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RIGHTS OF THE CHILD

**Progress report of the Secretary-General on the study
on the question of violence against children***

Summary

The present report provides information on the activities that the independent expert, Paulo Sérgio Pinheiro, appointed by the Secretary-General to lead the study on the question of violence against children, has carried out in order to gather information and obtain a global picture of the situation on violence against children. The annexes contain the outline for the study and a list of the regional consultations to take place in 2005.

* This document is submitted late so as to include the most up-to-date information possible.

1. In its resolution 2004/48, the Commission on Human Rights welcomed the establishment of a secretariat for the Secretary-General's study on the question of violence against children, in collaboration with the Office of the United Nations High Commissioner for Human Rights (OHCHR), the United Nations Children's Fund (UNICEF) and the World Health Organization (WHO). The Commission also requested the Secretary-General to submit a substantive progress report on the study to its sixty-first session. The present report is submitted in accordance with that request.

2. Since the submission of the first progress report on the study to the sixtieth session of the Commission (E/CN.4/2004/68), Paulo Sérgio Pinheiro, the independent expert appointed by the Secretary-General in February 2003 to lead the study, has focused on gathering information in order to provide an in-depth, global picture of violence against children, documenting its nature, incidence, causes and consequences by considering the various settings in which such violence takes place. He has sought information on what can be done to prevent violence against children and to respond to it if it happens, including best practices in prevention and response, in particular those which have been developed by children themselves.

3. As part of a strategy to gather information and provoke comprehensive national consideration of violence against children in as many Member States as possible, the independent expert circulated a questionnaire on the issue to Governments in March 2004. As of February 2005, 87 Governments had responded to the questionnaire, providing information on the national legal, institutional and policy frameworks in place to address violence against children; this will lay the groundwork for the study. The government responses are available on the OHCHR web site. In order to encourage submission of relevant information by other stakeholders, the independent expert has also designed an indicative outline of his final report (annex I) and has circulated a call for inputs to the study, which should be submitted to the study secretariat by 31 March 2005. The independent expert has emphasized the importance of ensuring that the views of children and youth are reflected in submissions.

4. Existing knowledge, documentation and research form the basis of the study, and the independent expert has paid particular attention to relevant information available within the United Nations system. He has encouraged contributions to the study from the three main supporting entities, OHCHR, UNICEF and WHO, and from other parts of the United Nations system, including the International Labour Organization (ILO). He has also encouraged the United Nations system to convene expert group meetings on aspects of the study. Accordingly, the independent expert chaired an expert brainstorming meeting on the study at the UNICEF Innocenti Research Centre in Florence, Italy, from 26 to 28 April 2004 which aimed to clarify the contributions of the Centre and the Council of Europe to the study. Amongst the results of this meeting were commitments by the Centre to produce background reviews of United Nations, European and inter-American standards and mechanisms relating to violence against children, a review of the literature on violence against children in Europe and a synopsis of the work of ombudspersons in the field of violence against children. In November 2004, the independent expert participated in a meeting organized by ILO on violence against children in work settings and, in collaboration with OHCHR and UNICEF, launched a compilation of concluding observations adopted by the Committee on the Rights of the Child on countries in the Latin American and Caribbean region. In February 2005, the independent expert also participated in a joint ILO-UNICEF-WHO meeting at the Innocenti Centre on methodologies

for elaborating a valid global estimate of the incidence of violence against children for the study. The meeting also identified core research modules on corporal punishment for inclusion into existing global data-collection processes, such as the demographic household surveys and the UNICEF multiple-indicator cluster survey.

5. As the Secretary-General's study on the question of violence against children was inspired by a recommendation of the Committee on the Rights of the Child (A/56/488, annex), the independent expert has maintained regular contact with the Committee. The Chairperson of the Committee is a member of the Editorial Board for the study and the Committee plans to provide written contributions to the study on the international legal framework for the protection of children from violence. Several Committee members are active in the preparations for the regional consultations relating to the study (annex II), and most Committee members will participate in those consultations. The independent expert has initiated an analysis of the concluding observations of the Committee on the Rights of the Child, and he will conduct similar analyses of the concluding observations/comments of other treaty bodies, in particular, the Committee on the Elimination of Discrimination against Women, during 2005.

6. The independent expert has initiated an analysis of the reports of relevant special procedures mandate holders, in particular, the Special Rapporteurs on the sale of children, child prostitution and child pornography and on violence against women, its causes and consequences. During the eleventh annual meeting of the special procedures mandate holders held in Geneva from 21 to 25 June 2004 (E/CN.4/2005/5), the independent expert invited all special procedures mandate holders to consider playing a role in the study and emphasized that he would pay particular attention to the recommendations adopted by these mechanisms in the preparation of the study. The independent expert has also encouraged special procedures mandate holders to participate in the regional consultations relating to the study.

7. The independent expert has sought to create linkages with regional human rights bodies. In his capacity as independent expert and also as Rapporteur on child rights of the Inter-American Commission on Human Rights (IACHR) of the Organization of American States, and with the support of the UNICEF Regional Office for Latin America and the Caribbean, the independent expert visited El Salvador from 14 to 17 November, Guatemala from 18 to 20 November and Honduras from 1 to 4 December 2004 in order to collect information on the situation of the children and adolescents in conflict with the law, especially those involved in youth gangs, known as "*pandillas*" or "*maras*". The independent expert also met government officials, legislators, members of the judiciary and local authorities to discuss approaches to gang violence and juvenile justice. He also met representatives of non-governmental organizations, academic experts and youth who have had some involvement with "*pandillas*", and visited one youth detention institution in each country. The independent expert presented the preliminary findings of this mission at a conference entitled "Voices from the field - local initiatives and new research on Central American youth gang violence" hosted by the Pan-American Health Organization on 23 February 2005. A report on the situation of children and adolescents in gangs in the countries visited, prepared jointly by IACHR and the UNICEF Regional Office, will be launched in May 2005. The report will provide inputs for the study and background for the regional consultation relating to the study to be held in Latin America.

8. On 24 November 2004, the independent expert held consultations on the issue of violence against children with Alvaro Gil-Robles, the Commissioner for Human Rights of the Council of Europe; Maud de Boer-Buquicchio, the Deputy Secretary General of the Council of Europe; the Committee of Ministers' Deputies and the Directorates General of the Council of Europe. The independent expert agreed to participate in joint missions with the Commissioner for Human Rights where violence against children was a concern, as well as to cooperate in the Council of Europe's three-year programme of action on children and violence.

9. The independent expert has participated in several regional, subregional and national conferences on issues relating to violence against children. From 29 March to 2 April 2004, he participated in the UNICEF Latin American and Caribbean Countries Regional Meeting which was held in Buenos Aires, and welcomed the meeting's decision that each of the UNICEF country offices in the region would collect information relevant for the study. From 19 to 22 September 2004, the independent expert participated in the fifteenth International Congress on Child Abuse and Neglect entitled "Working Together for A Child Safe World", convened by the International Society for Prevention of Child Abuse and Neglect (ISPCAN) in Brisbane, Australia. He also participated in a parallel meeting to the ISPCAN Congress on the study, which resulted in the establishment of a working group which has since produced research instruments for piloting in eight countries. By the end of 2005, it is anticipated that a set of internationally piloted instruments and related protocols for conducting research on aspects of violence against children will be available. The independent expert also met with the Australian Human Rights and Equal Opportunity Commission which provided information on violence against asylum-seeking and indigenous children.

10. The independent expert has actively participated in the meetings of the coordinating committee for the study, which is comprised of the Director of the study secretariat and representatives of OHCHR, UNICEF and WHO. He has also participated in a number of the preparatory meetings for the regional consultations relating to the study. The independent expert chaired the first and second meetings of the Editorial Board which he has established to assist him in the preparation of the study. The Editorial Board is composed of the independent expert, the Director of the study secretariat, the Chairperson of the Committee on the Rights of the Child, representatives of ILO, OHCHR, UNICEF and WHO, a representative of the NGO Advisory Panel for the Secretary-General's study on violence against children, a child's rights ombudsman and a number of experts. To date, the Editorial Board has developed a time-line for preparation for the study and detailed outlines of its chapters. It is expected that draft chapters will be reviewed by the Editorial Board in September 2005.

11. National, subregional and regional consultations are an integral part of the study, in order to ensure broad and extensive participation in and inputs into the study. Nine regional consultations are scheduled to take place between March and July 2005. These consultations will provide a framework for gathering information on violence against children, focusing increased attention on the problem and mobilizing the political will to confront it. They will also provide an opportunity to strengthen partnerships and networks, and promote dialogue among Governments, civil society, national human rights institutions and regional human rights mechanisms where such exist. Preparations for the regional consultations are being led by regional steering committees and regional coordinating groups in collaboration with UNICEF. Each regional consultation will have its unique nature and outcome: for example, the Middle East and North Africa Regional Consultation, entitled "Every child has the right to be

protected everywhere from all forms of violence”, to be held from 27 to 29 June 2005 in Cairo, aims at producing a plan of action for prevention and protection measures concerning violence against children, accompanied by an overview of the situation of children in the region and concrete recommendations for action to effectively prevent and respond to violence against children. Preparations for some regional consultations have also involved national processes. For example, the South Asia regional consultations, scheduled to take place from 19 to 20 May 2005 in Kathmandu, will be preceded by national consultations to be organized in all eight South Asian countries. These national consultations are expected to encourage collection of information and increase commitment of the State, civil society and other stakeholders to confront violence against children and to identify country-specific actions and strategies for their implementation. The regional consultations and the national processes which precede them should also provide the foundation for follow-up to the study.

12. NGOs and other parts of civil society have continued to support the independent expert in the preparation of the study. The subgroup on children and violence established within the NGO Group for the Convention on the Rights of the Child and the NGO Advisory Panel for the study have been active in the reporting period, in particular in the context of children in conflict with the law. The NGO Advisory Panel will convene an expert consultation on this issue on 4 and 5 April 2005, with a view to identifying key issues and research and developing appropriate recommendations for the United Nations and Governments aimed at eliminating violence against children in conflict with the law.

13. NGOs have also been active in supporting the participation of children in the study in accordance with their age and maturity, as encouraged by the General Assembly in its resolution 58/157. Save the Children has contributed to the process of promoting and supporting children’s meaningful and ethical participation, including by producing a tool kit, in two parts: “So You Want to Involve Children in Research?” and “So You Want to Consult Children?”. Save the Children has organized training workshops on child participation in the study, and has seconded one of its staff to the study secretariat to facilitate child participation. The East Asia and the Pacific steering committee for the regional consultation has prepared draft minimum standards for child participation in consultations. A child-friendly version of the independent expert’s concept paper was launched in December 2004, in collaboration with Save the Children. An online discussion is currently being conducted as part of a process of producing a child-friendly “Q & A” about the study. In addition, the Students Commission Canada, in partnership with the UNICEF Canada secretariat for the North American consultation, has produced a manual which young people are using to run their own focus groups and provide inputs to the study. A number of the regional consultations will be accompanied by specific events involving children. For example, the South Asia regional consultation on the study will be preceded by a two-day children and young people’s consultation, on 17 and 18 May 2005. In Trinidad and Tobago, the regional consultation will be accompanied by a regional advocacy campaign “Xchange” focusing on reducing violence, providing opportunities and implementing change for young people across seven countries of the region.

14. From 13 December 2004 to 13 January 2005, UNICEF facilitated an electronic discussion, designed to elicit the opinions of children and young people on the study. The results of the discussion were presented in the February 2005 issue of “Voices of Youth” (www.unicef.org/voy/news). Similar discussions, linked to the regional consultations, will also be convened.

Annex I

OUTLINE OF THE STUDY

1. Introduction and overview (background information and models for understanding the global context of the situation and conditions in which children live and how they affect children's vulnerability to violence - including culture, language, ethnicity, disability and gender - and the impact of violence on children's development).
2. Overview of State obligations, legal frameworks and agreements to promote prevention of violence and responses to protect children from violence.
3. Violence against children in the home and family.
4. Violence against children in schools and educational settings.
5. Violence against children in other institutional settings (orphanages, etc.), including children in conflict with the law.
6. Violence against children in the community and on the streets.
7. Violence against children in work situations.
8. Conclusions and recommendations, including monitoring and research priorities to improve knowledge and practice.

A range of cross-cutting issues will be addressed throughout the study, for example, violence related to gender issues, traditional harmful practices, disability, and the indigenous; violence in the media and other virtual settings; sexual exploitation, and emergency situations.

Annex II**REGIONAL CONSULTATIONS**

Region	Dates	Place
The Caribbean	10-11 March 2005	Port of Spain, Trinidad and Tobago
South Asia	19-21 May 2005	Kathmandu, Nepal
West and Central Africa	23-25 May 2005	Bamako, Mali
The Americas	30 May-1 June 2005	Buenos Aires, Argentina
North America	3 June 2005	Toronto, Canada
East and Southern Africa	6-8 June 2005	Johannesburg, South Africa
East Asia and the Pacific	14-16 June 2005	Bangkok, Thailand
Middle East and North Africa	27-29 June 2005	Cairo, Egypt
Europe and Central Asia	5-7 July 2005	Ljubljana, Slovenia
