clinical commodities for the clinical management of SGBV.
- Percentage of rape survivors in the emergency area who report to health facilities or health workers within 72 hours and receive appropriate medical care.
- Proportion of reported sexual exploitation and abuse incidents, in the emergency area, that resulted in prosecution and/or termination of humanitarian staff.
- Number of activities in the emergency area initiated by the community targeted at the prevention of and response to sexual violence.

Some indicators are more relevant in the initial phases of the response (eg. most output indicators) whereas others might not become relevant until later on in the response (eg. most outcome indicators). This has implications for when it would be appropriate to collect information about the different indicators. Remember to think carefully about how the information will be used, this should provide guidance in deciding what it would be appropriate to collect at different phases of the response.

It is imperative to remember that M&E plans in relation to abuse and exploitation retain a clear **rights-based** framework. Namely, ensuring that indicators being set track progress in enhancing the actions of duty bearers with respect to fulfilling rights and those rights holders to claiming these rights.



### Data collection

In order for data of good quality to be collected effectively a system is required with clearly delineated processes for how to do it. These should ideally be developed by the staff that will be collecting the data, since they are in the best position to know what

would work, and in addition, if they have developed the system and accompanying processes themselves they are more likely to know how to use them. It might seem like there is no time to develop these processes in a participatory manner, but it saves a lot of time in the long run, since experience shows that systems developed in this way are used efficiently from the outset, and most importantly, the resulting data actually gets used.

However, if this is not possible (for example, there are too many staff or there are other more urgent tasks they need to complete), then they will need to have the system and processes explained to them **in detail** and they will need to be supported to put the system and processes in place. This will not only require finances and time, but also someone to show them how to do it (clear guidance, but more importantly, training and accompaniment) and management authority to get it up and running and working.

Any system would need to include the following.

- Tools for data collection. For example, questionnaire; some form of standardisation of these across geographical areas.
- Reporting formats for data collected. For example, how to record answers from questionnaire; some form of standardisation of these across geographical areas.
- A database system for storing data (this should closely match the formats for data collection so it is easy to enter the data).
- A protocol for data collection and storage. For example, guidelines on how to do it, things to consider, things to avoid.
- A protocol for how information goes from the person collecting it to its final destination with clearly specified roles and responsibilities of all individuals involved (see example below). This is critical to the functioning of a monitoring system. Without it, data will get lost, be misreported or inaccurate or will arrive late, resulting in poor quality data that cannot be used, rendering the whole process meaningless.

An example of a selection of indicators that could be used for abuse and exploitation programming (child labour) are provided below.

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<b>Key question to be answered; output or outcome to be measured</b>	<b>Output or outcome level indicator</b>	<b>Data collection method</b>	<b>Frequency of data collection</b>
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Do children and the community understand the risks of child labour and children's rights with regard to child labour?	<p>Amount of training on risks of child labour conducted with children, communities and employers.</p> <p>Number and percentage of children, adults and employers who demonstrate increased knowledge and changed attitudes towards under-age or hazardous child labour.</p> <p>Percentage of working children supported by the agency who understand their rights to be protected from the worst forms of child labour and their legal position.</p>	Agency records  Focus group discussion (FGD), survey, post training test	Post training  Post test and then quarterly
Are working conditions improving?	<p>Number and percentage of child workers who report a reduction in abuse and exploitation in the workplace.</p> <p>Number and percentage of working children who report an improvement in working conditions.</p>	FGD, survey	Quarterly
How many children are working, in what types of work and why?	Number and percentage of children who are working, the type of work they are engaged in and the reason they are working.	FGD, survey	Quarterly

### Guidance on tracking change in capacity of civil society support for children's rights

The process of setting indicators and developing an M&E plan needs to incorporate all stakeholders in the fulfilment of children's right to protection. Communities have an obvious and active role. In many ways agencies may be assessing their responsiveness to protect children but perhaps more importantly, communities themselves will also be taking an active role to determine the progress being made for children.

Many programmes have put children at the centre of not only gathering the data and evaluating programmes, but also in setting meaningful indicators for their own wellbeing. In Ivory Coast, Save the Children UK asked children to become involved in drawing up a list of **wellbeing** indicators, that is, what kinds of areas of their lives should data be collected against to determine whether they were successfully reintegrated. This resulted in a broad range of questions in a survey which addressed all sorts of issues around social cohesion, community acceptance, sexual practice and economic independence. The results of surveys based on these indicators provide invaluable qualitative and quantitative feedback on how they feel reintegrated.

**Guidance on tracking work practices of humanitarian agencies living up to rights obligations in their own operating processes**

Agencies should also be held to account and monitored for their success in reaching the objectives set. It is important to consider that M&E is not only for the implementing agency in question. The community needs to be involved in setting indicators and collecting the data. But a further step must be taken: the results of monitoring and evaluation need to be shared widely with the community. By doing this agencies will enhance the degree to which they allow themselves to be held accountable to communities and children for the progress they have made.

**Training material for this topic**

For a generic exercise on monitoring and evaluation that can be adapted for this module, see **Foundation module 3** Programme design, **Section 5**.



## Endnotes

- 1** *Global estimates of health consequences due to violence against children*  
World Health Organisation, 2006  
Background paper to the *UN Secretary General's Study on violence against children*  
World Health Organisation, Geneva, based on estimates by Andrews G et al. 2004  
*Child sexual abuse* Ezzati M et al. 2004 chapter 23  
*Comparative quantification of health risks: global and regional burden of disease attributable to selected major risk factors Volume 2* World Health Organisation, Geneva pp 1851 to 1940  
and using UN population division data for the population under 18 years.
- 2** 'Changing a harmful social convention: female genital mutilation/cutting'  
*Innocenti Digest* UNICEF Innocenti Research Centre, UNICEF, Florence 2005
- 3** *The end of child labour: within reach. Global report* International Labour Organization, Geneva 2006
- 4** *A future without child labour. Global report* International Labour Organization, Geneva 2002
- 5** *Global summary of the legal status of corporal punishment of children* Global initiative to end all corporal punishment of children, 28 June 2006
- 6** *Nepal: killing with impunity* ASA 31/001/2005, Amnesty International Public 2005
- 7** 'Internal conflict destroys the lives of Nepal's children' *The Wire* AI volume 35 number 10  
AI index: NWS 21/010/2005, Amnesty International, November 2005
- 8** *United Nations Secretary General's Study on violence against children adapted for children and young people* UN 2006 p10
- 9** *Global child labour trends 2000 – 2004* International Labour Office, Geneva 2006 p14
- 10** *Child domestic workers: a handbook on good practice in programme interventions* Anti-slavery International, London 2005
- 11** *United Nations Secretary General's study on violence against children regional desk review: Latin America* 2005  
<http://www.violencestudy.org/r27>
- 12** Ibid.
- 13** In 2003 the International Labour Organization estimated that 1.2 million children are trafficked each year.
- 14** United Nations Office for the coordination of humanitarian affairs OCHA  
<http://ochaonline.un.org/News/SexualandGenderBasedViolence/AFrameworkforPreventionandResponse/tabid/4751/language/en-US/Default.aspx>
- 15** Particularly useful examples are:
  - *The refugee children: guidelines on protection and care* 1994,  
*The revised guidelines on prevention and response to sexual and GBV against refugees, returnees and internally displaced persons* 2003,  
and *IOM/FOM 83/97 on harmful traditional practices*





Endnotes

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- *Core commitments for children in emergencies 2005 and Emergency field handbook: a guide for UNICEF staff* UNICEF, 2005
  - *Guidelines on children and armed conflict* European Union
  - *Child protection in emergencies: priorities; principles and practices* International Save the Children Alliance, 2007
- 16** *Behaviour change communication in emergencies: a toolkit* UNICEF ROSA, Nepal 2006 p146
- 17** For further details, please see *A review of UNHCR'S women victims of violence project in Kenya* at:  
<http://www.unhcr.org/research/RESEARCH/3ae6bcfe4.pdf>
- 18** 'Child abuse and neglect by parents and other caregivers' Runyan D et al. *World report on violence and health* Krug EG et al. (editors), World Health Organisation, Geneva 2002 pp 59 to 86
- 19** 'The rates of child sexual abuse and its psychological consequences as revealed by a study among Palestinian University students' Haj-Yahi MM, Tamish S, *Child abuse and neglect*, 25(10): 1303–1327, 2001
- 20** *From perception to reality: a study on child protection in Somalia* UNICEF, Somalia 2003 chapter 3



## Further reading

- *Beyond firewood: fuel alternatives and protection strategies for displaced women and girls* Women's commission for refugee women and children, 2006
- *From camp to community: Liberia study on exploitation of children. Discussion paper* Save the Children UK 2006
- *Gender-based violence: care and protection of children in emergencies* Benjamin J and Murchison L, Save the Children US, 2003
- *Guidelines for gender-based violence interventions in humanitarian setting: focusing on prevention of and response to sexual violence in emergencies* IASC, 2005
- *Handbook for the protection of women and girls* UNHCR, 2006 (draft)
- *Masculinities: male roles and male involvement in the promotion of gender equality* Women's commission for refugee women and children, 2005
- *Protecting children from sexual exploitation and sexual violence in disaster and emergency situations – a guide for local and community-based organisations* Delaney S, ECPAT International, 2006 (Asia focus)
- *Reach out: a refugee protection training project. Optional module – gender-based violence (GBV)*, UNHCR 2005
- *Sexual and gender-based violence against refugees, returnees and IDPS: guidelines for prevention and response* UNHCR, 2003
- *Task force report on protection from sexual exploitation and abuse in humanitarian situations* IASC, 2002
- *Training manual on caring for survivors of sexual violence in conflict situations* UNICEF, 2004

### Children on the street

- *Easy targets: violence against children worldwide* Human Rights Watch 2001, chapter 9
- *Police training on child rights and child protection: lessons learned and manual* Consortium for street children, 2005, chapter 6
- *The human rights of street and working children: a practical manual for advocates* Byrne I, 1999

### Children's labour

- *Asylums of exploitation: internally displaced children in the worst forms of child labour due to the armed conflict in Nepal* Terre des Homes and Save the Children Alliance, 2006
- *Child labour practices among internally displaced people in Sri Lanka: a case study of Kalpitiya Peninsula* Hasbullah SH, 1999

### Trafficking

- *So does it mean that we have the rights?: Protecting the human rights of women and girls trafficked for forced prostitution in Kosovo* Amnesty International, 2004



Further reading

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**GBV and exploitation**

- *Addressing the needs of women affected by armed conflict: an ICRC guidance document* International Committee of the Red Cross, 2004
- *Checklist for action: prevention and response to GBV in displaced settings* Women's commission for refugee women and children, 2004
- *Displaced women and girls at risk: risk factors, protection solutions and resource tools* Women's commission for refugee women and children, 2006
- *From camp to community* Save the Children UK, 2006
- *Gender-based violence: care and protection of children in emergencies, a field guide* Save the Children US, 2004
- *Gender-based violence tools manual: for assessment and programme design, monitoring and evaluation in conflict-affected settings* Reproductive health response in conflict (RHRC) Consortium, 2003
- *Guidelines for gender-based violence interventions in humanitarian settings* Inter-agency Standing Committee, 2005
- *'If not now, when?' Addressing gender-based violence in refugee, internally displaced, and post conflict settings* Roque H, UN Chronicle, 2002
- *Sexual and gender-based violence against refugees, returnees and internally displaced persons: guidelines for prevention and response* UNHCR, 2003
- *Sexual violence against women and girls in war and its aftermath* UNIFEM, 2006
- *Sexual violence and exploitation: the experience of refugee children in Guinea, Liberia, and Sierra Leone* UNHCR and Save the Children UK, 2002
- *Women's bodies as a battleground* International Alert, 2005

**Physical violence**

- *Children in war information kit* ICRC, 2004
- *Nepal: children caught in the conflict* Amnesty International, 2005
- *UN Study on violence* UN, 2006

**Working children and exploitative child work**

There are numerous readings on this topic. The following is a small selection of some of the more recent and most useful writings.

- *Child abuse and neglect: cross-cultural perspectives* Korbin JE, University of California Press, Berkeley 1981  
(This is possibly the only book on child abuse and neglect which looks at the phenomena from the standpoint of many different cultures, but not specifically in relation to situations of armed conflict and forced migration. Chapter 11 Conclusions, offers a short and useful overview of the main findings.)
- *Children's perspectives on their working lives* Woodhead M, Stockholm 1998  
(A recent look at how work affects children based on participative research in six countries.)



Further reading

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- *Old enough to work, old enough to have a say: different approaches to supporting working children* Tolfree D, Stockholm 1998  
(A collection of case studies of different programme approaches with a discussion of the key issues to emerge from a comparative analysis of them.)
- *Street and working children: a guide to planning* Ennew J, Save the Children, London 1994  
(A useful guide to programme planning, with a strong emphasis on child participation. The fact that the book covers work with both street and working children is not always helpful in identifying the differences between the two groups.)
- *What works for working children* Boyden J, Ling B and Myers W, UNICEF, Florence and Stockholm 1998  
(A recent and comprehensive analysis of many of the key issues.)

Websites

- International Labour Organization  
(The ILO web page on child labour and the new convention.)  
<http://www.ilo.org/public/english/comp/child/standards/index.htm>
- Save the Children Sweden  
(This site contains various information on exploitation of children, and contains a link to the official site of the world congress against commercial sexual exploitation of children.)  
<http://www.rb.se/worldcongress/engcongressindex.htm>
- UNICEF  
(Useful information can be found through UNICEF homepage.)  
<http://www.unicef.org/>
- World Health Organisation  
(This website offers comprehensive documents on the concepts of exploitation and abuse.)  
[http://www.who.int/violence\\_injury\\_prevention/vaw/infopack.htm#The girl child](http://www.who.int/violence_injury_prevention/vaw/infopack.htm#The%20girl%20child)



## Guidance for training on critical issues

All Critical issue modules follow the same pattern of five topics.

- **Topic 1** The issue for children
- **Topic 2** The law and child rights
- **Topic 3** Assessment and situation analysis
- **Topic 4** Planning and implementation
- **Topic 5** Monitoring, evaluation and learning

Anyone facilitating a training or awareness-raising event on a specific critical issue should refer to the recommended **key learning objectives** below for each of these topics. With each of the sets of learning objectives is a suggested **sequence of information** to be followed when tackling the topic, in order to ensure that the learning objectives are achieved.

### **Topic 1** The issue for children

**Key learning objectives** that participants should be able to:

- describe why and how this critical issue impacts on the lives and rights of children in humanitarian settings
- be motivated to address these issues effectively.

#### **Sequence of information**

- 1** What this critical issue covers (might include definitions, different situations, manifestations, interpretations).
- 2** How it impacts on children (at different ages and stages; in different situations; considerations of gender and exclusion).
- 3** Why it is important to respond.

### **Topic 2** The law and child rights

**Key learning objectives** that participants should be able to:

- cite and justify relevant legal instruments and standards in relation to this critical issue
- identify key duty bearers in relation to the issues addressed in this module
- cite and respect key guiding principles in addressing these issues.

#### **Sequence of information**

- 1** Relevant legal instruments and standards.
- 2** Relationship between duty bearers and rights holders.
- 3** Guiding principles.



### Topic 3 Assessment and situation analysis

**Key learning objectives** that participants should be able to:

- describe why rights-based assessment and analysis are essential components of any programming in humanitarian environments
- develop a plan and process for assessment and/or analysis that is informed by rights-based principles and approaches; and which addresses the specific issues raised in a particular module
- identify challenges that they may face.

#### Sequence of information

- 1 Why assessment and analysis is essential
- 2 Difference between assessment and analysis and where each is appropriate
- 3 Core principles
- 4 Key tools
- 5 Challenges and opportunities
- 6 Plan for assessment and/or analysis

### Topic 4 Planning and implementation

**Key learning objectives** that participants should be able to:

- describe principles and approaches that should be part of any and all implementation strategies
- reflect on how these approaches should apply to the different implementation strategies that address the issues raised in a situation analysis
- make informed decisions about which of these strategies to prioritise and how to implement them effectively.

#### Sequence of information

- 1 Relevant guiding principles:  
Working to common goals  
Coordinated approach  
Participation and inclusion.
- 2 Prevention and implementation strategies:  
The three pillars  
Monitoring and reporting on progress in achieving children's rights.
- 3 Prioritisation and operational guidance



### **Topic 5** Monitoring, evaluation and learning

**Key learning objectives** that participants should be able to:

- describe overall (dimensions of) change to which all child rights-based programmes are working
- describe how interventions proposed in relation to this critical issue contribute to this process of change
- develop relevant indicators of progress at output and outcome levels
- use participatory and inclusive approaches in gathering and analysing indicators.

#### **Sequence of information**

- 1** Overview of dimensions of change to which all child rights-based programmes are working.
- 2** Clarity about relationship between impact, evaluation and monitoring processes and indicators required at each level.
- 3** Development of sample indicators for each level.
- 4** Guidance about appropriate and inclusive methodologies for M&E.

#### **Links to Foundation modules**

It is important to refer to relevant Foundation modules when gathering information to support activities in relation to individual topics. The links between Critical issue topics and Foundation modules are outlined below.

- **Topic 1** The issue for children  
**Foundation module 1** Understanding childhoods
- **Topic 2** The law and child rights  
**Foundation module 2** Child rights-based approaches  
**Foundation module 5** Advocacy
- **Topic 3** Assessment and situation analysis  
**Foundation module 3** Programme design  
**Foundation module 4** Participation and inclusion
- **Topic 4** Planning and implementation  
**Foundation module 4** Participation and inclusion  
**Foundation module 5** Advocacy  
**Foundation module 6** Community mobilisation  
**Foundation module 7** Psychosocial support
- **Topic 5** Monitoring, evaluation and learning  
**Foundation module 2** Child rights-based approaches  
**Foundation module 3** Programme design

For further guidance on developing and running training and awareness-raising events please refer to the **Training manual** and **Facilitator's toolkit** on the ARC resource pack CD-ROM.



**Planning guide**

Ideally anyone facilitating a training or awareness-raising event should work with a small planning group of resource people who have a good understanding of the local area and the targeted training group. They need to ensure that:

- they agree the best possible capacity-building intervention with the commissioning manager for the event
- they make rights **real** in any workshop, for example by building in field visits, showing relevant videos and DVDs, encouraging personal reflections and developing a workshop **bill of rights** with the participants
- they emphasise participation, inclusion and accountability at all stages.

The table below can be used when considering how best to present or enable participants to achieve the **key learning objectives** of each topic covered.

Sequence of information	Methodology eg. exercises, discussions	Comments eg. specific target groups

