

# VIOLENCE AGAINST CHILDREN

## REGIONAL CONSULTATION EAST ASIA AND THE PACIFIC



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

## VIOLENCE AGAINST CHILDREN IN THE COUNTRIES OF EAST ASIA AND THE PACIFIC

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 Party 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 East Asia and Pacific regional consultation

The East Asia and Pacific Regional Consultation on Violence against Children, which was held in Bangkok, Thailand, from 14 to 16 June 2005, aimed 'to address and clarify complex problems and to develop relevant and timely recommendations that deserve and require the continued attention of decision makers, service providers and advocates'. It brought together government representatives, United Nations agencies, 26 children and young people from 12 countries, non-governmental organizations (NGOs) and experts and practitioners.

Their task was to throw light on both the problem of violence against children in the countries of East Asia and the Pacific and on actions taken to counter it. On the basis of the three days of discussion, also, they would develop recommendations to feed into the United Nations Secretary-General's Study on Violence against Children, which will draw upon the outcomes of the nine regional meetings that took place through 2005, and which will be finalized in 2006.

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To prepare for the consultation, a Regional Steering Committee made up of representatives from 12 regional organizations was established in October 2003. Its main functions were to: support the sharing of information relevant to the Study and to the regional consultation; advocate for and support national activities in support of the Study; ensure the meaningful and ethical participation of children; help in compiling and assessing regional data on violence against children; and contribute to other major regional child rights events.

Children's right to participate in the consultation was important from the very beginning. The Steering Committee commissioned a set of Minimum Standards to establish base-line expectations on how adults should conduct themselves in consultations with children. A set of protocol documents was also developed to implement the 27 statements in the Minimum Standards. These documents included a step-by-step guide to logistical issues faced when facilitating children's participation; selection guidelines for delegates under 18 and their guardians; and media guidelines and briefing information. This comprehensive and systematic approach ensured that all youth delegates were treated with respect and as equals, and that their views were incorporated into the recommendations.

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In preparation for the consultation, also, the Steering Committee members shared information about the consultation and the Study with their country offices throughout the region. This link was useful because it contributed to national events in a number of countries. Cambodia, the Philippines, Thailand and Vietnam, for example, formed national steering committees to support the Study and organized national events. In Vietnam, UNICEF and Save the Children Sweden supported the government as it prepared its input to the Study. In Mongolia, Save the Children UK and UNICEF developed plans to address violence against children in the medium and long term. In Hong Kong, Save the Children UK's China Programme, Save the Children Hong Kong and the Hong Kong Committee on Children's Rights formed a task force to work against the physical and psychological punishment of children.

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In Cambodia, World Vision, UNICEF and the Tear Fund facilitated a national consultation with children through the Child Welfare Committee. World Vision also supported government engagement and a children's consultation in Mongolia and the Philippines.

In the two days leading up to the regional consultation, a Children's Forum was held to further prepare the children who would participate. The Forum focused on helping the youth delegates to develop a regional perspective on their views on violence by building on the experience and knowledge they already had at country level.

The youth delegates agreed on priority areas and recommendations relating to violence against children and participated, according to their own experience, in working groups convened around the settings where violence against children occurs. They also had other tasks to carry out: working as part of the media team; participating in the drafting committee for the development of the Consultation Statement; and preparing a keynote presentation for the first day of the meeting.

In their presentation, the youth delegates reported on recommendations from the Children's Forum on the importance of child participation, on what happened at the Children's Forum, and on the issues that Forum participants had defined as central to the settings where violence against children occurs. They outlined their vision for the Regional Consultation as being:

- To build international unity to fight violence against children;
- To see the recommendations of young people included among solutions to eliminate violence against children;
- For young people and adults to become partners in understanding violence;
- To cooperate and work together in peace with adults.

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The children also outlined their vision for the future:

- To see young people expressing their views and concerns on issues that affect them and for governments in all the countries of the East Asia and Pacific;
- To prioritize the issue of violence against children;
- To give appropriate funding and resources to immediately respond to violence where it happens;
- To implement laws that prevent violence against children.

The children quoted a Chinese saying: ‘*gu cheung lan ming*’, which means ‘there is no sound if only one hand claps’. “We, children, are one hand,” they said. “Adults are the other hand. The community is one hand. The government is one hand. We strongly believe that a community with peace, love and unity can be built if we work together for the future.”

Opening the regional consultation, Mr Apirak Kosayodhin, Governor of Bangkok, also spoke of the importance of working together and said that the authorities in Thailand had joined with local and international agencies to tackle violence against children. Violence, he said, is still very much a reality in children’s lives and can no longer be perpetuated as a result of silence or ignorance.

The consultation heard from Ms Anupama Rao Singh, UNICEF’s Regional Director for the East Asia and Pacific region, that violence in all its forms has its roots in issues such as the power relations between men and women, exclusion, the absence of someone to take care of the child, and in norms and values in society that often disregard the rights

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of children. Drug and alcohol abuse, unemployment and youth disenfranchisement, crime and a culture of silence and impunity also contribute to violence against children, Ms Singh said, noting that the World Health Organization estimates that 40 million children below the age of 15 suffer from violence, abuse and neglect.

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Professor Paulo Sérgio Pinheiro, the Independent Expert appointed by the United Nations Secretary-General to lead the global Study, underlined the importance of breaking down the walls of silence that frequently surround the problem of violence against children. He emphasized that this would take continuous efforts to understand the root causes of violence, the factors that allow it to occur and effective ways to prevent and respond to it.

Professor Pinheiro explained the processes that are involved in developing the Study. In addition to the regional consultations, many countries held national consultations and Professor Pinheiro had recently attended the national meeting in China. Public submissions had been sought and all governments had received detailed questionnaires asking them to provide country-specific information on the problem and the actions taken to address it. By the time of the regional consultation, Australia, China, Indonesia, Japan, Malaysia, Mongolia, New Zealand, the Republic of Korea and Singapore had sent in their submissions, outlining legislation and policy frameworks to counter violence against children

Professor Jaap Doek, Chairperson of the United Nations Committee on the Rights of the Child, noted that the Study will not be the end of the process but a beginning. It will not put an end to violence, he said, as that is up to governments, NGOs, United Nations agencies, the Committee on the Rights of the Child and others to use the Study as a tool for action.

The call to action was echoed in the keynote speech by Vitit Muntarbhorn, Professor of Law at Chulalongkorn University and a long-time advocate of the rights of the child. Professor Muntarbhorn said that, although violence against children is related to power and is culturally ingrained, requiring the highest political will to address it, it is also experienced and understood by every person in an intimate way. It is the dual nature of violence against children – systemic and yet so personal – that makes addressing it so challenging.

### Violence against children in East Asia and The Pacific

The East Asia and Pacific region is home to 1.9 billion people, and 600 million of them are children (below the age of 18). The region includes one of the biggest and one of the smallest countries in the world. It has wealthy and poor countries, and there is wide-ranging linguistic, religious and cultural diversity.

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Despite these differences, all the countries share the problem of violence against children.

Violence in the home and family is a major concern across the region. It affects all children and, to varying degrees, underlies violence in other settings. For example, children experiencing violence on the streets may well have run away from home to avoid violence there. On average, across the region, some 30 per cent of children say that ‘people hit each other’ in their homes. In Papua New Guinea, the figure is as high as 75 per cent. In Singapore it is only 14 per cent, but that still means that 14 children in every 100 experience violence in their homes, the place where, more than anywhere else, they should feel safe.

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Children suffer physical and psychological violence in all the settings that the consultation examined: in the home, at school, in the workplace, in the community – whether that is on the streets or in the virtual community of Cyberspace – and in institutions. A survey in Cambodia, for example, showed that four out of every 10 children in domestic labour in that country are physically or verbally abused on a daily basis by their employers. Although corporal punishment in schools has been prohibited in a number of countries, it is still widely accepted as an appropriate way to discipline children. In the home and family, it remains legal across the region.

Most violence against children is inflicted at the hands of those who are responsible for their care and protection. In the Philippines, for example, 92 per cent of perpetrators are known to the children and 39 per cent of these are related to them. Representatives of the State are also known to use violence against children: in Cambodia, 46 per cent of children surveyed said they had been beaten while in police custody. Marginalized children such as those from minority groups are more vulnerable to violence at the hands of State actors. In Australia, for example, Aboriginal children aged 10 to 14 are detained at around 30 times the rate of non-Aboriginal children.

Children also inflict violence on other children. In a survey conducted in Lao PDR, 98 per cent of primary school students said they had witnessed bullying; a survey in Mongolia showed that 27 per cent of students reported having been subjected to violence by other children.

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### Why does violence occur?

There is no single cause of violence against children and violence is rarely an isolated event. The underlying causes are complex and linked to social, economic, cultural and political factors. The vulnerability of children, however, is an important element in the victimization of children by others. Children's vulnerability is increased by patriarchal and hierarchical traditions that relegate them to a subordinate position where they have no say, lack self-esteem, and are at the whim of others who wish to impose their will. Children are also more vulnerable when socio-economic and political forces perpetuate inequalities, depriving them of education, for example.

Violence also occurs more readily when insufficient or inadequate measures have been put in place to protect children. Weak legislative frameworks and inadequate implementation of laws are among the reasons why violence goes unpunished and so continues.

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Ignorance is also a factor: in communities where people are not aware of their rights, or of the rights of children, they are more likely to treat the children as 'less than adult'. Even where they are aware of the child's rights, they may be ignorant of what to do to help the child enjoy those rights, including the right to redress if violence occurs. Social support groups and mechanisms are vital if children are to be protected

from violence and supported if it occurs. Across the region there are too few services to protect children from violence. To a large extent this is because violence remains the silent shame: although it is known to be frequent, communities and governments too often turn a blind eye to it, especially when it happens out of public view.

Where communities tolerate violence against children, it is often because they do not understand the damage that such violence does. Children, however, speak out loud and clear when asked about behaviour that adults use towards them: slapping, beating, shouting in anger, calling names, insulting or humiliating them – these may be 'discipline' to adults but to children they are violent and have immediate and longer-term repercussions.

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More extreme forms of violence such as sexual abuse (generally by someone known to the child), sexual exploitation, forced labour, and extreme physical violence may have other trigger factors including criminal intent and deviant impulses, and are much less likely to be condoned by society. Nevertheless they also often continue because action is not taken to stop them, with governments and others tacitly putting them in the ‘too hard’ basket or preferring to think they only happen ‘elsewhere’.

Across East Asia and the Pacific, the proliferation of violent images in the media – whether that is in films and TV shows or comic books and cartoons – is of great cause for concern. Children in the region increasingly live a daily reality that is defined by the media; they are more comfortable with technology than their parents and other adults, and they are ‘at home’ with computers and mobile phones that link them in vast networks that reach across their communities and across the globe. While these vastly enlarged horizons hold enormous potential for enhancing children’s lives, they also expose them to those who exploit the technology to inflict violence both indirectly and directly. For this reason, the consultation chose to add ‘Cyberspace and the on-line environment’ to the list of ‘places’ where children are at risk of violence.

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If the Internet and other new technologies are a source of concern, then so are some long-established traditions and customs that also put children at risk of violence. Forced or early marriage is still a threat to children in the region and not only deprives them immediately of education and the freedom to build their future as they wish it to be, but also puts them at risk of premature child-bearing, early divorce and the violence often inherent in a relationship where one person is seen as subservient to the other. Child labour is also common in some parts of the region and puts children at risk for a number of reasons: it deprives them of education and so limits their options in later life, and it plunges them into the ‘adult world’ of work before they are ready for it, exposing them to physical punishment, psychological harm and sometimes sexual violence by employers and co-workers.

Forced or early marriage most often affects girls, and girls are also more vulnerable in this region to sexual abuse and exploitation. Boys, on the other hand, are more likely to suffer physical violence such as bullying, beatings and

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corporal punishment. Violence against girls may be culturally tolerated because they are seen as being ‘of less value’ to the family. Such attitudes provide a context in which violence not only occurs but is seen as ‘normal’.

There are other factors that increase children’s vulnerability to violence. Participants at the regional consultation concluded that children who experience violence in one setting are often more vulnerable to violence in other settings. Children who live in homes where the father beats the mother, for example, suffer both the violence of witnessing that and the vulnerability of becoming a second victim.

Violence in the home, in fact, is a precursor to many other manifestations of violence. Children who live in a (permanent or temporarily) dysfunctional home may run away and face the risks of living on the streets. Children from problem homes are more likely to come into contact with the law. Children may be motivated to earn money in order to escape their dependent home life and so are at risk of labour exploitation, sexual violence and exposure to drugs and criminal activity. Children who have access to modern technologies may seek solace on-line, looking for anonymous friends who may, or may not, have legitimate reasons for befriending them.

Like children whose home protections have broken down, children who have dropped out of school or play truant regularly are also outside a place of potential protection. Out-of-school children may also be on the streets, facing the risks that entails. They may begin work at an early age and encounter not only exploitative labour but also the violence used by adult co-workers who seek to dominate them.

Children in an emergency, crisis or conflict situation are also extremely vulnerable not only to the violence of that situation but to the breakdown of law and order and to the intentions of adults who look for ways to exploit the situation. Children may be separated from their family, have lost home and identity, and may be exposed to adults or indeed other children whose actions reflect the impunity of societal breakdown.

Violence is also a risk for children who have special needs, for example because they are disabled or have learning difficulties. These children endure discrimination and often isolation and, in addition to the indirect violence that these represent, may be singled out for direct acts of physical and psychological violence. Orphaned or abandoned children are also vulnerable to violence not only because they have lost their families but also because communities and institutions may treat them as outcasts.

### Violence in the home and family

Background materials for the regional consultation lamented the lack of comprehensive information on violence against children in all the settings being examined by the Study. What is known remains largely ‘broad-brush’, since few data are collected. To some extent this is because there are very few avenues for reporting violence; even health workers who come into contact with children, for example, may not be compelled or indeed consider reporting the cause of injuries or trauma they treat.

This is particularly true of violence in the home and family, where family relationships – even where these include overt and covert violence – are considered to be ‘private’. It is therefore impossible to know how many children across the region suffer violence at the hands of members of their close or extended family, including biological, adoptive or step-parents, grandparents, siblings, other relatives and guardians.

The figures are likely to be high, because family relationships in the region are generally characterized by a strong hierarchy in which children occupy the lowest places. Children are expected to be submissive to adults (not only in the family but at school and generally in the community, too). They are not expected to question or challenge adults because, if they do, that is seen as ‘loss of face’ for the adult. As a result, discipline is an important element of child rearing, and that discipline is frequently imposed through physical or psychological violence.

An opinion survey among children in the region in 2001 revealed that 23 per cent of children say their parents beat them when they do something wrong. Timor Leste (53 per cent), Cambodia (44 per cent) and Myanmar (40 per cent) were among the countries where corporal punishment seems to be most common. The country which rated lowest in the ranking was Mongolia, at 7 per cent. A survey of 1,314 children in Cambodia carried out by the NGO Tearfund found that 50.5 per cent of boys and 36.4 per cent of girls reported having been beaten by their parents.

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In addition to experiencing violence directly at home, children also experience violence being inflicted upon someone else in the family, most often their mother. There is growing evidence that children suffer psychological harm when they live in a violent domestic setting. Children say they feel unhappy and there are indications that family violence is linked to

school drop-out, drug abuse and crime, and children feeling negative about relationships and marriage.

Domestic violence and direct experience of violence are among the reasons most often quoted by children who have run away from home. In East Asia and the Pacific, children living on the streets, especially girls, are exposed to the risk of sexual exploitation and to being trafficked into both labour and sexual exploitation. There is some evidence to suggest that the vulnerability of children to sexual exploitation is also linked to sexual abuse in the family.

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Another form of violence that occurs in the home is domestic violence against young married girls. Early marriage occurs in many countries in the region, including Cambodia, Indonesia and Timor Leste. Many of these marriages are arranged by others without taking into account the views of the girl. In China, thousands of women and children between the ages of 13 and 24 are reported to be trafficked into forced marriage and prostitution. Early marriage makes young girls vulnerable to sexual violence 'legitimized' by the act of marriage. It also carries a higher risk of divorce or separation and in many societies this leaves the girl with no social or economic legitimacy, often forcing her into prostitution to survive.

### Violence in schools

Violence in schools includes also the violence that occurs in teaching institutions more generally, and in other formal or non-formal learning environments. It is inflicted by teachers and other school staff in a position of authority but also by students upon each other. The surveys undertaken for the regional consultation did not look at whether in this region students are responsible for inflicting violence on teachers.

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Most violence inflicted by teachers is in the guise of ‘discipline’ and reflects widespread attitudes to corporal punishment as acceptable. Teachers also punish children by humiliating them or subjecting them to other verbal tirades. Although there is little available information on sexual violence inflicted by teachers on students, this does occur. The Children and Family Protection Centre of the Ministry of Education in Thailand, for example, reports that every week at least one school teacher sexually abuses a student. A UNICEF survey in 2002 in Indonesia revealed a high incidence of sexual and psychological violence in schools.

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Children are expected to submit, for better or worse, to the authority of the teacher in all circumstances. Given the high esteem in which the community generally holds teachers in this region, families are hesitant to bring charges against those who inflict violence on their children, even sexual violence. This, and the fear of bringing shame on the family name when a child has been sexually abused, means that most violence goes unreported.

Only China, Thailand, the Philippines and Vietnam expressly prohibit corporal punishment in schools. In Laos and Fiji it is banned through other mechanisms such as Ministry of Education guidelines. Timor Leste is reported to be preparing policies to prohibit corporal punishment, but this is likely to meet stringent opposition. Even where the practice is outlawed, in any case, teachers continue to act with impunity.

Bullying in schools is also emerging as a problem in many schools across the region. In a study conducted in Lao PDR, 98 per cent of girls and 100 per cent of boys reported witnessing bullying in schools. Girls, children from ethnic minorities and students who are performing poorly in school for various reasons seem to be most often singled out for this violence. Girls most commonly use psychological violence on other girls, while boys fight.

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### Violence in institutions

Many children are deprived of a family environment and entrusted to others, for a variety of reasons. Children may be placed in an institution for protection or because their family can no longer cope with them, for example because they have a disability. Children may also be placed in an institution awaiting adoption, or in foster care.

There is little information available on what happens to these children while they are in institutional care. Given the hierarchies that exist in other settings – in the family, school and community – it is likely that some adults use violence as punishment or to otherwise impose their position of power. It is also possible that child-to-child violence occurs. However, no data are available on this.

Participants at the regional consultation heard that, even where there are few reports on violence against children in institutions, it is considered to be in the best interests of the child to avoid institutionalization wherever possible and for governments to look to other solutions for children who need extra-family care. Some governments in the region are pursuing this as a matter of policy.

There is more information available on children who find themselves in judicial institutions, or on the fringes of them, for example while awaiting due process when they have been taken into custody by the police. In such instances, one of the most important provisions to ensure is that children are kept separate from adult detainees, since they risk violence, including sexual violence, from adults in such a highly charged situation.

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They may be physically assaulted in the process of eliciting information. In extreme cases, children may be summarily executed (homeless children and those living on the streets are most at risk of this), or they may suffer the indirect violence of deprivation, being starved, locked in isolation or otherwise neglected.

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There are several stages of the judicial process during which children are at risk of violence: in pre-trial detention, in custodial institutions, in correctional institutions as part of diversionary programmes, in immigration detention or even while being questioned on the street or in some other public or private place.

Given the extreme sensitivity surrounding violence inflicted by State actors, there is little information on the scope of the problem in East Asia and the Pacific. In Lao PDR, one of the few countries where research has been undertaken, 30 per cent of detained children reported receiving some form of physical or mental punishment, including beating and being made to crawl on the floor or sit in the sun.

Not all children detained by the police have done anything wrong. Many children are picked up and questioned just because they are on the streets, have unclear immigration status, or are otherwise considered to be ‘irregular’. These children are treated as criminals, sometimes handcuffed or restrained. A lack of suitably trained professionals, sensitive to the needs and rights of children, means that children effectively receive the same treatment as adults, if not worse. Often parents or guardians are not informed that the child has been taken into custody and the child may be held for a long time before any action is taken.

In relation to children in conflict with the law, the regional meeting heard that capital punishment is prohibited by law in all countries of the region, however it is reported that, despite legal provisions, child offenders have still been sentenced to death in the Philippines, partly because they could not prove their age in court.

Court-administered physical punishment of children is only allowed in the law in Malaysia. The Child Act of 2001 allows whipping of children found guilty of an offence. This is subject to some precautions when administered, in that ‘only a light cane’ can be used, ‘with average force so that the child’s skin is not cut’. There is no information available on whether corporal punishment is sanctioned in other countries in institutions such as correction facilities or military institutions.

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### Violence against children in the community

‘The community’ is a broad concept, covering the streets where children play, live or work, as well as places where children have no adult supervision, such as clubs or recreation areas. In this region where in some countries many children have access to computers and mobile phones, it also includes the ‘on-line environment’ which stretches far beyond the region to what is commonly known as ‘Cyberspace’.

In the less affluent countries of the region, and in those where there are wide economic disparities among different social groups, children living or working on the streets are a common sight, and violence against street children is a major concern.

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Street children are vulnerable to gang violence, police brutality, harassment from extortionists, arrest for petty crimes, work-related violence and exploitation, and the random violence that occurs on the streets particularly when adults seek someone weaker to abuse or exploit. Many children living on the streets have been driven there by violence of some form at home, and are in a heightened state of

vulnerability. Children may also have run away after being trafficked from the countryside or from another country, and may have nowhere to go. Some countries in the region report that they are concerned at the increasing incidence of gang fights and violent gang initiation practices.

The regional consultation heard about the case of Davao City, in the Philippines, where street gangs are prevalent. More than 3,000 children are involved in begging or other high-risk work. Some 65 per cent of crimes against people and property are committed by children, and many children use drugs and become wittingly or unwittingly involved in drug trafficking. In Davao City there are more than 100 street gangs and they commonly abuse and assault girls. Violence is perpetrated by children, adults and law enforcers. Many children, the meeting heard, are apprehended and beaten by village police. The so-called ‘Davao Death Squad’ is responsible for the summary murder of young people suspected of having committed crime or being involved in drugs. Many killings have

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been carried out in broad daylight and so far police and other law enforcement officials have failed to apprehend any members of the Squad. There is reported general public apathy towards violence against children, including killings, and 37 young people have been murdered in Davao City since 1998.

Children on the streets are also at high risk of sexual violence. Girls especially may be prostituted by pimps, brothel owners or other ‘employers’ who often promise them work in a club or bar as waitresses or entertainers. In many parts of the region, teenage girls in particular are trafficked into sexual exploitation when they seek work in the city or in another country. Most children in prostitution are adolescents who are exploited in the broader adult sex industry, although in some countries there is specific ‘demand’ for under-age children for sexual services.

Prostituted children suffer not only sexual violence but related physical and psychological violence such as burnings, beatings and humiliation. Girls face serious reproductive health risks as a result of their relative fragility, and both boys and girls are at risk of HIV/AIDS and other sexually transmitted infections, because they are unable to negotiate safe sex or are forced into unprotected sex. Children exploited in prostitution, or used to produce child pornography, are often introduced to drugs in order to keep them compliant, and once addicted are compelled to sell sex to feed their habit.

Since the first World Congress against Commercial Sexual Exploitation of Children in Stockholm in 1996, there has been some progress in the region in revising laws, pursuing perpetrators and providing services to children, however there remains much to be done.

The regional consultation heard also about the hazards that face children in the on-line community. Violence against children in relation to virtual settings and the use of new technologies includes the production, dissemination and viewing of depictions of child sexual abuse (child pornography); abuse-intent adults seeking out children on-line in order to lure them into sex (grooming and dating); and harassment, bullying and psychological manipulation of children by adults or other young people.

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them with a view to gaining their trust in order to exploit them. Children may be ‘stalked’ on-line, receiving threats or harassment via the Internet or their mobile phones. New technologies also carry the risk to children of ‘Cyber-bullying’, where children have no easy way to escape from the bully, who is conversely protected by the anonymity the technology provides. The pervasive and persistent nature of these attacks, and the isolation of the child in front of the screen receiving them, make them particularly violent.

In regard to violence against children in the on-line environment, the consultation heard that the three concepts of access, anonymity and abuse are critical factors that contribute to children’s vulnerability. Access refers to the way new technologies facilitate the exploiter’s contact with children while children increasingly have access to the Internet and other technologies. The personal and private nature of this access also implies exploiters have increasing access to children. Anonymity allows children to experiment and engage in risky behaviour, often without someone supervising them, and this increases their vulnerability. Conversely, anonymity works in favour of the abuser, who acts with relative impunity. Abuse occurs as a consequence of the opportunities these new technologies provide for those who seek to harm children, including sexual abuse and exploitation. New technologies also make it easier for children and young people to be exposed to violent and exploitative images.

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Participants at the consultation also heard about sexual violence against children in and via virtual settings, with particular reference to depictions of child sexual abuse (child pornography). It was noted that the criminal justice system’s general response has been to focus on the offender rather than the victim. Meanwhile, agreement is lacking within and between actors on definitions, laws and perceptions of what is appropriate, such as when children are sexualized within mainstream media or where images of abuse remain legal, as in the case of some *manga* products in Japan. The apparent increasing interest in images of abuse may be associated with the way the on-line environment facilitates change at many levels of human behaviour. It helps to alter moods; it lowers inhibitions; it enables multiple self-representations; it validates, justifies and offers a medium for the exchange of abusive images; it challenges concepts of regulation; and it disrupts conventional hierarchies.

Sexual violence against children in Cyberspace and virtual settings results from adult demand for child sex and abusive images. New technologies not only help in meeting this demand but also appear to fuel demand by providing relatively easy and essentially anonymous access to children and materials depicting their abuse. In this region, the sexual exploitation of children in virtual settings is also supported by the fact that child sex tourism and prostitution networks already exist.

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In the East Asia region in particular, where mobile phones and phone cameras have had a significant impact, children and young people with access to new technologies are more likely to interact via phone than through a personal computer. Governments and others must recognize, however, that images of child sexual abuse can be made and distributed regardless of an abused child's individual access to new technologies. In the Philippines, for example, police data and new research indicate that child pornography may now be more likely to be made in that country using phone cameras or via so-called Cybersex cafés (where commercial sexual performances for an 'unknown' audience occur in real time using web cameras). Meanwhile, in reference to other types of harm committed via new technologies, it is reported that young people in Thailand commonly used image morphing (or altering) services to blend images together in a way that serves to humiliate a peer.

The violence inflicted on children via new technologies may be both physical and psychological. A child's knowledge that her/his abuse has been recorded and may be made available to a wide audience is increasingly recognized as aggravating the violence experienced by the child. And the pervasive nature of the technology makes children feel that the violence is following them into their most private and secluded moments.

***The violence inflicted on children via new technologies may be both physical and psychological. The pervasive nature of the technology makes children feel that the violence is following them into their most private and secluded moments.***

### Violence against children in workplaces

In most of the countries of East Asia and the Pacific, children are considered to have an obligation to do their share of domestic chores, farming and care for younger siblings or to go out and earn money to contribute to the family income. Increasingly, however, this has moved beyond just 'spare time employment' or 'lending a helping hand'; the workload of children has extended beyond their traditional roles and duties within the family.

Since many of the children who enter the world of work are too young for formal employment, they enter the informal labour market where they are more likely to be exploited and suffer various forms of violence. The vulnerability of children is increased by the fact that so many of them enter child labour at a very young age.

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agricultural industry or fisheries. Girls in particular may work as domestic labourers, in retail outlets, or in the entertainment or sex industry.

Many people believe that the hazardous and high-risk nature of many of these jobs, especially for children who are young and inexperienced, represents in itself a form of violence. The Study, however, is focusing not on the indirect violence of child labour but on the direct physical and psychological violence that working children suffer at the hands of employers, co-workers or clients. Children who are on the receiving end of violence in the workplace may have reached the minimum age for employment and so be in 'legitimate' work or they may be in a situation of child labour by virtue of their age or the conditions under which they work.

***Child workers are physically and psychologically punished for perceived poor performance (or just to 'keep them in their place') in much the same way as pupils in schools are.***

themselves, gives rise to the same sorts of power relationships that also exist in the home, school and community. Child workers are physically and psychologically punished for perceived poor performance (or just to 'keep them in their place') in much the same way as pupils in schools are. Children are subjected to humiliating treatment, threats and physical violence by 'bullies' in the workplace, just as they would be in the school yard.

One particular sector of child labour/child work that has been looked at in some detail is domestic service. A number of studies undertaken by the International Labour Organization's International Programme on the Elimination of Child Labour (ILO-IPEC) indicate that children in domestic service are frequently and

A 1997 survey in the Philippines, for example, indicated that there were 200,000 children between the ages of 5 and 9 in child labour.

Many children work on family farms or in small-scale family businesses. Some work in factories,

agricultural industry or fisheries. Girls in particular may work as domestic labourers, in retail outlets, or in the entertainment or sex industry.

While there has been quite a lot of research on child labour in the region, there has been very little on violence against children in the context of work and the workplace. It is clear, though, that the hierarchies of the workplace and the vulnerability of children who are relatively inexperienced and unable to assert

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systematically subjected to extreme forms of physical and psychological violence by their employers, often by the woman of the house. They are called names, humiliated, insulted, slapped, burned, pinched, kicked and hit with objects. They may also be locked up and deprived of food. Some children are sexually abused by the men in the household.

Children working in street-based activities such as shoe shining, hawking small items or cleaning car windows are vulnerable to the same sorts of violence as children who live on the streets.

### Actions to end violence and protect children

Although participants at the regional consultation recognized the enormous challenges remaining if violence against children is to be eliminated, they noted some signs of progress.

In recent times there has been increased openness and willingness, especially on the part of governments, to engage in dialogue about violence against children. This is clear in the commitment governments have demonstrated in their contributions to the global Study, the regional meeting and national processes that support it.

Governments have also begun to show their commitment in a tangible way by developing more comprehensive child protection laws and in some cases specific laws such as the Anti-Violence against Women and Children Act enacted in Papua New Guinea in 2004. A regional assessment undertaken by UNICEF in 2003 gives some examples of the legal provisions in place in the region. Cambodia's Constitution, for example, provides protection for children against economic and sexual exploitation and in China the 1992 Law on the Protection of Minors spells out the responsibilities of the State, society, schools and the judicial system to protect the physical and mental health of children. Corporal punishment, including in 'disguised forms' is expressly prohibited. Thailand, the Philippines and Vietnam have legal prohibitions against the use of physical punishment in schools. In Laos, it is banned by Ministry of Education guidelines. A High Court decision in Fiji has ruled that corporal punishment in schools is unconstitutional.

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### ***The challenge is to provide equal protection to children who work in the thriving informal sector of the economy, particularly in family-run businesses or in street-based work.***

In relation to children and the world of work, it is promising to note that most of the countries in the region have in recent years set a minimum legal age for employment and that many have developed or begun developing National Plans of Action on child labour. In some countries child labour is dealt with under general legislation. Fiji's Constitution, for example, prohibits forced labour including forced or bonded child labour. In the Philippines, the Republic Act No.7610 of 1990 carries provisions relating to child abuse, child trafficking, sexual exploitation and child labour. The challenge is to provide equal protection to children who work in the thriving informal sector of the economy, particularly in family-run businesses or in street-based work.

Although there is still a long way to go, data collection systems have improved, and it is becoming more common to have evidence-based and child-focused research on which to develop better programming.

Better programming also presumes better cooperation among those who work on behalf of children. There are signs in the region that cooperation among civil society, inter-governmental organizations and governments has increased.

In relation to violence against children in institutions, there have been signs of a move from institutional approaches to alternative care methods such as foster care. One good example is in China, where the government is in the process of moving half of all children in institutional care into alternative care.

The development of new or revised legislation and related policy review represent what might be called 'framework' initiatives. These are important not only because they send out a clear message from national authorities that violence against children will not be tolerated and that everything possible will be done to prevent it, but also because it provides a basis on which other actors can plan and implement programmes both to reduce violence and also to protect children from it when it does occur.

As 'framework' initiatives are launched, it is encouraging to see that in East Asia and the Pacific there have been increased efforts to involve children in discussions about violence, and in the development of policies, programmes and projects to reduce violence against children.

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In addition to the framework actions taken by governments, international organizations and NGOs have piloted programmes and projects in many countries of the region aimed at protecting children from violence and ensuring their rights.

In relation to violence in the family, for example, the regional consultation heard the experiences of an NGO in Fiji which operates a crisis centre for women. When women suffer domestic violence, their children are affected too, and the Fiji Crisis Centre for Women addresses violence in the family by working on the power relationships that exist within the family. The organization has developed programmes for the male-dominated military and police forces in Fiji, in an attempt to promote behaviour change.

Women also inflict violence on children in the home, however, and so the Crisis Centre also targets women as the primary care-giver with programmes that teach parenting skills and non-violent discipline.

An example was also given of direct actions being taken in Fiji to address violence in schools. These include ministerial visits to schools, the establishment of a Child Rights Desk Officer at the Office of the Human Rights Commission, and the development of a National Action Plan for Human Rights Education in 2003. Save the Children, the Fiji National Coordinating Committee on Children, the Fiji Human Rights Commission, Women's Action for Change and the Pacific Children's Programme are also involved in preventing violence in schools.

### Gaps and challenges

Throughout the regional consultation, participants identified gaps in the policies and programmes that are in place both to reduce or eliminate violence against children and also to protect children from violence. These were consolidated into seven priority areas where action is needed as a matter of urgency.

First, participants agreed that it is vital to end the silence that surrounds violence against children. This means improving advocacy in order to change attitudes towards violence against children, and to increase people's understanding of children's rights. It means developing stronger links between efforts aiming to curb violence

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against children and broader development goals. For example this may include looking not only at the child but at the community in which s/he lives, to see how community development needs may be increasing the vulnerability of that child to violence.

It is important, also to encourage debate about customs and traditions that mask violence against children and to make sure that the legal situation is known, for example where corporal punishment is prohibited.

Second, it is essential to strengthen legal mechanisms and legislate for the prohibition of all violence against children. This includes fully implementing the United Nations Convention on the Rights of the Child (CRC) and bringing national legislation into line with it. Programmes and projects that help people to know, understand and accept human rights instruments are important if social attitudes are to be influenced towards respect for children's rights and rejection of violence against children.

***It is time to end the impunity of those who inflict violence in children, regardless of who they are. This means also tackling the criminal elements that are part of the problem of violence against children in some situations.***

Laws, however, are only useful when they are effectively enforced. Law enforcement has a vital role to play in making clear to those who inflict violence that their behaviour is not accepted by the society in which they live. It is time to end the impunity of those who inflict violence in children,

regardless of who they are. This means also tackling the criminal elements that are part of the problem in some situations.

As laws and regulatory frameworks are reviewed, it is important to consider how the media can be guided to reduce the impact of media violence on children and to take the importance of child protection into account in their output. At the same time, in order to address the impact of consumer pressures on children, the targeting of children and young people by advertising should be tackled.

Beyond the laws themselves, it is also important to examine and document, with a view to learning lessons, whether and how laws provide protection and legal redress for children in reality. A full picture of the legal framework cannot be captured if studies focus only on whether legislation exists and fail to assess how it is, or is not implemented and enforced.

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Third, there are still outstanding challenges in the area of service delivery. This should be child-sensitive, community-based and participatory. To reinforce the ‘first line of defence’ for children, it is important to support families to play their role, through programmes that develop their economic viability and help them to gain positive, non-violent parenting skills. If this is to happen, it will be important to improve coordination among the various players: government, civil society, communities and families themselves.

Fourth, although the situation has improved, there is an urgent need to develop more useful data collection systems and to improve analysis to assess the scope and nature of violence against children. It is impossible to plan effectively and to assess the impact and effectiveness of policies and programmes if there is not a solid baseline of data and a means to identify trends.

Although much has been done in recent years to document some sorts of violence against children in some localities, it is still not possible to draw a comprehensive picture of the scope and nature of violence against children and, importantly, to say whether the actions taken to date have had a positive impact.

***It is impossible to plan effectively and to assess the impact and effectiveness of policies and programmes if there is not a solid platform of baseline data and a means to identify trends.***

In the same vein, it is also important to strengthen monitoring and reporting systems for violence against children, including services such as helplines which allow children to report cases of violence against them. Information gathered needs to be disaggregated by sex, age and ethnicity, and will be a valuable input to the overall data collection exercise. It will be important, of course, to ensure that data collected through personal approaches by children and those helping them are collected and stored anonymously and that protocols are developed to ensure ethical access and use.

Fifth, it is necessary to pay attention to those groups of children that may be at particularly high risk of violence. For example, it is critical to understand and deal with the special situation of girls and the types of violence to which they are exposed, such as sexual violence, forced prostitution, spousal abuse and trafficking. The needs and rights of marginalized children and their vulnerability to violence cannot and should not be ignored. Refugee children, children from minorities, displaced and/or stateless children, disabled children

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and children from poor families, migrant children, and children not registered at birth are all particularly vulnerable to violence. Reducing that vulnerability and providing the protection such children need – and to which they have an equal right – also needs to take account of their special circumstances.

***If policies and programmes are to keep abreast of the phenomenon of violence against children, the people who inflict it and the mechanisms and means they use, then it will be important to anticipate and tackle emerging issues.***

Sixth, if policies and programmes are to keep abreast of the phenomenon of violence against children, the people who inflict it and the mechanisms and means they use, then it will be important to anticipate and tackle emerging issues. These include the growing demand for child pornography, the negative effects of its production and dissemination, and the

portrayal of violence in the media, especially in virtual and on-line settings. Another worrying new trend is the increasingly consumerist aspirations of young people that undermine family and community values and put children at risk of exploitation.

Finally, in efforts to stop violence against children, everyone needs to be involved. Partnerships among governments, NGOs, the private sector, and academia should continue to be fostered. The media can play an active role in shaping public attitudes and generating positive responses toward violence against children and have demonstrated that they are ready to take on their responsibilities, for example through the International Federation of Journalists' code of practice that guides journalists in covering issues related to children.

Most importantly, children and young people should be encouraged to be directly involved as agents of change. It is the responsibility of adults, however, to create and make available to them concrete ways for them to be heard and to contribute their unique skills and experience.

### Recommendations and next steps

At the end of the consultation, all the participants recognized that the regional consultation had created a momentum for change and a window of opportunity.

In their closing addresses, speakers all pointed to the need for participants to take the inspiration they felt, along with what they had learned and the recommendations of the consultation, back to their communities and governments. It was emphasized that the Study was not the only, or even the primary objective of the regional consultation process, and that it is critically important to start processes of legal and social reform at every level and as soon as possible. Ultimately it is up to each and every person to stop violence against children.

The participants adopted a Concluding Statement, which sums up the experience of the consultation and confirms the commitment of all those present to play their part in ending violence against children.

### CONCLUDING STATEMENT

We, the adult and child delegates from governments of the East Asia and Pacific region, from regional and national NGOs, from international organizations and from United Nations agencies, are committed to end violence against children. Following the successful conclusion of the East Asia and Pacific Regional Consultation on Violence against Children that was held in Bangkok from 14 to 16 June 2005, and in light of the comprehensive and wide ranging discussions that took place, we make the following observations:

- That violence has affected the lives of all children in the home, in schools, in work situations, in institutions, in conflict with the law, and in the street and the community.
- That participants recommended common approaches. These approaches include ensuring that special consideration and understanding is afforded for marginalized children; awareness raising and capacity building strategies; the review and development of appropriate legislation, policy and guidelines; the development of quality programmes, services and standards; and effective monitoring and evaluation.

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- That we recognize the importance of improving efforts towards rights-based and participatory research that result in useful data and information for policy development and improved programme responses.
- That parents need support in order to better understand issues of violence against children, and to develop non-violent parenting skills.
- That we work towards the elimination of all forms of corporal punishment in all the settings that it occurs.
- That we address the trivialization of violence by the media, which has resulted in an increasing tolerance of violence in society and in growing levels of violence against children by other children.
- That we also recognize emerging issues that were highlighted in the consultation including violence against children in Cyberspace and through other new technologies and we urge action be taken to address and prevent these forms of violence.
- That the regional consultation has been unique in integrating meaningful and effective participation of children at all stages, and that the establishment of an agreed protocol for the consultation that emphasized the equal status and full participation of children ensured their involvement in all decision making and interactions. Therefore, we urge all countries to mainstream meaningful child participation.
- That the cycle of violence can only be broken by creating a culture of peace and harmony and by improving cooperation and networking mechanisms among children, adults, communities, civil society, governments and international agencies.
- That country efforts to fight and sustain the campaign on violence against children should be supported through provision of technical assistance and resources.
- And, finally, that we reaffirm our commitment to the ongoing efforts of the United Nations Study on Violence against Children and to the national, regional and international processes that will ensure the successful implementation of recommendations.

To conclude, we acknowledge that violence against children and violence in society as a whole are not inevitable, but rather an injustice that can be ended by recognizing that peace is a human right. This responsibility belongs to everyone!

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The regional consultation also prepared and agreed a set of recommendations that will feed into the global Study and which, in addition to covering the six ‘settings’ around which the Study is organized, contain some preliminary recommendations relating to the challenges to child protection through new technologies:

### RECOMMENDATIONS FROM EAST ASIA AND THE PACIFIC FOR THE UN SECRETARY-GENERAL’S STUDY ON VIOLENCE AGAINST CHILDREN

#### **In the home and family**

- Ensure child participation by establishing mechanisms to include children in decision making, implementation and evaluation processes;
- Develop mechanisms to ensure that legislation, policy and programmes are based on sound data and are implemented as well as evaluated for effectiveness;
- Ensure quality services by developing standards, prioritizing capacity building of caregivers and providers, building local and regional networks and providing children-friendly services;
- Prioritize preventive initiatives aimed at changing attitudes, educating parents and prohibiting corporal punishment.

#### **In school and other educational settings**

- Develop appropriate policies which include: prevention of violence, monitoring and reporting mechanisms, budget issues, curriculum that would integrate conflict resolution, human rights, gender, and child rights;
- Develop appropriate legislation that would ban all forms of corporal punishment in schools, including monitoring systems for effective enforcement and protection;
- Conduct pre- and in-service training courses for headmasters, school administrators, teachers, peer counsellors of pre-school and primary schools on child rights, child psychology, and child-friendly learning environments;
- Increase awareness on child rights, especially on learning standards in education, to promote violence-free and child-friendly schools.

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### **In institutions**

- Develop awareness on child rights, existing relevant laws and policies related to prevention of inappropriate institutionalization of children, prevention of corporal punishment and stigmatization of children in institutions at all levels;
- Review and/or develop legislation, policies, strategies and guidelines and standards on institutionalization of children, including in alternative care. This includes a ban on corporal punishment in institutions and respect for children's participation in all decisions about their care and treatment;
- Develop quality programmes and services both for children in institutions and to prevent institutionalization of children;
- Develop and implement a guideline for government to monitor all institutions (government/non-government and private) including training of monitors, setting up community and institutional monitoring systems and assessing registering, licensing and accrediting all institutions.

### **In work situations**

- Violence against children can be found in all work situations, whether these situations are classified as hazardous or not.
- Protection mechanisms should cover all types of work situations, should function throughout the country and be accessible to working children.
- Geographical and physical isolation of workplaces and working children aggravates the perpetration of violence against children, regardless of work sector.

### **In the community and on the street**

- Promote child participation at all levels to prevent violence against children on the street, and in the community;
- Pass laws that clearly define violence and discrimination, implement child protection mechanisms to address violence against children and allocate appropriate resources;
- Address public misconceptions of, and discrimination against children on the street and marginalized children;

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- Provide effective violence prevention, protection and reintegration services for children and their communities. Target marginalized communities such as those on the street, migrants, refugees and ethnic minorities.

### **In conflict with the law**

- Develop preventive approaches through education and information dissemination and community-based prevention and diversion programmes, focusing on diversion and restorative justice rather than retributive justice;
- Improve legislation to create comprehensive juvenile justice legislation based on international standards;
- Implement internationally agreed guidelines regarding children's deprivation of liberty. Detention should be the last resort and for the shortest time possible. There should be time limits for pre-trial detention, review for conditional release, good quality of care, complaints systems, access to information and separate children's detention centres;
- Mainstream meaningful children's participation, both at the preventive stage and when children are involved in the juvenile justice system.

### **In Cyberspace and on-line**

- Provide education and awareness for all actors on how to use new technologies safely and responsibly;
- Implement child protection policies at all levels for the safe use of new technologies, including requiring the communications industry and all media to actively protect children. This includes funding reporting hotlines, awareness-raising campaigns and interventions such as regulations to monitor the operation of Internet cafés;
- Provide psychosocial resources for children who have encountered harm, including resources to strengthen their resilience to cope with the multiple forms of violence committed against children within virtual settings and via new technologies;
- Support youth participation in identifying and acting on solutions, for example through children's forums.



