



**STATEMENT BY THE SPECIAL REPRESENTATIVE OF THE SECRETARY GENERAL  
ON VIOLENCE AGAINST CHILDREN**

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**HUMAN RIGHTS COUNCIL**

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Mr. Chairperson  
Ladies and Gentlemen  
Dear Friends

It is a great pleasure to present before you my second report to the Human Rights Council, and to introduce the thematic report on child-sensitive counseling, complaint and reporting mechanisms, requested last year by the Council and jointly prepared with the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography.

I would like to start by thanking you all for the very fruitful collaboration developed over the past months, within UN fora and also at the regional and national levels. I feel invigorated by your renewed expression of commitment to safeguard children's freedom from violence everywhere and at all times, both as an ethical concern and a human rights imperative.

The past year was crucial to advance the process of follow-up to the recommendations of the UN Study on Violence against Children, to consolidate strategic partnerships within and beyond the UN system, and to secure firm support to my mandate and the establishment of my office.

Across regions, organizations and institutions, significant efforts were undertaken to raise awareness about the serious impact of violence on the enjoyment of children's rights, and to give visibility to this child rights violation in the public debate and in the policy agenda.

As noted by my annual report, significant legislative and policy measures were undertaken at the national level to protect children from violence, including through the adoption of legislation to ban all forms of violence, at times in the Constitution itself; through the promotion of national action plans to prevent and address violence; as well as through the consolidation of data and research to assess the magnitude and incidence of violence on children, to shed light on its root causes and to protect those at special risk.

Strategic initiatives have also been pursued to mainstream violence against children within the United Nations agenda. This is well illustrated by the adoption of a Global Plan of Action to Combat Trafficking in Persons and the endorsement of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labour, including sexual abuse and exploitation.

Most recently, the Committee on the Rights of the Child adopted a new General Comment on the Right of the Child to Freedom from all Forms of Violence which provides significant guidance for the implementation of relevant provisions of the Convention on the Rights of the Child.

Critical strides have equally been made by regional organizations and political groups, and by civil society and child led organizations in support of the implementation of the recommendations of the UN Study on Violence against Children.

During the past months, I have given a special attention to the institutionalization of regional governance structures and the development of regional strategies to prevent and address violence against children. This is an area where critical progress has been achieved. Firstly, significant political commitments have been undertaken in all regions towards violence prevention and response. Secondly, in many cases a high level monitoring mechanism has been set up to promote and assess progress in moving forward the recommendations of the UN Study. In some instances, a regional strategic plan, an analytical study or peer review process have been set in motion to capture change, build on good practices, and energize efforts to address remaining gaps.

These are positive developments we need to celebrate. But persisting challenges press us to move ahead with a renewed sense of urgency and impatience. Indeed, violence continues to hamper the life of millions of children around the world. As noted by the General Assembly, younger children are at special risk, having less ability to speak up and seek support, and also greater chances of suffering irreversible emotional and health damage. Hidden and socially accepted, violence against children remains confronted with passivity and indifference, and perceived as a needed form of discipline or a topic difficult to bring into the open. Violence is associated with fragmented and reactive interventions, generates weak reporting, and seldom moves beyond the periphery of the policy debate. As a result, children feel overwhelmed by fear, trauma, isolation, and helplessness.

Clearly, the imperative of safeguarding children's freedom from violence has not weakened and it is urgent to fast track the pace of progress made so far. For this reason, the second year of my mandate will be used to rally firm support and mobilize steady action to achieve progress in priority areas of concern and in critical dimensions of our shared agenda.

Firstly, I remain strongly committed to promoting progress towards the universal ratification by 2012 of the Optional Protocols to the Convention on the Rights of the Child. I feel very encouraged by the wide support the campaign has received from Member States, UN agencies and civil society organizations. Only nine months have elapsed since the launch of the campaign, but the fruits of this initiative are undeniable. The goal of universal ratification has been incorporated in the policy agenda of high level United Nations and has also led to the adherence to these treaties by a growing number of countries.

The Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography is now in force in 142 countries. This means that only 50 or so are missing. Many of these countries have committed to ratification and most of them are already parties to the ILO Convention on the Worst Forms of Child Labour, which includes legal obligations to protect children from sexual exploitation.

The goal of universal ratification is clearly within reach, and I count on your strong support to make it a reality soon.

Secondly, I will be promoting a global survey to assess progress in the prevention and elimination of all forms of violence against children. 2011 marks five years since the review of the Study by the General Assembly. It is therefore a strategic occasion to gain perspective on progress achieved, reflect on good practices and factors of success, and boost efforts to overcome persisting challenges and promote a paradigm shift in children's protection from violence.

The global survey is designed to capture this critical process of change. It will be launched within the next few months and will build upon regional and global developments and initiatives, including the UPR process in the Human Rights Council, the reporting process to the Committee on the Rights of the Child, and the follow up to the World Congresses against Sexual Exploitation of Children and Adolescents.

I look forward to collaborating closely with Member States, UN agencies, regional organizations, national independent human rights institutions, civil society and children's organizations in moving this process forward.

Thirdly, I will be placing a special emphasis on the prevention and elimination of violence in education and justice-related areas. As noted by the UN Study and confirmed by my many missions and meetings with key stakeholders, violence against children knows no geographic, social or cultural borders; it takes place in all settings, including where children are expected to benefit from special care and protection. To accelerate progress in some strategic areas, over the next few months I will give priority attention to the prevention and elimination of violence within education and justice related facilities. In support of this process and in close collaboration with a wide range of partners, I will be supporting regional initiatives and thematic expert consultations and reports.

Mr. Chairperson  
Ladies and Gentlemen  
Dear Friends

A year ago, the Human Rights Council invited the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography and I to develop a joint report on effective and child sensitive counseling, complaint and reporting mechanisms on incidents of violence, including sexual violence. The Council also urged States to ensure that such mechanisms are confidential, age-appropriate, gender-sensitive, disability-sensitive, safe, well publicized and accessible to all children.

Counseling, complaint and reporting mechanisms constitute critical remedies to address the breach of children's rights, including violence in all its forms. Their development is anchored in international human rights standards and, in view of their urgency, the Brazil Congress against the Sexual Exploitation of Children and Adolescents called on their establishment in all countries by 2013.

The need for safe, well-publicized, confidential and accessible mechanisms for children to report incidents of violence was also a serious area of concern addressed by the UN Study on Violence against Children. The Study

- ✓ recommended their establishment, including through telephone helplines which children can access to report abuse, speak to a trained counsellor in confidence, and ask for support and advice;
- ✓ it underscored the need to make all children, including those in care and justice institutions, aware of the existence of complaint mechanisms;
- ✓ and it recommended that in every locality and every setting there should be well-publicized and easily accessible services to investigate reports of violence against children.

Based on important information received from national governments and many other stakeholders, and research conducted on this question, our joint report provides an overview of existing counseling, complaint and reporting mechanisms, drawing attention to positive developments and also persisting challenges.

The report acknowledges efforts made in many countries by governments, national human rights institutions, civil society and also community-based organizations to promote counseling, and to enable complaints and reporting of incidents of violence, including sexual abuse and exploitation. At the same time, it also recognizes that these initiatives remain piecemeal and are not always developed specifically for children.

As a result, they are insufficient to secure children's protection from violence and fail to be envisaged as core components of a robust child protection system.

Counseling, reporting and complaint mechanisms are still too often unavailable or difficult to access, particularly by vulnerable children; and when established, they lack the needed resources and skills to address children's concerns and promote victims' healing and reintegration.

More often than not, children lack trust in these services, fearing they will be discarded rather than believed, judged rather than listened to. Children fear public exposure, stigmatization, harassment and reprisals if they make known incidents of violence.

In most cases, children are unaware of the existence and role of counseling, reporting or complaint mechanisms, they lack information about where to go and whom to call to benefit from advice and assistance, and to overcome trauma and re-shape their lives. Moreover, they feel uncertain as to whether and how impunity can be fought.

Challenges are particularly felt in the case of sexual exploitation and abuse. These child rights violations are deeply associated with stigma, shame and secrecy. This pattern is aggravated by the fact that these offences are often committed by people children trust and know— within institutions, in schools and also in the home.

Parents feel tempted to hide these incidents, believing to protect their children and to safeguard the image and unity of the family. Professionals lack the necessary training to identify early signals and address incidents of violence in an ethical, and gender and child sensitive manner; and they lack guidance as to whether and how they are expected to report, or whom to refer the case to. And when tackled, incidents of violence continue to be considered separately and subsequently by different professionals and through the lens of disconnected disciplines, creating renewed risks of re-victimization of the child and of jeopardizing children's safety and protection.

Dear Friends

This joint report is an important step to gain better understanding of a still largely unexplored universe, which remains nonetheless vital for the safeguard of children's right to freedom from violence.

With this in mind, the report distils a set of guiding principles derived from existing human rights standards, and puts forward practical recommendations to accelerate progress in making safe, child sensitive and effective mechanisms available for all children.

As a minimum, these mechanisms should be established by law, and with a well-defined mandate; they should be guided by the best interests of the child and informed by children's experience and perspectives; and they should be well-publicized and made accessible to all children, without discrimination of any kind. Furthermore, they must guarantee children's safety, ensure confidentiality and provide prompt and speedy response and follow up.

These critical requirements are indispensable to help children feel empowered and supported, as well as reassured that they will be listened to in an ethical and safe manner; their testimonies will not be disclosed or misused, and their protection will not be put at risk.

Distinguished Delegates

Dear Friends

The decision of the Human Rights Council to embark on this important joint report has opened avenues for a new stage in the protection of children from violence, including sexual abuse and exploitation. And the foundation provided by this report can have a far reaching impact on violence prevention and elimination in all countries of the world.

I am confident that the findings, recommendations and guiding principles of the report will become a valuable reference for the Council's strategic agenda, including the Universal Periodic Review process and the shaping of the annual thematic debates on the rights of the child.

I look forward to working closely with you in moving this process forward.