



## International conference “Combating violence against children: from isolated actions to integrated strategies”

*24-25 May 2011, Kyiv, Ukraine*

### Conclusions presented by Dr Ruth Farrugia

The State Service for Youth and Sports of Ukraine, the Council of Europe and the UNICEF Regional Office for CEE/CIS organised, with financial support from the European Union, an international conference “Combating violence against children: from isolated actions to integrated strategies” in Kyiv, Ukraine, on 24-25 May 2011.

The conference was the **first major event under the Ukrainian Chairmanship of the Council of Europe’s Committee of Ministers**, with the authorities choosing the protection and promotion of the rights of the child as one of its core Chairmanship priorities.

The conference also assured the Council of Europe’s follow-up to the recommendations included in the 2006 UN Study on Violence against Children and benefited from the support and contribution of the UN Secretary-General’s Special Representative on Violence against Children, Ms Marta Santos Pais.

The conference brought together over 200 participants, including:

- government representatives from more than 20 European countries;
- 7 Ombudspersons or Commissioners for Children (from Azerbaijan, Belgium, Croatia, Moldova, Montenegro, Poland and Ukraine);
- representatives of the Council of Europe structures and bodies, such as the Committee of Ministers, the Parliamentary Assembly, the European Court of Human Rights and intergovernmental committees working on issues of relevance to children;
- representatives of the UNICEF Regional Office for CEE/CIS and UNICEF country offices (Albania, Bulgaria, Bosnia and Herzegovina, Croatia, Montenegro, Turkey and Ukraine);
- representatives of observer states with the Council of Europe (Canada);
- representatives of other intergovernmental and international organisations (European Union, Council of the Baltic Sea States, OSCE, UNDP, World Bank, etc.);

- representatives of national and international NGOs;
- internationally renowned independent experts in the children's rights field.

The conference's overarching theme was the **promotion of holistic national strategies to promote the rights of the child and eradicate violence against children, with a focus on good practices from Central and Eastern European states.**

In the Council of Europe region, the full range and scale of violence against children is only now becoming visible, as is the evidence of the harm it does. Despite positive steps taken to eradicate specific forms of violence (such as corporal punishment and sexual exploitation), it is still estimated that a large proportion of Europe's 150 million children suffers from violence in all spheres of life: the home, the school, cyberspace, residential institutions and the community.

Traditionally, violence prevention efforts focused on particular issues or specific groups of vulnerable children. While vertical, issue-focused projects can be effective in serving the specific cohort of children targeted, they often lead to prevention and protection gaps for other categories of children who may also be vulnerable to violence. **The conference aimed, therefore, at promoting a strategic, multi-disciplinary and multi-stakeholder approach to violence, based on the Council of Europe Policy Guidelines on Integrated National Strategies for the Protection of Children from Violence.**

The conference reflected the co-organisers' support for concerted action in Central and Eastern Europe with a view to promoting the implementation of international standards, monitoring progress and developing targeted cooperation programmes involving relevant organisations and institutions working in this field, decision-makers, practitioners and civil society.

#### 1. Implementation of integrated national strategies on violence against children: success stories and pitfalls

The participants welcomed the Council of Europe Guidelines as a frame spanning the planning, implementation and evaluation of actions to prevent and eliminate violence against children, and its particular relevance to the Central and Eastern European region. They reaffirmed their commitment to implement existing national action plans, strategies, policies and programmes, while improving their alignment with the existing international and European children's rights standards.

### *Recommendations:*

- The participants agreed on the need to ensure legal protection of children, notably through the prohibition of all forms of violence against children. The participants drew attention to a **number of ground-breaking legal texts**, namely the Council of Europe conventions on the protection of children from sexual exploitation and sexual abuse, on action against trafficking in human beings, on cybercrime and on preventing and combating violence against women and domestic violence, as well as the Optional Protocol to the UN Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. Those member states, which had not already done so, were asked to **sign and ratify those treaties** as soon as possible. The continued relevance of the European Convention on Human Rights and the European Social Charter for the prohibition of specific forms of violence (such as corporal punishment in schools, judicial corporal punishment and violence within the family/home) was emphasised;

- The participants agreed that a sustainable **institutional framework** was crucial for the prevention and protection of children from all forms of violence. A body with sufficient influence and resources at national level should be entrusted with primary responsibility to prevent and eliminate violence against children and promote children's rights. It should not only lead the design, implementation and evaluation of a national strategy but also provide guidance and feedback to all the actors concerned, in particular to children;

- In the Central and Eastern European region, the identification, referral and treatment of cases of violence against children remain rather weak. Different sectors with the necessary accountability, statutory or otherwise, whose interventions would make a difference, often lack formal mandates. Professionals frequently do not receive appropriate training and guidance on how to respond to violence against children. In this regard, it was considered necessary to **properly define the mandates of respective institutions (in order additionally to ensure their complementarity) and to train professionals on prevention, identification, child-centered and child-sensitive assessment and reporting of violence against children**. Bearing in mind that the promptness and adequacy of responses to violent acts also depend on the degree of co-operation across sectors, governance levels and stakeholders, whether public or private, participants stressed the importance of **effective co-ordination**, including through inter-agency protocols and agreements;

- To become more responsive to violence against children, child protection systems in the region should **diversify services offered to children and families, disassemble residential institutions and introduce a "gatekeeping system"**, targeting the rights of each individual child at the right time with the right range of services.

## 2. Preventing violence through developing support services and improving national child care standards and policies

Many of the Central and Eastern European states are in the process of revising their national child care standards and policies so as to bring them in line with the provisions and principles of the UN

Convention on the Rights of the Child, as well as other relevant international and European standards.

*Recommendations:*

The participants agreed that:

- national authorities bear the primary responsibility for setting out **common standards for the provision of services for children and families**, compliant with international standards, for all institutions, services and facilities responsible for the care, education and protection of children. They are equally responsible for ensuring that those standards are respected through developing an elaborated system of **internal control and independent external monitoring**;

- national policies on the rights of the child should pursue a number of goals, namely to:
  - promote effective access to rights for each child;
  - support families in their child-rearing responsibilities;
  - prevent as far as possible the separation of children from their families;
  - provide for family-like and community-based alternatives to placement of children in institutions;
  - promote responses to child behaviour, whether in the home or outside the home, commensurate with the age and understanding of each child;
  - facilitate contact between children and families and support family reunification, also where family members are not together, where that is in the best interest of the child.

- the **promotion of positive and non-violent forms of child-rearing should be at the heart of all child- and family-related policies**;

- **policies, based on accurate data and research, evidence and children's own experiences and covering all areas conducive to the promotion of children's rights and children's well-being** are essential for the prevention of violence and the protection of children from violent acts. The participants warmly welcomed positive experiences from the member states that involved children in the planning, implementation and evaluation of policies and programmes to promote children's rights and prevent violence. The participants agreed that such practices should be widely promoted, particularly at local level.

### 3. Addressing violence through cross-sectoral co-ordination and co-operation at regional and local level

Regions and local authorities often have specific legislative and regulatory powers in the fields of social and health policies, welfare policies and education and can therefore promote a mainstreaming action in order to make the prevention of violence against children a transversal objective for all the policies directly or indirectly affecting the lives of children and families. Local action to prevent violence is particularly important in view of its proximity to children and families as end/target recipients of services. It is at this level that the persons concerned will receive assistance, in line with their needs and characteristics.

*Recommendations:*

The participants signaled the desirability of:

- defining a **local plan of action** via “participative planning” that is consensual and includes all the key actors, such as relevant professional and voluntary associations, non-governmental organisations, former victims of violence, etc. Such a plan could be formalised through framework agreements outlining the strategic objectives, priority actions, the allocation of financial, structural and professional resources, service standards and quality requirements, co-ordination modes between local services and all the other relevant stakeholders;
- **guaranteeing permanent political and administrative co-ordination between state and decentralised governance levels by setting up a mechanism to monitor the national/regional/local action plans**, create consensus, share responsibilities and mainstream violence prevention and children’s rights in national and regional laws, policies, programmes and administration;
- developing **regional guidelines clearly outlining the procedures, roles, and objectives of interventions** for the detection of cases, child-centered and child-sensitive assessment and protection, including the responses to be made in emergency situations to reduce the margin for arbitrariness or unjustified delays;
- setting up as a priority **mechanisms at local level to prevent violence and enhance early response and detection**;
- **improving co-operation** between child care services, women’s refuges and services for victims of domestic violence in order to clearly address the issue of witnessing violence and mobilise all available resources for emergency interventions and responses.

4. Counselling, reporting, complaint and referral systems for child victims, witnesses and perpetrators of violence

As violence against children is often surrounded by stigma and secrecy, access to counselling, reporting, complaint and referral procedures is imperative for children as well as adults who have endured violence during their childhood or are willing to report known cases of violence to relevant authorities. To respond to the vulnerability of child victims and witnesses of violence, as well as to ensure successful rehabilitation of child perpetrators of violence, counselling, complaints and referral systems and mechanisms should be child-centered, age appropriate, gender and culture sensitive and allocating special protection to children at risk.

*Recommendations:*

- The participants pointed to the urgent need to **develop effective, child-friendly counselling, reporting and complaint mechanisms, universally available and accessible to children, without discrimination of any kind, and providing prompt and speedy responses and follow-up**. Such mechanisms should become core components of the national child

protection system, be anchored in child-rights law and policies, supported by integrated services for children, and reinforced with initiatives to revise social norms;

- Counselling, complaint and reporting mechanisms should be **established by law** and in conformity with international and European human rights instruments, with clearly defined roles and responsibilities for government departments, and well-defined standards for the actions of other institutions, services and facilities responsible for the care and protection of children. They should be guided by the best interests of the child and informed by children's experience and perspectives;

- The participants were unanimous in recognising that such mechanisms should guarantee the safety of children, through measures to avoid any risk of harm, intimidation, reprisals or revictimisation. They should also ensure the **confidentiality of proceedings and respect children's rights to privacy**;

- It is the states' responsibility to make the information on the functioning of counselling, complaint and reporting mechanisms **widely known among children and adults** and publicised through appropriate and effective means;

- Effective intervention programmes and measures should be put in place for adult perpetrators, including perpetrators of sexual violence against children.

The participants also took note of the Joint report of the Special Rapporteur on the sale of children, child prostitution and child pornography and the UN Secretary-General's Special Representative on Violence against Children to the UN Human Rights Council of 7 March 2011.

The participants welcomed the outcomes of the three Working Groups, which underlined:

- the importance of **child-focused, family- and community-oriented reintegration and rehabilitation programmes** for child victims and witnesses of violence. The implementation of recovery and reintegration measures for child perpetrators of violence should be based on the child's best interests, limited by the gravity of the offence committed (principle of proportionality) and take into account his/her personal characteristics (principle of individualisation);
- the need to **strengthen respect for the rights of the child, and more specifically child victims of violence, in judicial and non-judicial proceedings**, in line with the Council of Europe Guidelines on child-friendly justice;
- the imperative of **combating child prostitution and child pornography**, including child abuse images, through accession to and implementation of relevant treaties, such as the Council of Europe Convention on Cybercrime and the Optional Protocol to the UN Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography;
- the importance of ensuring children's universal access to child-friendly health services, including counselling and treatment services. This is a particularly urgent need when

considering the increased risks of HIV infection and STIs faced by victims of child prostitution and child pornography.

The participants gave their full support to the recently launched Council of Europe ONE IN FIVE Campaign to stop sexual violence against children and appealed to the organisation's member states to join this important initiative.

**The participants welcomed Ukraine's decision to place the promotion of children's rights in the programme of its Chairmanship of the Council of Europe's Committee of Ministers, and invited the government of Ukraine to:**

- ❖ pledge its full support for the new phase of the Council of Europe programme "Building Europe for and with children" and participate actively in the development of the Council of Europe Strategy on the Rights of the Child 2012-2015.

**The participants also invited governments in the region to:**

- ✚ appoint a relevant Minister as overall co-ordinating authority to plan, implement and evaluate national actions aimed at combating violence against children and consider establishing a system to assess and consolidate progress;
- ✚ co-operate with the Council of Europe, UNICEF, and the EU in the implementation of concrete projects in the field of child's rights and violence against children;
- ✚ co-operate with and support the UN Secretary-General's Special Representative on Violence against Children in the implementation of the recommendations included in the 2006 UN Study on Violence against Children;
- ✚ continue to facilitate the exchange of good practice on preventive measures and on the protection of children from violence.

**The participants invited the Council of Europe to:**

- continue the promotion of holistic national strategies as the most viable way of countering all forms of violence against children and explore some of the specificities of the role of local and regional authorities in the context of the above-mentioned national frameworks;
- communicate these conclusions to other competent bodies in the Council of Europe, inter alia, in the fields of family law, mass media, education and youth.

**The participants encouraged relevant international organisations** to coordinate their actions with a view to providing guidance and effective support to governments' efforts to eliminate all forms of violence against children.

Kyiv, 25 May 2011