

# VIOLENCE AGAINST CHILDREN

## REGIONAL CONSULTATION SOUTH ASIA



United Nations Secretary-General's Study  
on Violence against Children

# VIOLENCE AGAINST CHILDREN SOUTH ASIA

This is one of a series of booklets reporting on the regional consultations organized to contribute to the United Nations Secretary-General's Study on Violence against Children.

In preparation for the meetings, all the regions researched the situation in their region and prepared a compilation and analysis of concluding observations by the Committee on the Rights of the Child to country reports submitted by States parties to the United Nations Convention on the Rights of the Child.

Governments and others also provided information on programmes and projects designed to prevent violence against children, protect them and support those who had fallen victim to it. Governments additionally completed a questionnaire designed to elicit information on the legal frameworks in place to protect children from violence and sanction those responsible for it. Public submissions were sought and input from civil society organizations taken into account. Also, a number of countries held national consultations to prepare for the regional meeting and in many cases the national groups put in place mechanisms to continue efforts to combat violence against children as the Study process continues.

All this preparatory work allowed a clearer picture to be gained not only of what already exists in the areas of protection of children, prevention of violence and support to victims, but also where gaps and challenges remain.

In each region, the participants in the consultation – including children and young people themselves – developed an outcome document that in most cases was both a statement of intent and also a practical indication of actions that need to be taken. In some regions, countries also developed specific national action plans that they undertook to implement as a matter of priority.

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The full reports of the consultations, the background materials prepared for the meetings including government's completed questionnaires, the statements of the children and young people and the outcome documents are available on the Study website: [www.violencestudy.org](http://www.violencestudy.org).

This report contains highlights of the regional consultations and summarizes the background information prepared. Sources and references are to be found in the original materials.

The designations employed and the presentation of the material in this publication do not imply the expression of any opinion whatsoever on the part of the UN Study Secretariat or the regional consultation partners concerning the legal status of any country, territory, city or area or its authorities, or concerning the delimitation of its frontiers or boundaries.

### The South Asia regional consultation

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“To replace children's tears with smiles” – this was the desire that motivated government ministers, children and young people, representatives of United Nations and non-governmental organizations (NGOs), experts, journalists and others who met in Islamabad, Pakistan, on 19 and 20 May 2005.

The children's tears would disappear only when violence against children in the region was brought to an end. All sorts of violence: from physical punishment meted out in the guise of discipline to organized trafficking into sexual exploitation; from female foeticide and infanticide to the violence of malnutrition and neglect; from the growing phenomenon of gang violence in the region's cities to the abuse of working children by the people who employ them.

Clearly this is an enormous challenge; step by step, however, the challenge has to be met. This meeting, therefore, had a number of practical tasks to complete: a review of the situation of violence against children in the South Asia region; analysis of the laws in place; an exchange of experience and good practice; and the development of recommendations for a plan outlining priority actions for the region.

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The children and young people from Afghanistan, Bangladesh, Bhutan, India, the Maldives, Nepal, Pakistan and Sri Lanka who participated in the regional consultation had prepared for it in a two-day meeting on 17 and 18 May. Their contribution was to be significant: no-one knows better than children the violence that they face in their daily lives. No-one understands better the impact violence has on their lives. No-one can see so clearly what must be done to end that violence.

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In her keynote address the First Lady of Pakistan, Begum Sehba Pervez Musharraf, called upon participants to support the children present in their endeavours to play a leading role in ridding society of exploitation and violence. She noted that no society or religion approves of violence against children and that, in this region where 48 per cent of the population is made up of children, more needs to be invested in their well-being.

The representative of the host government, H.E. Ms Zobaida Jalal, Minister for Social Welfare and Special Education, pointed out that ignorance and denial are among the reasons for violence and that the media have a role to play in making people aware of the rights that children have.

Those present at the meeting also heard from Professor Paulo Sérgio Pinheiro, the Independent Expert appointed by the United Nations Secretary-General to prepare the Study on Violence against children. Professor Pinheiro noted that violence is present in every country and cuts across boundaries of culture, class, ethnic origin and age. The growing use of the Internet has also broken down barriers not only for the good of children but also putting them at risk of those who abuse the Internet for cybercrime, including stalking children and distributing child pornography. Even in the face of new challenges, however, Professor Pinheiro reminded the meeting that much violence is absolutely preventable and that we should not wait until it occurs but act to prevent it.

The will to act was underscored by Mr Mohammed Naseer, Director Social Affairs of the Secretariat of the South Asian Association for Regional Cooperation (SAARC). He said that political commitment to ending violence against children was evident in the work done in the region to prepare two SAARC Conventions on Child Welfare and Prevention of Trafficking. These entered into force in September 2005 when Nepal, the last country to ratify, announced at the SAARC Summit held in Dhaka that it had completed ratification.

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A declaration prepared by the representatives of children and young people of the region brought the first day's formal presentations to an end. The 13 girls and 12 boys had focused their discussions on psychological punishment, gender-based violence and child sexual abuse, priorities that were also to dominate discussions during the regional consultation itself. They discussed the causes of violence and the nature of the violence that children face. They also shared some actions that children themselves were engaged in, and gave their recommendations:

- Adults should listen to children's suggestions on how to address violence against children and activate them;
- Governments must bring the laws concerning children in line with the UN Convention on the Rights of the Child (CRC) and make sure that they are strictly implemented;
- Task forces should be created all over the country to end violence;
- There should be regular consultations with parents and community leaders, and children's committees should be created and consulted;
- Child-related laws should be developed to stop violence against children;
- Parents, teachers, NGOs and children should be involved in programmes to address violence against children, and the community should bring pressure on government administrations to stop violence;
- Government should use existing governmental and NGO bodies to stop violence against children;
- Parents' awareness of the CRC should be raised by establishing a parents' association in the community so that they can raise their voices on violence against girls and boys;
- Parents should be more connected with their children – listen to them and see things from their point of view;
- The media should not use the names, pictures and addresses of children who have been abused;
- More child-friendly information and materials on violence against girls and boys, and preventing it, should be produced;
- Children who are part of children's clubs, task forces, child parliaments and child media groups should be trained on violence against children so that they can train more children to end violence;
- Children need to be informed of the responsibilities that come with rights so that they also do not abuse other children.

The children and young people also made recommendations relating to each of the specific issues they had discussed. These are included in the final section of this report.

### Violence against children in South Asia

One in every five people on this planet lives in South Asia. It is one of the most populous regions in the world. It is also one of the poorest. Nevertheless, there has been progress in the economies of most of the countries in the region. In many ways children in South Asia are better off than they were even five years ago: they are born healthier, are more likely to live to see their fifth birthday, have better access to education and have higher hopes than the generation that came before them.

Children in South Asia also benefit from the positive child-rearing traditions of the region: respect for parents and elders is strong and the exchange of ideas and transmission of wisdom between the generations remains important.

But the challenges facing South Asia are great. Nature has not been kind to this region. The 2004 Boxing Day tsunami wiped away towns and villages; earthquakes are frequent and deadly. Floods and cyclones threaten a number of the countries each year. The indicators of social development reflect these challenges, and 45 per cent of the population of South Asia lives on less than one dollar a day.

And yet, the biggest challenge facing the region may come from its people. Despite relative stability, a number of countries remain in the grip of politically or ethnically motivated armed struggles. Communist rebels continue to disrupt everyday life

in Nepal. The aftermath of war in Afghanistan has serious repercussions for the people of that country. And despite a ceasefire between the government and the Tamil Tigers, Sri Lanka is struggling to overcome the dislocation that years of conflict have caused. Relationships among many religious communities are based on mistrust. Civilians are the largest category of gun owners and boast more small arms than the police, the military and the insurgents together. This proliferation of weapons creates a general culture of violence and it is in this context that violence against children is too readily used and tolerated.

Children are abused and exploited regardless of their social class, their religion, and their ethnic origin. Reliable data is lacking on most forms of violence against children, though, and what does exist tends to relate

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to just one form of violence or one limited geographical area. Building up a picture of violence against children across the region is therefore difficult.

It is known that the highest numbers of child victims of violence in the region are those who suffer at the hands of parents and close relatives. Often this violence is in the guise of ‘discipline’. Children bear the physical scars of harsh treatment, including beatings and confinement or deprivation, but they also bear the psychological scars of violence inflicted by people they know and should be able to trust. Abusive families are protected by the common belief that what happens in the family home is ‘private’; as a result, no-one intervenes on the child’s behalf and the violence goes largely unreported.

Although the indications are that boys are more often the target of physical punishment, girls are singled out for violent treatment, beginning even before they are born, for the very fact that they are girls. Female foetuses are aborted because the preference is for sons. Girl children are neglected and sometimes allowed or helped to die. A number of traditional practices subject girls to various forms of abuse, including some quasi-religious traditions in which girls are introduced to a life of sexual servitude.

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The power relationship between parent/elder and child that flourishes in the home also occurs in the school environment. This has not been well documented, and private institutions such as *madrassas* and monasteries are particularly difficult to investigate. However children report that they suffer violent treatment at the hands of teachers and other educators, again most often as a form of ‘discipline’, but also more randomly. Only one country in the region, Sri Lanka, has laws banning corporal punishment in schools.

In the face of violence in the home and at school, children may simply run away and begin a life on the streets. There they face violence too. In many urban areas of the region, there has been an increase in gang violence, where both perpetrators and victims are adolescents and young adults. Gang rape is reported to be on the increase in some countries and often this has political or ethnic underpinnings.

But the options for a child who does not feel safe with the family or on the streets are not easy. Institutionalization is not necessarily the answer, although in the region it is too often proposed as the solution. As in other regions, there is anecdotal evidence that violence also occurs in the institutions that are set up to provide protection for

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children, but this is also difficult to document. Governments are reluctant to admit that the abuse of children in both state and private institutions does occur, and information is not systematically collected. Private institutions or organizations are often not registered or monitored. Children are sent to penal institutions because of shortcomings in juvenile justice legislation or procedures. These children, as others who find themselves in some sort of institutional care, are to some extent forgotten by governments, civil society, child welfare organizations and indeed the community at large. It is not surprising, therefore, that there is a real lack of programmes and lessons relating to how these children can be supported and protected.

The children of South Asia are also at risk of entering work prematurely for a number of reasons. It is common for families to send children to work in order to supplement the family income. School is often seen as not useful, especially by parents who did not go to school themselves, and sometimes school is just too far away, too expensive or not effective. Even where schooling is 'free', there are often hidden or other costs, including those imposed by underpaid teachers who supplement their own incomes by charging for school supplies or other services. Putting a child to work and depriving that child of the opportunities that education offers increases their vulnerability and deprives them of their rights.

What is certain is that working children are by definition at high risk of exploitation and violence. They are in a subservient situation and at the whim not only of employers but also co-workers. They generally have to do much the same work as adults, despite their physical and psychological immaturity. When they fail to perform as adults, they are frequently punished. This may take the form of physical violence, including beatings, being locked up, sometimes even being burned; or it may take the form of extreme psychological violence including being called bad names, being screamed at or otherwise humiliated.

Because many working children have not reached the legal minimum age for work, they tend to be found in informal sectors that are not regulated and are often on the fringes of the law. Children may be exploited in the worst forms of child labour including in prostitution, drug trafficking and in bonded labour. These children are at particularly high risk of violence not only because of the nature of the activity itself but also because they may be treated as criminals by society and as liabilities by those who employ them. Also in a particularly high-risk situation are the many thousands of girls and boys in the region who work as domestic helpers in the homes of third parties. Hidden behind the closed doors of the private home, these children are often treated



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less like children than like household equipment, devoid of rights and open to the worst forms of exploitation and violence.

Why does violence occur?

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Violence against children rarely happens as an isolated event. The seeds of violence most often take root in conditions that both promote violence and also tolerate it when it does occur. Within this general context, some children are more vulnerable to violence than others, and there are generally

trigger factors that give rise to the particular act or relationship of violence.

In South Asia, as in other parts of the world, violence against children happens in all social classes. The fact that a family is poor is not in itself a determining factor, although poverty often contributes to stresses on the family that increase a child's vulnerability to a number of abuses, including violence. Young, single, poor or unemployed parents are statistically more likely to resort to violent behaviour. Unrealistic expectations about child development, stress and social isolation have also been linked to abusive behaviour by parents. There is also a close link between domestic violence and child abuse. Perpetrators of violence against children may have a history of previous abuse, and low educational attainment and substance abuse may increase the likelihood of abusive behaviour.

In poor families, children may face discrimination and neglect, especially when food is scarce, and in such situations girls' welfare is often sacrificed because boys are seen as more valuable. Poverty, including the 'temporary poverty' that arises when an adult family member becomes sick or unemployed, or when natural disaster strikes or the family otherwise finds itself in crisis, makes all children but especially girl children, vulnerable to trafficking, commercial sexual exploitation, bonded labour or other exploitative labour. Girls in particular may be forced into early marriage, as the dowry for younger girls is likely to be lower in this region, and young girls who find themselves in an abusive marriage may nevertheless stay in it because they see no other choice.

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The strong patriarchal and hierarchical system based on unequal power structures in South Asia both allows and accepts the oppression of certain groups based on caste, class and ethnicity, but also gender and age. In this system, women and girls are lower in the hierarchy than men and boys; children are lower than adults. Pressures to conform to these hierarchical relationships mean that many men play out the role to demonstrate to other men that they can wield power over their wives and children. The same power structures come to play in non-family communities such as schools and religious groupings, where teachers or religious elders dominate children and female members of the community in general.

Additionally, South Asian societies believe firmly in the sanctity of the family and the privacy of family life. This is an expression of the individual's right to privacy and free choice but, when such attitudes override other fundamental rights, children are at increased risk of violence in the home. Neighbours and others will hesitate to report violence that they suspect or know may be happening in the home and, in any case, law enforcement officials will be reluctant to intervene. Most legal systems do not give automatic right of entry into a private home without a special warrant or in quite specific circumstances. In the privacy of the home, therefore, where the man is master, both women and children are vulnerable to violence and extreme 'discipline'.

Women and girl children are also vulnerable to maltreatment and indeed extreme forms of abuse in some cultural practices and the interpretation of religion. The notion of the female as temptress puts the onus of blame on her and is used to justify the actions of perpetrators. The presence of a woman can be seen as polluting and some religious communities consider women and girls as impure, especially during menstruation. Hindu and Muslim girls and women are not allowed to enter the temple or mosque at such times, and in some Hindu communities girls and women avoid visiting households with sick members for fear they will be blamed for the illness.

Despite progress in some countries of the region, South Asia remains largely gender unequal and insensitive. Although social development statistics suggest that in Sri Lanka and the Maldives girls and women are faring better than in the past, throughout the region the indicators show that life expectancy for women and girls is lower than in other parts of the world. The adult literacy rate of girls and women is only 64 per cent of that of men and boys, and compares unfavourably to a ratio of 82:100 for the world as a whole. Primary school enrolment for girls compared to boys is lower than in any other region and figures relating to contraception and birth attendance are poor.

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These factors underline the vulnerability of girls and women to discrimination and violence that is gender-related. This discrimination begins before their birth and continues throughout their life. Girls are at higher risk of infanticide. Their basic needs may be neglected, especially in times of family crisis. Girls find it harder to tap into the social capital and their mobility and health relationships with adults outside the family are limited. Social acceptance of the role and place of women, and at the very least condoning of their subservient status, allows gender-related violence to continue.

Girls are at greater risk, too, of sexual abuse and exploitation, although boys too are abused. In some parts of Pakistan and Afghanistan, sex with boys is considered less of an offence than sex with girls. In general across the region sexual abuse and exploitation go unreported because of the shame associated with them. Children themselves fear speaking out because they understand the stigma attached to the victim and because the social and penal systems often work in favour of the perpetrator. He may falsely accuse the abused child, or in some instances even offer marriage in order to legitimize his crime.

These extreme forms of violence and denial of children's rights are not generally condoned in the societies of South Asia, although they may be quietly tolerated because they are seen as too difficult to deal with. Physical punishment, on the other hand, is so pervasive in South Asia that until recently it was not considered worthy of attention. Many people refused to see corporal punishment as a form of violence and indeed a consensus on what constitutes violence against children is still lacking.

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Obedience by children is seen as an overarching imperative and elders are treated with the utmost respect. Punishment is accepted and sometimes preferred as a way of teaching children their place in this scheme, and obedience is imposed through physical violence in the home and at school. The belief that boys in particular need greater physical discipline to prepare them to take on the roles and responsibilities of manhood contributes to the acceptance of physical abuse and entrenched gender stereotypes.

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It is hardly surprising, therefore, that there is even less attention paid to emotional abuse or psychological violence of children. The impact on the child of humiliation, name-calling, taunts and threats is often ignored but can be severe. Anxiety, anger, vindictiveness, hopelessness, low self-esteem, sadness and depression can result and can prevent children from thriving, learning and developing.

Witnessing violence and discrimination by their parents, siblings and members of the extended family or caregivers can also be traumatic. Such trauma is in itself harmful but also increases children's vulnerability to violence.

### What is being done to stop violence against children?

All the governments in the region have made commitments to end violence against children by ratifying or signing international agreements that, among other things, relate to children's right to be protected from violence, to eliminate gender discrimination and end child labour.

The United Nations Convention on the Rights of the Child (CRC, 1990) contains a general prohibition against all forms of violence against children (Article 19[1]). The Convention on the Elimination of All Forms of Discrimination against Women (1979) requires States parties to take measures to eliminate gender discrimination and to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against women (Article 2). ILO Convention (1999) No.182 on the Worst Forms of Child Labour is aimed at the elimination of the worst forms of child labour and calls for immediate withdrawal of child victims of such forms and support to help them rebuild their lives free of exploitation. The ILO Minimum Age Convention (1973) No.138 further aims to ensure that no child below the national legal age for work should be in child labour.

All the countries of South Asia, except Afghanistan, have adopted the 1996 Stockholm Declaration and Agenda for Action against commercial sexual exploitation of children, through which they commit themselves to preventing sexual violence against children and to helping those children who are sexually exploited. Other international agreements also have relevance to commitments to end violence against children, including the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography, and

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the Protocol Supplementing the United Nations Convention against Transnational Organized Crime (the Palermo Protocol) which aims to Prevent, Suppress and Punish Trafficking in Persons.

Governments have also signalled their determination to end violence against children through a number of regional initiatives. All the countries of South Asia except Afghanistan meet under the umbrella of SAARC, which has identified women, children and youth as a key area of cooperation. The 2002 SAARC Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia calls upon States parties to: “ensure that their national laws protect the child from any form of discrimination, abuse, neglect, exploitation, torture or degrading treatment, trafficking and violence”. The Convention also includes provisions on child labour, birth registration and the minimum age for employment and marriage. SAARC has also adopted a convention against trafficking of women and children into prostitution.

In preparation for the 2<sup>nd</sup> World Congress against Commercial Sexual Exploitation of Children in Yokohama, Japan, in December 2001, the South Asian nations developed a regional strategy on sexual abuse and exploitation of children and then updated this in a regional review meeting held in Colombo, Sri Lanka, in September 2004. At that meeting, the eight South Asian countries present also developed national priority action plans and undertook to implement them as a matter of urgency.

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These various agreements and the process of regular meetings to review progress provide the framework in which national and regional actions can be planned, and signal governments’ determination to act. They give impetus to the review of laws in favour of child protection, and are a rallying point around which government departments, civil society

Often these international and regional agreements are translated into National Plans of Action (NPAs) that a country will use as a ‘blueprint’ for the work to be done. Developing NPAs often involves bringing together

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different groups, setting priorities and allocating responsibilities, as well as mobilizing necessary funding. NPAs may relate to children's welfare in general or to a specific sector of activity, such as child labour or sexual abuse and exploitation, or trafficking. NPAs are also frequently accompanied by the designation of a coordinating or responsible body, either a government ministry or a specially created Commission or Authority. NPAs are also often accompanied by training of the various agencies or individuals concerned and in many cases children and young people are involved in both the NPA development and the training.

The National Child Protection Authority (NCPA) in Sri Lanka is a unique example in the region of a government institution that has been successful in supporting legal reform, introducing new laws and coordinating actions among relevant offices. It has the authority to supervise and monitor all institutions providing care to children, and to secure the safety and protection of children involved in criminal proceedings. The NCPA has been working with a wide range of non-governmental groups and individuals and has sought to focus attention on the different forms that violence and abuse of children take in Sri Lanka.

All the countries in the region have laws that protect children from violence and abuse, either specifically or generally. Some countries have ensured that these laws are in line with international agreements, although not all of them have. A number of countries also have constitutional guarantees for the protection of children.

Children in South Asia are protected in law against early marriage, although violations are common and prosecutions rare. None of the countries of South Asia explicitly prohibits physical punishment in home or school, with the exception of Sri Lanka, where corporal punishment is banned although there are some loopholes in the legislation. Administrative directives prohibit physical punishment in Pakistan, Bhutan and some states of India. Capital punishment for children is illegal throughout the region.

While there are no separate laws relating to violence against children in the home, there are laws that specifically allow parents or guardians to 'moderately' hit a child as a measure of discipline.

Few countries in the region have mandatory reporting for child abuse cases. In Sri Lanka health professionals are required to report suspected cases of child abuse and neglect.

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In all countries, enforcing the laws that do exist remains a challenge. As a result, violence against children goes unpunished. There is much to be done to train and support law enforcement and judicial personnel to understand the key role they play in protecting children against violence.

Although there is clearly much to be done to raise awareness about children's right to live free of violence in all its forms, and to mobilize people to play their part in ensuring that right, awareness is growing and governments and civil society organizations, especially NGOs, in the region are responding in their own ways.

Governments in South Asia largely address the root causes of violence through targeted development projects. While health and nutrition programmes targeting the poor and marginalized are a good idea, the impact on violence against children will be limited if the power dynamics within homes, families, institutions, schools, workplaces and communities are not recognized and addressed.

The Government of the Islamic Transitional State of Afghanistan has declared its commitment to addressing violence against children by providing legislation, inter-ministerial cooperation, approval of a juvenile code and through implementation of an NPA. The government has acknowledged that there is a need to improve the implementation of existing legislation, that there are some gaps in the laws and that there is a need to improve available data on violence against children. For all this to happen, the capacity of those involved will have to be enhanced, funding will have to be found and cross-border cooperation will have to be improved. The main challenges, the government says, lie in reaching remote areas, improving security and enforcing the law, as well more generally in alleviating poverty, sharing information and changing attitudes to violence. In this respect, the engagement of religious leaders in appealing for an end to violence against children has been very successful.

A child welfare network is being established in Afghanistan and awareness-raising activities are under way. The government intends to set up recovery and reintegration services for children. This is all in the context of the aftermath of conflict which has led to the collapse of family support structures and the fact that violence is often hidden because of fear or shame.

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The People's Republic of Bangladesh held a national consultation on violence against children, which gave an opportunity for the issue to be thoroughly explored. The consultation concluded that one of the main areas to be addressed is the problem of child labour. Almost 8 million children between the ages of 5 and 17 work in Bangladesh. These children and their families are in difficult socio-economic situations and addressing their needs is not simple. The government has introduced programmes to tackle child labour as well as the related problems of children living on the streets and child trafficking. One important aim is to get children into school and ensure that they do not drop out.

The Royal Government of Bhutan reports that most incidents of violence in Bhutan occur among children in labour, disabled children and through corporal punishment and sexual abuse. In this small country, where the rights of children are closely linked to the Buddhist way of life, with strong traditions and customs and established support structures, there is increasing concern about reports of commercial sexual exploitation and cross-border trafficking of children.

In the Republic of India, an estimated 30 million children belong to families living in conditions of acute distress and deprivation. Violence against girls, child labour, children living on the streets, trafficking, violence in schools and violence in conflict situations have all been recognized in the country. These have been detailed in a recent report on violence against children in India, whose most important message was that there is an urgent need to change people's mindsets with regard to violence against children. Although there are frameworks and policies in place to tackle violence, implementation has lagged behind. Even with scarce resources much can be done, but social services need to be prioritized in the allocation of the national budget and it must be understood that spending on children is important.

The devastating effects of the 2004 tsunami have diverted resources and attention in the Republic of Maldives towards rebuilding the country, and a planned consultation on violence against children in 2005 was delayed. However there are a number of interventions in place to combat violence in the country, including legislative review and awareness raising. The main causes of violence against children in this country are reported to be strains on the family as a result of the island culture and high congestion.



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The nine-year conflict in Nepal has had an enormous impact on women and children. It is only recently that the problem of violence against children has been recognized as a problem in the country. The government is committed to addressing violence against children by implementing its NPA for Children, which is based on the CRC. There have been some significant efforts to work together with civil society and development partners and to take a multi-sectoral approach to the complex problem of violence.

In the Islamic Republic of Pakistan, there is an extended legal framework to combat violence against children, but practices such as early marriage, trafficking, honour killings, child labour, sexual abuse and corporal punishment still exist. The government has established reporting mechanisms and reviewed legal frameworks. There are plans for a national consultation in preparation of an NPA, and support has been given to NGOs to improve their expertise in raising awareness of violence, preventing violence and supporting the government in its efforts. A National Child Protection Centre and Child Welfare and Protection Bureau (Punjab) have been created.

The major challenges related to violence against children in the Democratic Socialist Republic of Sri Lanka have come in the wake of the 2004 tsunami and recent conflict. Both of these have caused extensive internal displacement. Children have also been caught up in military action, recruited for the armed forces, and have been exploited in prostitution and other worst forms of child labour. To address these challenges, there have been advocacy and media campaigns, legislative review, a deterrent approach to sex tourism and formation of the NCPA and District Child Protection Committees. There is still much to be done, however, to meet the challenge of prevention and early intervention, and to promote family unity.

### Violence in the home and family

Ignorance and denial of violence against children in the home and family is a reflection of societal beliefs in the region that adults know and do what is best for children and that the privacy of the family should not be intruded upon. This attitude has protected abusive families from the scrutiny of the state and society.

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It is true that the family should be a haven for children, a context in which they feel protected and loved. The truth is, however, that poor family relationships, hardship and loss of family members can turn the family into a harsh and unloving environment for children. The gradual weakening of the extended family and the support it provides exacerbates this.

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Children tell us that they are deeply affected by physical, psychological and sexual violence that happens in their home. They dislike being beaten, verbally abused and humiliated, and they fear forced marriage, restrictions on their movements, not being consulted on matters concerning them, and not being able to express their opinions. Research with children in Kabul, Afghanistan, revealed that, although the experience of war left children fearful, they said that they saw their family circumstances and the nature of relationships as the biggest challenge facing them as they grow up.

Social discrimination against girls, disabled and poor children is also damaging and profoundly disturbing. Gender-related violence against girls is common throughout the region. Of particularly serious concern is the growing incidence of foeticide. In India alone, between 3 and 5 million female foetuses are aborted every year. Infanticide is also well known. Neglect is the foremost cause of sickness, disability and death among children, especially girls, between the ages of 2 and 5. Girls are less well cared for, less well nourished and, when sick, are not so readily given access to health care. For all these reasons, in South Asia researchers document the phenomenon of ‘missing girls’.

Possibly because girls with disabilities are more likely to die young, the majority of disabled children in South Asia are boys. This is true in the cities as well as rural areas.

Early marriage is another challenge facing girls in the region specifically. To a large extent this is because families hope, by marrying off a daughter early, to protect their chastity and the family honour. There are well documented psychological, physical and sexual consequences of early marriage for the girl, but there are

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also serious concerns relating to the incidence and fall-out of mismatched marriages, including those where the age gap between the girl and husband is significant. There are also instances of young boys being married off to older women (sometimes the widow of an older brother) in order to keep the woman and her children within the family and avoid division of land and property. The problem of emotional incompatibility and the frustration and aggression that can result puts children at significant risk of violence. A significant number of those who die as a result of domestic violence are below the age of 18. In Bangladesh, women who are killed by their husbands account for 50 per cent of all murders, often linked to disputes over the dowry paid to the husband (although in both Bangladesh and India the practice of dowry is against the law).

With early marriage comes early sexual activity, which not only has psychological repercussions but can have a serious physical impact on a child who is too young for sexual activity. Early pregnancy, sexually transmitted infections and reproductive health problems, in addition to the very fact of being physically still a child, carry a high risk of maternal morbidity and mortality.

These same risks apply to children who face sexual violence at the hands of a family member or by someone known to them in the home environment. Although most abusers are men or boys, women are also known to sexually abuse children.

Families are generally silent on the subject of sexual abuse. The child is either not believed or not listened to, since the family's honour is at stake. The abuser profits from this and may turn the tables on the child, falsely accusing her/him. Apart from the trauma of abuse, the feeling of betrayal and helplessness that abused children suffer leaves them often unable to build relationships of trust and intimacy, essential for their healthy development.

***Both girls and boys are punished when they are considered to exceed the cultural barriers of conduct. Such physical punishment is seen as a way of disciplining the child.***

Both girls and boys are punished when they are considered to exceed the cultural barriers of conduct. Such physical punishment is seen as a way of disciplining the child. Boys are in many countries more likely to be punished than girls. Physical and

psychological punishment has been linked to increased likelihood of delinquent and anti-social behaviour. Children who have suffered physical punishment may also bully, lie, hit their parents and siblings, retaliate aggressively among their peers and not show remorse.

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These various forms of violence that a child may encounter in the home are known to result in children dropping out of school and/or escaping to life on the streets. There they are of course at great risk of violence of many kinds, including sexual exploitation.

Family violence above all other forms, perhaps, teaches children that violence is acceptable behaviour and a legitimate way of constructing a relationship. This is not a lesson that children should be learning.

### Violence in schools

Traditionally in South Asia, schools have centred more on the teacher than they have on the children. Children are seen as passive recipients of the knowledge the teacher has to impart. A child who does not listen or learn is punished, and this is seen as part of the ‘method of teaching’. The shortage of teachers in South Asia, and the fact that those who do teach are poorly trained and badly paid, means that in general alternative methods of teaching are rare and indeed alternative ways of maintaining discipline and order in the classroom are not known.

Children who are considered to be misbehaving in class are caned, or left outside the classroom for long periods. Physical punishment and humiliating treatment are to a large extent accepted by both children and adults. A survey in Afghanistan noted that 83 per cent of children interviewed said they had been slapped, kicked and caned at school. In Pakistan, corporal punishment prevails in more than 40 per cent of government schools and some 35 per cent of private schools. Children receive the same kind of treatment in religious institutions such as *madrassas* in Bangladesh and Pakistan, and monasteries in Bhutan, and at the hands of private tutors.

Children themselves may be the perpetrators of violence against other children in the school environment, particularly the violence that is inherent in sexual harassment. Girls may be teased or touched and often this kind of behaviour is simply dismissed as ‘part of growing up’. Although there is not much formal information on bullying

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in schools in this region, it is known that older and stronger children pick on children who are ‘different’ because of their gender, disability, race, ethnicity, religion, sect or caste.

Children face other forms of violence related to their school lives. Girls are at risk of sexual violence, in particular, when they have to walk long distances to get to school or when the school premises are not properly protected. Extreme cases have been reported of girls being abducted and trafficked.

Sexual abuse may be used as a form of punishment by teachers or as an extreme form of bullying by other children. There are large gaps in the information relating to sexual abuse in schools in South Asia, however, and most of the information collected on children who have been sexually abused does not report where the abuse took place.

There have, however, been some studies on specific cities or regions. Research in Nepal, for example, revealed that almost 14 per cent of the children (mostly girls but also boys) had been fondled over or under their clothes or kissed, and just under 15 per cent of these children had experienced this at school. In the same survey, of the 9 per cent of children who experienced more serious forms of sexual abuse such as oral sex and penetration, 17.5 per cent said that it took place at school.

Sexual abuse is also reported on university or college campuses. In India, 13.5 per cent of female students experienced rape, molestation and verbal harassment from male students and 4.8 per cent from university staff. Female students in Sri Lanka similarly reported ‘ragging’ that took a sexual form.

### Violence in institutions

Like homes and schools, institutions (care and justice systems) for children are meant to be places where they feel safe and that are set up specifically to protect them and their rights. Sadly, also like homes and schools, institutions are places where some children face violence. This is in part because of a general tolerance of violence against children in South Asia but often because the children who find themselves in institutions are sent there because they are seen to be on the fringes of society. Some of them live on the streets and are picked

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up under vagrancy laws and institutionalized. Some are poor and homeless. Some are in conflict with the law, awaiting charges or other judicial action. Some have been abandoned, are orphaned or destitute.

Governments in South Asia are reluctant to acknowledge violence in institutions because it is inflicted by agents of the state, such as security forces. Government reports therefore conflict with reports from independent bodies and, although some data are kept on children in the criminal justice system or in residential institutions, no data is available on violence against children in custody or care.

***Children from particular ethnic groups, religions or castes are particularly vulnerable to discrimination and may be targeted with vagrancy laws, preventive detention or public safety or ‘uncontrollable children’ legislation.***

Law enforcement officers in South Asian countries regularly use violence as standard policing practice. In India, Pakistan and Bangladesh there are reports that police use violence against children to obtain evidence and confessions. Children from particular ethnic groups, religions or castes are particularly vulnerable to discrimination and may be targeted with vagrancy laws, preventive detention or public safety or ‘uncontrollable children’ legislation. In India and Nepal, girls who have survived trafficking may be taken into ‘protective custody’ or secured institutions where they do not receive the support they need to recover from the trauma of trafficking.

Sexual abuse in penal and other institutions by security personnel, other staff and adult prisoners has been widely documented. Both boys and girls are abused. Children are also humiliated, isolated, deprived of food and family visits, all of which constitute psychological violence that has a long-term impact on children.

Worryingly, institutionalization is too readily resorted to. Studies of juvenile detainees in the region indicate that most are eligible for bail and are neither a danger to the public nor a threat to public order. Only a small percentage of the children in detention are ultimately convicted. The very low age of criminal responsibility across South Asia is an important factor in the large number of children detained. Afghanistan took the important step of raising the age of criminal responsibility when it introduced its new Juvenile Code in 2005. In Pakistan, in contrast, in the absence of legislation, a child of any age could in theory be held in detention. The absence of reliable birth registration systems also allows the police to justify detaining children by claiming that they are older than the statutory minimum age.

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### Violence against children in the community

Communities in South Asian countries are strong and stable, with firm hierarchies reflecting respect for age, religion and social class. Values are passed from old to young within the community and the social order is generally maintained. Conversely, the relationship among communities of different types is weak and communal and sectarian violence among them is commonplace. Power relations based on hierarchy and gender, caste, religion and ethnic group lead to discrimination, exclusion and violence.

***Communal violence keeps the community boundaries in place but can turn into organized violence with political and social objectives. In this inter-communal violence, millions of children have suffered.***

A single incident can be fuelled by memories of past events and long-held grudges. Communal violence keeps the community boundaries in place but can turn into organized violence with political and social objectives. In this inter-communal violence, millions of children have suffered. There are reports

of Dalit children in India and Nepal being publicly humiliated, paraded naked, beaten and raped by upper-caste Hindus because the Dalits, the lowest caste in the Hindu hierarchy, are seen as less than human by many communities, despite laws to the contrary. Police, village councils and government officials often support the caste system and many crimes go unreported. The ethnic divide between the Sinhalese and Tamils in Sri Lanka and between the Chakmas in the Chittagong Hill Tracts with the armed forces hailing from the plains in Bangladesh have caused full-scale communal violence. In almost all South Asian countries, there are cases of tribal people being steadily evicted from their lands by wealthy farmers and businessmen, and many are subjected to violence, sexual and labour exploitation.

As societies in South Asia feel the pressures of globalization and urbanization, there has been an increase in gang violence in the cities. The main victims and perpetrators are adolescent males and young men. Peer influence is strong and 'falling in with the wrong friends' is associated with violence in young people. There is also a link between violent behaviour and having friends who use drugs or are involved in armed gangs. Girls and boys living in high crime neighbourhoods are more likely to be involved in violent behaviour than those living elsewhere.

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Since the mid-1990s, also, there has been a proliferation of terrorist and criminal gangs and illicit firearms, weapons and explosive devices in the region. Nine in 10 of those killed in the street violence that ensues have been civilians; eight in 10 have been women and children. A high number of city children have been exposed to indirect community violence – they have witnessed stabbing, murder, physical assault or gang violence, or know a victim. Gang affiliation is a risk factor in vulnerability to violence, as is involvement in substance abuse and exposure to domestic violence. Alcohol abuse in some rural, tribal and urban communities is a serious problem and binge drinking around pay-day or on special occasions can degenerate into quarrels and violence.

Acid violence is a serious problem in Bangladesh and children may also be victims. Acid is thrown at the face or body of the victim with deliberate intent to burn and disfigure. Most of the victims are girls, many below the age of 18, who have rejected sexual advances or marriage proposals.

### Violence against children in workplaces

Children who work are more often than not from poor or socially marginalized homes. Because of the very fact that they are children, they are vulnerable to labour exploitation as well as other forms of abuse.

Although there are laws to regulate the minimum age at which working life can begin, many children start work well before this age and are deprived of the education that might help them to rise out of poverty. Because they are in an illegal working situation, they cannot demand the rights that would be theirs as workers: a fair wage, decent working conditions, social security and set hours and days of rest. Even children who have reached the legal age for work find it difficult to demand these labour rights in many countries, because as children they are seen as exploitable. By its very nature, some argue, early entry into work is a form of violence because of the exploitation and deprivation it entails and because of the risks it involves. For example, children may be expected to lift heavy weights far beyond their capacity, to work with toxic substances, to endure extreme heat and cold, to climb dizzy heights or enter confined spaces.



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***Employers physically punish children: they beat them, deprive them of food, may lock them in and take away their freedom, and sexually assault them.***

Beyond this, children are also at risk of physical and other forms of violence in the workplace, both from employers and co-workers. Although there are almost no data on this, it is widely reported in South Asia that employers physically punish children: they beat them, deprive them of food, may lock them in and take away their freedom, and sexually assault them. Often working children are also psychologically abused: they are shouted at when they are slow or do not do the work as fast or well as adults; they are called names and ridiculed. There are reports that children working in the informal sector in Bhutan are frequently physically abused, ostensibly to teach them discipline.

South Asia is also home to large numbers of children who are in bonded labour, forced to work to pay off family debts. Most of them work in agriculture, but many also work in silk production, making *beedi* (cigarettes), carpets, jewellery or other products. A report in the mid-1990s found that bonded child labours are frequently punished for arriving late, working slowly, making mistakes, talking to other workers or even for being ill.

India has the largest number of working children in the world. The 1991 census put at 11.28 million the number of children working; more recent estimates by the International Labour Organization (ILO) suggest the number is now nearer 23 million. In addition, there are almost 75 million children who do not go to school but who are not counted in these figures, and they may also be working. In Pakistan there are reports that children working in carpet and garment factories in the provinces face sexual violence. In the Maldives, a 2004 study found that child sexual abuse is a major problem facing children and young people in a number of settings, including the workplace.

The international community has identified some forms of child labour as ‘worst forms’ because of the immediate and severe risk to which they subject children. These worst forms include exploitation as child soldiers. In Afghanistan, Sri Lanka and Nepal, children are forcibly conscripted into combat. It is reported that more than a quarter of the rebel forces in Sri Lanka are made up of children. Children recruited as soldiers or indeed to perform other tasks for armed groups (for example cooking or as messengers) are often sexually abused.

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Although both boys and girls can be found in domestic service in the region, the hazards facing girls who work in the homes of third parties are particularly great. Boys and girls are taken into domestic labour as young as six years old and are obliged to perform work that is far beyond their capacity. Research suggests, however, that many boys move on to other forms of work as they get older, whereas girls tend to stay in domestic labour. As they mature, they are increasingly at risk of sexual harassment and abuse at the hands of the employer, family members or visitors to the household, as well as older domestic helpers. Children in domestic labour are also regularly subjected to harsh treatment: they are beaten, shouted at, deprived of food and sleep, and threatened with reprisals if they are not obedient or are too demanding.

Girls are also at risk of physical and especially sexual violence if they work in the service sector: in bars, cafes, or as shop assistants. The employer/worker or client/service-provider relationships are more examples of the power dynamics that put children at the mercy of violent behaviour. There

***Children in domestic labour are regularly subjected to harsh treatment: they are beaten, shouted at, deprived of food and sleep, and threatened with reprisals if they are not obedient or are too demanding.***

are numerous reports in the region of girls (and also some boys) being trafficked out of labour exploitation at home into commercial sexual exploitation in other countries or in other districts of their own country. Of the estimated 900,000 sex workers in India, 30 per cent are reported to be girls below the age of 18.

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### Actions to end violence and protect children

Actions to end violence and protect children begin with developing a solid platform for action that is based on international agreements, national plans and a legislative framework that has children at its heart. These provide a context and a structure in which government and civil society can work together with children and their families and on which common understanding and commitment can be built.

One good example of this is the Integrated Child Development Services (ICDS) initiative in India. This early childhood and development programme reaches out to almost 5 million expectant and nursing mothers and some 23 million children under the age of six. Its focus is child survival and growth but it also provides a framework in which work is now beginning to protect children against violence.

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Reaching out to the family is otherwise a very sensitive issue for NGOs and others working on behalf of children. In recent years a number of groups in the region have undertaken research, training and lobbying aimed at addressing sexual abuse within the context of the family but work is only now beginning on the problem of family violence more generally.

A number of programmes address violence by attempting to empower children, building their self-esteem and providing them with information and options so that they know where to seek support. Other programmes empower and mobilize various groups to protect and support children: parents, teachers, care-givers and government employees. They are trained both to intervene to protect children and also to report and deal with cases of abuse. In Nepal, for example, para-legal committees have been established, and they raise community awareness and strengthen the links between community and district authorities.

The NCPA in Sri Lanka is actively working on the issue of violence against children in the home. It has produced booklets and guidelines on corporal punishment of children, focusing on the effects of violence on children, and with suggestions on how a parent, teacher or other carer can deal with anger and discipline.

One important outcome of increased awareness of the problem of violence against children in the region is that more men are becoming involved in projects and programmes addressing the issue. They are best placed to speak directly to other men and to introduce subjects such as gender and violence, masculinity and attitudes and behaviours that result in violence. Two NGOs in India – Adithi and Prerana – work with adolescent boys and men to improve their understanding of children's rights, violence, gender discrimination and reproductive health. They have found that attitudes towards girls and women have changed for the better.

Violence in schools is addressed in a number of countries in the region – currently India, Nepal and Pakistan -- through the 'child-friendly schools' approach. This aims not only to improve the quality of teaching (and thus reduce the number of children dropping out of school) but also to curb the use of physical punishment by teachers. In Sri Lanka social workers are recruited and trained to help students deal with problems affecting their studies and at the same time to provide information about children's rights among school children, teachers and parents.

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A number of important programmes run and staffed by children themselves aim to mobilize other young people to protect children, report abuse and provide support. Children's clubs and community surveillance systems against trafficking have been piloted in Nepal and there are similar initiatives in Pakistan and Bangladesh. In Pakistan, Sri Lanka and the Maldives, girl guides associations have been effective in promoting peer learning and understanding of sexual abuse and other forms of violence.

Throughout the region, programmes have been put in place to ensure support services and referral of children who have been affected by violence, although these do not yet cover all children who may need them. Emergency helpline services now exist in India and Pakistan, and there are some shelter and transit homes for children who have been sexually abused or trafficked. Medical care, legal services, counselling and vocational training are also among the services provided to children whose lives have been interrupted and who must begin rebuilding. Although these services can be improved and made accessible to more children, they provide a good model of the sort of multi-sectoral approach that must be taken to children who have been abused.

Until recently not much attention had been paid to the situation of children in institutions. To date the most frequent action taken is to attempt to introduce a check of systems governing children in institutions. In Sri Lanka, the NCPA has been entrusted with statutory power to supervise all religious and charitable institutions providing care to children, to monitor children's care organizations and to secure the safety of children involved in criminal investigations and proceedings. Sri Lanka has also established children and women's desks in police stations and national-level bureaux for the prevention of child abuse within the police force. Nepal has also recently established a similar women's police unit and has identified 20 police officers as Juvenile Justice Officers to deal with children. Through a Central Child Welfare Board, Nepal has established a licensing scheme to regulate and monitor institutional care systems for children and is establishing minimum standards for the care of children in institutions, in collaboration with UNICEF and the ILO.

In India, special units in police stations investigate cases of violence against women and children and a Unit for the Rights of the Child (URC) provides counselling services to address the problem of gender-based violence in the Maldives. The URC also provides a counselling service for juvenile sex offenders.

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A community-based child protection programme in Afghanistan works to raise awareness of violence against children, including physical punishment, trafficking, early marriage and gender-based violence in the community. Teachers have been trained to understand children's rights and people from the community have been mobilized to monitor, police and intervene in cases of violence within the community. They have been trained to mediate to resolve conflicts.

NGOs, especially in India, Bangladesh, Pakistan and Nepal, have been monitoring and assessing the situation of children in the workplace and holding governments accountable for the well-being and development of these children. In some instances they have used public interest litigation to bring child labour issues to the attention of the courts and have compelled the state to become more responsible for children's rights. International NGOs such as Rugmark have helped to monitor child abuse cases in factories in Nepal and Pakistan and have used the structure of the marketplace to put pressure on manufacturers to improve conditions and move towards eliminating the use of under-age labour.

It is clear, however, that the issue of violence against children is only just beginning to focus the attention of governments and NGOs in South Asia. While a number of existing projects and programmes aim generally to reduce children's vulnerability and support children in need, specific violence reduction programmes and initiatives aimed at protecting children from violence in its most extreme forms are still few on the ground.

### Gaps and challenges

One of the most important challenges facing all those who wish to see violence against children in South Asia come to an end is changing the attitudes and behaviour of those who think that it can be justified or that it is a valid means of imposing discipline or securing obedience.

Throughout the region violence is accepted but also some forms of violence, such as sexual violence, are ignored. Many children suffer in silence and learn in their turn that violence has its place in relationships.

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Changing public attitudes and behaviour must begin with clear signals from government and authorities at all levels that violence against children is not acceptable. There is an urgent need to introduce legal provisions prohibiting physical/corporal and psychological punishment of children (as in Nepal, where punishment was recently prohibited by order of the Supreme Court). Other laws also need to be revised or introduced. For example, only Sri Lanka and Nepal have specific laws against incest and throughout the region rape laws do not protect girls above a certain age from marital rape. In the penal codes of India, Bangladesh and Pakistan, rape laws do not protect boys.

***Throughout the region violence is accepted but also some forms of violence, such as sexual violence, are ignored. Many children suffer in silence and learn in their turn that violence has its place in relationships.***

A legal framework for protection of children also needs to be supported by reliable and comprehensive data. Studies must show more regularly the different forms of violence that children face, and the age, sex and situations of the children involved, so that a clear picture of the nature of the problem can be drawn.

Even where laws exist, enforcement of them needs priority attention. This is particularly true of enforcing laws in the family/private home. There are few child-friendly mechanisms in place to allow children to seek help and lodge complaints.

Across the region, too, there is a marked need for more support services for children who have suffered violence. There is also an urgent need for trained staff, equipped to deal with the trauma the children have experienced and able to work within a context of rehabilitation and rebuilding.

All these initiatives require appropriate funding within national budgets. National and international donors, including international NGOs, also need to coordinate their support and put violence against children on their agendas.

***The people who have a duty of care to children must be trained to take that responsibility seriously.***

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The people who have a duty of care to children must be trained to take that responsibility seriously. Teachers, parents and community members need to understand what violence is and the level at which it occurs and recognize that the home, the school and the community are not necessarily places of protection.

The same is true of juvenile justice systems throughout the region. Despite improvements in the legal framework prohibiting violence against children in custody or care, the police continue to detain children and do not follow procedures. They, too, need to be retrained to understand their responsibilities with regard to children and the special protections that children enjoy by the very fact of being children.

Few countries have child-specific courts or juvenile remand facilities. Suitable accommodation for children as required by law is virtually non-existent. While the true levels of violence against children in the care of the state or its agents remain unclear, moreover, it will be difficult to illustrate the problem and the urgency of solving it. Records on injury and death in care are currently not kept, complaints procedures are often compromised, the access of monitors is restricted and prosecution of officials is rare.

There is clearly an economic dimension to communal, sectarian and gang violence in South Asia. Addressing unemployment and poverty in general will underpin specific actions both to reduce community violence and to sanction it where it occurs. The same is true of sexual exploitation of children, which has its roots in poverty, ignorance and tolerated immorality. This must be targeted specifically, and cannot be reduced through general actions under the broad banner of children's rights.

***It is common to see children working alongside their parents, but the nature of that work goes far beyond giving a helping hand to the family – children are both exploited and abused in work.***

– children are both exploited and abused in work. Although there have been some positive initiatives to combat labour in some sectors, the vast agricultural sector of South Asia is largely ignored and yet most child labourers are to be found there. Disconcertingly, there are signs that, despite international commitments and some action at framework level, some governments in the region are lukewarm about tackling child labour.

The values inherent in South Asian societies not only result in denial of sexual abuse and exploitation of children but also tolerate exploitation through labour. It is common to see children working alongside their parents, but the nature of that work goes far beyond giving a helping hand to the family

Violence against children in South Asia is an enormous challenge and will not be solved overnight. Some progress has been made in reviewing laws and putting in place some of the mechanisms needed to investigate and act against violence. It is also clear, however, that there is a real lack of tried and tested programmes to address violence specifically and a shortage of expertise and experience in this area.

### Recommendations and next steps

The regional consultation on violence against children in South Asia is an important contribution to the UN Secretary-General's Study on Violence against Children. The government questionnaires and background work to prepare the meeting are in themselves valuable inputs. The consultation process and the recommendations that resulted from both the consultation and from the children and young people's deliberations will feed into the Study and also serve as a checklist for future initiatives at regional level.

Each of the countries participating also left the meeting with an action plan outlining the most immediate steps they should take to address the problem. These plans were developed by government representatives, NGOs, UN agencies and others present from each country. The plans are wide-ranging; they identify specific groups that have not yet been sufficiently mobilized in efforts to address violence against children, such as the media, as well as the need, for example, to fast-track efforts to get all children into school. Importantly, they acknowledge the urgent need to change attitudes and behaviours that tolerate and even promote violence against children – a difficult challenge that has however begun with government recognition of the problem.

H.E. Ms Zobaida Jalal, Minister for Social Welfare and Special Education of Pakistan, called for the establishment of a 'South Asia Forum that would enable the region to stand together in efforts to thematically strategize and effectively implement measures to end violence against children'. Since the meeting steps have already been taken to put this in place, and Pakistan has offered to host the Forum for the first two years.

In his closing words, H.E. Shaukat Aziz, Prime Minister of Pakistan, reminded participants that children are the most vulnerable group in society and education is the best way of changing mindsets. He emphasized the need for urgent and effective national and international action.



### RECOMMENDATIONS FROM SOUTH ASIA FOR THE UN SECRETARY-GENERAL'S STUDY ON VIOLENCE AGAINST CHILDREN

#### **Violence in the home**

##### ***Gender-based violence***

- Conduct awareness raising campaigns and education programmes through strengthened formal and non-formal education on rights issues to change attitude at home and break the cycle of inter-generational violence;
- Implement policies and programmes to discourage the system of dowry and establish community support system for the protection of married girls;
- Increase awareness of boys and girls about sexuality and provide psychosocial support through rehabilitation homes for girls subject to sexual violence and other kinds of violence;
- Conduct legal audit in selected areas e.g. inheritance, divorce, marriage to identify and address male bias through a participatory and educative process, involving the community and policy makers;
- Establish programmes to break the culture of silence through help lines and involvement of neighbours and relatives and establish community based councils to deal with home based violence, balancing responsibility in addressing gender based violence between state and family;
- Conduct research on identifying the root causes of home-based violence and promote responsible and gender sensitive reporting by the media.

##### ***Child sexual abuse***

- Review existing laws against child sexual abuse for boys and girls (with focus on family) at a regional level, including customary laws and systems for implementation;
- Strengthen and build capacity of parents' associations, mother and father groups, on parenting techniques and work with older sisters, brothers, and friends for child protection at family level. Work with men and boys on prevention of child sexual abuse and gender-based discrimination;

- Strengthen and build capacity of children’s task forces/groups against child sexual abuse including awareness raising, prevention and action using peer-to-peer techniques and child-friendly methods;
- Regular qualitative and quantitative data collection of child sexual abuse in family and other settings for advocacy and strategizing mechanisms for protection and prevention of child sexual abuse.

### ***Physical and psychological punishment***

- Harmonize national laws on violence against children with the CRC and develop specific and clear laws which urgently, explicitly prohibit all violence against children in the family and other settings, and establish child-friendly protection services to enforce and implement this legislation;
- Repeal any existing defences that can be used to justify physical and psychological punishment;
- Strengthen existing social safety nets and structures that provide services to children and the existing family and community support mechanisms that protect children;
- Undertake awareness raising and capacity building on the rights of the child for law enforcement officials, educational professionals, health professionals, faith leaders and community elders;
- Provide the community (parents, teachers, faith leaders, other professionals) with information and training on non-violent child rearing alternatives and techniques of positive discipline;
- Establish a database and carry out research on prevalence studies and on the effectiveness of child protection services.

### **Violence in schools**

#### ***Gender-based violence***

- Undertake legal reform and revision of penal code to include sexual harassment and sexual attacks in schools and ban all forms of corporal punishment;
- Include gender violence in education conferences, teacher training and in head teacher manuals and provide comprehensive school counselling and guidance programmes, involving teachers, students and parents;
- Include gender equity promotion and equal participation as part of the curriculum and child-friendly schools, as well as life skills education- saying ‘no’ to adults;

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- Provide home-based and community-based recovery services (by NGOs, civil society and government);
- Provide games for girls, sports for boys, and peer clubs, child-to-child programmes;
- Collect baseline data and annual reports on gender-related incidents; monitor through CRC bodies.

### *Child sexual abuse*

- Include CRC in teacher training curricula as well as action against child sexual abuse and life-skills (including sexual health issues, gender relations, masculinities);
- Establish child protection policies in schools, develop a monitoring mechanism and involve children in developing action to address child sexual abuse, through child clubs, child-to-child programmes, and peer counsellors.

### *Physical and psychological punishment*

- Pass and implement laws banning corporal punishment and promote child participation in parliaments;
- Increase budget allocations on education;
- Include training on positive discipline methods in teacher curricula and address the causes of violent behaviour of teachers and students;
- Re-align methodologies and structures based on a national cultural basis; link systems between policies and children;
- Involve parent-teacher associations, increase child and youth forums' participation in setting school rules and provide or expand counselling services/social work in schools;
- Provide child-friendly learning (including life-skills programmes) and learning spaces and address congestion in schools;
- Carry out research and monitoring on attendance and drop-out rates.

### **Violence in institutions**

#### *Gender-based violence*

- Ensure that proper infrastructure is put in place to make laws, policies and programmes functional by 2010;
- Provide more financial allocation and improvement in norms, scaling up effective practices;

## VIOLENCE AGAINST CHILDREN – SOUTH ASIA

- Create state, civil society, family, national commissions for women and children;
- Increase gender mainstreaming and gender-sensitive training at all government levels and support attitudinal change in institutions;
- Promote research on and strong monitoring of gender-based violence.

### *Child sexual abuse*

- Improve/establish child-friendly adolescent health care systems/departments/wards in hospitals and set appropriate minimum standards of professional care;
- Establish separate ‘institutions’ for rehabilitation of children in conflict with the law including community-based structures and provide child-friendly legal aid schemes for children;
- Train government officials at the local and district level on the CRC and action against child sexual abuse;
- Register all childcare institutions and ensure they are monitored by independent bodies.

### *Physical and psychological punishment*

- Actively and responsively review laws to address gaps between present laws and the CRC and other human rights instruments and provide effective implementation and monitoring so that impunity ends;
- Divert children to other services rather than criminalizing them by putting them in the juvenile justice system;
- Increase awareness about CRC and reporting mechanisms such as helplines and other service provisions that provide ways to report violence;
- Provide protection and training on child friendliness and approachability in all institutions to sensitize people who work to help victims of abuse;
- Focus on victims in counselling and protect them from stigmatization, while also keeping track of perpetrators;
- Have independent research and monitoring bodies for research and dissemination on effective practices and regular monitoring, and provide an ombudsmen as deterrence and to monitor abuse;
- Increase networking between all levels of government down to grassroots and strengthen judiciary to be active and responsive.

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### **Violence in the community**

#### ***Gender-based violence***

- Reform laws and legal procedures on violence against girls through a participatory and educative process;
- Strengthen institutional and organizational frameworks at the community level;
- Close the gap between the community and government through establishment of child friendly courts, children's desks at police stations, social department centres, village committees;
- Engage positively and constructively with religious bodies to induce a revolution from within.

#### ***Child sexual abuse***

- Develop specific laws to address child sexual abuse beyond rape and incest to also include sexual harassment, etc., establish fast-track child-friendly courts for all children's cases and a witness protection system for children;
- Involve civil society members, especially religious leaders, community leaders and political leaders in programmes to address child sexual abuse and encourage UN and bilateral/development agencies for the development of awareness and advocacy material targeting all stakeholders, including professional and civil society members;
- Support children's collectives/organizations and other community-based monitoring systems to monitor violation against children and the means to address this.

#### ***Physical and psychological punishment***

- Reform adoption procedures, harmonize national laws with the CRC and establish child-friendly procedural laws, legally define punishment and violence, and establish criminal liability of the community;
- Public litigation in child protection and prevention of violence against children needs to be seen as an advocacy tool as well as a means to deter perpetrators;
- Provide strong information and human rights education campaigns for judiciary and police;
- Promote structures like the Child Welfare Commission in Afghanistan and the National Child Protection Authority in Sri Lanka as well as capacity building for people working with children, across the region;

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- Awareness raising on prevention through public information campaign, training of teachers, parents, etc. including addressing some of the larger problems such as impact of media, substance abuse, globalization;
- Monitoring mechanisms and baseline data are required to support advocacy, as well as increased attention on disabled children and on HIV/AIDS and discrimination;
- Reporting mechanisms should be child friendly and children should be part of existing programmes on rehabilitation and (medical) recovery.

### *Prevention*

- Introduce child-friendly school curricula;
- Child protection issues must be integrated at the ‘panchayat’ level or other decentralized levels;
- Enforce compulsory birth registration and registration of marriages.

### *Areas of research*

- On impact of media, effect of alcoholism, displacement, migration, impact of disasters on children and situations of stress that increase children’s vulnerability to all forms of violence.

### **Violence in the workplace**

#### *Gender-based violence*

- States should provide legal safeguards for children’s rights to protection from violence;
- Child labour should be addressed as a labour issue and employers should be made aware of violence against children in workplaces and be trained in non-violent ways of supervising children’s work;
- Posters and other awareness-raising material highlighting violence in workplaces and rights of the child labourer should be placed in workplaces, and opportunities for education and vocational training should be provided to working children;
- Collect data on child labourers, their conditions and threats to their well-being to inform policy and reform measures.

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### *Child sexual abuse*

- Review national and regional child labour laws to address violence and sexual abuse in the workplace, including child domestic labour.

### *Physical and psychological punishment*

- Children should not be in the workplace-but, if necessary, should have reached the legal minimum working age;
- Define hazardous work that children cannot do, in line with international standards;
- Have alternative places where children can stay while parents work.

### *Cross-cutting recommendations*

- Accountability and monitoring of implementation of laws;
- Develop and allocate resources for infrastructures to support the implementation of the legislation (such as improving the health services – including mental health services, transition homes, legal aid to children, birth registration programmes etc);
- Capacity building of all stakeholders of the judicial process, (including juvenile justice system, etc);
- Improve coordination and networks among all organisations within the region working on child rights and influence them to address child sexual abuse;
- Legal awareness and capacity building amongst people using people-/child-friendly information/material in local languages; make media a partner in addressing and advocating prevention of child sexual abuse;
- Support children's initiatives and groups on awareness raising and child-centred advocacy and produce child-friendly and age-specific material in country-specific languages;
- Appoint an ombudsperson for children.







