

**A MAPPING
OF NATIONAL CHILD
PROTECTION
SYSTEMS**

**SUMMARY REPORT
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FORWARD

This summary report provides a concise overview of the current status of national child protection systems in countries where Save the Children is operating, and has been written as an input to the Global Workshop in Costa Rica on 'Right Based National Child Protection Systems'. The purpose of this summary is to contribute to the objectives of the Global Workshop focusing on increasing Save the Children's knowledge and understanding of current child protection systems, with the view to improving them in the future.

As a step towards enhancing our knowledge and understanding, participants to the Global Workshop were provided with a questionnaire in which they were required to describe and assess the national child protection system of the country in which they work. The questionnaire was divided into five sections:

1. The Governments Framework for Child Protection – Question 1 - 7
2. Gaps and Limitations in Law, Policy and Outcomes – Question 8 - 11
3. Child Protection Programmes, Services and Training – Question 12 - 18
4. Children's Participation in Child Protection – Question 19 – 20
5. The Role of UNICEF and Other INGOs / NGOs – Question 21 – 22

Twenty seven countries responded, covering five regions of the globe. These countries were: Cambodia, Côte d'Ivoire, Egypt, Ethiopia, Fiji, Hong Kong, Indonesia, Japan, Kenya, Korea, Lebanon, Lao Peoples Democratic Republic, Mongolia, New Zealand, Norway, North Sudan, Papua New Guinea, Philippines, Romania, South Africa, Sierra Leone, Sweden, Thailand, Vietnam, Yemen, Zambia and Zimbabwe.

Initially, the responses that were received to each question were collated into a spreadsheet. For every question in turn the information from the countries was then analysed and compared for the purpose of mapping out key issues, trends and challenges. The summary report is structured around the individual questionnaire using selected quotes to illustrate the issues identified. In some instances it was necessary to carefully choose responses, to ensure that the information used was solely applicable to the question in hand. The validity of the analysis presented is very dependent on the responses received and the reader is cautioned that the responses are an inevitably rather subjective assessment. Further work would be necessary to generate a more robust evidence base on this very important issue.

For those who may be interested in consulting the original responses, the electronic version of the spreadsheet is available on request.

Q.1 - How would you summarise the governments understanding of child protection systems?

A **significant proportion** of responses highlighted that their government took a **child welfare approach** to child protection systems. **Fourteen** out of **twenty six** responses indicated that child protection was encapsulated by child welfare. Indonesia, Lao PDR, Mongolia, North Sudan, Romania, Sweden, Vietnam, Yemen, Zambia, Sierra Leone, Papua New Guinea, New Zealand, Korea and Thailand.

“To a large extent child protection is understood as rather child welfare” (Lao PDR)

“It is basically more from the service delivery, child welfare perspective” (Zambia)

“The government refers to child protection in relation with all the children that are beneficiaries of social assistance system” (Romania)

“According to the Thai Child Protection Act 2003, the Royal Thai Government includes social welfare, appropriate behaviour, abuse/neglect and exploitation... the rights based approach is not the trend” (Thailand)

“The idea of child protection is still relatively new in PNG. There was an old child welfare bill from pre-independence days, which has recently been revised and passed unanimously in Parliament in May 2007. It is called the Lukautim Pikinini (Child Welfare) Act... It takes very much a welfare approach.” (Papua New Guinea)

A number of the countries that stated taking child welfare approach, five of these also mentioned the use of children’s rights or that their government used the language of rights (Indonesia, Sweden, Vietnam, Yemen and Korea)

“The Vietnam government understands that child protection is the protection of children’s rights” (Vietnam)

“The government has set the promotion of the child rights as the aim of the government’s children’s policy in 2005 and 2006. Furthermore, there has been a change in the governments understanding on the rights of the child. With enhanced recognition of the rights of the child the government has a newly established Children’s Rights Team in 2007... the efforts by the Korean government to move toward a rights-based approach should be appreciated.” (Korea)

From those that did **not** describe taking a **welfare approach** there was a **noticeable use of the language of rights**. **Ten** of the responses understand child protection as the realisation of children’s rights. However there was a variation between countries implementation and approach to children’s rights. (Ethiopia, Lebanon, South Africa, Sweden, Yemen, Norway, Egypt and Philippines)

“The government understands child protection as provided by the CRC (though it still has some reservations)”. (Yemen)

“There is some understanding by the government to see child protection from the rights perspective” (Ethiopia)

“There are currently attempts to move into a more rights based approach but there are still a lot of elements that remain punitive /legislative” (Lebanon)

“Although there is a strong rights based legal system ... most focus is placed on the management of abuse once it has happened”. (South Africa)

“In all other government policies and documents the Philippine government uses the UN Convention on the Rights of the Child and other human rights instruments as its basis for defining child protection.” (Philippine)

“The National Council for Childhood and Motherhood (NCCM) takes a rights based approach” (Egypt)

In some cases it was felt that the government did **not understand the implication of a rights based system**, such as with Indonesia. Save the Children in Vietnam wrote that even though the government used rights language and “understands that child protection is the protection of children’s rights” it was felt that there may be difference between practice and theory. This can also be seen in the case of Egypt.

“The Indonesian government by and large still has not understood the implication of a rights based system. It continues to see assistance and protection of children as a matter of helping those with ‘social problems’ associated with the poor.” (Indonesia)

“The NCCM takes a rights-based approach, however they have a limited understanding of what child protection could look like in practice or theory” (Egypt)

Q.2 – To what extent does the Government have an overall, comprehensive strategy, scheme, policy or plan of action on child protection (including, for example, dedicated resources, guidelines and monitoring mechanisms).

The extent to which countries have a comprehensive strategy for child protection varies considerably.

The countries that were described as **not having** an overall government scheme, policy or plan of action included Japan, North Sudan, Sierra Leone, Korea, Papua New Guinea, Egypt and Vietnam:

“Not as such, however the government has ratified the UNCRC and after that the government has established the National Council for Child Welfare as the coordinating body and monitoring children’s rights and hence improving their lives.” (North Sudan)

“There is no comprehensive children’s policy or central permanent independent body that is fully empowered to coordinate all policies and programs for children.” (Korea)

“The NCCM has yet to develop a framework for protection as a whole in order to ensure that ALL of children’s protection rights will be addressed.” (Egypt)

“As far as we know the UN 5 year child protection plan is the only child protection strategy the government has and it is mainly UN driven”, “Not necessarily a government plan” (Papua New Guinea)

Within this group there are **different degrees of movement towards a comprehensive protection policy**. In Vietnam there is some movement towards a scheme. A draft National Strategy for Child Protection had been prepared but was not ratified and was sent back to parliament with amendments. It is reported that the new Bureau of Children and the Ministry of Labour, Invalids and Social Affairs will amend and resubmit it soon. Sierra Leone describes that there is no general comprehensive strategy or policy on child protection, but that this is part of the new terms of reference for the National Child Protection Committee.

Countries with overall **strategies or national action plan** included:

Sweden, Côte d’Ivoire, Cambodia, Indonesia, South Africa, Lebanon, Zambia, Yemen, Lao PDR, Kenya, Romania, Fiji, Ethiopia, Philippines, Thailand, New Zealand and Norway.

“A dedicated service: Children, Young Persons and their Families Service, part of the Ministry of Social Development is responsible specifically for child protection work.” (New Zealand)

“The government set up the National Child Protection Committee and Provincial Child Protection Committee as a main mechanism for child protection in the country” (Thailand)

As demonstrated below these schemes varied considerably in both type and implementation. Some of the above countries had a **comprehensive broad strategy on child protection and vulnerable children**: Yemen, Zambia, Kenya (still to go to cabinet), Zimbabwe, Fiji (to be implemented in 2008), Lebanon, Romania (in the process of being approved), South Africa and Sweden. Other countries were described as focusing on **specific groups or themes** of children. These included Ethiopia, Cambodia, Lao PDR, Norway (status of plan unclear) and Indonesia.

Common hurdles faced by countries attempting to deploy a national strategy included:

- Budget constraints and in some instances being dependent on external donors for this
- Monitoring and implementation

- Coordination
- Lack of a multi-sectoral strategy.

“There is a national plan of action for violence against children and, child labour, trafficking of women and children and the commercial exploitation of children” (Indonesia)

“In spite of all the existing shortcomings, the government has an overall policy on child protection and try’s to conform with the CRC and Yemeni Child Laws. Yemen is a poor country but still the government allocates limited resources dedicated to run juvenile and street children centres and community based rehabilitation programmes for children with disability” (Yemen)

“The Government has developed a national policy on orphans and vulnerable children which is yet to be introduced in cabinet. As a result of this, a national plan of action and monitoring and evaluation frame work is being put in place...” (Kenya)

“Overall child protection is embedded with the National Action Plan for orphaned and vulnerable children”. (Zimbabwe)

“There is an overall strategy and a governmental department in charge of children’s affairs ... within this there is a committee on violence and abuse” (Lebanon)

Earlier this year, the Director of Social Welfare and welfare officers met with UNICEF-Pacific to put together a draft Country Program Action Plan (CPAP) which focuses on the Protective Environment for the Children of Fiji in ... justice systems ... child protection social services... violence, abuse and exploitation and ensuring that children in selected geographical areas grow up in home and community environments that are increasingly free from violence, abuse and exploitation...The National Child Framework was endorsed earlier this year by the National Coordinating Committee on Children and is currently waiting for the appointment of a consultant to assist with wider consultations. The Child Protection Program is taking the lead role in the formulation of this framework”. (Fiji)

“Actually, there are several national child protection strategies, policies and plans of action that are focus on different issues. Followings are some examples.

•Strategies

1. MOSVY Strategic Plan 2004-2008 aims to promote basic care for orphaned and abandoned children at community and family levels.

•Policies

1. National Policy on Alternative Care

•Plan of Action

1. A 5 year National Plan on combating trafficking and commercial sexual exploitation of children (2000-2004) was assessed with good progress and the next 5 year plan (2005-2009) was in draft
2. A five-year National Action Plan for protecting, caring and supporting OVC,
3. Department of Child Protection of MoLVT developed a draft national plan on the Abolition of Worst Forms of Child Labour. The Plan will serve as an overall policy framework to initiate programs and projects to eliminate worst forms of child labour in Cambodia.” (Cambodia)

“The developmental and social welfare policy (1996) that covers the whole society also gives attention to children particularly in the area of harmful traditional practices, child welfare and attention to vulnerable children. The National Action Plan for Children (2003 – 2010 and beyond) whose major components include education, health facilities, HIV/AIDS and child exploitation and violence. National Youth Policy . . . National Plan of Action against Commercial Sexual Abuse and Exploitation of Children . . . National Plan of Action on Orphans and Vulnerable Children.” (Ethiopia)

Q3. Would the government describe itself as having a 'child protection system' in place?

Overall the responses indicated that their **government did feel a child protection system was in place**. Of the twenty six responses:

- **Twenty One** replied '**Yes**' (Ethiopia, Zimbabwe, Zambia, Kenya, Yemen, Vietnam, Mongolia, Indonesia, Fiji, Romania, South Africa, Sweden, Lao PDR, Sierra Leone, Cambodia, New Zealand, Korea, Thailand, Hong Kong, Philippines and Norway).
- **Five** replied '**No**' (North Sudan, Lebanon, Japan, Egypt and Papua New Guinea)

Importantly, both North Sudan and Lebanon suggest that the governments are making moves attempts to carry out some form of initiative relevant to child protection.

"Government is using initiatives to put a system in place" (North Sudan)

"No real mechanisms or laws exist to safeguard child protection for all children. This year a comprehensive child protection law is being drafted and a strategy to use monitoring and reporting mechanism proposed". (Lebanon)

The use of **legal provision** was mentioned by a number of the responses as one way in which the governments created national child protection systems. (Ethiopia, Zimbabwe, Indonesia, Romania, South Africa, Sweden, Philippines and Thailand.) **Institutional framework, policy framework** and **action plans** are also discussed as elements of countries national child protection systems. (Cambodia, Ethiopia, Zimbabwe, Vietnam, Mongolia, Fiji, Romania, Thailand, Philippine and Sweden).

"Yes. The Philippines Government has a Comprehensive Program on Child Protection and a Special Committee for the Protection of Children. There are also existing local structures and mechanisms for the protection of children. Presidential Decree 603: The Child and Youth Welfare Code (1974) ... Republic Act 6972: Barangay Level Total Development and Protection of Children Act ... With the passage of Republic Act 9344: The Juvenile Justice and Welfare Act of 2006, the Juvenile Justice and Welfare Council was created to monitor the implementation of RA 9344." (Philippine)

"They would definitely claim that they have child protection system in place due to the fact that there are already the CP Act 2003, and the CP Committee at National and provincial levels. The Government also encourage the multi-disciplinary professional approach in child protection work." (Thailand)

Many of the responses do state that the systems are in the **need of improvement**.

The reasons for this varied considerably. Some felt that it was due to the fact that the system was in its **infancy** and therefore needed to be strengthened. Others reported that despite the system being in place, **implementation was minimal**.

"There are a set of laws in place and, and action plan in place as well as clearly defined ministerial responsibilities although implementation is minimal" (Zimbabwe)

"Efforts are still being put in place to strengthen it" (Kenya)

"Yes partly, but working towards improving its child protection system" (Yemen)

"The government describes itself as having a "child protection system"... but they acknowledged recently that there is a need to improve and develop.... Save the Children argues that there is no system in place despite some uncoordinated, not networked services without a lead agency." (Mongolia)

“The legal provisions have only recently been put in place for a comprehensive system, but resources and implementation of the system is still something that needs to happen.” (South Africa)

In the case of **Vietnam**, it is explicitly stated that the **lack of social work training** in the new Ministry of Labour, Invalids and Social Affairs was making the system work inefficiently. **Indonesia** states that whilst it is considered that there is a system in place due to the child **protection law stating there is**, this is nonetheless disputed by the responder who believes that in reality there is not an effective operational system.

Lao PDR is interesting in so much that the government of Lao feels that it does have a system of child protection in place, however there are some government officials who feel that the **effectiveness** of the system must be recognised as **relative** to the lack of concrete information on protection issues.

“At the same time, some government officials consider that child protection issues in Laos are relatively less than in comparison to other countries. This is because there is little concrete information on many child protection issues in Laos. They remain under-researched and have not been addressed. Therefore, the existing responses are to a large extent considered sufficient.” (Lao PDR)

Q4 – Which ministries have specific responsibilities for child protection?

In each country, there are a variety of bodies that have responsibilities for child protection. It is clear nonetheless that there exists a **body of ministries** that **consistently emerge** as having a role in the protection of children. In particular, ministries that were mentioned most frequently included:

- Ministry of Education (Ethiopia, North Sudan, Fiji, Romania, South Africa, Japan, Cambodia, Thailand, Hong Kong, Egypt)
- Ministry of Health (Ethiopia, Zimbabwe, North Sudan, Fiji, Romania, South Africa, Japan, Sweden, Korea, Thailand, Hong Kong, Egypt)
- Ministry of Home Affairs, Interior and Justice and Police (Zimbabwe, Yemen, North Sudan, Mongolia, Fiji, Indonesia, South Africa, Japan, Côte d'Ivoire, Sierra Leone, Cambodia, Papua New Guinea, Korea, Thailand, Hong Kong, Philippines, Egypt)
- Ministry of Social Affairs/Services/Welfare/Development (Yemen, Zambia, North Sudan, Lao PDR, Mongolia, Vietnam, Fiji, Indonesia, Romania, South Africa, Sweden, Sierra Leone, Cambodia, New Zealand, Korea, Thailand, Philippines, Egypt)

Departments that **focus on women** are also considered to play an important role, however the specific focus or name of this department changes from country to country.

- Higher Council for Motherhood and Childhood (Yemen)
- Ministry of Women's Affairs (Ethiopia)
- Ministry of Gender, Employment Creation and Women's Affairs (Zimbabwe)
- Ministry of Women, Social Welfare and Housing (Fiji)
- Ministry of Women's Empowerment (Indonesia)
- Ministry for Integration and Gender Equality (Sweden)
- Ministry for Women, the Family and Social Affairs (Côte d'Ivoire)
- Ministry of Women's Affairs (Cambodia)
- Ministry of Gender Equality and Family (Korea)
- National Council for Childhood and Motherhood (Egypt)

In some instances **Child Welfare and Children's Services were explicitly mentioned**. These would vary from being a specific stand alone ministry to being combined with another ministry.

- Ministry of Health and Child Welfare (Zimbabwe)
- Department of Children Services. (Kenya)
- National Council for Child Welfare (North Sudan)
- National Coordinating Committee on Children (Fiji)
- Child Protection Commission (Indonesia)
- Higher Council for Childhood (Lebanon)
- National Authority for the Protection of Children's Rights (Romania)
- Ministry of Children and Equality/ The Norwegian Directorate for Children, Youth and Family Affairs (Norway)
- Council for the Welfare of the Children / Special Committee for the Protection of Children / Juvenile Justice and Welfare Council (Philippines)

It is important to note that the children's departments are often coordinated by another body. For instance in the case of Lebanon the Higher Council for Childhood falls under the Ministry of Social Affairs and similarly in Fiji the Ministry of Women, Social Welfare and Housing acts as the Secretariat for the National Coordinating Committee on Children. This also arose in the case of Romania, where the National Authority for the Protection of Children's Rights falls within the Ministry of Labour, Family and Equal Chances. In Japan the Child Rights Commission falls within the Ministry of Justice. This type of arrangement is also seen in Korea and the Philippines.

“Within the Government, the Ministry of Health and Welfare is responsible for policies concerning children. More specifically, the Child Care Division, the Family Welfare

Division and the Women Welfare Division under the Bureau of Family Welfare in the Ministry of Health and Welfare take charge of the administration of child welfare. Within the Ministry of Gender Equality and Family, the Women's Rights Protection Team under the Women's Rights Promotion Bureau deals with sexual and domestic violence against children, and the Child Care Policy Bureau is responsible for child care policy and support. Juvenile Division under the Social Protection and Rehabilitation Bureau within the Ministry of Justice is in charge of juvenile justice.” (Korea)

“The Department of Social Welfare and Development (DSWD) is mandated to provide assistance to local government units, other government agencies, non-government organizations, people's organizations, and other members of civil society in effectively implementing programs, projects and services that will alleviate poverty and empower disadvantaged individuals, families and communities for an improved quality of life. The DSWD has oversight functions on the Council for the Welfare of Children (CWC) and the National Youth Commission (NYC). The DSWD is co-chair of the Special Committee for the Protection of Children and chair of the Juvenile Justice and Welfare Council. The Council for the Welfare of Children (CWC) is the main government agency in charge of children's protection, welfare and development in the Philippines. The CWC is mandated to co coordinate the enforcement of laws related to children, prepare policies and programs for the development of children, and monitor and evaluate the implementation, coordinate the efforts of both government and non-government involved in promoting the welfare and development of children and advocate for greater efforts to support child welfare and development. The Department of Justice is mandated to uphold the rule of law. It is co-chair of the Special Committee for the Protection of Children, and has oversees the Juvenile Justice and Welfare Council.” (Philippines)

Q5 – Is there a mechanism for ensuring coordination across government ministries/departments on child protection?

In response to this question, **twenty** countries described some form of **coordinating** mechanism. (Ethiopia, Kenya, Zimbabwe, North Sudan, Lao PDR, Mongolia, Vietnam, Fiji, Indonesia, Japan, South Africa, Sweden, Zambia, Sierra Leone, Côte d'Ivoire, Cambodia, New Zealand, Korea, Egypt, Philippines and Hong Kong)

“Coordination is the responsibility of the Social Welfare Ministry particularly the Department of Social Services” (Zimbabwe)

“Yes there is a mechanism represented by the National Council for Child Welfare” (North Sudan)

“An interagency protocol was drawn up a few years ago between the Ministry of Health, Department of Social Welfare, Police and the Ministry of Education to better coordinate Fiji’s child protection system” (Fiji)

“There are steering committees for each action plan, chaired by the NCCM. However the coordination that actually happens is weak.” (Egypt)

Five countries stated that they do **not** have a **coordinating** body. (Yemen, Lebanon, Romania, Papua New Guinea and Thailand)

“No. But an alternative (Shadow Report) is submitted by Yemen Child Right Coalition to the UN Child Right Committee on the situation of children and implementation of the concluding observations” (Yemen)

“Not really – UNICEF works with both ministries and law and justice sector program also liaises with both ministries. But coordination is often limited to these agencies intervention” (Papua New Guinea)

Romania is interesting as despite not having an existing coordinating body, the response identifies an existing body that could take on the coordinating role; the Office of the Executive Directorate for High Level Group regarding Children’s Care and Protection.

The way each country **coordinated** its **departments** on child protection seemed to fall into **two broad categories**. In most cases the approach taken was either through a single coordinating body or a more inter-sectoral process.

Single Organisational body:

Zimbabwe – Coordination of Social Welfare Ministry

North Sudan – National Council for Child Welfare

Mongolia – National Authority for Children

Indonesia – Child Protection Commission

Japan – Cabinet Office

Sweden - Ministry of Health and Social Affairs

Vietnam – Ministry of Labour, Invalid and Social Affairs

Ethiopia – Ministry for Women’s Affairs chairs various different committees at different levels; regional, zonal and local.

Hong Kong – Committee on Child Abuse

Korea – Child Policy Coordinating Committee

Inter-sectoral approach:

Philippines – The Council for the Welfare of Children is the main government agency supported by various other government agencies sitting on the Council's board. The Juvenile Justice and Welfare Council is in charge of implementing various Acts effecting children and coordinates various other agencies.

Fiji – An interagency protocol was drawn up between the Minister of Health, Department of Social Welfare, Police and the Ministry of Education.

South Africa – A social cluster exists where each Director General of the relevant department meets. A National Child Protection Committee is headed by the department of Social Development and includes other departments and civil society.

Zambia - Uses statutory instruments to determine which ministry / department is responsible for what. The Ministry of Community Development and Social Services (Legislation) and the Ministry of Sport, Youth and Child Development (Policy). However Zambia also reports that there is a lack of coordination across these departments and consequently there is a significant overlap between these two ministries.

Kenya – Various task forces and committees on the thematic issues whom meet on a regular basis.

Lao PDR – Cross Ministerial body which also includes mass organisation of the party. The National Commission for Mothers and Children and the National Plan of Action.

Cambodia – There are several national Committees (Inter-Ministries) aiming at the promotion and protection of children's rights.

“There are several National Committee (Inter-ministries) aiming at promotion and protection of children's rights.

• CNCC with four sub-committee

1. Sub-Committee on Countering Trafficking and Sexual Exploitation of Children

2. Sub-Committee on early childhood development

3. Sub-Committee on child labour and other form of exploitation

4. Sub-Committee on legislation.

• National Task Force to Implement Agreement, Memoranda of Understanding between the Royal Government of Cambodia and Relevant Countries on the Elimination of Trafficking in Person and Assisting Victims of Trafficking

• National Sub-commission on Child Labour and Exploitation was established with 18 members from relevant ministries. The sub-commission is responsible for oversight and monitoring of the implementation of programmes relevant to the elimination of child labour, with significant attention to promoting awareness on child rights

• National OVC Multi-Sectoral Task Force is aiming at strengthening the rights of OVC, especially in the protection” (Cambodia)

The **assessment** as to whether there was a coordinating body present in each country was **difficult** to make in a number of cases. In some instances where one country reported having a coordinating body, a country that was reported to not have a coordinating body would describe similar mechanisms as those that did have a system. This could be seen in the case of Mongolia and Vietnam. Mongolia is categorised as not having a coordinating mechanism, whilst Vietnam describes itself as having a coordinating body. Essentially however they point to similar mechanisms.

“An explicit mechanism for ensuring coordination across government ministries/departments on child protection is not set up. However, the National Authority for Children is responsible for coordinating on children affairs.” (Mongolia)

“It used to be the Committee of Population, Family and Children (CPFC) who had the function to play the role of coordinating other bodies from ministry level to community level on child protection. After the dissolution of the CPFC in August 2007, Ministry of Labor, Invalid and Social Affairs takes this responsibility” (Vietnam)

There is a feeling amongst some of the countries that the **mechanisms for coordination are weak** in practice and there is a general lack of effectiveness. (South Africa, Fiji, Ethiopia, Hong Kong, Korea). Ethiopia also reports that there is **low participation** in the committees. One of the commonly occurring complaints is the lack of coordination across ministries.

Q.6 – Is Government action primarily focused on prevention work or on responding to protection failures (or equally on both)?

Seventeen of the responses felt their governments **responded to protection failures**. (Zambia, Ethiopia, Mongolia, Indonesia, Lebanon, Romania, South Africa, Japan, Sierra Leone, Côte d'Ivoire, New Zealand, Papua New Guinea, Korea, Thailand, Hong Kong, Philippines and Egypt)

Three of the responses felt that they took a **prevention** approach. (Lao PDR, Vietnam, Norway)

Six of the responses felt the government focused **equally on both**. (Yemen, Kenya, Zimbabwe, Fiji, Cambodia and Sweden)

In the case of North Sudan it was stated that the:

“Government tendency is curative than preventive in addressing root causes of protection threats”.

It was felt in **some cases** that even though a **preventative approach was encouraged**, or that the government presented itself as taking a preventative approach, the response was **still geared for protection failure**. (Indonesia, Ethiopia, Philippines, Romania, South Africa, New Zealand and Hong Kong).

“Virtually no preventative work, response only although the word prevention is used a great deal in policy. The government would probably argue that its ‘socialisation process’ is preventative through in that it raises levels of awareness about laws and regulations, but it seems quite un-substantive and ineffective in practice”. (Indonesia)

“Although the national plan’s of action for children gives emphasis to both preventative and rehabilitative work, the Government actions focus on responding to protection failures.” (Ethiopia)

“Government’s actions have been mainly focused on responding to protection failures and just a few steps were taken in what concerns the prevention domain. Also, in many cases, the prevention measures are targeting persons that are already in a difficult situation, having the aim to reduce the risk of more severe problems.” (Romania)

“Government action is mostly on responding to protection failures, although the new legislation has a much stronger focus on prevention work. It is unclear though how this will be implemented” (South Africa)

A number of **different reasons** were given as to why governments tended to **focus on protection failures**. The response for Sierra Leone describes that due to the **prevalence** of protection failures there is a clear **need to prioritise** response and provide rehabilitation and reformation to the child. Furthermore, it was also felt that the approach in Sierra Leone is impacted by the need to attract donors.

“Presently, government work is much more directed to responding to protective failure and rehabilitation/reformation of children who are victims of human rights abuse/violations to include children in conflict with the law. This is possibly because there are a lot visible problems to respond to as a priority compared to preventative issues. Even NGOs in Sierra Leone have more of problem solving programmes probably because they are much more attractive to donors especially for a poor war-torn country like Sierra Leone” (Sierra Leone)

Both Zambia and Lebanon pointed out that the governments are largely **reactive**.

“In most cases action is focused on responding to protection failure with regards to the way it reacts when problem’s arise, e.g. the escalating street children problem” (Zambia)

“Protection failures, since it is more reactive than proactive, although great changes are being made in 2007” (Lebanon)

In the case of Japan, even though the laws had been amended the focus was still on response.

“The trend is to respond to protection failures... For instance the government amended the Child Abuse Act to strengthen law enforcement. However it didn’t include any amendments for prevention measures and rehabilitation of abused children.” (Japan)

For those countries that **focused on prevention** there was an **emphasis on awareness raising** of their activities, as in the case of Lao and Vietnam. However as is indicated in the responses of Vietnam and Norway the lack of knowledge of child protection issues or a prevailing denial of child abuse in their country means that the preventative work is ineffective.

“For those child protection issues that are recognised government action has been rather preventive than responsive to protection failures. This featured in a larger scale of awareness raising in comparison to support services for survivals”. (Lao PDR)

Government focuses more on protection especially on communication and awareness raising on child protection. However, their work seems not to be efficient as people do know much about child protection. Child protection failure is responded to mostly in serious cases of sexual abuse.” (Vietnam)

“The laws within Norway focus on the prohibition of all kinds of violence against children, including sexual abuse. However the high level of denial that exists in Norway regarding these problems is a significant hurdle in the effectiveness of the child protection system.” (Norway).

The following instances can be taken as some examples of **good practice** as they aim to **focus on both prevention and response**. Amongst these emphasis is placed on legal provision, institutional structures and awareness of protection issues.

“Equally on both. Government is working towards awareness creation, establishment of a conducive legislative environment as a means of prevention, while at the same time it is working towards strengthening structures more so that of families and communities in providing protection” (Kenya)

“Probably on both. Prevention in the aspect of legal preventative aspects like deterrent sentences, and responding to failure through assisting child victims in areas like rehabilitation. Prevention programmes also done through the ministry of education” (Zimbabwe)

“Equally on both. The government has been aware of the connection between legislation and awareness raising for quite some time and in the past few years the question of prevention has been given high priority. One can see many mechanisms for detecting violence/neglect/abuse at an early stage (early warning signs, detecting high risk groups) through the well-baby system (i.e. health clinics for new-borns and young children), schools, the psychiatric care for children and young people (“BUP”) etc. The measures do not always work as intended but the level of ambition is high.” (Sweden)

Q.7 – Is there any independent oversight mechanism that has child protection as part of its responsibilities e.g. an Ombudsperson?

Most of the countries stated that they did have **some form of oversight mechanism**. However the functioning of them varied considerably. It may also be important to note that many of the responses referred to children's rights over that of child protection.

The responses have been broadly grouped into **seven different categories**. These are:

1. A functioning independent oversight mechanism (Ethiopia, Kenya, South Africa, Zambia, New Zealand, Philippines)
2. No mechanism (Japan, Mongolia, Vietnam, Yemen, Papua New Guinea, Thailand and Egypt)
3. A functioning mechanism but child protection issues not placed as a priority (Fiji, Kenya, Romania, Sierra Leone)
4. Under government supervision (Lao PDR, Sweden)
5. A mechanism that is not functioning properly or is inaccessible to children (Côte d'Ivoire, Indonesia, Zimbabwe, Korea)
6. Not a unified body (North Sudan)
7. Initiatives to establish an independent oversight mechanism. (Cambodia, Hong Kong)

A functioning independent oversight mechanism. In the case of Ethiopia this was a relatively new mechanism and in the case of Zambia there is hope to establish another mechanism with children's rights as its focus.

"The Human Rights Commission has in place a Child Rights Committee. Plans are under way to establish a commissioner for Children's Rights which will be based at the Human Rights Commission." (Zambia)

"Yes there is an institution of Child Ombudsman which is recently established" (Ethiopia)

"The National Council of Children Services is generally mandated to supervise and control the planning, financing and coordination of child rights and welfare activities and to advise the government on all aspects thereof." (Kenya)

"The Philippine commission on Human Rights (PCHR) was established in 1997 to independently promote and monitor the implementation of human rights in the Philippines. The creation of this Commission is based on the Philippine Constitution (Sec. 17, Art XIII). The Commission has a Child Rights Center, which investigates human rights violations against children, initiates legal action, and monitors and reports all violations of the Convention on the Rights of the Child involving civil rights and freedoms, and special protection. However, the Committee on the Rights of the Child has expressed the need to broaden the Commission's mandate regarding monitoring children's rights and to provide adequate resource to strengthen its work in sensitively investigating individual complaints filed by children." (Philippines)

No real mechanism. Yemen is interesting in so much that whilst it is stated that Yemen does not have an independent oversight mechanism, it presented various alternatives to this.

"No. but an Alternative (Shadow report) is submitted by Yemen Child Right Coalition to the UN Child Right Committee on the situation of children and the implementation of the concluding observations. Also the government represented by Higher Council got Motherhood and Childhood submit government reports. SCS supports the children's parliament and the Coalition [agree] to submit to follow up concluding observations and submit annual reports". (Yemen)

"No. There was a Child Rights Monitoring Committee but their main function was to write the CRC country report, not follow up on child protection issues. In any case this was an inter-government agency. There is a coalition of NGOs in the country called Family and Sexual Violence Action Committee... they mainly provide counselling and

services to victims and collect data on cases. They do not have a true oversight mechanism” (Philippines)

A functioning mechanism but child protection issues not placed as a priority.

Most of the countries in this group reported that there was an oversight mechanism but felt it is problematic that children’s issues were in the general mix of human rights issues; either because these issues were not sufficiently prioritised or the personnel lacked the relevant skills.

“No. The Fiji Human Rights Commission has a desk officer to look into human rights violations concerning children however the senior legal officer also has other responsibilities. The National Coordinating Committee on Children recognizes the need for an Ombudsperson or Commissioner for Children. Again Civil Society and NGOs play a significant role in lobbying against child rights violations and in certain instances highlighting violations against children’s rights in the public arena.” (Fiji)

“There is no Ombudsperson for Children. A deputy for the “rights of children, family, youth, elderly people and persons with disability” is acting within the National Ombudsman. This deputy addresses only a few child related cases per year (and sometimes the cases are referred to the NAPCR). Also, the personnel are semi-specialised in child rights issues.” (Romania)

“Yes, though very weak, there is an Ombudsman’s office that has child protection as part of its mandate. Secondly, government has recently created human rights commission that also has a child protection desk.” (Sierra Leone)

Under government supervision.

“There is no other independent mechanism which has child protection as part of its responsibilities, apart from National Commission for Mothers and Children and through the channel of Lao Youth Women, Lao Women’s Union. All of these are answerable directly to the government or the Party.” (Lao PDR)

Good Practice:

“There is a Children’s Ombudsman, appointed by the Government, whose main duty by law is to promote the rights of and interests of the child and implement and monitor compliance with the CRC. A key duty of the Children’s Ombudsman is to participate in public debate and influence the attitudes of decision-makers and the general public. However, the Children’s Ombudsman does not supervise other authorities and may not interfere in individual cases. The Children’s Ombudsman submits yearly reports to the government addressing the situation for children and young people in Sweden and is assigned by the government to conduct further training for government employees on children’s issues. The Ombudsman maintains regular contact with children and young people. She visits children in schools and youth clubs and children can themselves get in touch with the Ombudsman by phone, letter or through a website. Twice a year the Ombudsman conducts a questionnaire survey with a number of “contact classes”. The Children’s Ombudsman also has several children’s councils and a youth council.” (Sweden)

Inaccessible or not functional. Although in this instance there does appear to be an oversight mechanism, it is nonetheless criticised for not being accessible by children or not functioning effectively.

“There are thematic groups for child protection under the Ministry of the Family that should play some role in monitoring child protection, but they are not very functional” (Côte d’Ivoire)

“This is meant to be the role of the Child Protection Commission but it is not functioning” (Indonesia)

“Yes, the ombudsman is in place with an office in some Ministry (Justice) but totally not visible and inaccessible to children. There is Junior Parliament which channels child protection issues to the legislature and the general public. It however is influenced by adults as they shape the children’s presentations in the Junior Chamber into politically correct speeches” (Zimbabwe)

Initiatives to establish an independent oversight mechanism.

“The Legislative Council of Hong Kong, SAR, China on 8th June 2007 has unanimously passed a motion urging the Hong Kong Government to set up a Child Commission” (Hong Kong)

Q.8 - What are the major limitations and gaps in national law on child protection issues?

One of the most noticeable limitations in the national laws is the general lack of compliance with the Convention on the Rights of the Child and the principle of best interests of the child. A number of the responses complained of laws that simply did not match international standards, in some cases because it was old and archaic (Fiji, Japan, North Sudan, Papua New Guinea, Korea, Hong Kong and Zambia).

“In some senses all the national laws are restricted by the Penal Code and Civil Code which were introduced to the Japanese society more than one hundred years ago. As we all know, those are not easily changed. However the society and people’s way of lives and thinking have changed a lot since that period. I think that this creates gaps in reality and causes some negative impacts in national laws on child protection” (Japan)

“Many of the laws are colonial and need to be revised and comply with international standards”. (Fiji)

“Generally the Sudanese Legislation is not compatible with the UNCRC” (North Sudan)

“Lack of a comprehensive review to harmonize all related child legislation to reflect the best interests of the child notion” (Hong Kong)

“There are still roughly 20 pieces of PNG legislation that are not in line with the CRC” (Papua New Guinea)

Key challenges in the national laws included:

- **Lack of harmony between the laws on child protection or contradictions in the laws.** (Indonesia, Yemen, Zambia, Ethiopia, Kenya, Zimbabwe, Hong Kong)

“The major limitation is the presence of contradictory national child laws” (Yemen)

“Inconsistencies in some of the definitions, e.g. Legal age of majority (age of child) is 16 years in one act and 18 years in the others” (Zimbabwe)

“[M]any of the new laws do not stipulate that they repeal previous laws or articles inconsistent with the new law. This means that judges are often left with a shopping list of laws to apply in the determination of cases” (Indonesia)

“Lack of a children’s act. The laws related to children are in a scattered manner and do not show clearly the role and responsibilities of all actors” (Ethiopia)

“Lack of a comprehensive review to harmonize all related child legislation to reflect the best interests of the child notion” (Hong Kong)

- **Weak definitions contained in the laws.** (Sierra Leone, Côte d'Ivoire, Lao PDR)

“Sexual abuse against children was not well addressed in the new child rights act; no proper definition of sexual abuse, no age set for sexual consent and procedures for trial and protection of victims was not mentioned” (Sierra Leone)

“One limitation in the law is the on the protection of rights and interests of children is the lack of clear definitions of violence and abuse against children” (Lao PDR)

- **Lack of implementation and enforcement; law not applied properly at ground level.** (Indonesia, South Africa, Sierra Leone, Côte d'Ivoire, Fiji, Vietnam, Zimbabwe, Mongolia, North Sudan, Papua New Guinea, Korea, Philippines)

"In 2004 a UNICEF funded analysis of legislation protecting children's and women's rights in Zimbabwe (in relation to international conventions) showed that the existing legal framework meets most of the standards of the UNCRC although the picture on the ground is not as positive. Notably, customary law (which discriminates against children and women on a range of issues) often predominates... General implementation of the law is very slow and (takes sometimes up to 5 years to complete a case. " (Zimbabwe)

"Implementation of legislation and lack of professionals in the field" (South Africa)

"The law lacks the measures for enforcement and is therefore not operationalised" (North Sudan)

- **Failure of law to address important issues.** (Lebanon, Ethiopia, Sweden, Fiji, Sierra Leone, Mongolia, Kenya, Zimbabwe, Philippine, Papua New Guinea, Egypt)

"There is no provision that explicitly prohibits corporal punishment in homes. No mandatory and universal birth registration system. The age of criminal responsibility is very low - 9 years. Children aged 15 to 18 years are effectively considered to bear the same criminal responsibility as adults. No legal framework which aims to divert the child away from the juvenile system" (Ethiopia)

"The children's act which though is very comprehensive does not obligate a child's father who was not married to the child's mother at the time of the child's birth to exercise parental responsibility" (Kenya)

"Child abuse, violence and corporal punishment are not specifically and explicitly prohibited in all settings other than in schools, although the criminal codes protect all citizens from heavy forms of violence". (Mongolia)

- **Lack of awareness/understanding of the laws and children's rights.** (Sierra Leone, Vietnam, Cambodia, Papua New Guinea)

"Government has not set up the required structures and programmes needed to implement and enforce the new act across the country. The very law enforcement officers are yet to access and comprehend the act properly" (Sierra Leone)

"Inefficient law communication to/from central level to community level makes public unaware of the National Law on child protection issues through Vietnam" (Vietnam)

"Provincial child welfare officers are yet to receive training on the act... finally the general public has very little awareness on children's rights" (Papua New Guinea)

"The law is very vague. There are no specific tasks or procedures for each government agencies. Each office acts as per their interpretation of the law and on informal basis." (Thailand)

- **Not imposing severe penalties for committing harms against children.** (Fiji, Zimbabwe, Cambodia)

"Sexual exploitation is considered a 'misdemeanour' and an offender can face imprisonment for a maximum of 2 years" (Fiji)

"Statutory rape attracts very light sentences like 10 US cents." (Zimbabwe)

- **Lack of child participation/representation of the views of the child.** (Fiji, Romania, Sweden)

“There is a lack of child advocates for children in the justice system, for instance in a survey of juvenile offenders revealed that none had legal representation”. (Fiji)

Other matters that were mentioned but not on a regular basis included:

- **Gender discrimination** (Fiji)
- **Laws that undermine the autonomy of the child** (Indonesia)
- **No laws on child protection, all laws that relate to children are included in the general laws.** (Cambodia)
- **Parental rights not being relinquished under any circumstances, even if this is in the best interests of the child.** (Korea)
- **The law not providing for child protection policies in all governmental and non governmental institutions.** (Egypt)

Q.9 – What are the major problems and gaps in national level policies on child protection?

While there are a number of problems and gaps that are specific to countries, there are a number of common obstacles that could be identified. These included:

- **No national policy on child protection.** (Sierra Leone, Ethiopia, North Sudan, Lao PDR, Vietnam, Thailand and Papua New Guinea, Lebanon)

“The major gap is that there is yet no national child protection policy. We only have specific child rights policies such as the Education Policy” (Sierra Leone)

“There are no designated child protection policies but they’re part of child related policies” (North Sudan)

“... the country does not have a strategy at national level to end violence against children” (Vietnam)

“No clear policy on child protection. No leadership from the main ministry of the National Child Protection Committee” (Thailand)

“insufficient, not enough, or inconsistent” (Lebanon)

- **Problems of implementation associated with lack of resources, wide margins of appreciation for practitioners or a lack of political will/guidance.** (Sweden, South Africa, Kenya, Côte d’Ivoire, Fiji, Romania, Zimbabwe, Norway, Papua New Guinea, Korea, Philippines, Egypt)

“Although the Korean Government has adopted a series of policies to improve child protection, the major problem regarding national level policies is their implementation” (Korea)

“Funds allocated specifically for children’s concerns remain insufficient... There has been no assessment of the impact of budgetary allocations on the implementation of children’s rights nor information on what proportion of the budget is actually spent of children” (Philippines)

“A major issue is the Social Services Act is a legislative framework, defining what an individual is entitled to, but leaving a lot of the content to the individual social worker’s judgement and interpretation. This of course requires a lot of effort from the people set in charge of working it, as well as regular further education and discussion whenever the Act is amended” (Sweden)

“Implementation of these policies may be difficult due to limited resources” (Kenya)

“Were the Compulsory Education Order to be enforced and monitored to ensure that all children attend primary school, then this would limit the number of children who would be on the streets and prone to child labour” (Fiji)

“In the implementation of the Action Plans, the NCCM has found it difficult to get cooperation from the line ministries involved. The ministries do not follow-up on their roles, for the NCCM cannot force the Ministries to follow-up and, additionally there is no funding for much of the implementation of the Action Plans in the Ministries” (Egypt)

- **Poor coordination of policies including oversight mechanisms and consolidation of data** (Zimbabwe, Romania, Vietnam, Cambodia, New Zealand, Korea, Papua New Guinea, Philippines, Egypt)

“Various reports and reviews have highlighted problems with child protection policies and practices and made recommendations for improvements – a number of issues came up over and over again – issues such as inter-agency co-operation and communication” (New Zealand)

“There is no government or independent monitoring or protection mechanism” (Papua New Guinea)

“The incapability of staff at national level to design and coordinate a national strategy on child protection caused the failure of ratification of the National Strategy on Child Protection in 2005” (Vietnam)

“Most of the national level policies were not well introduced to the stakeholders, especially at the local level; only government at high level position got known or heard about policies. Therefore, local authorities act based on the command of their superior”. (Cambodia)

“There is no systematic consolidation of data related to child protection that could be used to inform government strategies and plans of action” (Philippines)

- **Lack of understanding child protection issues / standards.** (Mongolia, Romania)

“Lack of understanding of child protection issues among decision makers” (Mongolia)

- **Slow reaction to social change.** (Romania, Japan)

“... I think some problems may come from the thing that the government doesn't have a fundamental view on children and child protection. They are stacked with an old fashioned view of children. They are still taking an authoritarian approach to child protection, which made it difficult for them to involve children and NGOs in policy making” (Japan)

- **Misguided policies.** (Indonesia, Fiji, Thailand)

“The response within the system of child protection is generally towards institutionalisation of children – There is a lack of social services by which the State can effectively respond to the needs of children and their family, consequently institutionalisation is taken as the preferred response” (Indonesia)

- **Denial/awareness of problems.** (Vietnam, Norway)

“Children do not have information about their rights, and generally do not know who to turn to for protection. The current system does not encourage open discussion and denial of these problems is the much favoured approach... There is a need for children and adults to receive greater education on what to do and where to go in responding to the violence and abuse. In addition because of the lack of coordination between actors in the national child protection system, children do not benefit from the established services as much as they could. Another significant problem in the policies on child protection is the failure to address problems that parents suffer with, for instance alcohol and drug addiction and mental problems. This presents a major hurdle to the help and protection that children can receive”. (Norway)

- **Lack of child participation and representation** (Sweden, Hong Kong)

“Children's voices have not been heard enough. Child participation has been insufficient. The Children's Ombudsman is an exception, along with NGOs such as Save the Children Sweden. However, County Administrative Boards have also started reporting to the government on the extent of children's involvement in decisions regarding themselves. A lot of the social work is conducted with the family in primary focus, which can have devastating consequences for the individual child,

depending on the circumstances. For example, if the child voluntarily wants placement by the authorities in a “family house”, the parents are notified and get to have their say in the matter, potentially putting the child in danger in cases where the child is seeking protection from a family member.” (Sweden)

The reported situation in Romania encapsulates many of the above mentioned problems well.

The major problems of the national policies are given by the fact that they don't have enough power to be fully implemented. The standards are not uniformly understood by the practitioners (fact that determines disputes and affects the quality of child protection), also some provisions are insufficient promoted and monitored.

There is a lack in what concerns the child right based monitoring procedures. There are no specific strategies / policies regarding this domain and the data from different field (education, health, social services) are not compiled and analysed by a certain body, therefore, different reports are issued by the main specialised ministries. Also, monitoring at local level is insufficiently developed and promoted.

Major problems, like child poverty or discrimination, can only be addressed from a multi-disciplinary approached, but the cooperation between different institutions is still not properly developed and encouraged. Other major difficulty in the policy field consists in the slow reaction to new social challenges and problems (for example to the situation of children left in the country, while their parents migrated for work).

Below are examples of problems that are more specific and important to particular countries.

“Major problems and gaps are pertinent to the decentralisation policies” (Yemen)

“Overloading of the child protection service and aspects of social work practice” (New Zealand)

Q.10 - To what extent do the current measures by the government really protect children from all forms of violence?

A **significant number** of the responses suggest that the government measures do **not adequately protect** children from all forms of violence. (Sierra Leone, Yemen, Ethiopia, Kenya, Côte d'Ivoire, Zimbabwe, North Sudan, Lao PDR, Fiji, Indonesia, Lebanon, Japan, Sweden, Norway, New Zealand, Papua New Guinea, Korea, Thailand, Hong Kong, Philippines and Egypt)

The lack of protection was felt to result from **gaps in the existing law** and a number of the above countries responded that although legislative measures had been taken, there was an **inconsistency** between the **theoretical protection** provided by the legislation and the **practice in reality**. Some countries such as Sierra Leone, Cote d'Ivoire, Kenya and Zimbabwe, Korea and Hong Kong see the lack of protection as a consequence of the government's failure. Others such as Sweden, Japan and Norway feel that prevailing social attitudes present the biggest problem to proper implementation of the laws or measures being utilised to protect children.

"Efforts still need to be put in place to ensure that the present measures do protect children from all forms of violence. For instance corporal punishment is still being practiced in some of the child protection systems as the service providers are not equipped with skills on positive discipline and or the provisions of the law" (Kenya)

"At the moment, one would just say that government has fulfilled the first step of child protection by making the law, but proper implementation is another issue. Since the act is just about 2 months old, and a new government has just come in power [a] few weeks ago, one wouldn't say much. In conclusion, children are for now protected in law but not in practice" (Sierra Leone)

"Children do not have the information about their rights, and generally do not know who to turn to for protection. The current system does not encourage open discussion and denial of these problems is the much favoured approach. There is a need for children and adults to receive greater education on what to do and where to go in responding to violence and abuse. In addition, because of the lack of coordination between actors in the national child protection system, children do not benefit from the services as much as they could" (Norway)

"Legislation and policy in Sweden concerning child protection issues is strong and covers neglect, abuse, exploitation and violence, but no matter how strong the laws and how high the government/authority ambitions are, the individual case is also a matter of how people treat each other..." (Sweden)

"I think the government hesitates to touch some issues which may affect the existing social norm like how to raise children. That may minimise some measures by the government and causes some problems in protecting children from violence..." (Japan)

The response for Papua New Guinea encapsulates the two above mentioned problems, and provides a good example of the hurdles to be overcome.

"[The government measures] do not protect children from most forms of violence. Children are routinely physically disciplined at home, often severely. Cases of child sexual abuse, though grossly under-reported, are still extremely high. Corporal punishment is legal in schools, though the Department of Education policy discourages it. Police routinely beat and otherwise abuse children who come into contact with the law. Children are also beaten and abused in the community and teenage girls working in stores are often forced to have sex with the store owner in order to gain or keep their jobs. Children who are informally adopted are sometimes subject to physical and sexual abuse, or are forced into prostitution by their guardians.

The new Child Welfare act does lay out penalties for physical, sexual, emotional and psychological abuse. However these terms are not defined, and deal with abuse only after the fact. Protection measures are limited. There are other national laws to cover other acts of violence (family and sexual violence act, juvenile justice code) but implementation is very weak. Physical discipline within the family is commonly believed to be an acceptable way to raise children and therefore is not considered to be "abuse".

Two of the **responses** provide a more **positive picture**, with additional measures that have been taken by their government to address important aspects – but not all forms - of violence against children. (Zambia, Vietnam).

"In the last couple of years, and in order to reduce as well as prevent the abuse of children, Corporal Punishment in all settings except for the home has been prohibited. In addition, the Penal Code has been amended leading to more serious penalties for crimes against children. (Zambia)

"The Government of Vietnam has laws to protect children from Violence. They are working on an anti domestic violence law to ban all forms of violence within family settings. Vietnam is working on setting up a set of child protection indicators. Campaigns to raise awareness to protect children from violence have been held every year with support from UN agencies and INGOs." (Vietnam)

Q.11 – In brief, what steps has the government taken to follow up on the recommendations of the UN Study on Violence Against Children?

Those countries that explicitly show that there has been some government follow up to the UN Study on Violence Against Children include: Romania, Kenya, Sweden, Yemen, Cambodia, North Sudan, Indonesia, Lebanon, Ethiopia, Zimbabwe, South Africa, Papua New Guinea and Philippines.

Each country appears to have taken a different approach but there are some overlapping strategies.

- **Increased collaboration with NGOs.** (Fiji, Zimbabwe, Yemen, Cambodia, Kenya)
- **Countrywide awareness raising campaigns of the study with the involvement of NGOs, media and government officials.** (Cambodia, Kenya, Yemen, North Sudan, Papua New Guinea)
- **Increased participation of children in activities affecting their lives, and making them aware of their rights, child information centres.** (Yemen, Cambodia)
- **National Action Plans.** (all at different stages of process) (Ethiopia, Kenya, North Sudan, Indonesia, Lebanon, Romania, Papua New Guinea, Philippines, Egypt)
- **Monitoring and tracking of cases of abuse.** (North Sudan, South Africa)
- **Developments of strategies on specific vulnerable groups.** (Cambodia, North Sudan)
- **Advocacy campaign** (Kenya, Papua New Guinea)
- **Launching of the UN Study on Violence Against Children; nationwide launch and to be used as the content for advocacy work.** (Sweden, Papua New Guinea)

Below is a possible combination of good practices. Although, despite these measures, if one refers back to the Q.10 it is clear that more needs to be done to protect children in practice.

“The steps taken to follow up recommendations of the UN Study on Violence Against Children holding regional and national events to disseminate the recommendations e.g national launching of the UN Study, holding ISPCAN regional conference, forming networks of different GOs and NGOs to combat VAC. Ministry of Education developed manual of alternatives to Corporal punishment in 2006 and this year TOT programmes for teachers will be carried out. Save the Children supported NGOs to hold children consultations in different provinces involving government official and media and children expressing their rights to stop violence against them”. (Yemen)

“... It is making efforts to appoint a national focal person on the study who will lead in advocacy at the national level” (Kenya)

“Training courses for specialists on the issue of parents-children relationship were developed. Also, in the draft version of the National Strategy that is to be adopted for 2007-2013, the Government mentions the “establishment and the development of an unitary, coherent and comprehensive reporting and intervention system, in cases of child abuse, neglect and exploitation”. The Government prepares an Action Plan, addressing all forms of violence, in correlation with the elaboration of the conceptual frame regarding violence”. (Romania)

“Provisions are in place to establish an effective database to monitor and track cases of abuse within the country. Legal provisions have been provided for in the Children’s Act. (South Africa)

There are a number of countries that report that in varying degrees very little has been done in responding to the recommendations of the UN Study. (Sierra Leone, Zambia, Côte d’Ivoire, Lao PDR, Vietnam, Japan, New Zealand, Korea)

“Government has been quite silent on this particular issue” (Sierra Leone)

“Government has made efforts to ensure that the law protects children from violence e.g. stiffening the sentence of child defilers. However, as highlighted above, government has amended the penal code to ensure stiffer penalties for crimes against children. However, there hasn’t been any direct intervention towards the recommendations of the UN Study on Violence Against Children” (Zambia)

“Some Government services seem to be more willing to listen to children’s opinions. Some laws forbid some kinds of violence against children but all the different forms of opinion.” (Côte d’Ivoire)

“There has been no visible follow up measure taken by the Korean government on the recommendations of the UN Study on Violence Against Children at present. The government, however, supports suggestions and activities of NGOs specializing on child’s rights regarding the study though it does not conduct concrete actions” (Korea)

Q.12 – Does the government have strategies, policies, plans of action or programmes to address specific forms of abuse, neglect, exploitation or violence?

All but Japan (excluding Norway as the response they gave did not address this question) indicated that the government did have some form of strategy, policy, plan of action or programme that covered one or more of the forms of abuse mentioned above.

Specific issues that are being focused on by countries include:

- **Abandonment.** (South Africa, Sweden, Papua New Guinea, Korea)
- **Abuse.** (Sierra Leone, Fiji, South Africa, Sweden, New Zealand, Papua New Guinea, Korea, Philippines, Egypt)
- **Child Justice/Juvenile offenders.** (Sierra Leone, Ethiopia, Korea, Philippines)
- **Children with substance abuse problems.** (Indonesia)
- **Child labour.** (Mongolia, Romania (economic exploitation), South Africa, Sweden, Cambodia (and other forms of exploitation), Philippines, Egypt)
- **Domestic violence.** (Mongolia, Zimbabwe, Romania, Korea, Thailand, Philippines)
- **Disabled children.** (Indonesia)
- **Discrimination** (Philippines)
- **Gender based violence.** (Sierra Leone, Zambia, North Sudan (FGM), Sweden (Honour crimes), Philippines)
- **Orphans and vulnerable children.** (Sierra Leone, Zambia, Ethiopia, Cambodia, Papua New Guinea)
- **Poverty.** (Korea)
- **Physical/Corporal Punishment.** (Sierra Leone, Kenya, North Sudan, South Africa, Sweden, New Zealand, Korea)
- **Sexual exploitation/abuse.** (Sierra Leone, Ethiopia, Zimbabwe, Lao PDR, Fiji (Pornography), Romania, South Africa, Sweden, New Zealand, Korea, Philippines)
- **Street children.** (Ethiopia, Indonesia, Egypt)
- **Trafficking.** (Sierra Leone, Lao PDR, Mongolia, Indonesia, Romania, South Africa, Sweden (including forced organ removal), Cambodia, Thailand, Philippines)
- **Victim Support Units.** (Zambia, Ethiopia, Korea)

Côte d'Ivoire Vietnam, North Sudan, Zimbabwe, Philippines, Korea and Kenya specifically mention broad plans of action/policies/programmes that do not necessarily focus on specific forms of abuse but that are all encompassing to end violence. It is important to note that in the case of Zimbabwe, Kenya, Philippines and Korea this broad plan is in addition to specific policies, as seen above.

“The government structures which exist have global but not specific programme, plans of action, policies to fight against specific forms of violence against children.” (Côte d'Ivoire)

“Vietnam drafted the National Strategy on child protection which will include National Strategy on Ending Violence against Children to be submitted to National Assembly to ratify by the end of this year or early of 2008” (Vietnam)

“The NAP is a comprehensive policy which addresses birth registration, abuse, education, health/nutrition, HIV/AIDS in an effort to protect children.” (Zimbabwe)

“The National Action Plan for the Promotion and Protection of Human Rights contains a rough plan for children within it. A national action plan for children has not yet been formulated. To deal with child abuse neglect, exploitation or violence [there is] Comprehensive Plan for Child Protection and Child Rearing; Comprehensive Plan for Child Safety...” (Korea)

In addition to the forms of abuse described above, Cambodia describes measures that have been taken to protect children from exposure to sexual and violent scenes in mass media.

“The Royal Government of Cambodia issued a Sub-Decree on Management and Control of Cinema and Video in September 2000, which requires Ministry of Culture and Fine Arts shall not issue permit for any production of video tape, laser disc, video CD, DVD and karaoke containing pornography, robbery, killing, violent acts, drug trafficking, sexual exploitation, child trafficking etc. And Ministry of Information issued a guideline to TV broadcasters not to air images containing acts of rape or obscene acts.” (Cambodia)

Q.13 – To what extent do children and/or their representatives have access to child-friendly services like legal assistance, psychosocial and medical support, transit shelter homes etc? What is the quality of such services and how is the follow up ensured?

Whilst most of the countries do appear to have child friendly services, the overall picture that can be drawn is that significant hurdles are faced in regards to seeing these services function effectively, and child access is limited. Furthermore, a large proportion of these services appear to be provided by NGOs and not government.

NGOs take the leading initiative in a number of countries. Including: Zambia, Ethiopia, Mongolia, Vietnam, Indonesia, Lebanon, South Africa, Norway, Papua New Guinea, Egypt.

There are a number of broad categories that could be identified creating obstacles to the effective functioning of these services:

- **Budget constraints.** (Zambia, Côte d'Ivoire, Vietnam, Philippines)
- **Staffing problems.** (Côte d'Ivoire, Zimbabwe, Vietnam, Korea)
- **Lack of training of staff.** (Romania, Korea, Philippines)
- **Lack of accessibility (especially from rural areas).** (Sierra Leone, Zimbabwe, North Sudan, Fiji, South Africa, Sweden, Philippines)
- **Quality of services in varying degrees is substandard.** (Sierra Leone, Zambia, Zimbabwe, Lebanon, Romania, South Africa, Norway, Cambodia, New Zealand, Thailand)
- **Limited number of services.** (Zambia, Ethiopia, Lao PDR, Fiji, Indonesia, Romania, South Africa, New Zealand, Korea)
- **Lack of awareness of services.** (Côte d'Ivoire, Norway)
- **Lack of capacity building.** (Côte d'Ivoire)
- **Lack of political will.** (Philippines)

The example given below demonstrates the overlapping nature of these problems.

*“Most such facilities are run by civil society organisations that receive a minimal grant from government to supplement its activities
Any facilities run by government are usually poorly funded and inadequately supported.
Government through the Ministry of Justice has established a Child Justice Forum project to ensure that children in conflict with the law are diverted from the criminal justice system, but are assisted through a child friendly court (with legal assistance provided). The Forum comprises government, NGO and INGO representatives. The project also established child friendly cells at specific police stations, to ensure that children upon detention are not mixed with adult offenders. This project works with the Social Welfare department to ensure that social welfare officers are always present to offer psychosocial support when a child appears before a magistrate. The Project further aims at ensuring that children needing rehabilitative services are sent to reformatory schools.
There are very few of these schools and safe houses, and the few that exist are in a deplorable state. Furthermore, there are none for female children, therefore female children are mixed with adult female offenders in prison whilst awaiting trial.
The other challenge is the delay in the justice system where children spend more time in police and prison cells as opposed to diversion or rehabilitation centres.
The Secretariat of the Child Justice Forum holds quarterly meetings to monitor how this project is working to protect children in conflict with the law. The secretariat compiles reports from the Police, Prisons, Social Welfare Department and the courts, which it shares with stakeholders at the quarterly meetings, issues of concern are raised and solutions are usually generated in these meetings. A strategy and action plan for child justice has been developed to scale up programmes and to establish additional child friendly courts throughout the Country”.* (Zambia)

In some cases the child friendly nature of the services is not necessarily a central focus.

“MoI (police), MoD (Military Police and PNH Governor are operating rehabilitation centres for children and youth drug abducted in different provinces/city. The centres run by police and military police recover children and youth by only physical exercises” (Cambodia)

“INGOs provide with services, including medical services for street children and run shelters. The government has a transit shelter home, which children do not find be friendly for them at all”. (Mongolia)

“With the exception of a few drop-in centres, there are no child friendly services. Many of the drop-in centres are run by NGOs and we are unsure of the quality of the services available” (Egypt)

Kenya provides a more positive picture regarding the steps taken on child friendly services between government and civil society.

“The government together with civil society organisations have referral networks where cases can be referred to the relevant services. Such networks mainly comprise of social workers, counsellors, lawyers and health workers. The government has set up a child help desk and hotline where cases are received and dealt with accordingly” (Kenya)

Q.14 – Is there capacity building / professional training on child protection (in addition to capacity building in child rights) for those working with children? E.g. in teachers training, through social work courses, in legal education etc.

For most of the countries there is a level of capacity building and professional training for those who come into contact with children. These countries were:

Zambia, Ethiopia, Côte d'Ivoire, Yemen, Ethiopia, Kenya, Zimbabwe, North Sudan, Lao PDR, Cambodia, Vietnam, Fiji, Indonesia, Romania, South Africa, Sweden, New Zealand, Korea, Hong Kong, Philippines and Norway.

“Yes there is training on child protection guidelines and centres are encouraged to have a child protection policy and code of conduct” (Yemen)

In addition to capacity building on children's rights, capacity building and training is occurring in other more specific areas. Some countries appear to be broadly focused on training professionals generally whilst others focus on specific groups of professionals. Listed below are the responses which indicated the areas the training is occurring in or planned to occur in.

- **Ethiopia** - Child protection training to police / social workers / para social workers
- **Kenya** - Capacity building of lawyers
- **Zimbabwe** - Capacity building of police officers and nurses on handling cases of child abuse
- **North Sudan** - Training on child protection for professionals
- **Lao PDR** - Child protection-para social work for staff of Ministry of Labour and Social Welfare. Save the Children Sweden exploring collaboration with National University of Laos on development of social work education.
- **Mongolia** – Save the Children piloting child protection curriculum in a number of social work faculties. Save the Children plans to develop child protection training for teachers and doctors.
- **Cambodia** – Training of local police on law enforcement against abuse, sexual exploitation and trafficking.
- **Vietnam** – Training code for social workers. Save the Children Sweden supporting institutions to try and improve the capacity of trainee social workers on child protection.
- **Fiji** - Child abuse counselling offered as part of the certificate of Social Work. Training of community volunteers on child protection issues and counselling skills. Some teachers receive basic training on counselling. Regional workshop on combating poverty and commercial sexual exploitation attended by policy makers, health practitioners, law enforcement officials, government officials, social workers and counsellors. Training of police on dealing with sexual offences.
- **Indonesia** - Training on new child protection law and training for the police. School of social work and school of social science.
- **Romania** - Professional training on child protection and on children rights. Masters courses in this domain are also available.
- **Sweden** - Social work and law enforcement. National Police and Courts Administration and Swedish Prosecution Authority required to report the measures taken for child victims of crime and that children's needs are met in court. CRC is one of the documents students can study in Swedish law schools. Schools of social studies all have child rights issues written in their curricula. Social workers can go through short courses on child rights.
- **Norway** - Planned training programme for professionals working in child welfare.
- **Korea** – Child Protection Agents take courses on counselling and have capacity building in particular concerning violence prevention. Professionals at the National Human Rights Commission of Korea have training on children's rights. Planned training for 2008 of correctional officers for child rights training.
- **Philippines** – The training of prosecutors, law enforcers, public attorneys, judges and social workers on the provisions of the law and its implementing rules and regulations.

Twelve responses felt that their service **training programmes** were **limited** by one reason or another. Sierra Leone, Sweden, Ethiopia, Côte d'Ivoire, Mongolia, Vietnam, Lebanon, Japan, South Africa, Papua New Guinea, Korea, Hong Kong and Egypt. In the case of Egypt it is limited by capacity, with one person providing the training on child protection across the whole region.

"Yes but rather piecemeal and not extensive nor sophisticated" (Hong Kong)

"No! Trainings are usually done in a form of crash courses in workshops organised mainly by NGOs, UN bodies and other agencies". (Sierra Leone)

"No established training system, except:

The Addis Ababa Police College has incorporated child right and child protection issues using a manual developed for this purpose. The manual is being revised to better address child right and child protection issues and expected to be adopted by all other police training institutes.

Some specific training programmes conducted/organised by NGOs for those directly working with children such as police, social workers, para social workers. But since there is no standard training manual or curriculum on child protection it is difficult to say these programmes provide proper training on child protection" (Ethiopia)

"There is no systematic capacity building training on child protection." (Mongolia)

"Limited, depending on availability of resources and will of employer..." (Lebanon)

"There is almost no capacity building/professional training on child protection (in addition to capacity building in child rights) for those working with children. Vietnam has started developing a training code for social workers from 2004 and so far there are 25 schools in Vietnam licensed to provide training for social workers. However, child protection and child issue have not been a required subject in the curriculum. SCS is supporting a few of these institutions to try to improve the capacity of the trainee social workers re: child protection." (Vietnam)

"There are not many well trained professionals who can conduct training on child rights and in general capacity building and professional training do not focus on child rights." (Korea)

Q.15 - To what extent are child protection programmes and services inclusive – do they reach marginalised and discriminated against groups? Are they sensitive and responsive to their needs?

In general, countries are to some extent **taking steps to provide inclusive programmes and services** that respond to the needs of more marginalised groups e.g. disabled children. Those countries that could be described as taking measures to provide for marginalised discriminated against children are: Romania, Lao PDR, North Sudan, Zimbabwe, Côte d'Ivoire, Kenya, Ethiopia, Yemen and Sierra Leone, Sweden, Fiji, New Zealand, Korea and Zambia.

An emerging situation in some countries is that **mainstream services** and programmes tend **not** to be very **inclusive**, in some countries more specific services and programmes are being designed targeting marginalised children.

“Child protection services are inclusive. It is unlikely that they are sensitive or responsive enough” (New Zealand)

“Child protection programs and services are inclusive enough to be applied to as many children as possible. They are not, however, differentiated and integrated enough to fulfil victims various needs” (Korea)

“In general, child protection programmes are designed for the whole country, with no specific program, guidance to reach the marginalised and discriminated-against groups, indeed many services are even only provided in the major cities. All child protection program work is with big groups of children rather than being sensitive and responsive to the needs of marginalised and discriminated-against groups. The Legal Aid system with mobile clinics is trying to reach some remote communities.” (Vietnam)

“A number of child protection programmes reach children with disabilities. Efforts still need to be put in place to integrate them with ordinary children” (Kenya)

“To some extent, some child protection programmes and services are inclusive depending on the goal of the programme. Very few programmes are sensitive to the needs of specific marginalised groups like children with disabilities because of lack of expertise” (Sierra Leone)

Several **other key issues** present themselves as significant challenges to the reach of programmes:

- **Limited financial resources and human expertise.** (Côte d'Ivoire, Romania, Sierra Leone)
- **Lack of planning and limited comprehensiveness of policies.** (Zimbabwe)
- **Implementation by NGOs which limits the reach of the programmes.** (Ethiopia, North Sudan)
- **Geographical limitations.** (Vietnam, Lao PDR, Romania, Ethiopia, Zimbabwe)
- **Linguistic constraints.** (Lao PDR)
- **Early marriage of girls and no longer considered children.** (Zimbabwe)

“The services aim to be inclusive, addressing also marginalised and discriminated groups, but the major problem is the fact that these services have a poor capacity to reach rural areas, especially the isolated ones. Here the numbers of services that and also of professional's involved are very low. Marginalisation and segregation of minorities' children in some schools are still major problems in some communities, also due to the insufficient numbers of community workers. The number of children with disabilities enrolled in mass education as still reduce, since the support teachers, trained and actively involved are insufficient”. (Romania)

It is important to note that **nine** of the **countries** were described as not **really providing for marginalised children**. (Japan, Lebanon, Indonesia, Vietnam, Mongolia, Papua New Guinea, Thailand, Hong Kong, Egypt and the Philippines)

“It is difficult for marginalised groups to reach the meek services, especially those without legal document such as illegal migrant children or children with no birth registration. They do receive discrimination treatment from government officials who tend to believe that the budget should be spent on Thai children first” (Thailand)

“No because not all groups on Lebanese territory are under Lebanese mandate such as refugees, non-IDs” (Lebanon)

“Child care institutions are not very inclusive, all children are required to be healthy – no HIV/AIDS, no disability. Services themselves are usually collective and not focused on individual care.” (Indonesia)

“The new child welfare act specifically prohibits discrimination of any kind against all children. PNG is an extremely diverse country, with nearly 800 distinct language groups. There are no true minority groups to speak of. However, disabled children are still at a distinct disadvantage. There are no special measures to protect disabled children from violence. Women and children are discriminated against in many ways, especially in terms of facing violence, accessing education and services. Children affected by or infected with HIV and AIDS are discriminated against, as are all people with HIV and AIDS. The new NAP on Orphans and Vulnerable Children will hopefully direct more protective measures towards these children. Children of sex workers are also discriminated against, particularly as prostitution is technically illegal in Papua New Guinea. Finally, there is a small minority of West Papuan (Irian Jaya) refugees in PNG. West Papuan children are afforded little protection; there are no services directly targeting them. Many West Papuan children are not enrolled in school as their parents residential status in PNG is unclear.” (Papua New Guinea)

“They don’t reach many children – and its unlikely that they reach any marginalised groups” (Egypt)

Q.16 – To what extent is research and data used to inform child protection services and programmes?

A **significant proportion** of the responses **indicate that research and data is used** to guide their child protection services and programmes **quite extensively**. (Yemen, Zambia, Kenya, Japan, South Africa, Mongolia, Romania, Sweden, Hong Kong).

“Research institutions, universities, UN and international NGOs collect data and disseminate them and use them to guide the government and the civil society in their supported child protection programmes” (Yemen)

“The Ministry responsible for children services has a data collection centre which informs ongoing and future programmatic interventions” (Kenya)

“It is very significant” (Japan)

“Introduced in the recent years, commissioned by the Government, household surveys, opinion surveys, etc” (Hong Kong)

Sixteen responses indicate that research and data is either **used to a minimal extent or not utilised effectively**. (Sierra Leone, Côte d’Ivoire, Ethiopia, Zimbabwe, North Sudan, Vietnam, Fiji, Indonesia, Romania, Lao PDR, Lebanon, Papua New Guinea, Korea, Thailand, Egypt and Philippines).

“Some studies are done to know more about the child protection issues, but there is not any national data mechanism which can systematically inform child protection services” (Côte d’Ivoire)

“Very minimal extent in fact child protection data to assist programming is one of the missing links in Zimbabwe” (Zimbabwe)

“Data in Egypt is unreliable and information on child protection old. There is limited research done...” (Egypt)

“Comprehensive research and data on child protection are generally not available. As such, scattered research work which are carried out by different institutions and NGOs in their respective area of interest and activities are available and used” (Ethiopia)

“To some extent research has been used to inform child protection services and programmes. However, more research into child protection issues should be taken and data should be better utilised.” (Lao PDR)

“Child protection services from local level are the main data collectors, at the request of central authorities who analyse the information received from across the country. Unfortunately, the reports elaborated by the central authorities are not disseminated automatically to the local services, but are available upon request. The outputs of researches and studies elaborated by public institutions or (mainly) by NGOs, may reach the child protection services through mass-media, internet or through direct dissemination (depending on the available resources)”. (Romania)

“Since the Child Welfare Act was amended in 2000, the efforts have been made to enhance public awareness-raising on child protection and to inform child protection services. In particular, as media coverage on child protection cases has recently increased, the gravity of child maltreatment and child protection services and programs have become better known to the public. Nonetheless, it is still needed to systematically collect data and conduct research on child protection. It is also concerned that children and the public at large, as well as all groups of professionals working with and for children, are not sufficiently aware of the Convention and the

rights-based approach enshrined therein.” (Korea)

As can be seen in the case of Côte d'Ivoire (above) a number of countries specifically report having difficulties in utilising research and data because of a **lack of a national database or coordinated body**. Those that referred to this as a problem include: Côte d'Ivoire, Sierra Leone, Fiji, and Indonesia, Philippines, Thailand, Korea

“Agencies dealing with children are still hampered with no common shared database to effectively plan and monitor implementation of child focused programmes” (Fiji)

“Data is very unreliable on child protection as there are no systems by in place for data collection, except for local NGOs, although the only data that they have is in relation to their area of concern.” (Indonesia)

“There is no systematic consolidation of data related to child protection that could be used to inform government strategies and plans of action. The Committee [on the Rights of the Child] has recommended that the Philippine government strengthen its existing mechanisms for data collection and develop indicators consistent with the Convention, establish additional mechanisms when necessary and use these indicators and data to formulate policies and programmes for the effective implementation of the Convention” (Philippines)

Q.17 – How is the national system prepared to respond in emergency situations to child protection issues?

Eight countries were described as having a national system that was **prepared to respond in emergencies**. (Zambia, Japan, Ethiopia, Vietnam, South Africa, Sweden Philippines, Hong Kong.) However, only Zambia, Philippines and Japan describe the provisions that are in place for children. They describe an inclusive system, with additional services being available for children. Vietnam, South Africa, Ethiopia, Hong Kong and Sweden give a more general picture of their emergency response system.

“The government has good preparedness. For instance, when a big earthquake happens, the central government will dispatch medical teams and psychosocial therapists to release trauma and prevent PTSD. Other services are also given to child victims.” (Japan)

“Within the country there are emergency plans in place. For cross border emergencies this response is very limited due to political agendas (i.e. Zimbabwe). In general though the local government and defence forces has been commended for its emergency work in Mozambique” (South Africa)

“There is no special plan concerning children in emergencies, although there is awareness that in all emergency situations children are particularly vulnerable. The Swedish Emergency Management Agency (SEMA) coordinates work to develop the preparedness of Swedish society to manage serious crises, reduce vulnerability of the society and improve capacity to handle emergencies. The Government has proposed the establishment of a new authority for handling emergencies in 2009: this is supported by SEMA.” (Sweden)

“The national emergency responsiveness system does not have a special focus that takes into consideration child protection issues”. (Ethiopia)

“The system is ready though we lacked 24 hours child protection support from government and NGO social workers” (Hong Kong)

A **very high proportion of the countries** are depicted as having a **limited system** in place to respond to emergency situations. On a scale, there are countries that can be described as having no national system in place; whilst others describe a national system but with severe limitations.

Countries with a system in place but with **hurdles to overcome** include: Yemen, Kenya, North Sudan, Fiji, Thailand, Egypt and Indonesia.

“The national system has limited resources to respond to emergency situations”. (Yemen)

“A national body exists in this area but it still does not have the full strategy on how to undertake its mandate” (Kenya)

“Currently the response mechanisms are under resourced” (Fiji)

“There is a national strategy for emergency response, although the NGOs in Egypt do not have access to any part of it... To the best of our knowledge, child protection is not included in this strategy... “. (Egypt)

Countries that fall into the category of having **no national system in place** include: Sierra Leone, Côte d'Ivoire, Zimbabwe, Loa PDR, Mongolia, Papua New Guinea and Lebanon.

“Government hasn't got any emergency response programmes”. (Sierra Leone)

“Nationally there is no preparation”. (Zimbabwe)

“No national strategy or planning”. (Lebanon)

Importantly, in the case of both Romania and Fiji the national emergency response system is in the process of being developed which may make it more focused on child protection.

“A strategy for emergency situation response is being developed by a working group composed of representatives of public authorities and civil society. (Save the Children Romania is also involved in these efforts). The strategy will be focused on raising awareness and regarding the natural disaster and on strengthening the reacting capacity of the local community structures” (Romania)

NGOs and donors have an important role to play in the response to emergencies for those **countries that have a limited national system in place**. The responses that point to this include: Yemen, Zimbabwe, Lebanon, Indonesia, Sierra Leone, Papua New Guinea and Côte d'Ivoire.

“The national system has limited resources to respond to emergency situations to children, so call for help and assisted by international organisations” (Yemen)

“There is not a national system prepared to respond in emergency situations to child protection issues. But at the beginning of the war, the social workers with the help of the humanitarian organisations, some national NGOs and some volunteers tried to respond to child protection issues.” (Côte d'Ivoire)

“The last major disaster in PNG was the Manam volcanic eruption in 2004. Save the Children and UNICEF, in collaboration with the Red Cross and other NGOs, responded to the disaster... The government agencies do not seem to want to get involved in resolving tribal fighting, and do not have the capacity to protect children in conflict areas” (Papua New Guinea)

Q.18 – How does the government link with and support community-based child protection activities and mechanisms, if any?

Not all of the countries described ways in which the government links with the community. However, those that did referred to a **number of different means used by the government to support community based protection activities**. These include:

- **Money.** (Sierra Leone, Sweden, New Zealand)
- **Government organised child protection committees and networks.** (Zimbabwe, Lao PDR, Cambodia, New Zealand, Papua New Guinea, Korea, Thailand)
- **Social workers.** (Côte d'Ivoire, Zimbabwe, Indonesia, Zambia)
- **Awareness raising.** (Kenya, Côte d'Ivoire)
- **Activity coordinating government mechanisms such as Ministries, linking the central to local levels.** (Vietnam, Zambia, Korea)
- **Coordinated government work with NGOs who work with community.** (Fiji, New Zealand, Papua New Guinea, Philippines)
- **Community projects using legislative and methodological instruments developed by central government.** (Romania)
- **Train and exchange knowledge with those who work at local level.** (Sweden, Côte d'Ivoire, Korea)
- **Developed standards of care.** (Zambia)
- **Guidelines and regulations.** (Sweden)

“The government through the Ministry of Community Development and Social Services coordinates and supports community based protection activities. The Ministry has developed Standards of Care, to ensure that community based organisations are using recognised mechanisms to care and protect children.” (Zambia)

“A new Multi-country Programme of Cooperation is being introduced for the Pacific Island countries (PIC) and UNICEF in January 2008. The Multi-country Programme is a confirmation of the government’s commitment to work in close partnership with the UNICEF and other PICs over the next five years. UNICEF programmes are targeted at the community level and this partnership will involve continued support for the protection of children against violence, abuse and exploitation. Government recognizes the valuable contribution of civil society and NGOs and will continue to seek their support in the implementation of the CPAP”. (Fiji)

“Through financial supports to projects and programmes; through exchange of knowledge and experience; through guidelines and regulations disseminated by the National Board of Health and Welfare; through the supervision responsibility of the County Administrative Boards on the municipality social services and of the National Board of Health and Welfare on the County Administrative Boards”. (Sweden)

“The Family and Sexual Violence Action Committee (FSVAC) is a loose coalition of NGOs working on gender and family violence. FSVAC are part of the consultative, Implementation and Monitoring Committee, which is the coordinating body between government and NGOs” (Papua New Guinea)

Q.19 – How far are children encouraged and supported to be involved in developing and strengthening child protection policies, programmes and services? Are child friendly information and learning materials available to enable this to happen?

How far are children encouraged and supported to be involved in developing and strengthening child protection policies?

Six of the countries that provided responses are **clearly involving children in the development of policies** on child protection. Countries that are seen to actively involve and encourage the participation of children are: Sierra Leone, Yemen, Kenya, Zimbabwe, Cambodia and Fiji. In spite of this knowing the extent to which their involvement has any real impact on the end policy is not always clear, as can be seen in the case of Zimbabwe.

“Ministry of Youth is responsible through the junior parliament initiative as well as junior councils countrywide... The development of the National Action Plan had significant input from children who were brought together from across the country, although how well their ideas were incorporated or how representative was their input has not been evaluated. The NAP does have a specific objective on children’s participation...” (Zimbabwe)

“With the support of UNICEF, government has set up a vibrant child rights advocacy group called the Children’s Forum Network. This group is represented on child protection committees at all levels and they usually lead the consultation of children nationwide when government is about to make policy or laws related to children”. (Sierra Leone)

“In terms of child participation depending on their level of age and maturity there is encouragement and support in areas such as the education system... also in areas of family law... Children are also represented on the National Coordinating Committee. The CPAP also places an important emphasis on the participation of children in national child protection systems.” (Fiji)

Amongst a number of countries there does appear to be an **increasing degree of awareness** that they **should try to involve child participation** in their activities on child protection, but this is limited for a variety of reasons. This was seen in the case of Sweden, Mongolia, Ethiopia, Vietnam, Lao PDR, Korea, Egypt and Indonesia.

“The involvement of children in designing activities and implementation of programmes is very limited. There are, however, some efforts made to involve children: e.g. children participated in the process of preparing the national plan of action; actively participated in the process of the UN study on violence against children at national and regional level; children clubs established in many schools to promote children rights”. (Ethiopia)

“There is a growing recognition among children’s organizations... on creating a favourable environment to involve children in developing and strengthening child protection policies, programmes and services”. (Mongolia)

However, there still remain a number of countries that **do not** appear to **encourage** real participation of children. Côte d’Ivoire, North Sudan, Lebanon, Japan, Romania, Thailand, Hong Kong, New Zealand, Papua New Guinea, Egypt and South Africa.

“Child participation idea is not consistent with real participation. This is also heavily dependent on partnerships with UN / (I)NGOs” (Lebanon)

“This is a weak point in the protection system created by the government.” (Japan)

“At government level there is non-existence of involvement of children. There are some initiatives by child protection agencies to involve children however these initiatives are very limited” (North Sudan)

“The NCCM is trying to determine how best to bring children into the process on a national level, and has asked for support. However they are not doing this....” (Egypt)

Key challenges:

- **Participation being ad hoc and project setting.** (Lao PDR)
- **Children not being involved in consulting on the National Strategy.** (Vietnam)
- **Opportunistic participation with a lack of active encouragement to have children involved** (Indonesia)
- **Main encouragement by NGOs / child protection agencies / civil society rather than the government.** (Romania, South Africa, North Sudan, Papua New Guinea)
- **Lack of methodological support and guidance to the children’s forums.** (Romania)
- **Need for more resources for the effective and meaningful participation of children.** (Fiji)
- **Negative societal attitudes to the involvement of children** (Papua New Guinea)
- **Existing mechanisms not being maximised effectively for meaningful participation of children.** (Philippines)

Are child friendly information and learning materials available to enable this to happen?

Countries that reported a lack **of child friendly material** to enable children to effectively participate included Romania, Lebanon, Lao PDR, Mongolia, Lebanon, Sweden, Philippines, Egypt and Zambia.

Countries that felt that there **child friendly material was produced** supporting the involvement of children included: Sierra Leone, Ethiopia, Zimbabwe, Vietnam, Fiji and Indonesia. These countries represent a mix of those that do actively encourage the involvement of children and those that are moving toward such an approach.

Q.20 – Is there an obligation in the law to ensure that individual children have their views heard and be given “due weight” in relation to interventions and decision making throughout the child protection process?

Within the countries that responded there was a near even distribution between those that described a legal obligation for children to be heard, and those that did not.

The countries that have a legal obligation for children’s views to be heard are:

Sierra Leone, Kenya, North Sudan, Lao PDR, Fiji, Indonesia, Romania, Sweden, Ethiopia, New Zealand, Papua New Guinea, Thailand, Philippines, Hong Kong and Norway. In reality however a legal provision does not necessarily equate to children’s views being heard in reality (New Zealand, Hong Kong). Furthermore just one provision in the law may still be considered limited (Papua New Guinea)

“Yes, the new child rights act states that “no person shall deprive a child capable of forming views the right to express an opinion, to be listened to and to participate in decisions which affect his welfare, the opinion of the child being given due weight in accordance with the age and maturity of the child” (Sierra Leone)

“There is a relevant principle in child protection legislation but it is a principle rather than a specific requirement in law and the extent to which it is honoured is unknown” (New Zealand)

“The new child welfare bill does specify that children should be consulted in decisions affecting them, particularly in alternative care arrangements. This is the only area of legislation at the moment where there is a legal obligation to ensure children’s views are given due weight in interventions and decision making on their behalf” (Papua New Guinea)

Ethiopia, Fiji and Thailand only allow children’s views heard in certain matters affecting their lives.

“On matters of custody of children and related family affairs the participation of children is set as a requirement by law. However, there is no provision of the law stipulating children participation on issues of child protection in general”. (Ethiopia)

“Yes, in the Family Law Act and the amended Juveniles Act in particular. Children are also covered under the 1997 Constitution. Although there needs to be explicit provisions for children to express themselves and this should be reflected in other relevant legislation and policies”. (Fiji)

“There is a law to support this when there is a lawsuit where children are victims, perpetrators or witnesses. During the interrogation by the police, there must be a team of legal officer, social worker or psychologist, public prosecutor and an adult that the child requests to be there. Apart from this, it is up to the person who is in contact with children victims if they encourage child rights or not.” (Thailand)

The countries that do not have a legal obligation for children’s views to be heard are:

Zambia, Côte d’Ivoire, Zimbabwe, Mongolia, Cambodia, Vietnam, Lebanon, South Africa, Korea, Egypt and Japan.

“It is not legally required that children’s views should be taken into account in interventions and decision-making process” (Korea)

Q.21 – What role does UNICEF play in supporting and strengthening child protection activities in Government?

UNICEF undertakes a number of different roles, varying from country to country in supporting and strengthening child protection activities of the governments.

UNICEF supports governments through:

- **Capacity building** - Most countries referred to at least one of the following: Technical support, financial support, resources, staff training, information gathering and methodological advice. (North Sudan, Kenya, Indonesia, Côte d'Ivoire, Lao PDR, Romania, Ethiopia, Sierra Leone, Fiji, Papua New Guinea, Thailand, Philippines and Mongolia)

“UNICEFs role is much more directed at capacity building both technical and resource for NGOs and government ministries and departments to be able to implement the UNCRC and ACRWC” (Sierra Leone)

“UNICEF has continued its support to the newly established Police Family and Child protection unit by arranging exposure visits to other experiences within the region and outside the region. Moreover, by provision of some equipments, materials and internal / external training for the staff of the unit”. (North Sudan)

“UNICEF mainly provides financial and technical support to CWC and local government units in developing frameworks, programmes and plans of action. They also develop information and, communication materials and conduct research” (Philippines)

- **Taking a role in the development of studies and policy on child protection and the creation of child protection units** (North Sudan, Lao PDR, Mongolia, Vietnam, Côte d'Ivoire, Papua New Guinea, Thailand and Philippines)

“UNICEF has been a major player in strengthening the child protection work in Laos, both building capacity and piloting the child protection network in dealing child protection issues” (Lao PDR)

“UNICEF has identified the goal of the country child protection programme as to developing a child protection system... UNICEF played a critical role in developing a national programme on trafficking”. (Mongolia)

- **Advocating for children, particularly policy and legal reform and increased protection of children's rights.** (Sierra Leone, Romania, New Zealand)

“UNICEF advocates for children's rights and elaborates studies and research that are disseminated to the government's level, generating debates and offering guidelines”. (Romania)

“Another glaring role is advocacy for policies and legal reforms for the protection of children” (Sierra Leone)

- **Supports, coordinates and monitors government on child protection. In particular implementation of policies on children their rights and relevant legal instruments at national and local levels** (Côte d'Ivoire, Zimbabwe, Zambia, Cambodia, Fiji, South Africa, Sierra Leone, Papua New Guinea, Thailand, Egypt)

*“Ministry of Health: support given for vaccination campaigns
Ministry of Education: school kits for children at school
Ministry of Women, Family and Social Affairs: some projects financed by UNICEF exist in this ministry for prevention and response to child protection issues”. (Côte d'Ivoire)*

“UNICEF partners mainly government departments in programming as well as few civic organizations. UNICEF has been given funds by major funding agencies like SIDA and DIFD to oversee /coordinate implementation of the national plan of action for OVC by local / international NGOS in the country”. (Zimbabwe)

“Monitoring the implementation of local and international legal instruments”. (Sierra Leone)

- **Supports government reporting to the UN Committee of the Convention on the Rights of the Child.** (Zimbabwe and Romania)

“It has a wide responsibility of supporting government’s UNCRC reporting but there has not been a submission for over 10 years” (Zimbabwe)

- **Prepares various submissions and reports for meeting with officials.** (New Zealand)

“Seeks to influence policy through meetings with relevant officials and members of parliament and preparing submissions and other reports” (New Zealand)

- **Supports and coordinates with civic organisations and other NGOs and agencies.** (Zimbabwe, Sierra Leone, Zambia, Vietnam, North Sudan, Thailand, Egypt and Fiji)

“UNICEF and Save the Children Sweden are coordinating activities related to the implementation of the recommendations of the UN Study of Violence Against Children”. (Zambia)

“UNICEF partners mainly government departments in programming as well as civic organisations”. (Zimbabwe)

Q.22 - What are the roles of major INGOs (e.g. PLAN, World Vision, TdH, etc) and NGOs in supporting and strengthening and/or advocating for child protection activities in Government?

A number of areas emerged as key roles of the major INGOs, in particular these were:

- **Advocating governments on children's rights and child protection.** (Sierra Leone, Zambia, Côte d'Ivoire, Zimbabwe, Vietnam, Fiji, Mongolia, Romania, New Zealand, Hong Kong, Egypt)
- **Awareness raising and knowledge dissemination.** (Sweden, Fiji, Hong Kong, Philippines)
- **Capacity building; through which technical and financial support is provided to the government.** (Kenya, Zimbabwe, Ethiopia, Cambodia, Côte d'Ivoire, Egypt)
- **Capacity building and support to local NGOs.** (Côte d'Ivoire, Sierra Leone, Vietnam, South Africa, Philippines)
- **Coordinate with Government on child protection issues.** (North Sudan, Lebanon, Indonesia, Cambodia, Philippines)
- **Work on their own projects and programmes to be used at both governmental level and community based level.** (Ethiopia, Côte d'Ivoire, Sweden, Zimbabwe, Egypt)

"The international NGOs:

- *Give financial and technical help through some projects on child protection issues.*
- *Advocacy activities for strengthening of national law on child protection issues, for instance, advocacy for ratification of African Charter on the Rights and Welfare of the Child.*
- *Advocacy for the transmission of the periodic report to be addressed to the committee on the right of the child of Geneva.*
- *Conduct some studies on child protection issues.*
- *Capacity building of the local NGOs and of the social workers on child protection issues.*
- *Organisational development of local NGO and government services."* (Côte d'Ivoire)

"Save the Children has set up (and UNICEF has taken on the responsibility for chairing) a child protection network in Egypt. The network includes Plan, TdH, Care and others – both national and international. The network has advocated for changes in the child law, and is developing a manual on child protection policy training" (Egypt)

A number of countries highlighted that World Vision plays an important role in implementing projects at community level and focuses on community based activities (Sierra Leone, Mongolia, Vietnam), whereas PLAN implements its projects through the government and local NGOs. (Sierra Leone, Vietnam)

Some of the responses indicated INGO activities that were more specific to certain countries, these included:

- **Active members of networks on children's rights and child protection.** e.g. Child Justice Forum, Global Movement for Children. (Zambia)
- **Establishing a team of legal advisors to act as an advisory board.** (Fiji)
- **Issue based support to child protection** (Korea)

In some cases INGOs are seen to play a very marginal role, this is true of Lao PDR, Papua New Guinea and Japan.

"In Laos at the moment both PLAN and World Vision have been playing relatively marginal roles in strengthening child protection. This is because of the fact that PLAN only recently set up operations in Laos; and World Vision has newly developed its work on child protection" (Laos PDR)

“Some advocacy groups are very active, but they are working only in domestic matters, no good connection with INGOs like those mentioned in the question. In other words, these INGOs are sort of weak to advocate child protection issues to the government”. (Japan)

“Child Fund and World Vision are the only other INGOs in PNG working specifically on children’s issues. Their scope and work is limited” (Papua New Guinea)