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**Promotion and protection of all human rights,  
civil, political, economic, social and cultural  
rights, including the right to development**

## **Annual report of the Special Representative of the Secretary-General on Violence against Children, Marta Santos Pais\***

### *Summary*

This report of the Special Representative of the Secretary-General on Violence against Children is submitted to the Human Rights Council in accordance with General Assembly resolution 64/146.

Ms. Santos Pais assumed her position on 1 September 2009. In this preliminary report, she recalls the history leading up to the establishment of the position of the Special Representative, and the scope of the mandate, as defined by General Assembly resolution 62/141. She outlines her vision and priority areas for her work and the strategies she intends to use to achieve progress in implementing the mandate entrusted to her, which builds upon the recommendations of the United Nations study on violence against children (A/61/299).

The report highlights the need to accelerate progress in key strategic areas and the special emphasis the Special Representative will place on three overarching recommendations of the study, namely the development in each State of a comprehensive strategy on violence against children; the introduction of an explicit national legal ban on all forms of violence; and the consolidation of national data collection, analysis and dissemination, and research in this field.

The report reviews key developments and initiatives promoted by the Special Representative during the initial months of her mandate to advance progress in the study follow-up at the global, regional and national levels; to promote a consultative process and strengthen strategic partnerships with key stakeholders, including Governments, United Nations partners, human rights bodies and mechanisms, civil society organizations and children and young people; and to secure firm support for her mandate.

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\* Late submission.

The Special Representative looks forward to working with all stakeholders to advance progress in violence prevention and in the protection of children from all forms of violence in all settings, and collaborating very closely with the Human Rights Council in moving this agenda forward.

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## I. Background

1. In 2001, following a recommendation of the Committee on the Rights of the Child, in General Assembly resolution 56/138 the Secretary-General was asked to conduct an in-depth study on the question of violence against children. In 2003, the Secretary-General appointed Paulo Sérgio Pinheiro as independent expert to lead the study.

2. The Secretary-General's study on violence against children<sup>1</sup> was presented at the sixty-first session of the General Assembly. It addressed violence against children in five settings: the family, schools, alternative care institutions and detention facilities, places where children work and communities. The study recognizes that violence against children affects every country and knows no social, cultural, religious or ethnic boundaries, remaining widespread, largely hidden and often condoned by society. Moreover, violence against children has a serious, lifelong emotional and health impact on children's lives; it undermines child development and learning abilities, inhibits positive relationships, provokes trauma and depression and often leads to risk-taking and aggressive behaviour.

3. The study calls for urgent action to prevent and respond to all forms of violence, and presents a set of recommendations to guide follow-up actions. These recommendations provide a solid navigation chart for future steps and constitute a decisive reference for accelerating and monitoring progress. To promote dissemination and ensure effective follow-up to the study's recommendations, the appointment of a Special Representative of the Secretary-General on violence against children was recommended in the study.

4. The General Assembly took note with appreciation of the study's recommendations and requested the appointment by the Secretary-General of a Special Representative on violence against children<sup>2</sup> to act as a high-profile, global independent advocate to promote prevention and elimination of all forms of violence against children.

## II. Appointment of the Special Representative on violence against children

5. On 1 May 2009, the Secretary-General announced the appointment of Marta Santos Pais of Portugal as his Special Representative on violence against children at the level of Assistant Secretary-General. Ms. Santos Pais took her position on 1 September 2009.

6. According to the terms of reference approved in compliance with General Assembly resolution 62/141, the Special Representative reports directly to the Secretary-General, chairs the United Nations Inter-Agency Working Group on Violence against Children and collaborates closely with a wide range of partners, within and beyond the United Nations system. The Special Representative reports annually to the General Assembly, the Human Rights Council and the Economic and Social Council.

7. In conformity with the General Assembly resolution, the position of the Special Representative and the supporting Office are funded from voluntary contributions. The mandate was established for a period of three years, after which time it should be evaluated, including with regard to its funding. The Office of the Special Representative is located in New York and provided with administrative support by the United Nations Children's Fund (UNICEF). UNICEF has established a trust account in order to receive, hold, administer

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<sup>1</sup> A/61/299.

<sup>2</sup> General Assembly resolution 62/141.

and disburse financial contributions provided to fund the operation of the Office of the Special Representative, including payment for personnel costs.

### **III. Mandate of the Special Representative on violence against children**

8. According to General Assembly resolution 62/141, the Special Representative on violence against children will:

- (a) Promote the wide dissemination of the United Nations study on violence against children and advance the follow-up to its recommendations;
- (b) Identify and share good practices and promote cross-fertilization of experiences between actors, and across regions and sectors;
- (c) Assist States in their efforts to prevent and respond to all forms of violence against children, particularly to promote a gender perspective and the participation of children, and ensure:

- The development of a comprehensive national strategy, policy or plan of action on violence against children, integrated into the national planning process, with realistic, time-bound targets, well resourced, coordinated by an agency with the capacity to involve multiple sectors and systematically evaluated; the adoption of national legislative and other measures to prohibit and eliminate all forms of violence against children, in all settings
- The development of national research and the consolidation of data collection, analysis and dissemination systems to inform effective action, mobilize adequate resources and assess progress achieved
- The investment in the prevention of violence with the consideration of its underlying causes and risk factors
- The promotion of non-violent values and awareness-raising activities to overcome the invisibility and social acceptance of violence against children, support the abandonment of harmful practices and promote positive forms of discipline and child development approaches
- The protection of children from violence by those who work with and for children, including through the development of systematic education and training programmes, and the promotion of codes of conduct and clear standards of practice
- The provision of accessible, child-sensitive and universal health and social services to ensure children's recovery and reintegration
- The establishment of safe, well-publicized, confidential and accessible mechanisms to enable reporting of violence against children and the filing of complaints
- The adoption of measures to fight impunity, including through the investigation and prosecution of violence against children and the imposition of appropriate penalties

9. To move this process forward, the Special Representative on violence against children will act as an independent voice and a global advocate, keeping violence prevention and the protection of children from all forms of violence high on the international agenda, and as a bridge-builder and a catalyst of actions in all regions and in

all settings where violence against children may occur; she will promote information-sharing and cross-fertilization of experiences, stimulating evidence-based approaches to preventing violence and safeguarding the right of each child to freedom from violence.

10. The mandate of the Special Representative builds upon developments in public health and child protection and envisages the protection of children from violence as a human rights imperative. Indeed, the Convention on the Rights of the Child and other international human rights instruments provide a firm normative foundation for the prevention and elimination of all forms of violence against children. They are an indicator of genuine national commitment to respecting the human dignity of the child at all times; addressing risk factors that compromise children's development and citizenship; investing in the social inclusion of the most vulnerable; and promoting actions that build upon children's best interests, perspectives and experiences. International human rights standards also provide a sound framework for mainstreaming the protection of children from violence in the national policy agenda, helping to avoid fragmented, diluted or simply reactive solutions and influencing lasting change through national implementation informed by good practices and lessons learned.

11. The Special Representative will carry out her mandate by making use of mutually supportive strategies, including the promotion of advocacy for concerns related to violence against children; the contribution to strategic meetings at the international, regional and national levels, including for the identification of good practices and the promotion of cross-fertilization of experiences across regions, sectors and settings; the organization of field missions; and the promotion of thematic studies and reports.

#### **IV. Priority focus for the mandate: a strategic agenda, solid partnerships and firm support**

12. The protection of children from violence calls for urgent action. Violence is a harsh reality for millions of children around the world; it remains largely invisible and socially accepted, and it has dramatic and lifelong consequences on children's life and development, carrying with it serious social costs.

13. Guided by this sense of urgency and the need to accelerate progress in key strategic areas, over the period of three years foreseen for her mandate, the Special Representative will place a priority focus on:

- Promoting a strategic agenda, building upon the recommendations of the United Nations study on violence against children
- Strengthening key partnerships to achieve progress in the follow-up to the study
- Securing firm support, including sound funding to promote progress in violence prevention and in the protection of children from all forms of violence

##### **A. Promoting a strategic agenda**

14. The 12 overarching recommendations of the study provide a navigation chart for accelerating and monitoring progress in violence prevention and responses, in all settings where children may be at risk. In view of the particular urgency, the study identified time-bound targets for three strategic overarching recommendations. These areas remain critical and require renewed and firm attention at all levels. For this reason, in the broad framework of the study's recommendations, the Special Representative will give priority attention to initiatives aimed at:

- The development in each State of a national comprehensive strategy to prevent and respond to all forms of violence, mainstreamed in the national planning process, coordinated by a high-level focal point with leading responsibilities in this area, supported by adequate human and financial resources to support implementation and effectively evaluated
- The introduction of an explicit national legal ban on all forms of violence against children, in all settings
- The promotion of a national system of data collection, analysis and dissemination, and a research agenda on violence against children

## **B. Consolidating strategic partnerships**

15. The process of development of the study generated solid and strategic alliances, within and beyond the United Nations system, in favour of the protection of children from all forms of violence. To advance in this field, strengthened partnerships will be crucial. The Special Representative will therefore promote enhanced collaboration with key partners, including the Special Representative of the Secretary-General for children and armed conflict, United Nations funds, programmes and specialized agencies, human rights treaty bodies and mechanisms, national governments, regional organizations, parliamentarians, national independent institutions on children's rights, and civil society, including children and young people.

16. Relevant institutional collaboration mechanisms already in place, such as the Inter-Agency Working Group on Violence against Children and the NGO Advisory Council for follow-up to the study, will provide a robust framework to move this process forward through an effective consultative approach.

## **C. Securing firm support**

17. Sound support and predictable funding are indispensable for the effective and independent performance of the Special Representative's mandate. In this regard, the General Assembly has called upon States and institutions concerned, United Nations agencies and entities, regional and civil society organizations, and the private sector to provide support, including financial. Voluntary contributions in support of the mandate and the Office of the Special Representative are channelled through a trust account which has been set up and is administered by UNICEF in order to receive, hold, administer and disburse financial contributions provided for the mandate, including payment for personnel costs.

18. By December 2009, initial contributions had been received. Although such positive developments are welcome, additional secure funding is required to enable the Special Representative to effectively pursue her role as a global advocate for violence prevention and the protection of children from all forms of violence.

## **V. Cooperation with key partners**

### **A. Cooperation with the United Nations system, in particular with the Special Representative for children and armed conflict and members of the Inter-Agency Working Group on Violence against Children**

19. Since the start of her mandate, the Special Representative has given very high priority to the promotion of enhanced synergies with United Nations partners in the area of violence against children.

20. Strong cooperation has been developed with the Special Representative for children and armed conflict. Regular meetings are held to exchange information and discuss areas for a mutually supportive collaboration, including in the promotion of joint initiatives and missions, and the consideration of joint advocacy and awareness-raising activities for the protection of children's rights. In this regard, the joint participation in international conferences of relevance for both mandates was particularly valuable. Strategic opportunities will continue to be considered for enhancing further this critical collaboration around the strong human rights foundation shared by both mandates, including in the context of the tenth anniversary of the adoption of the two Optional Protocols to the Convention on the Rights of the Child, in 2010.

21. In her collaboration with United Nations organizations, the Special Representative on violence against children has built upon existing inter-agency structures and mechanisms, in particular the Inter-Agency Working Group on Violence against Children, of which the International Labour Organization (ILO), the Office of the High Commissioner for Human Rights (OHCHR), the United Nations Children's Fund (UNICEF) and the World Health Organization (WHO) are core members. The Inter-Agency Working Group is a critical forum for consultation, promotion of policy formulation and mainstreaming of concerns related to violence against children within the United Nations system's agenda.

22. The Special Representative has maintained very close cooperation with the core members of the Working Group, having held important bilateral discussions and a working-level meeting of the Inter-Agency Working Group in Geneva. The Special Representative welcomes the critical advice received and the support provided, which have been of decisive relevance for the shaping of her mandate and the missions she has conducted.

23. UNICEF provides administrative support to the Office of the Special Representative and has established a trust fund for the financial contributions provided in support of the Special Representative's mandate. Protection of children from violence is a key dimension of the UNICEF mandate and, as noted in the sections above, the Special Representative has been associated with important initiatives promoted by that organization.

24. In the framework of its 2008 Child Protection Strategy, UNICEF supports the follow-up to the United Nations study by strengthening child protection systems and promoting social change in attitudes and behaviours towards children. The Special Representative participated in important discussions on the implementation of the UNICEF strategy and its focus on the protection of children from violence, at headquarters and in the Middle East and North Africa and in the Latin America and Caribbean regions. She has made significant inroads into collaborating with UNICEF on child protection, having initiated discussions with the child protection unit in UNICEF and the Special Representative for children and armed conflict to enhance synergies and promote complementary work in areas falling within her mandate.



25. UNICEF is engaged in a number of initiatives to strengthen the evidence base concerning the nature and scope of violence against children, and consolidate efforts for the collection of reliable data and the development of research on violence against children, including on harmful practices. UNICEF launched in October 2009 a new publication, *Progress for Children: a Report Card on Child Protection*,<sup>3</sup> which gathers significant data on a range of areas on violence against children, helping to overcome the invisibility of children's suffering and better inform policies and actions to prevent and combat violence. The Special Representative was associated with the dissemination of this important report which addresses a priority dimension of her mandate.

26. Sexual violence against children, and particularly against girls, has been a topic which has received increased attention. Building upon a national study on violence against children undertaken in Swaziland in 2007 and supported by the Clinton Global Initiative, UNICEF has joined WHO, the United Nations Population Fund and the United Nations Development Fund for Women, together with the United States Centers for Disease Control and Prevention, in a strong partnership to promote similar research in other countries and provide support for the strengthening of an environment protecting girls against sexual violence. This is a significant initiative that the Special Representative will continue to follow closely and which is expected to lead to important results in violence prevention and protection from violence.

27. OHCHR plays a decisive role in the process of implementation of the United Nations study's recommendations and its advice and support have continued to be critical during the initial phase of the Special Representative's mandate. Since 2007, OHCHR has established a focal point on violence against children in order to provide support to the follow-up to the study. Since the appointment of the Special Representative, OHCHR has continued to provide substantive support to her mandate. The Office helps ensure that the theme of violence against children is mainstreamed across the organization and given specific attention at all levels.

28. OHCHR supported the organization in Geneva of the Special Representative's meetings with members of the Inter-Agency Working Group on Violence against Children, with human rights treaty bodies, in particular the Committee on the Rights of the Child, and with special procedures of the Human Rights Council.<sup>4</sup> The Office also assisted in the organization of meetings with members of the NGO Advisory Council and other civil society partners.

29. At the invitation of OHCHR, the Special Representative participated in December 2009 in the Human Rights Council's open-ended working group on an optional protocol to the Convention on the Rights of the Child to provide a communications procedure. In her contribution, the Special Representative recalled the recommendations of the United Nations study, in particular the call it had made for the establishment of effective and independent complaints, investigation and enforcement mechanisms to deal with cases of violence and emphasized the relevance of a communications procedure for the protection of children from all forms of violence.

30. Cooperation with OHCHR will remain high on the Special Representative's agenda and critical for consolidating the human rights foundation of her mandate and advancing the implementation of the agenda on violence against children.

31. WHO was an active supporter of the development of the United Nations study and remains a critical partner in the process of follow-up. The organization's contribution to the

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<sup>3</sup> UNICEF, *Progress for Children: a Report Card on Child Protection* (UNICEF, 2009).

<sup>4</sup> For further information, see paragraphs 40–41 below.

initiative to prevent sexual violence against girls, mentioned above, is a meaningful illustration of such steady commitment.

32. Violence prevention and the promotion of sound evidence, two priority areas addressed by the study's recommendations, are high on the WHO agenda. These dimensions gained centre stage at the Fourth Milestones of a Global Campaign for Violence Prevention meeting, organized in September 2009 in Geneva, in which the Special Representative participated.

33. The Fourth Milestones meeting was devoted to "Boosting global violence prevention" and drew high-level participation and expertise from across regions. Those attending the meeting benefited from hearing about new evidence on effective interventions to prevent interpersonal violence and reflected on lessons from a wide range of country-level initiatives, which provided inspiring examples of data-driven and evidence-based violence prevention in action.

34. In the discussions, which gave particular attention to the protection of children from violence, including child maltreatment and its underlying causes, special emphasis was placed on strategies aimed at developing safe, stable and nurturing relationships between children and their parents and caregivers; promoting life skills for children and adolescents; reducing the availability and harmful use of alcohol, and access to guns and knives; promoting gender equality, change of cultural and social norms that support violence and victim identification, care and support programmes. Advancing work in these areas will remain a key dimension of the Special Representative's cooperation with WHO.

35. The Special Representative developed a fruitful collaboration with ILO, particularly with regard to the protection of children from violence in the workplace and in other labour-related activities. Important opportunities are expected for strengthening collaboration in support of the implementation of the study's recommendations, including through advocacy, the consolidation of data and research and relevant standard-setting activities. In 2010, a global conference will be held on child labour in The Hague to mark the tenth anniversary of the entry into force of ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and accelerate progress towards its global elimination target by 2016. The conference will promote universal ratification of relevant ILO standards.

36. In 2010, the ILO will also release new global estimates on child labour which will help to consolidate evidence to inform policies and promote progress in this area. Following a 2008 decision by its Governing Body, ILO is also currently engaged in the consideration of new standards on decent work for domestic workers, which will open up avenues for improving the protection of children from exploitation in domestic service and any form of violence associated therewith. Indeed, child domestic workers, especially girls, are highly vulnerable to violence; working in private households, in many instances away from their home, and behind closed doors, with little or no protection or social support, they are exposed to excessive hours of work, hazardous tasks, discrimination, social stigma, physical, psychological and emotional violence, sexual abuse, and lack of engagement in community and social life. These significant initiatives provide a sound framework for strengthening this important partnership further.

## **B. Cooperation with human rights treaty bodies and mechanisms**

37. The development of close collaboration with human rights bodies and mechanisms is an essential component of the Special Representative's agenda. This cooperation is critical in pursuing an integrated approach to children's protection from violence and capitalizing on synergies across mandates, in the overall framework of the implementation

of children's rights standards and commitments to children, including those undertaken at the Millennium Summit, the Special Session on Children and, more recently, the Third World Congress against Sexual Exploitation of Children and Adolescents. The call for action issued as part of the Congress highlights the importance of close cooperation between mandate holders, and its agenda provides a valuable framework for mutually supportive actions and accelerated progress towards the achievement of the time-bound targets agreed upon at the Congress; these targets are also of strategic relevance to the process of follow-up to the study's recommendations.

38. Against this background, the Special Representative's cooperation with the Committee on the Rights of the Child gains crucial relevance. The United Nations study was developed at the request of the Committee and is very strongly grounded in its work and jurisprudence on the implementation of the Convention on the Rights of the Child. The Committee has devoted special attention to violence against children, including in thematic debates, general comments and during the consideration of States parties' reports. At present, all concluding observations include a specific section on the follow-up to the study's recommendations and on cooperation with the Special Representative.

39. The Committee's role is particularly valuable to the Special Representative's mandate, helping to inform advocacy initiatives, assess progress on the protection of children from all forms of violence and support countries in their efforts. For this reason, the Special Representative met the Committee soon after her appointment and has developed very fruitful collaboration with it through regular meetings, exchanges of information and through joint participation in strategic events and initiatives within and beyond the United Nations system at the global, regional and national levels. Cooperation with the Committee, and other treaty bodies, will remain high on the Special Representative's agenda.

40. Collaboration with special procedures of the Human Rights Council has been equally important. The Special Representative's participation, soon after her appointment, in their sixteenth annual meeting in 2009<sup>5</sup> was particularly useful in promoting the sharing of information, the identification of good practices and the cross-fertilization of experiences, as well as in prompting the consideration of mutually supportive activities for violence prevention and elimination.

41. As a cross-cutting issue, working to eliminate violence against children opens up avenues for developing partnerships across mandates — including child-related mandates — through cooperation with the Special Rapporteur on trafficking in persons, especially women and children, the Special Rapporteur on contemporary forms of slavery and, in particular, the Special Rapporteur on the sale of children, child prostitution and child pornography, with whom regular meetings have been held to exchange information and strengthen collaboration. Similarly, cooperation will be valuable with violence-related mandates, including on violence against women and torture; with economic, social and cultural rights-related mandates, to help address the root causes of violence; as well as with others, such as those mandates on the rights to education, freedom of opinion and expression that can help to empower children and young people, enhance prevention efforts and consolidate a culture of respect for children's rights in society. These are important partnerships that the Special Representative will continue to promote.

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<sup>5</sup> See A/HRC/12/47.

### **C. Cooperation with civil society, including children and young people**

42. When the study was being developed, strong support was received from civil society organizations and a decisive contribution from children and young people. Both groups remain active partners in the process of implementation of the study's recommendations.

43. As highlighted in previous sections of this report, the Special Representative promotes mutually supportive collaboration with civil society. This cooperation has been facilitated by the establishment, in 2007, of the NGO Advisory Council, which was formed to support strong and effective follow-up to the study. The Council has equal representation from leading international organizations and national and regional NGOs, and its primary aim is to encourage and maintain NGO involvement at national, regional and international levels, in advocacy with Governments, United Nations agencies and other stakeholders for full implementation of the study's recommendations.

44. The Special Representative met with the NGO Advisory Council in early October 2009 in New York. The meeting helped to shed light on strategic areas where progress can be further achieved and identify significant opportunities for fruitful cooperation in the follow-up to the study's recommendations at the global, regional and national levels and across the various settings within which violence against children continues to take place; these areas and opportunities include the adoption of national plans of action to advance implementation of the study's recommendations, the legal prohibition of all forms of violence against children in all settings, the collection and dissemination of disaggregated data on violence against children and the establishment of effective and accessible complaint mechanisms for children. The meeting also considered ways of enhancing children's participation in the follow-up to the study, benefiting from their insights and experience, and mobilizing and empowering them to take action in their own communities.

45. With the same aim, the Special Representative met in Geneva with the NGO Group for the Convention on the Rights of the Child and its Working Group on Children and Violence, which highlighted the importance of pursuing strong collaboration with human rights bodies and mechanisms, in particular the Committee on the Rights of the Child and the Human Rights Council.

46. The Special Representative also held important discussions at the regional level with NGO partners and with child-led organizations to consider ways of further consolidating action in violence prevention and responses. This cooperation will continue to be actively pursued in the framework of the Special Representative's agenda.

47. Over recent years, the participation of children and young people in the promotion of actions to address violence against children has been significant. Their contribution to the study was essential and their involvement continues to be critical for the steps ahead.

48. As noted in the sections above, during the initial period of her mandate, the Special Representative has reached out to children and young people in a number of meetings and discussions held at global, regional and national levels. Across the regions, children express strong concern at the incidence of violence; they inspire a deep sense of urgency, and their views and recommendations help to refine the effectiveness of actions taken, including by helping to improve understanding of the hidden face of violence, raise awareness and promote advocacy on positive initiatives, and support the development of child-sensitive policies and mechanisms.

49. Dialogue and regular consultations with children and young people will remain a core component of the Special Representative's mandate. In this regard, the Special Representative welcomes the adoption by the Committee on the Rights of the Child of its general comment No. 12 on the right of the child to be heard, which, as acknowledged by General Assembly resolution A/RES/64/146, will be a valuable reference for the

contribution of children and young people to the process of follow-up to the study and for informing them about developments in this area.

## **VI. Key developments and initiatives promoted**

50. Framed by the priority agenda identified above, during the initial months of her mandate, between early September 2009 and the submission of the present report, the Special Representative devoted particular attention to:

- Global advocacy initiatives to promote the further dissemination of the study and encourage follow-up to its recommendations at the international, regional and national levels
- The consolidation of strategic partnerships, including through the Special Representative's contribution to high-level meetings with key actors, and the strengthening of institutional collaboration with international and regional organizations
- The adoption of measures for the establishment of her Office in support of her mandate

51. Recognizing the critical contribution of legislation to protecting children from all forms of violence, and benefiting from the special attention given to this topic during the commemorative events of the twentieth anniversary of the Convention on the Rights of the Child, the Special Representative placed a particular emphasis in her advocacy work on the adoption of a legal ban on all forms of violence against children.

52. Significant legal reforms have been introduced in recent years in different regions to prohibit violence against children. At present, some 25 countries have enacted laws to prohibit all forms of violence in all settings, and more than 20 others are working towards the same end. Several States have reinforced their legislation to address specific forms of violence, including violence in schools, trafficking and sexual exploitation, and harmful practices such as female genital mutilation and early and forced marriage.

53. The legal prohibition of violence against children is important, as it conveys a clear message of political commitment to prevention work and the use of non-violent alternatives for conflict resolution. It constitutes a vital safeguard for child victims and witnesses, being a strong reference for capacity-building initiatives and the development of guidance and codes of conduct for professionals working with and for children. Law reform gains renewed value when used in support of public information and awareness-raising activities, and for promoting positive discipline, social mobilization and behaviour change. When harmful practices persist behind deeply entrenched traditions, legal reform has been particularly useful when promoted with the involvement of community and religious leaders, parliamentarians, professional associations, academic institutions and grass-roots organizations, and with the engagement of communities concerned. Bridging international standards, policy action and local values, and motivating change from within, legislation has been supported as the fruit of true conviction, gaining traction as a genuine deterrent with preventive effect.

### **A. Address to the sixty-fourth session of the General Assembly**

54. In her address to the Third Committee at the sixty-fourth session of the General Assembly, the Special Representative reaffirmed the human rights foundation of the protection of children from all forms of violence, recalled the framework provided by the study and its recommendations for her mandate and presented the key priority areas for her

work, namely the adoption of an explicit national legal ban on all forms of violence against children, the development of a national strategy to prevent and respond to violence against children, and the consolidation of research and data systems in this area. The positive feedback received from Member States at such an early stage of the mandate was critical to shaping the work ahead and opened up avenues for a fruitful collaboration with Governments across regions.

55. During the General Assembly's session, the Special Representative also participated in two high-level side events devoted to the gender dimension of violence against children and the participation of children in decision-making, respectively. The first event — a ministerial breakfast meeting jointly organized by the Governments of Brazil, the Netherlands and the United States of America and in which heads of United Nations agencies and ministerial representatives from a large number of countries participated — raised the importance of combating violence against girls as part of the international agenda, promoted international cooperation in this area and supported child and youth participation in the developing policies concerning girls. At the meeting, commitment to the Special Representative's role was expressed and countries were encouraged to implement policies and programmes for the elimination of all violence against children, with a particular focus on girls.

56. The second event, an interactive panel on child participation, was organized by the Governments of Belize, the Czech Republic, Sweden and Uruguay, in cooperation with UNICEF, Plan International, Save the Children and War Child Holland. The meeting was informed by the active contribution of young people from Ghana, Honduras, Norway and the United States and moderated by Ishmael Beah, UNICEF Advocate for Children Affected by War. At the meeting, it was recalled that children and young people had made a critical contribution to the study and stressed that child participation continued to play an essential role in the process of follow-up and in support of the Special Representative's mandate, particularly in support of awareness-raising activities, peer education and the promotion of child-sensitive counselling and reporting mechanisms.

## **B. Cooperation with intergovernmental and regional organizations and institutions**

57. Violence against children is gaining attention at the regional level. Regional cooperation helps to capitalize on the potential offered by States in each individual region, while promoting the development of strategies tailored to the national context and enhancing opportunities to mainstream universal values and shared commitments.

58. The widely participatory regional consultations organized in support of the study and the preparations for the Third World Congress against Sexual Exploitation of Children in Brazil were instrumental in generating interest in and commitment to the elimination of violence in its many forms. In some regions, a regional follow-up mechanism was set up to facilitate coordination of efforts and help to advance implementation of the study's recommendations. Building upon these significant developments, the Special Representative gave particular attention to strengthening institutional collaboration with regional forums, helping promote information-sharing and cross-fertilization of experiences, scale up positive initiatives, encourage evidence-based approaches to overcome prevailing challenges and influence progress within and across regions.

59. With this aim, in the course of the initial months of her mandate, the Special Representative took part in strategic high-level regional conferences and promoted cooperation with regional institutions. Strengthening and expanding partnerships with regional organizations and institutions will remain a priority dimension of her mandate.

## 1. Participation in the twentieth Pan-American Congress on Children and Adolescents

60. In September 2009, the Special Representative participated in the twentieth Pan-American Congress on Children and Adolescents organized by the Organization of American States and the Inter-American Children's Institute and hosted in Lima by the Government of Peru. With high-level participants from the Organization's member States, as well as from national independent institutions for children's rights, non-governmental organizations and academics from the Americas, the Congress was held in commemoration of the twentieth anniversary of the adoption of the Convention on the Rights of the Child and of the eighth anniversary of the Inter-American Children's Institute. Great attention was devoted to investment in public policies for the realization of children's rights, including the protection of children from violence. Violence against children was centre stage in the official sessions and the formal dialogue between ministers and high authorities, and the Special Representative and the Rapporteur on the Rights of the Child of the Inter-American Commission on Human Rights, Professor Paulo Sergio Pinheiro.

61. The Congress was a strategic forum to promote and review progress in the Americas on follow-up to the recommendations of the study, and to launch the report on corporal punishment and human rights of children and adolescents, recently issued by the Office of the Rapporteur on the Rights of the Child of the Inter-American Commission.<sup>6</sup> This important report builds upon the United Nations study and calls on member States of the Organization of American States to place explicit and absolute legal bans on the use of corporal punishment in all settings; adopt preventive, educational, and other measures to ensure the eradication of this form of violence and promote positive and non-violent alternatives; and make the Americas a region free of child corporal punishment by 2011.

62. The Pan-American Congress was preceded by a civil society forum and included, for the first time, a Pan-American Forum on Children and Adolescents. The Children's Forum helped to place the question of child participation high on the agenda for the Congress, showing young participants' crucial capacity to identify concerns and anticipate solutions to address them. Violence against children was a key topic discussed by the young participants who also identified this phenomenon as their most pressing concern.

63. The Congress laid the ground for a solid future institutional collaboration with regional forums and institutions in the Americas, including the Inter-American Children's Institute and, particularly, the Rapporteur on the Rights of the Child of the Inter-American Commission on Human Rights, with whom a strategic framework of cooperation was developed for the protection of children from all forms of violence.

## 2. Regional meeting on the role of parliamentarians in preventing and eliminating violence against children

64. The Congress followed an important regional meeting on the role of parliamentarians to prevent and eliminate violence against children, hosted by the National Assembly of Costa Rica and supported by the Inter-Parliamentary Union and UNICEF. Representatives from national parliaments adopted strong recommendations for national follow-up to the United Nations study, including by holding parliamentary sessions to monitor and advance follow-up to the study's recommendations, promoting law reform to introduce an explicit ban on all forms of violence against children, and ensuring adequate resource allocation for child-related public policies.

65. The key dimensions addressed by the meeting in Costa Rica were raised by the Special Representative in her official meetings with parliamentarians in the region,

<sup>6</sup> Inter-American Commission on Human Rights, document OEA/Ser.L/V/II.135.

including the President of the Congress of Peru. These dimensions constitute establishing a core agenda which will be pursued across regions in close collaboration with the Inter-Parliamentary Union and UNICEF.

**3. Cooperation with the Latin American and Caribbean Chapter of the Global Movement for Children**

66. Decisive steps were also taken to consolidate regional collaboration and agree on a strategic action plan on violence against children with the Latin American and Caribbean Chapter of the Global Movement for Children, in which UNICEF and key civil society organizations participate. In this context, the Special Representative held an important planning meeting in Panama with members of the Movement, the Rapporteur on the Rights of the Child of the Inter-American Commission on Human Rights, and representatives of the Committee on the Rights of the Child and OHCHR. As a key outcome from the meeting, it was agreed to pursue, over the next three years, implementation of the recommendations of the study with particular emphasis on the adoption of legislation to prohibit all forms of violence against children; the development of a comprehensive, well-coordinated and well-resourced national strategy, and the consolidation of research and data systems in this area.

**4. Participation in the Cairo Conference on the Convention on the Rights of the Child and Islamic Jurisprudence, co-sponsored by the Organization of the Islamic Conference and UNICEF**

67. In November 2009, the Special Representative participated in an important conference organized in Cairo, under the patronage of the First Lady of Egypt, to commemorate the twentieth anniversary of the Convention on the Rights of the Child and the National Council for Childhood and Motherhood of Egypt.

68. The meeting was co-sponsored by the Organization of the Islamic Conference (OIC) and UNICEF, and participants were representatives of international organizations (including OHCHR), the Committee on the Rights of the Child, national human rights institutions and NGOs and children from 10 OIC countries.

69. Through the Cairo Declaration on the Convention on the Rights of the Child and Islamic Jurisprudence that was adopted at the conference, participants renewed their commitment to the rights of the child, calling for, inter alia, greater compliance with the Convention on the Rights of the Child, the provision of adequate human and financial resources for its implementation and the establishment of effective data systems on children.

70. As regarded violence against children, participants expressed commitment to developing productive cooperation with the Special Representative and providing her with the necessary technical and financial support. They called on OIC member States to take all appropriate legislative, social and other measures for effective follow-up to the study's recommendations; urgently review and reform legislation to ensure the prohibition of all forms of violence and the promotion of positive, non-violent forms of discipline; and, on the basis of positive national experiences, establish a high-level focal point to coordinate actions to prevent and combat violence, and develop a well-resourced national strategy on violence against children. Special attention was also given to prevention and protection from harmful practices, protection of children under occupation and in times of war and poverty alleviation.

71. The Cairo Declaration provides a strong platform for OIC member States and civil society organizations to advance the protection of children from violence and support the further implementation of the study's recommendations. With its specific call for the



establishment of a children's forum, it may open up new avenues for children to genuinely contribute to this process of follow-up and help to keep children duly informed of developments in this area.

#### **5. Cooperation with the African Union and the African Committee of Experts on the Rights and the Welfare of the Child**

72. At the end of November 2009, the Special Representative held important meetings in Addis Ababa with the African Union Commissioner for Social Affairs and the Chairperson of the African Committee of Experts on the Rights and Welfare of the Child, with a view to exploring opportunities for collaboration in the protection of children from all forms of violence. Violence against children has been high on the policy agenda of the African region, including in the context of the implementation of the African Charter on the Rights and Welfare of the Child; during the drafting of the study and when the 2006 Day of the African Child was devoted to this topic; during the Second Pan-African Forum on Children, held in Cairo in 2007; and in "The Call for Accelerated Action to make Africa Fit for Children", adopted thereafter. With the follow-up to the study, renewed opportunities exist to move this agenda forward.

73. The initial meetings held in Addis Ababa laid the ground for fruitful institutional collaboration, including for promoting initiatives to map out critical developments and positive initiatives across the region and within African Union member States, supporting legislative reforms aimed at protecting children from all forms of violence, encouraging the development of independent institutions on children's rights, and further consolidating national information and data systems on violence against children.

#### **6. Cooperation with the Council of Europe**

74. In the European region, significant developments have also taken place, with violence against children being given increasing attention in policymaking within the Council of Europe and the European Union. The Special Representative developed strong collaboration with these institutions and took part in strategic policy forums addressing elements of her mandate.

75. The Special Representative participated in meetings which led up to the adoption of the Council of Europe Strategy for 2009–2011 "Building a Europe for and with Children", which identifies the protection of children from violence as a key priority concern. Under the strategy, the Council acts as the regional initiator and coordinator of national and regional initiatives to combat violence against children, and as the European forum for follow-up to the recommendations contained in the United Nations study and cooperation with the Special Representative.

76. Important regional standards and initiatives provide a framework for the protection of children from violence. To support progress in this area, the Council of Europe organized a conference in Strasbourg to establish a children's rights platform with national focal points from countries across the region and a network of experts from key partner organizations. The Special Representative participated in this high-level policy forum, which will play a crucial role in the promotion of information-sharing, advocacy and debate, and monitor progress achieved within the European region.

77. Moreover, in November 2009, the Committee of Ministers of the Council of Europe adopted policy guidelines on integrated national strategies for the protection of children against violence to guide national efforts for the development of a comprehensive national agenda for violence prevention and the protection of children from all forms of violence. The Special Representative participated in the process leading to the adoption of the

guidelines and will collaborate with the Council of Europe in advancing implementation thereof.

## **7. Cooperation with the European Union**

78. Violence against children is high in the policy agenda of the European Union and has been identified in a recent survey as a priority concern for young people within the 27 member States. The Special Representative participated in two high-level European Union conferences held under the Swedish Presidency of the European Union and devoted to the protection of children from violence, namely the European Union-NGO Forum on Human Rights and the high-level meeting of the Permanent Intergovernmental Group “L’Europe de l’Enfance”.

79. Key recommendations from the meetings call for a strong partnership to be established with the Special Representative and support to be given to her Office; in the recommendations, the need to pursue active implementation of the United Nations study’s recommendations is recognized, including legal reforms to prohibit all forms of violence, the promotion of research incorporating children’s own experiences and perspectives; the development of independent children’s rights institutions and the establishment of effective complaints mechanisms; and the use of development assistance programmes and funding mechanisms to support these efforts. The Special Representative also pursued discussions with the representatives of the European Union on the implementation of its 2007 Guidelines for the Promotion and Protection of the Rights of the Child, which include a specific implementation strategy on violence against children that draws on the study’s recommendations.

80. With the recent entry into force of the Treaty of Lisbon — which explicitly identifies children’s rights as a key dimension of the European Union’s agenda — the protection of children from violence is expected to gain increasing attention, opening up avenues for accelerated action in follow-up to the study.

## **8. Cooperation with policymakers, experts and researchers in support of an evidence-based agenda**

81. One key overarching recommendation contained in the United Nations study highlights the importance of national improvements in child data systems and the development of a national research agenda to address violence against children. Violence against children is an area where available information is limited and difficult to gather, reflecting the tip of the iceberg and failing to capture the true scale and extent of this phenomenon in society. Overall, monitoring systems are weak, while research remains scattered and of widely differing quality.

82. To promote progress in this area, in November 2009 in Addis Ababa, the Special Representative participated in the Global Conference on Research and Child Rights organized by the Childwatch International Research Network, the African Child Policy Forum and the UNICEF Innocenti Research Centre, in cooperation with the Committee on the Rights of the Child.

83. The conference brought together an eminent group of government representatives, policymakers, experts and researchers committed to the protection of children’s rights through evidence-based analysis, advocacy and public policies.

84. Violence against children was high on the agenda of the conference. Discussions highlighted the role of sound data, analysis and research in supporting follow-up to the study. In particular, the relevance was highlighted of such discussions to the development of national comprehensive strategies and the promotion of legal reforms, the breaking of

the silence around sensitive questions, understanding of risk factors and vulnerabilities and effective investment in violence prevention.

85. Cooperation with academics and research institutions will continue to be given special attention, with a view to consolidating progress in areas covered by the study, and understanding and addressing emerging concerns.

## VII. Conclusions

86. In the light of relevant General Assembly and Human Rights Council resolutions, the mandate of the Special Representative on violence against children is anchored by the United Nations study on violence against children and aims to promote progress in the follow-up to the study's recommendations.

87. The study helped to challenge the acceptance of violence against children, highlighting that no violence against children is justifiable and all violence can be effectively prevented. With its action-oriented recommendations, the study has shaped a strategic agenda to consolidate the protection of children from all forms of violence in all settings.

88. Within and across borders, it is essential to maintain momentum around this agenda; increase visibility and generate renewed concern at the harmful effects of violence on children; promote behavioural and social change; mobilize political and financial support to prevent and combat this phenomenon; and achieve steady progress along the way.

89. This initial report of the Special Representative reaffirms the human rights foundation of her mandate and the significant developments in public health and child protection which will support its implementation. The report sets out the strategic direction that the Special Representative proposes to pursue during her mandate. This approach was informed by a wide range of meetings and consultations with key stakeholders at the global, regional and national levels that the Special Representative has held over the months since she took up her position. These include Governments and intergovernmental organizations; United Nations partners, including the Special Representative on children and armed conflict; United Nations agencies, in particular the core members of the Inter-Agency Working Group on Violence against Children; human rights bodies and mechanisms; civil society organizations; and children and young people.

90. With this in mind, in the immediate future, the Special Representative will give attention to progress in three key areas as a priority, namely the development in each State of a comprehensive strategy on violence prevention and response; the introduction of an explicit national legal ban on all forms of violence against children; and the consolidation of national data systems and research in this field. Moreover, the Special Representative will pursue efforts to widen and further strengthen partnerships with key stakeholders, within and beyond the United Nations system, as well as secure firm support including adequate resources for her mandate.

91. The Special Representative looks forward to developing close collaboration with the Human Rights Council in the performance of her mandate aimed at the protection of children from all forms of violence in all settings.