

CHILD PROTECTION INFORMATION SHEETS

What is Child Protection?

Child Protection, the MDGs and the Millennium Declaration

Violence against Children

Protecting Children during Armed Conflict

Children Associated with Armed Groups

Children Affected by HIV/AIDS

Birth Registration

Child Labour

Child Marriage

Children in Conflict with the Law

Children without Parental Care

Commercial Sexual Exploitation

Female Genital Mutilation/Cutting

Trafficking



Contents

What is Child Protection?	1
Child Protection, the MDGs and the Millennium Declaration	3
Violence against Children	5
Protecting Children during Armed Conflict	7
Children Associated with Armed Groups	9
Children Affected by HIV/AIDS	11
Birth Registration	13
Child Labour	15
Child Marriage	17
Children in Conflict with the Law	19
Children without Parental Care	21
Commercial Sexual Exploitation	23
Female Genital Mutilation/Cutting	25
Trafficking	27

What is Child Protection?

UNICEF uses the term 'child protection' to refer to preventing and responding to violence, exploitation and abuse against children – including commercial sexual exploitation, trafficking, child labour and harmful traditional practices, such as female genital mutilation/cutting and child marriage. UNICEF's child protection programmes also target children who are uniquely vulnerable to these abuses, such as when living without parental care, in conflict with the law and in armed conflict. Violations of the child's right to protection take place in every country and are massive, under-recognized and under-reported barriers to child survival and development, in addition to being human rights violations. Children subjected to violence, exploitation, abuse and neglect are at risk of death, poor physical and mental health, HIV/AIDS infection, educational problems, displacement, homelessness, vagrancy and poor parenting skills later in life.

FACTS AND FIGURES

- Approximately 126 million children aged 5–17 are believed to be engaged in hazardous work, excluding child domestic labour¹.
- More than 1 million children worldwide are detained by law enforcement officials.²
- It is estimated that more than 130 million women and girls alive today have undergone some form of female genital mutilation/cutting.³

BUILDING A PROTECTIVE ENVIRONMENT FOR CHILDREN

Building a protective environment for children that will help prevent and respond to violence, abuse and exploitation involves eight essential components: Strengthening **government commitment** and **capacity** to fulfil children's right to protection; promoting the establishment and **enforcement** of adequate **legislation**; addressing harmful **attitudes, customs and practices**; encouraging **open discussion** of child protection issues that includes media

HUMAN RIGHTS

The **Convention on the Rights of the Child** (1989) outlines the fundamental rights of children, including the right to be protected from economic exploitation and harmful work, from all forms of sexual exploitation and abuse, and from physical or mental violence, as well as ensuring that children will not be separated from their family against their will. These rights are further refined by two **Optional Protocols**, one on the sale of children, child prostitution and child pornography, and the other on the involvement of children in armed conflict.

and civil society partners; developing **children's life skills, knowledge and participation**; building **capacity of families and communities**; providing **essential services for prevention, recovery and reintegration**, including basic health, education and protection; and establishing and implementing ongoing and effective **monitoring, reporting and oversight**.

STRATEGIES TO STRENGTHEN THE PROTECTIVE ENVIRONMENT FOR CHILDREN

The work of UNICEF and its partners includes:

- International advocacy, often with the use of international human rights mechanisms
- National advocacy and initiating dialogue at all levels – from government to communities, families and children themselves – in order to promote attitudes and practices protective of children
- Inclusion of child protection issues in national development plans
- Law-based approaches, emphasizing the importance of knowing, understanding, accepting and enforcing legal standards in child protection
- Community-based approaches that promote and strengthen the capacity of families and communities to address child protection issues

CHILD PROTECTION INFORMATION SHEET: WHAT IS CHILD PROTECTION?

- Partnerships with governments, non-governmental and faith-based organizations, other United Nations organizations, professional associations, children and youth, and the media.

KEY RESULTS EXPECTED FOR 2006–2009

- Ensuring that government decisions are increasingly influenced by better knowledge and awareness of child protection rights and improved data and analysis on child protection issues
- Supporting effective legislative and enforcement systems – along with improved protection and response capacity – to protect children from all forms of abuse, neglect, exploitation and violence, including exploitative child labour

MILLENNIUM DEVELOPMENT GOALS

Child protection issues intersect with every one of the Millennium Development Goals (MDGs) – from poverty reduction to getting children into school, from eliminating gender inequality to reducing child mortality.

Most of the MDGs simply cannot be achieved if failures to protect children are not addressed. Child labour squanders a nation's human capital and conflicts with eradicating extreme poverty (MDG 1); armed conflict disrupts efforts to achieve universal primary education (MDG 2); child marriage leads to the removal of girls from school and thus prevents gender equality (MDG 3); children separated from their mothers, particularly if they remain in institutional settings, are at greater risk of early death, which hinders efforts to reduce child mortality (MDG 4); female genital mutilation/cutting undermines efforts to improve maternal health (MDG 5); and sexual exploitation and abuse hamper efforts to combat HIV infection (MDG 6). In addition, environmental disasters make children vulnerable to exploitation and abuse, hence the need for environmental sustainability (MDG 7).

Overall, protecting children requires close cooperation between different partners, which consolidates the need for a global partnership for development (MDG 8).

- Improving mechanisms to protect children from the impact of armed conflict and natural disasters
- Addressing national justice systems to ensure that mechanisms are in place to provide protection for children and adolescents as victims, witnesses and offenders
- Reducing the number of children separated from their families and strengthening national capacities to ensure access by poor families to services and safety nets needed to protect and care for their children.

EXAMPLES OF UNICEF IN ACTION

- Working closely with parliamentarians on the regional and country levels, including the launch of handbooks for parliamentarians about child protection (2004) and child trafficking (2005)
- Providing support to legal reforms of Criminal Codes and the implementation of national plans of action for the prevention of commercial sexual exploitation and trafficking in Latin America and the Caribbean
- Taking part in the development of juvenile justice systems in at least 13 of the 20 countries of the CEE/CIS region by assisting in legal reforms in line with international standards, piloting service models in the restorative justice approach, and training specialized police units, judges and lawyers to apply new principles and standards for children in conflict with the law.

Notes

¹ International Labour Office, *The End of Child Labour: Within reach*, Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, International Labour Conference, 95th Session 2006, Report I (B), ILO, Geneva, 2006.

² Defence for Children International, 'No Kids Behind Bars: A global campaign on justice for children in conflict with the law', <www.kidsbehindbars.org>.

³ United Nations Children's Fund, *Female Genital Mutilation/Cutting: A statistical exploration 2005*, UNICEF, New York, 2005, p. 1.

Child Protection, the MDGs and the Millennium Declaration

World leaders made a commitment to meet children's rights to survival, health, education, protection and participation – among others – during the Millennium Summit in September 2000, from which the Millennium Declaration and, subsequently, the Millennium Development Goals (MDGs) emerged. Both the declaration and the MDGs were later reaffirmed in the 2005 World Summit. Based on fundamental human rights, they provide a framework for the entire UN system to work coherently towards a series of concrete objectives for human development.

PROTECTING CHILDREN STRENGTHENS DEVELOPMENT

The Millennium Declaration addresses child protection explicitly (*see box*). A close look at the MDGs shows that not a single Goal can be achieved unless the protection of children is an integral part of programming strategies and plans. Failing to protect children from such issues as violence in schools, child labour, harmful traditional practices, the absence of parental care or commercial sexual exploitation squanders the world's most precious resource. Reaching the most vulnerable and isolated populations helps ensure the health and well-being of all and is indispensable to achieving the MDGs.

CHILD PROTECTION AND THE MDGS

Goal 1: Eradicate extreme poverty and hunger

Children who live in extreme poverty are often those who experience violence, exploitation, abuse and discrimination. They easily become marginalized and are frequently denied such essential services as health care and education. In a self-perpetuating cycle, marginalization of children who are victims of **violence and abuse** decreases their likelihood of escaping poverty in the future. **Child labour** – both a cause and consequence of poverty – damages a child's health, threatens education and leads to further exploitation and abuse. Poverty is a root cause for **trafficking**. Without documents to prove **birth registration**, children and families often cannot

THE MILLENNIUM DECLARATION

Through adoption of the Millennium Declaration, the world's countries resolved to:

- Strive for the full protection and promotion of civil, political, economic, social and cultural rights for all.
- Combat all forms of violence against women and implement the **Convention on the Elimination of All Forms of Discrimination against Women**.
- Encourage the ratification and full implementation of the **Convention on the Rights of the Child** and its **Optional Protocols** on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography.

access health, education and other social services, and States cannot plan poverty alleviation and social service programmes without accurate estimates of annual births. Poverty and exclusion can contribute to **child abandonment and the separation of children** from their families, as children are sent to work on the streets or parents are forced to migrate and leave their children behind. Children might end up in foster or institutional care arrangements which can lead to marginalization and decrease their chances of breaking the cycle of poverty. **Armed conflict** depletes physical, economic and human resources and leads to displacement of populations.

Goal 2: Achieve universal primary education

Ensuring that all boys and girls complete a full course of primary schooling cannot be achieved without eliminating the barriers that keep children out of school. Reaching the hard-to-reach – including children affected by HIV/AIDS, orphans, children with **disabilities**, children from minorities and of migrant families, and those who are trafficked, used in armed conflict or live in institutions – is critical to achieving education for all. The school environment needs to be safe, protective and free of **violence** if children are to

be encouraged to attend and remain in school. **Child marriage** leads to the isolation of, particularly, the girl child and to early drop-out from school. **Armed conflict** can displace families, separate children from their parents and disrupt their education. **Child labour** prevents children from going to school.

Goal 3: Promote gender equality and empower women

Child marriage, sexual violence, female genital mutilation/cutting, child labour and **trafficking** are child rights violations that must be prevented and addressed as part of global initiatives to promote gender equality and empower women. **Sexual violence and harassment** of girls at school are major impediments to achieving gender equality in education. When they occur in other settings, such as the community and workplace, they undermine efforts to empower girls and women. During **armed conflict** situations, girls often have less access to reintegration programmes for children associated with armed groups. **Female genital mutilation/cutting** is an infringement on the physical and psychosexual integrity of girls and women.

Goal 4: Reduce child mortality

Extreme exploitation, violence or abuse can lead to death throughout various phases of childhood. **Child marriage** affects children's health as babies who are born to very young mothers are more vulnerable to diseases during critical early years of life. **Armed conflict** has a devastating impact on children's survival. Of the 20 countries with the highest rates of under-five mortality, 11 have experienced major armed conflict since 1990. **Children without parental care** or separated from their mother at an early age, especially those who remain in institutional settings for an extended period of time, are at much greater risk of early death. Inattention to **disability** and improper care for children with disabilities can increase the mortality risk.

Goal 5: Improve maternal health

Abuses against adolescent girls endanger their physical and psychological health and, should they become mothers, their reproductive health as well. Protecting girls from **child marriage** is an important factor in improving maternal health as pregnancy at a young age jeopardizes the health of young moth-

ers. **Female genital mutilation/cutting** increases the chance of maternal mortality during delivery. **Armed conflict** jeopardizes young mothers' access to health-care services. Also, widespread **sexual violence**, including in armed conflict, has a direct impact on maternal health.

Goal 6: Combat HIV/AIDS, malaria and other diseases

The fight against HIV/AIDS must include efforts to prevent abuses that make children particularly vulnerable to the disease. For children orphaned or otherwise affected by HIV/AIDS, protection is a priority. Many of the worst forms of **child labour** fuel the spread of HIV/AIDS as children are **sexually exploited** and **trafficked**. At the same time, children from families and communities affected by HIV/AIDS are particularly vulnerable to these forms of exploitation and at risk of growing up **without parental care**. Child **sexual abuse** contributes to infection among young people. Reducing recourse to detention for **children in conflict with the law** decreases their vulnerability to infection, given the high rates of transmission in prisons.

Goal 7: Ensure environmental sustainability

Environmental disasters increase household vulnerability, which can in turn increase the pressure for **child labour**, as well as for **sexual exploitation** and **child marriage**. Overcrowding of neighbourhoods and homes can put severe strains on environmental resources, which may lead to domestic stress, **violence or sexual abuse** in the home.

Goal 8: Develop a global partnership for development

Child protection demands inter-sectoral cooperation at the national and international levels. UNICEF's approach entails creating a **protective environment** for children. This means partnering with other UN agencies, governments, civil society, the private sector and international non-governmental organizations to put protective systems in place by strengthening **government commitment**, promoting adequate **legislation**, building **systems** and **capacities**, providing **services**, addressing **attitudes** and **customs**, **monitoring** and **reporting**, developing children's **life skills**, and encouraging **open discussion**.

Violence against Children

Violence against children includes physical and mental abuse and injury, neglect or negligent treatment, exploitation and sexual abuse. Violence may take place in homes, schools, orphanages, residential care facilities, on the streets, in the workplace, in prisons and in places of detention. It can affect children's physical and mental health, impair their ability to learn and socialize, and undermine their development as functional adults and good parents later in life. In the most severe cases, violence against children leads to death.

FACTS AND FIGURES

- Research suggests that 20 per cent of women and 5 per cent to 10 per cent of men suffered sexual abuse as children worldwide.¹
- In Asia, it is estimated that 60 million girls are 'missing' due to prenatal sex selection, infanticide or neglect.²
- In the Caribbean, 96 per cent of interviewed child-care workers believe that corporal punishment reflects parents "caring enough to take the time to train the children properly."³

BUILDING A PROTECTIVE ENVIRONMENT FOR CHILDREN

Government commitment and capacity

To prevent violence against children, policies need to be created, laws enforced and resources provided. Violence by teachers, guards or other staff in public institutions, including schools and prisons, must be prohibited. Governments should also take steps to promote positive forms of discipline and protect children against abuse and violence within their families.

Legislation and enforcement

Effective national laws against violence need to be put in place and reliably enforced. These might include laws prohibiting corporal punishment, strict

HUMAN RIGHTS

Article 19 of the **Convention on the Rights of the Child** (1989) calls for legislative, administrative, social and educational actions to protect children from all forms of violence and abuse. Several other instruments, including the **Optional Protocols** to the Convention on the Rights of the Child, and the International Labour Organization's (ILO) Convention 182 concerning the **Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour** (1999), single out particular types of violence and exploitation for action.

As of March 2006, all but two UN member states (USA and Somalia) have ratified the Convention on the Rights of the Child, and 158 states have ratified ILO Convention 182.

penalties for sexual abuse, reporting and follow-up requirements for health and social workers, and codes of conduct for teachers, police officers, guards and others working in close proximity to children.

Attitudes, customs and practices

Gender plays an important role in patterns of violence and stereotypes, and traditions are often used to justify violence. Many forms of violence against children are accepted by society, including abusive power relationships, female genital mutilation/cutting, corporal punishment as a method of discipline, child marriage and honour killings.

Open discussion

Violence against children is not a private matter and needs to be brought to public attention. The media can be very effective in challenging attitudes that condone violence and in promoting more protective behaviours and practices. They can also help children express themselves about violence in their lives.

Children's life skills, knowledge and participation

Children can be helped to identify, avoid and, if necessary, deal with potentially violent situations. They need to be informed about their rights and how to bring information about abuse safely to the notice of someone who will take action.

Capacity of families and communities

Teachers, health and social workers, medical personnel and others in proximity of children need to be trained in prevention and protection efforts, including early recognition of abuse and appropriate responses. After having experienced or witnessed violence, children often feel guilty or blame themselves; adequate and professional assistance is crucial to mitigate or avoid this reaction.

Essential services, including prevention, recovery and reintegration

Along with education, these services can reduce exposure to violence. Schools need to be safe and child friendly. And access to specialized services and facilities, providing appropriate and confidential medical care, counselling and follow-up, has to be ensured for all children, without discrimination.

Monitoring, reporting and oversight

Violence against children, especially sexual violence, is often shrouded in secrecy. In many countries data collection is weak or non-existent and follow-up mechanisms are deficient.

EXAMPLES OF UNICEF IN ACTION

Globally, a study on violence against children is under way, mandated by the United Nations Secretary General. Rooted in children's human rights to protection from all forms of violence, the study aims to

MILLENNIUM DEVELOPMENT GOALS

Efforts to achieve universal primary education and gender parity at all levels of education (MDG 2, 3), to reduce child mortality (MDG 4) and to combat HIV/AIDS and other diseases (MDG 6) can be greatly assisted by protecting children from violence in all spheres of society.

promote action to prevent and eliminate violence against children – including violence at home, in schools, institutions, the workplace and the community. It draws together existing research and data about the forms, causes and impact of violence on children up to 18 years old, and about strategies for prevention and response. UNICEF has been fully engaged in the process, including by organizing nine regional and several national consultations as well as facilitating field visits. Further information is available at <www.violencestudy.org>.

In **South Asia**, follow-up to the regional consultation on violence against children led to the prohibition of all forms of abuse and violence in schools through a directive and to the sensitization of teachers in Afghanistan, the banning of corporal punishment through a national law for the protection of children in Pakistan, and an initiative on 'Teaching and Learning with Dignity' in Nepal.

In the **Caribbean**, rising levels of violence perpetrated by and against children led to the launch of 'Xchange', a movement for bringing about positive change among young people and adults. The initiative seeks to create a safe and protective environment for children in the home, school and community, using education – including music, art, sport, drama and other cultural expressions – to reach people with information that would lead to alternative behaviours and lifestyles and ultimately reduce violence. To join, 'Xchangers' make a pledge to commit themselves to a positive lifestyle and behaviour and to becoming role models for their peers.

Notes

¹ World Health Organization, *World Report on Violence and Health*, WHO, Geneva, 2002, p 64.

² United Nations Population Fund, *State of World Population 2005: The promise of equality: Gender equity, reproductive health and the Millennium Development Goals*, UNFPA, New York, 2005, p. 5.

³ United Nations Educational, Scientific and Cultural Organization, *Eliminating Corporal Punishment, The way forward to constructive child discipline*, UNESCO, Paris, 2005, p. 58.

Protecting Children during Armed Conflict

Armed conflicts have left populations vulnerable to appalling forms of violence, including systematic rape, abduction, amputation, mutilation, forced displacement, sexual exploitation and genocide.

The wide availability of light, inexpensive small arms has contributed to the use of children as soldiers, as well as to high levels of violence once conflicts have ended. The breakdown of social protection leaves girls vulnerable to unwanted pregnancy and threatens all children with separation from their families, orphaning, increased risk of sexually transmitted infections, disability and serious, long-term psychosocial consequences.

FACTS AND FIGURES

- An estimated 90 per cent of global conflict-related deaths since 1990 have been civilians, and 80 per cent of these have been women and children.¹
- In the Democratic Republic of the Congo, almost 38,000 deaths occur every month above what is considered a 'normal level' for the country, translating into 1,270 excess deaths every day. Most deaths are due to preventable causes like malnutrition and infectious diseases. Young children are disproportionately affected by these illnesses.²
- In Darfur (Sudan), around 2 million people have been forced from their land and live in displacement camps. More than 1 million of them are children under 18, with 320,000 aged five and under.³

BUILDING A PROTECTIVE ENVIRONMENT FOR CHILDREN

Government commitment and capacity

To protect children during war, government priorities must include assisting the most vulnerable, recognizing that displaced children have the right to receive the same level of public services as other children, and protecting humanitarian assistance

HUMAN RIGHTS

The principles and provisions to protect children in armed conflict are laid out in the **Geneva Conventions** (1949) and their **Additional Protocols** (1977), the **Convention on the Rights of the Child** (1989) and its **Optional Protocol on the involvement of children in armed conflict** (2000), and the **Rome Statute** (1998) of the International Criminal Court.

and personnel. State and non-State entities must commit themselves to ending the recruitment and use of children as soldiers or adjuncts to armed groups by signing international legislation. In addition, children need to be protected from the effects of sanctions. As conflicts end, peace-building and peacekeeping efforts need to focus on child protection issues. Governments, for example, can ensure that crimes against children are addressed and that child-friendly procedures are developed for children's involvement in truth and justice-seeking processes.

Legislation and enforcement

International treaties must be respected and enforced by those in charge, including State and non-State entities, and criminal legislation should be reviewed to ensure that grave breaches of international humanitarian law are recognized as crimes. Adequate training for armed forces in the rules of international humanitarian law and human rights, especially those concerning the protection of children, is essential.

Attitudes, customs and practices

Many of the discriminatory attitudes that existed prior to a conflict intensify during violent clashes. Promoting codes of conduct and child-rights training for all military and civilian peacekeeping personnel is essential to eliminating maltreatment and use of children in armed groups.

Open discussion

Media and civil society have tremendous potential for influencing public opinion – and promoting action – through discussion of such crucial issues as sexual violence against children and women, and reducing the availability of small arms and light weapons.

Children's life skills, knowledge and participation

Children's involvement in their own protection is strengthened by the creation of child-friendly spaces, especially in situations of displacement, and by peer-to-peer counselling on such issues as avoiding landmines or protection from HIV.

Capacity of families and communities

Bolstering the capacities of families and communities creates an effective resource for a wide range of activities. With the proper training and materials, they can prevent the separation of children, provide psychosocial support for war-affected children, develop mechanisms to eliminate sexual abuse and exploitation, support landmine awareness and victim assistance, and distribute life-saving information on HIV/AIDS.

Essential services, including prevention, recovery and reintegration

These services include: disarmament, demobilization and reintegration programmes for children whether or not they have weapons in their possession; tracing and reintegration programmes for children who have been separated from their families; assistance to survivors of sexual vio-

lence as well as children who have been disabled; education services for children; prevention of HIV infection; and care for children orphaned or made vulnerable by HIV/AIDS.

Monitoring, reporting and oversight

Systematic and comprehensive monitoring, reporting and oversight, as requested by the United Nations Security Council Resolutions 1539 and 1612, should cover all violations against children affected by armed conflict and could be performed by governments or non-State parties to the conflict.

EXAMPLES OF UNICEF IN ACTION

In the **Democratic Republic of the Congo**, as part of UNICEF's project to assist children, women and families affected by conflict, nearly 1.6 million children were protected from recruitment by armed forces and groups, at least 5,400 children associated with armed forces and groups were reintegrated into their families or communities, and 5,350 women and children survivors of sexual violence were given support and assistance.

In **Liberia**, UNICEF is working to provide skills training courses to 5,000 demobilized children associated with armed forces. The training programme includes options like agriculture, animal husbandry, mechanics, carpentry, cosmetology, masonry, tailoring and baking, in addition to basic literacy and numeracy, psychosocial counselling, and business development. Recently, 116 boys and girls finished the nine-month training course in Buchanan, Grand Bassa County.

MILLENNIUM DEVELOPMENT GOALS

Armed conflict depletes physical, economic and human resources and leads to displacement of populations. It can disrupt children's education, lead to their death, and expose them to HIV infection when rape is used as a weapon of war. In the scope and severity of its effects, armed conflict not only devastates child protection, it is a threat to achieving any of the Millennium Development Goals, from eradicating extreme poverty and hunger (MDG 1) to ensuring environmental sustainability (MDG 7).

Notes

¹ Otunnu, Olara A., 'Special Comment' on Children and Security, *Disarmament Forum*, No. 3, United Nations Institute for Disarmament Research, Geneva, 2002, pp. 3-4.

² Coghlan, Benjamin et al, "Mortality in the Democratic Republic of Congo: A nationwide survey," *The Lancet*, Vol. 367, 7 January 2006, pp. 44-51.

³ United Nations Children's Fund, *Darfur Child Alert*, UNICEF, December 2005, p. 7. Available in PDF only at <www.unicef.org>.

Children Associated with Armed Groups

A 'child soldier' is any person under 18 years of age who is part of any kind of regular or irregular armed force or armed group in any capacity – including, but not limited to, combatants, cooks, porters, messengers and anyone accompanying such groups, other than family members. The definition includes girls recruited for sexual purposes and for forced marriage. It does not, therefore, only refer to a child who is carrying or has carried arms. Some boys and girls might have been abducted or forcibly recruited; others have been driven to join by poverty, abuse and discrimination, societal or peer pressure, or to seek revenge for violence against them or their families.

FACTS AND FIGURES

- Latest estimates suggest that more than 250,000 children are currently serving as child soldiers.¹
- In Colombia, an estimated 14,000 girls and boys were used as child soldiers² by illegal armed groups.
- In Somalia, an estimated 200,000 children have carried a gun or been involved with a militia since the 1991 collapse of central government.
- In Sudan, in March 2004, an estimated 17,000 children were associated with armed forces and groups.

BUILDING A PROTECTIVE ENVIRONMENT FOR CHILDREN

Government commitment and capacity

Advocacy is required on all levels, including promotion of ratification of the Optional Protocol on the involvement of children in armed conflict, reform of national laws and awareness-raising campaigns. In times of armed conflict, effective control often lies with non-State entities or armed groups, and it is essential that they respect standards of international law in the same way as governmental actors, including the ban of recruitment and use of children in hostilities. Several provisions of international law

HUMAN RIGHTS

The **Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict** (2000) raises the minimum age for direct participation in hostilities from 15 to 18 (Article 1) and prohibits conscription or forced recruitment below the age of 18 (Article 2). The **Statute of the International Criminal Court** (1998) makes it a war crime to conscript or enlist children under 15 into national armed forces or to use them to participate actively in hostilities in international and internal armed conflicts.

The **International Labour Organization's Convention No. 182** (1999) defines the forced and compulsory recruitment of children as a worst form of child labour, which it prohibits.

address non-State entities, including the Optional Protocol, which holds them to higher standards than governments.

Legislation and enforcement

International treaties must be respected, implemented and enforced by governmental and non-governmental actors involved in armed conflict.

Attitudes, customs and practices

When these encourage or tolerate the involvement of children in conflict, changes are needed to prevent recruitment and re-recruitment of children, and to support their return to their families and communities.

Open discussion

Dialogue about the stigmatization of former child soldiers is often the preliminary step towards family reunification and community reintegration. The media can increase awareness but should be careful not to hamper the chances of former child soldiers for successful reintegration (for example, when reporting on prevalence rates of HIV, real or presumed, among demobilized children). Community

mediation can be essential for family reunification and the reintegration process.

Children's life skills, knowledge and participation

Once children are recruited into conflict there is little they can do to protect themselves. Young people's discussion groups can make them more aware of their rights, and former 'child soldiers' can share their experiences to sensitize their peers. This helps strengthen children's voices so their opinions are considered in efforts to prevent their recruitment and ensure their demobilization and reintegration. Children and women should be involved in the planning and implementation of demobilization and reintegration processes to avoid a bias against children in general and young women in particular, who may not be considered real soldiers.

Capacity of families and communities

Capacities must be built to help families and communities ensure that their children do not become involved with armed forces during conflict. Family reunification at the earliest opportunity is a key factor for social reintegration. Follow-up care for demobilized children, focusing on long-term social reintegration for all war-affected children in a community and embracing the community rather than the child in isolation, is essential.

Essential services, including prevention, recovery and reintegration

Former child soldiers should be protected during demobilization and social reintegration

MILLENNIUM DEVELOPMENT GOALS

Failing to protect children from use by armed groups will impede the achievement of at least three of the Millennium Development Goals: universal primary education (MDG 2) as child soldiers often miss out on schooling, reducing child mortality (MDG 4) as children involved in armed conflict often have no access to health care and are exposed to life-threatening situations, and combating HIV/AIDS, malaria and other diseases (MDG 6) as children in armed groups are subject to sexual abuse and exploitation.

programmes – including family tracing, HIV/AIDS education, counselling, education and vocational training. Psychosocial support, such as counselling, peer-to peer support or community-based support, is important. Reintegration programmes need to build on existing resources, supporting local schools, vocational training facilities and health care systems.

Monitoring, reporting and oversight

Violations of the laws of war need to be reported, so that perpetrators can be held accountable before tribunals or through other truth and reconciliation mechanisms. Adequate monitoring will provide better data on the numbers of child soldiers and the conditions they are living in. The implementation of UN Security Council Resolutions 1539 (2004) and 1612 (2005), calling for monitoring and reporting of egregious child rights abuses in conflict areas, is crucial.

EXAMPLES OF UNICEF IN ACTION

In **Colombia**, UNICEF works with the Colombian Institute for Family Welfare to assist demobilized children and adolescents, providing them with health and psychosocial care, education for life and work, and legal support, and preparing them for reintegration into their families and communities. Between November 1999 and October 2005, more than 2,500 children benefited from this programme.

In **Sri Lanka**, UNICEF has established a monitoring and reporting system for child recruitment into the armed forces and uses the database to help target advocacy to seek their release. In addition, released child soldiers were provided with catch-up education or vocational training, and families were given micro-credit loans.

Notes

¹ Otunnu, Olara A., 'Era of Application: Instituting a compliance and enforcement regime for CAAC', Statement before the Security Council, New York, 23 February 2005, p. 3.

² Country figures are taken from Coalition to Stop the Use of Child Soldiers, *Child Soldier Global Report 2004*, Coalition to Stop the Use of Child Soldiers, London, 2004.

Children Affected by HIV/AIDS

The HIV/AIDS pandemic is not only threatening the physical health and survival of millions of children around the world, it is destroying their families and depriving them of parental love, care and protection. Stigma and discrimination, often associated with HIV infection, can lead to exclusion and isolation and ruin a child's chances to receive an education. Children whose families are affected by HIV/AIDS experience severe emotional and psychological distress. Economic hardship resulting from their parents' inability to work may cause children to drop out of school or become child labourers. They are often forced to assume the burden of caring for sick parents or for their younger siblings. Children orphaned by HIV/AIDS are more exposed to exploitation, abuse and violence. Conversely, many situations in which children have inadequate protection – including sexual exploitation, trafficking, violence, armed conflict, recruitment in armed forces or groups, displacement, detention and imprisonment, child marriage and female genital mutilation/cutting – also make them more vulnerable to HIV infection.

FACTS AND FIGURES

- In 2005, the number of children less than 15 years old living with HIV was estimated at 2.3 million. Of these, 700,000 were newly infected. More than half a million children (570,000) died of AIDS during the same period.¹
- Some 62 per cent of the world's young people infected with HIV and about 80 per cent of the children orphaned by AIDS live in sub-Saharan Africa.²
- Since the outset of the HIV/AIDS pandemic in the early 1980s, the proportion of women with HIV has risen steadily. Today, nearly half of those who are HIV positive are women or girls.³

BUILDING A PROTECTIVE ENVIRONMENT FOR CHILDREN

Government commitment and capacity

To dispel stigma and confusion, governments need

HUMAN RIGHTS

In the **Convention on the Rights of the Child** (1989), States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health (Article 24). States Parties shall also respect and ensure the rights set forth in the Convention to each child within their jurisdiction without discrimination of any kind (Article 2).

to acknowledge HIV/AIDS and its impact and address it at the highest levels, including national poverty-reduction strategies. Government policies and resource allocations for expanded social welfare and services are essential to increasing the capacity of families and communities to care for orphans and infected and vulnerable children.

Legislation and enforcement

The inheritance rights of women and children who have lost providers and caregivers to AIDS should be addressed. The rights of young people living with HIV/AIDS need to be protected, and anti-discrimination laws must be put in place to ensure equal access to such essential services as health care and education.

Attitudes, customs and practices

It is important to oppose the prejudice, shaming and stigma often experienced by children infected, orphaned or made vulnerable by HIV/AIDS. Violence (including armed conflict), sexual discrimination, sexual abuse and unequal power relations (e.g., marriages of young girls to much older husbands) all increase children's vulnerability to HIV infection.

Open discussion

The media can help raise awareness, counter myths and remove taboos about HIV/AIDS by making it an acceptable topic of discussion and providing accurate information about the disease and its prevention. Voices and participation of children can help break the silence and stop stigmatization.

Children's life skills, knowledge and participation

These are particularly important when dealing with the threat and impact of HIV/AIDS. To avoid the risk of infection, all children need to be taught about sexual health and be empowered to refuse unsafe or unwanted sex and to negotiate safer options. Children already affected or infected by HIV/AIDS need support so they can develop skills that will help them cope, make informed decisions and protect themselves from exploitation and abuse.

Capacity of families and communities

Resources and skills must be invested to monitor vulnerable households, support families willing to foster or adopt orphaned children, and strengthen community-level services. To help protect children in armed conflict or humanitarian crises, international peacekeeping and humanitarian personnel should be trained in HIV/AIDS awareness and prevention.

Essential services, including prevention, recovery and reintegration

Access to education – a fundamental human right – must be guaranteed to children who have been infected or affected by HIV/AIDS. Education also reduces their vulnerability to exploitation. Community-based childcare and psychosocial support are necessary to help families and communities cope. In conflicts and emergencies that put children at particularly high risk of HIV infection, protection initiatives, demobilization, disarmament and

MILLENNIUM DEVELOPMENT GOALS

Halting and reversing the spread of HIV/AIDS is a primary target of MDG 6, and there are several ways that failing to protect children intersects with this goal. Many of the worst forms of child labour, including sexual exploitation, expose children to HIV infection, which can also result from abuse and violence. Child labour may be a consequence of the AIDS pandemic, when primary income providers are lost or incapacitated. In fact, children in affected families are particularly vulnerable to losing all forms of care and protection – from the death of a parent to being denied an inheritance.

reintegration services for children used by armed forces and groups, as well as prevention and response to sexual violence (provision of post-rape care and post-exposure prophylaxis), can mitigate the disastrous consequences for children.

Monitoring, reporting and oversight

Using internationally agreed indicators on the well-being of children affected by HIV/AIDS is crucial for validating interventions by governments and communities to reduce the impact of the disease.

EXAMPLES OF UNICEF IN ACTION

At the **global** level, in 2005, UNICEF launched UNITE FOR CHILDREN. UNITE AGAINST AIDS, a global campaign bringing together UNICEF, UNAIDS co-sponsors, bilateral donors, non-governmental and faith-based organizations and civil society members. The focus is on ensuring that children have a central place on the global HIV/AIDS agenda, on scaling up interventions to prevent new infections and on helping children already affected by HIV/AIDS. Four key result areas, known as 'The Four Ps', have been established for the campaign: primary prevention; prevention of mother-to-child transmission; paediatric treatment; and protection, care and support.

In **Burundi, the Democratic Republic of the Congo and Haiti**, UNICEF supports initiatives for the prevention of and response to sexual violence, including by providing post-rape care services and psychosocial support. In Haiti, for example, 1,900 children affected by HIV/AIDS received direct medical and psychosocial care as well as educational and financial support in 2005.

Notes

¹ Joint United Nations Programme on HIV/AIDS, World Health Organization, *AIDS Epidemic Update December 2005*, UNAIDS and WHO, Geneva, December 2005, p. 1.

² Joint United Nations Programme on HIV/AIDS, *2004 Report on the Global AIDS Epidemic*, UNAIDS, Geneva, June 2004.

³ United Nations Children's Fund, *The State of the World's Children 2005*, UNICEF, New York, p. 70.

Birth Registration

Birth registration is the official recording of the birth of a child by a state administrative process. It is the permanent and official record of a child's existence and is fundamental to the realization of children's rights and practical needs.

Securing children's right to a nationality will allow them to get a passport, open a bank account, obtain credit, vote and find employment. It helps ensure access to basic services, including immunization, health care and school enrolment at the right age.

Birth registration is also essential in protection efforts, including: preventing child labour by enforcing minimum-employment-age laws; ensuring that children in conflict with the law are not treated (legally and practically) as adults; shielding them from underage military service or conscription; countering child marriage; and reducing trafficking, as well as assisting children who are repatriated and reunited with family members.

FACTS AND FIGURES

- In 2003, some 48 million births went unregistered – 36 per cent of all estimated births worldwide that year.
- South Asia had the largest number of unregistered children at more than 23 million, which is 63 per cent of all births in the region and accounts for 47 per cent of all unregistered births worldwide.
- In sub-Saharan Africa, 55 per cent of children under five have not been registered.
- In the Middle East and North Africa, 16 per cent of the children were not registered at birth, while in East Asia and the Pacific, 19 per cent of births were unregistered.¹

HUMAN RIGHTS

The **Convention on the Rights of the Child** (1989) calls for the registration of a child immediately after birth (Article 7).

BUILDING A PROTECTIVE ENVIRONMENT FOR CHILDREN

Government commitment and capacity

This is needed to ensure free and compulsory birth registration and a free birth certificate for every child without discrimination.

Legislation and enforcement

Most countries make legal provision for registering births within a prescribed period. These laws, however, are often not comprehensive or are poorly enforced. Ineffective bureaucracies can make implementation complicated and costly. Governments should be encouraged to devote the necessary attention and resources to birth registration.

Attitudes, customs and practices

Particularly in remote areas, parents often do not see the benefits of their own citizenship, let alone the benefits that birth registration would confer on their children. Awareness-raising campaigns can help encourage parents to register their children.

Open discussion

Media and civil society can play an important role in making families and communities aware of the importance of birth registration and the steps involved in the process. Non-governmental organizations and grass-roots organizations can be particularly effective in the promotion of birth registration.

Children's life skills, knowledge and participation

Explaining the value of birth registration to older unregistered children can help them encourage their parents to secure their late registration and also the registration of their younger siblings. It can also motivate these children to register their own future children.

Capacity of families and communities

Local registration facilities should be decentralized, accessible and have adequate capacity to meet the needs of families and communities. Support for systems for birth registration ranges from the training of service providers at the community level to the provision of essential supplies for registration, such as birth registration forms.

Monitoring, reporting and oversight

Local birth registration services need to be integrated with a central database to ensure adequate recording, transmission, backup and safe keeping of data, as well as to protect the privacy of this information.

MILLENNIUM DEVELOPMENT GOALS

Effective planning is virtually impossible without accurate and comprehensive data, and birth registration provides the foundation – basic information that is vital to local communities, nationwide strategies and, ultimately, global cooperation. Universal birth registration is not only the bedrock of child protection, it will facilitate achieving such Goals as eradicating poverty and hunger (MDG 1), universal primary education (2), reducing child mortality (4) and combating HIV/AIDS (6).

EXAMPLES OF UNICEF IN ACTION

In **Afghanistan**, in 2003, UNICEF worked with the government to launch a nationwide campaign to register all children under one year of age. The campaign used the services of polio vaccinators, combining the birth registration effort with Afghanistan's National Polio Immunization Days. In 2004, the campaign expanded to reach 1.7 million children under five.

In **Angola**, in 2001, UNICEF's Executive Director officially launched a nationwide two-year birth registration campaign which aimed to register 3 million children by 2002. In 2005, intensive advocacy on UNICEF's part resulted in an international conference on birth registration and the Government's adoption of a free birth registration policy for all newborns and children below 5 years old, including registration at hospitals.

In **Papua New Guinea**, the number of children whose birth has been registered in the national capital increased from 3 per cent in 2002 to 56 per cent in 2005. The birth registration system was decentralized in 50 per cent of provinces. All schools and health facilities were declared compulsory birth registration points.

Notes

¹ Figures from United Nations Children's Fund, *The 'Rights' Start to Life: A statistical analysis of birth registration*, UNICEF, New York, 2005, p. 3.

Child Labour

Child labour and the worst forms of child labour, as defined by International Labour Organization (ILO) Conventions, damage children's health, threaten their education and lead to further exploitation and abuse. UNICEF does not oppose work that children may perform at home, on the family farm or for a family business – as long as that work is not a danger to their health and well-being, and if it doesn't prevent them from going to school and enjoying childhood activities.

FACTS AND FIGURES

- In 2004, there were 218 million children engaged in child labour, excluding child domestic labour.¹
- Some 126 million children aged 5–17 are believed to be engaged in hazardous work.
- It is estimated that children represent 40–50 per cent of all victims of forced labour, or 5.7 million children are trapped in forced and bonded labour.
- Children working in the home of a third party or 'employer' are extremely vulnerable to exploitation and abuse. ILO estimates that more girls under age 16 are in domestic service than in any other category of work or child labour.²

BUILDING A PROTECTIVE ENVIRONMENT FOR CHILDREN

Government commitment and capacity

Providing all children with access to education is every government's responsibility, as well as a practical response to preventing child labour. Free, compulsory, relevant and good-quality education services are essential.

Legislation and enforcement

Laws and regulations against child labour must be in place and rigorously enforced by governments.

Time-bound national plans of action, as required by ILO Convention No. 182 on the worst forms of child labour, are crucial.

HUMAN RIGHTS

International Labour Organization (ILO) Conventions 138 (1973) and **182** (1999) define child labourers as all children younger than 12 working in any economic activities, children 12–14 years old engaged in more than light work, and all children engaged in the **worst forms of child labour** – in which they are enslaved, forcibly recruited, prostituted, trafficked, forced into illegal activities or exposed to hazards.

Article 32(1) of the **Convention on the Rights of the Child** (1989) calls for the recognition of the right of children to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with their education, or to be harmful to their health or physical, mental, spiritual, moral or social development.

By March 2006, 143 countries had ratified Convention No. 138, setting minimum ages for general, light or hazardous work and 158 countries had ratified ILO Convention No. 182 on the worst forms of child labour.

Attitudes, customs and practices

Girls are particularly at risk of being sent to work instead of going to school. Parental and community understanding of the benefits of education, along with strong social disapproval of exploitative employers, will help diminish this hazard.

Open discussion

Civil society and media engagement can change attitudes that condone child labour. Raising awareness of its harmful effects on health and development will help alleviate children's vulnerability to abuse.

Children's life skills, knowledge and participation

Through active participation and communication with their parents, employers and other adults,

children can be agents of change. Relevant school curricula and vocational training programmes can be adapted to students' circumstances – and will increase their school attendance.

Capacity of families and communities

Social programmes to support families in need and help them find alternative income to replace their child's employment will help prevent child labour. Such support is also needed for child-headed households, orphans and children made vulnerable by HIV/AIDS. Representatives from schools, churches, labour unions and non-governmental organizations can be trained to assess the reasons why children work and to devise ways of making sure they get into school.

Essential services, including prevention, recovery and reintegration

Flexible school hours can accommodate the needs of working children. Non-formal education programmes can prepare former child labourers for return to full-time education, and vocational training provides skills for a productive adulthood.

Monitoring, reporting and oversight

How many children are engaged in labour? What type of work do they perform? To monitor protective

MILLENNIUM DEVELOPMENT GOALS

Child labour is both a cause and consequence of poverty and squanders a nation's human capital. It can impede the education of children, particularly girls. Any of the worst forms of child labour – including prostitution and trafficking – are a cause and consequence of the HIV/AIDS pandemic. Therefore, eliminating child labour is particularly relevant to achieving MDG 1 (eradicate extreme poverty and hunger), MDG 2 (ensuring that all boys and girls complete primary schooling) and MDG 6 (combat HIV/AIDS, malaria and other diseases). Achieving MDG 7, which seeks to reverse the loss of environmental resources, would help reduce environmental disasters – which devastate households and significantly increase conditions that foster child labour.

measures, ensure employer compliance with relevant laws and administer legal action if necessary, governments, social services and all agencies that work with children need to have this information.

EXAMPLES OF UNICEF IN ACTION

In **India**, UNICEF and its partners worked to reduce child labour rates by reducing the debt burden among families through the formation of self help groups and increasing school enrolment. Life-skills education was provided to adolescent girls and child labourers in Andhra Pradesh and Maharashtra. The documentation of these and other positive experiences led to more effective advocacy with State partners and non-governmental organizations and to increased government budget allocations and donor support.

In **Morocco**, UNICEF and its partners are working to reduce the number of children working in the handicrafts sector in Fez. At the beginning of the 2005 school year, the number of children under 12 who were withdrawn from work exceeded 600; of these 80 per cent were girls working in the carpet-weaving industry.

In **Senegal**, a debt-cancellation agreement between the Italian and Senegalese governments signed in 2005 will provide funding for poverty reduction strategies, in particular towards the elimination of child labour. Part of the funds available will allow the Senegalese Government to contribute to a UNICEF-supported project for the elimination of child labour. The agreement is partly the result of UNICEF's advocacy efforts to mainstream child protection into national poverty reduction strategy papers.

Notes

¹ Unless otherwise indicated, International Labour Office, *The End of Child Labour: Within reach*, Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, International Labour Conference, 95th Session 2006, Report I (B), ILO, Geneva, 2006.

² International Programme on the Elimination of Child Labour, *Helping Hands or Shackled Lives? Understanding child domestic labour and responses to it*, ILO, Geneva, 2004, p. III.

Child Marriage

Child marriage is a violation of human rights whether it happens to a girl or a boy, but it represents perhaps the most prevalent form of sexual abuse and exploitation of girls. The harmful consequences include separation from family and friends, lack of freedom to interact with peers and participate in community activities, and decreased opportunities for education. Child marriage can also result in bonded labour or enslavement, commercial sexual exploitation and violence against the victims. Because they cannot abstain from sex or insist on condom use, child brides are often exposed to such serious health risks as premature pregnancy, sexually transmitted infections and, increasingly, HIV/AIDS.

Parents may consent to child marriages out of economic necessity. Marriage may be seen as a way to provide male guardianship for their daughters, protect them from sexual assault, avoid pregnancy outside marriage, extend their childbearing years or ensure obedience to the husband's household.

FACTS AND FIGURES

- Globally, 36 per cent of women aged 20–24 were married or in union before they reached 18 years of age.¹
- An estimated 14 million adolescents between 15 and 19 give birth each year. Girls in this age group are twice as likely to die during pregnancy or childbirth as women in their twenties.²
- Marriage of young girls is most common in sub-Saharan Africa and South Asia. In Niger, 77 per cent of 20- to 24-year-old women were married before the age of 18. In Bangladesh, this rate was 65 per cent.

BUILDING A PROTECTIVE ENVIRONMENT FOR CHILDREN

Government commitment and capacity

The role of government and civil-society institutions is to develop and implement systems to prevent

HUMAN RIGHTS

The right to free and full consent to a marriage is recognized in the **Universal Declaration of Human Rights** (1948) with the recognition that consent cannot be 'free and full' when one of the parties involved is not sufficiently mature to make an informed decision about a life partner. The **Convention on the Elimination of All Forms of Discrimination Against Women** (1979) states that the betrothal and marriage of a child shall have no legal effect and all necessary action, including legislation, shall be taken to specify a minimum age of marriage. The Committee on the Elimination of Discrimination against Women recommends this age to be 18.

or discourage this practice. Government action is required to review customary and civil law. Because child marriage is closely associated with poverty, government commitment to poverty reduction is likely to lead to a decrease in child marriages.

Legislation and enforcement

Governments need to establish 18 as the legal age of marriage for girls, as well as boys, and ensure its implementation. Promoting birth and marriage registration will help enforce these laws.

Attitudes, customs and practices

Ending child marriage is challenging because even parents who understand its negative impact may find it hard to resist economic and societal pressures and traditions. Addressing attitudes and customs that promote or condone the practice is vital to changing the acceptable age for marriage.

Open discussion

Marriage is regarded as a private subject in many cultures. Communication campaigns can help create circumstances in which it can be discussed and traditional beliefs about marriage can be examined. To foster behavioural change from within communities, human rights should be emphasized,

particularly those of women – including equality, access to education and freedom from exploitation and discrimination.

Children’s life skills, knowledge and participation

Expanding children’s knowledge and empowerment is crucial, particularly for girls. Educated girls are less likely to agree to marry at a young age. Attempts to close gender gaps in education can include the establishment of child-friendly schools, cash incentives for parents and the expansion of non-formal education.

Capacity of families and communities

Community-level women’s organizations need support to act as effective advocates and educators. Human rights-based development and education programmes can create dynamics leading to a change in customs, hierarchies and prejudices linked to the tradition of child marriage.

Essential services, including prevention, recovery and reintegration

Counselling services on abuse, reproductive health and protection from HIV infection are imperative for young girls. Girls who run away from marriages need emergency support, as do those running

away from parents forcing them into an unwanted marriage.

Monitoring, reporting and oversight

Demographic Health Surveys and Multiple Indicator Cluster Surveys collect valuable data on prevalence and reasons for child marriage. Community-level monitoring systems can also help record frequency of child marriage. Marriage registration should be promoted.

EXAMPLES OF UNICEF IN ACTION

Globally, one way UNICEF is addressing the issue of child marriage is through the promotion of girls’ education. Research has shown that higher levels of education for girls prevent child marriage³. UNICEF is the lead agency for the United Nations Girls’ Education Initiative, which works to ensure that by 2015, all children everywhere will be able to complete primary schooling.

In **Bangladesh**, UNICEF has been supporting Kishori Abhijan, a project promoting the rights of adolescent girls and combating rights violations such as child marriage and dowry. The project provides education, training and links to economic activities for networks of adolescent girls to help them gain livelihood skills.

MILLENNIUM DEVELOPMENT GOALS

Child marriage is both a response to deprivation and a harmful practice that keeps families ensnared in poverty. Married children are generally isolated – removed from their immediate families, taken out of school and denied interaction with their peers and communities. For girls, early pregnancy leads to higher risks, including death during delivery, jeopardizing the health of these young mothers and their babies. Teenage girls are more susceptible than mature women to sexually transmitted diseases. Because marriage before age 18 is so prevalent in many struggling countries, the practice becomes an obstacle to nearly every development goal – eradicating poverty and hunger (MDG 1); achieving universal primary education (MDG 2); promoting gender equality (MDG 3); protecting children’s lives (4); and improving health (5, 6).

Notes

¹ This figure does not include China. Unless otherwise indicated, figures are from United Nations Children’s Fund, *The State of the World’s Children 2006*, UNICEF, New York, 2005, p. 131.

² United Nations Population Fund, *State of World Population 2005: The promise of equality: Gender equity, reproductive health and the Millennium Development Goals*, UNFPA, New York, 2005, p. 50.

³ United Nations Children’s Fund, *Early Marriage: A harmful traditional practice: A statistical exploration*, UNICEF, New York, 2005, pp. 12-13.

Children in Conflict with the Law

The term 'children in conflict with the law' refers to anyone under 18 who comes into contact with the justice system as a result of being suspected or accused of committing an offence. Most children in conflict with the law have committed petty crimes or such minor offences as vagrancy, truancy, begging or alcohol use. Some of these are known as 'status offences' and are not considered criminal when committed by adults. In addition, some children who engage in criminal behaviour have been used or coerced by adults. Too often, prejudice related to race, ethnicity or social and economic status may bring a child into conflict with the law even when no crime has been committed, or result in harsh treatment by law enforcement officials.

In the area of **juvenile justice**, UNICEF aims to reduce incarceration while protecting children from violence, abuse and exploitation. It promotes rehabilitation that involves families and communities as a safer, more appropriate and effective approach than punitive measures. Justice systems designed for adults often lack the capacity to adequately address these issues and are more likely to harm than improve a child's chances for reintegration into society. For all these reasons, UNICEF strongly advocates **diversion** (directing children away from judicial proceedings and towards community solutions), **restorative justice** (promoting reconciliation, restitution and responsibility through the involvement of the child, family members, victims and communities), and **alternatives to custodial sentencing** (counselling, probation and community service).

FACTS AND FIGURES

- More than 1 million children worldwide are detained by law enforcement officials.¹
- In many prisons and institutions, children and young persons are often denied the right to medical care, education and individual development.²
- In 2002, 136,000 children in the CEE/CIS region were sentenced for criminal activities, compared

HUMAN RIGHTS

According to Articles 37 and 40 of the **Convention on the Rights of the Child** (1989), children in conflict with the law have the right to treatment that promotes their sense of dignity and worth, takes into account their age and aims at their reintegration into society. Also, placing children in conflict with the law in a closed facility should be a measure of last resort, to be avoided whenever possible. The convention prohibits the imposition of the death penalty and sentences of life imprisonment for offences committed by persons under the age of 18.

to 117,000 in 1990. Russia alone accounted for 65 per cent of these numbers.³

BUILDING A PROTECTIVE ENVIRONMENT FOR CHILDREN

Government commitment and capacity

These are crucial to promote and support policies that encourage the use of alternatives to deprivation of liberty. A proper approach to juvenile justice also requires that efforts be made to prevent children from coming into conflict with the law in the first place. This is work for the entire society, not just the government.

Legislation and enforcement

National laws should be revised to conform with international standards, with legislation enacted and enforced to prevent children from being deprived of their liberty when they have been victims of abuse and exploitation, were used by adults for criminal activities or have committed status offences or petty crimes. The death penalty for children should be abolished.

Attitudes, customs and practices

Children in conflict with the law may be portrayed as 'wicked' or threatening, and presumptions of character need to be challenged. The establishment

of appropriate juvenile justice mechanisms can be difficult if public opinion favours tougher responses and harsher sentences.

Open discussion

The media can promote appropriate approaches to children in conflict with the law, including probation and community service. Objective and responsible reporting of crimes committed by children – and the abuses they face in contact with the law – can increase public support for juvenile justice.

Children's life skills, knowledge and participation

Children who come in conflict with the law need to be informed about their rights. Preventive measures can improve children's understanding of their responsibilities under the law and help them avoid conflict.

Capacity of families and communities

Capacities need to be strengthened to enable community involvement in the process of restorative justice. Law enforcement officials should be familiar with constructive approaches that make it possible to avoid formal arrest and detention of children in conflict with the law. Capacity and knowledge of juvenile judges, magistrates, social workers and police need to be strengthened and increased in the area of juvenile justice.

Essential services, including for prevention, recovery and reintegration

Services should be in place offering community-based and family-focused assistance so that children can achieve rehabilitation and avoid repeat offences.

MILLENNIUM DEVELOPMENT GOALS

Legal systems that ignore the child's age and fail to promote reintegration into the community increase the likelihood of their marginalization and poverty – thus impeding the achievement of MDG 1 to eradicate extreme poverty and hunger. Achieving universal primary education (MDG 2) is hindered as children in detention are often denied quality education. Due to the high rates of transmission in prisons, children are vulnerable to HIV infection, obstructing efforts to combat AIDS (MDG 6).

Monitoring, reporting and oversight

These are needed to determine the number of children in detention, the proportion of those awaiting trial and trends in sentencing. Monitoring can ensure that detention is neither illegal nor arbitrary, that children have access to all basic social services, and that they are not detained alongside adult prisoners and exposed to violence and abuse.

EXAMPLES OF UNICEF IN ACTION

At the **global** level, UNICEF is a member of the Inter-Agency Panel on Juvenile Justice, which aims to enhance national and global coordination in juvenile justice including by promoting ongoing dialogue with national partners in juvenile justice reform and identifying, developing and disseminating common tools and good practices.

In the **Republic of Moldova**, UNICEF supported the government in developing the new Criminal Law and the Criminal Procedure Code which provides for improved juvenile justice and brings local legislation in line with the standards of the Convention on the Rights of the Child.

In **Panama**, UNICEF provided journalists with data on children in conflict with the law in order to help dispel myths and exaggerations of adolescent crime. UNICEF also facilitated training courses on the Convention on the Rights of the Child which built capacity among journalists to report on the rights of children in conflict with the law.

Notes

¹ Defence for Children International, 'No Kids Behind Bars: A global campaign on justice for children in conflict with the law', <www.kidsbehindbars.org>.

² Defence for Children International, *Kids Behind Bars: A study on children in conflict with the law: towards investing in prevention, stopping incarceration and meeting international standards*, Amsterdam, 2003, p. 22.

³ United Nations Children's Fund, 'Child Protection: A resource package for Central and Eastern Europe and the Commonwealth of Independent States', available at <http://ceecis.org/child_protection>.

Children without Parental Care

Millions of children around the world are growing up without one or both of their parents. Many more are at risk of separation, due to the impact of poverty, disability and HIV/AIDS or such crises as natural disaster and armed conflict. Children without parental care find themselves at a higher risk of discrimination, inadequate care, abuse and exploitation, and their well-being is often insufficiently monitored. Many children are placed unnecessarily and for too long in institutions, where they receive less of the stimulation and individual attention needed to grow to their full potential. Inadequate care environments can impair children's emotional and social development and leave them vulnerable to exploitation, sexual abuse and physical violence.

FACTS AND FIGURES

- About 1.5 million children in the CEE/CIS live in public care.¹ In Europe and Central Asia, over one million children live in residential institutions.²
- In 93 countries of sub-Saharan Africa, Asia, and Latin America and the Caribbean, the number of orphans (children aged 0–17 who have lost one or both parents) was estimated to be 143 million at the end of 2003; of those children 15 million were orphaned by AIDS, more than 12 million of them in sub-Saharan Africa.³
- Asia has the highest number of orphans due to all causes, with 87.6 million children (2003).⁴

BUILDING A PROTECTIVE ENVIRONMENT FOR CHILDREN

Government commitment and capacity

Extended child welfare services and poverty-reduction initiatives are needed to help prevent separation. Government support – through appropriate policies, funding and legislation – is vital for establishing and promoting family-based alternatives to institutional care. For children who remain in public care, regulation and monitoring of

HUMAN RIGHTS

While children have the right to be cared for by their parents or family, a child who no longer has a family, has become separated from his or her family, or whose family presents serious danger to his or her health or development has the right to alternative care. Four possible types of alternative care are mentioned in Article 20 of the **Convention on the Rights of the Child**: foster placement, *kafalah* of Islamic law, adoption or, if other options are not available, placement in a suitable institution.

institutions, in line with agreed national and international standards and the Convention on the Rights of the Child, are essential.

Legislation and enforcement

Laws must protect children from unnecessary separation from their families. Children without parental care need to be protected from discrimination, violence and abuse and should have full access to education and health care. Inheritance laws must not discriminate against girls or against any children who have lost a parent to HIV/AIDS.

Attitudes, customs and practices

Discrimination based on gender, disability, ethnicity or HIV status, which contributes to children being institutionalized, must end. Positive attitudes to domestic adoption and well-monitored foster care can ensure that children who cannot be cared for by their families still grow up in a family environment.

Open discussion

The media can help dispel myths about the benefits of institutional care and educate the public about domestic adoption, foster care and respect for a child's right to grow up in a family environment.

Children's life skills, knowledge and participation

These are crucial, particularly when parental care is not available. Children should be provided with

opportunities to express their views and wishes with regard to their care arrangements. They need to be aware of their rights and helped to protect themselves from exploitation, abuse and the dangers of trafficking and HIV/AIDS.

Capacity of families and communities

Community-based social services, such as day care, parenting education and home support for children with disabilities, are needed to strengthen the capacity of families to care for their children and of extended families and communities to provide alternative forms of care.

Monitoring, reporting and oversight

Mechanisms are needed to ensure oversight of institutions providing public and private care, as well as foster care arrangements. Data collection and analysis on the situation of children without parental care is key to changing public attitudes, promoting better practices and increasing accountability.

EXAMPLES OF UNICEF IN ACTION

UNICEF is contributing to the development of a continuum of social services to gradually replace the system of residential care institutions in all countries of the **CEE/CIS**. Its strategies to this effect include upgrading or piloting essential elements in the continuum of services such as child and family support services, social work functions and foster care systems; developing standards for

MILLENNIUM DEVELOPMENT GOALS

When parents are struggling to overcome poverty, AIDS or natural disaster, families may be compelled to place their children in public care institutions, where their access to quality education is likely to be poor (thus thwarting the aim of MDG 2, universal primary education). Children separated from their mother at an early age, especially if they remain in institutional settings for a long time, may suffer from damaged emotional and physical development and are at greater risk of early death – diminishing reductions in child mortality (MDG 4).

service providers; upgrading competencies and accountabilities for professionals working with children; reforming the legal base for child care systems; establishing independent monitoring bodies; and transforming residential care institutions into alternative care services.

In **Malawi**, UNICEF's advocacy efforts have helped secure high-level political commitment and re-resources for the scale-up of the response to the crisis of orphans and other vulnerable children. In 2005, the National Plan of Action for Orphans and Vulnerable Children was launched by the President on the Day of the African Child, 16 June. Also, UNICEF focused on enhancing the capacity of families and communities to care for their orphans and vulnerable children through supporting 611 community-based child care centres reaching out to nearly 50,000 children under the age of 5.

In the aftermath of the **Pakistan** earthquake in October 2005, UNICEF and its partners rushed to provide psychosocial assistance to orphans, unaccompanied children and children who lost their family members during the earthquake. To protect these children from trafficking and exploitation UNICEF has taken the lead responsibility to register all children in the relief camps.

Notes

¹ United Nations Children's Fund, *TransMonee 2005: Data, Indicators and Features on the Situation of Children in CEE/CIS and Baltic States*, UNICEF Innocenti Research Centre, Florence, 2005, p. 5.

² United Nations Children's Fund, *Stop Violence against Children: Act Now, Report of the Regional Consultation for the UN Study on Violence against Children, 5-7 July 2005, Ljubljana, Slovenia*, UNICEF, 2005, p. 9.

³ Joint United Nations Programme on HIV/AIDS, United Nations Children's Fund and United States Agency for International Development, *Children on the Brink 2004: A Joint Report of New Orphan Estimates and a Framework for Action*, Population, Health and Nutrition Information Project under USAID, Washington, D.C., July 2004, pp. 7-8.

⁴ *Ibid*, p. 3.

Commercial Sexual Exploitation

Commercial sexual exploitation of children is one of the worst forms of child labour and a modern form of slavery. Sexually exploited children are often treated as criminals. As defined in the Declaration of the First World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in 1996, commercial sexual exploitation of children is sexual abuse by an adult accompanied by remuneration in cash or in kind to the child or third person(s). The commitments made in Stockholm were reaffirmed in Yokohama, Japan, in 2001 at the Second World Congress.

FACTS AND FIGURES

- According to a recent global estimate by the International Labour Organization, of the 12.3 million people who are victims of forced labour, 1.39 million are involved in forced commercial sexual exploitation and 40–50 per cent are children.¹
- An estimated 12,000 Nepalese children, mainly girls, are trafficked for commercial sexual exploitation each year within Nepal or to brothels in India and other countries.²
- From 28,000 to 30,000 children under the age of 18, approximately half of them 10–14 years old, are used in prostitution in South Africa.³

BUILDING A PROTECTIVE ENVIRONMENT FOR CHILDREN

Government commitment and capacity

Recognition and acknowledgement by governments of the existence of sexual exploitation is crucial. Response mechanisms, including creating, enforcing and implementing appropriate legal frameworks to protect children and punish the perpetrators, are essential.

Legislation and enforcement

Police, judiciary, officials and service providers who work with children should be aware of the problem and equipped to address it. Neither the filing of a

HUMAN RIGHTS

States Parties that recognize the **Convention on the Rights of the Child** (1989) undertake to protect children from all forms of sexual exploitation and abuse, including exploitative use in prostitution and pornography (Article 34), which the **Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography** (2000) further refines.

The **International Labour Organization's Convention 182** (1999) defines sexual exploitation as one of the worst forms of child labour.

complaint nor prosecution of an offence should require the permission of the child's parents. Laws must punish those who buy sex from children; children who sell sex are victims and should not be treated as criminals.

Attitudes, customs and practices

These often enable, normalize and condone the demand for commercial sexual exploitation. Communities are often reluctant to intervene in cases of sexual exploitation due to lack of knowledge, lack of understanding about the harm to children, fear and intimidation, or for economic reasons.

Open discussion

The media can help protect children by providing information on the dangers of sexual exploitation and on penalties for exploiters. While avoiding reporting that violates children's rights, the media can be a valuable tool in mobilizing public opinion to participate in the struggle against sexual exploitation.

Children's life skills, knowledge and participation

Trafficked children often end up in situations of sexual exploitation, and their knowledge of how to avoid the risks, of strategies to protect themselves and of where to obtain help is key to making them less vulnerable. Teachers, coaches and community

leaders can help inform children about their rights and how best to protect themselves. Sexual health education is important, because it enables children to protect themselves against sexually transmitted diseases such as HIV/AIDS, also reducing the incidence of adolescent pregnancy.

Capacity of families and communities

Parents, teachers, social workers and community leaders should be able to provide information to children and answer their questions. Law enforcement, including police, judges and lawyers, should be trained and made aware that children who are sexually exploited need assistance and should never be criminalized and prosecuted. The travel and tourism industry can raise awareness about the illegality of sexual exploitation of children, provide information on penalties, and train staff and employers on where to report cases.

Essential services, including prevention, recovery and reintegration

School attendance protects children and makes them less exposed and vulnerable. Children may also need assistance in getting out of commercial sexual exploitation, accessing appropriate medical and psychosocial care, finding long-term solutions and, whenever possible and safe, returning to their families.

Monitoring, reporting and oversight

Tracking cases of sexual abuse, of arrests, or of disappearances of girls or boys is essential since sexual exploitation often thrives on secrecy.

MILLENNIUM DEVELOPMENT GOALS

Sexual exploitation prevents a child from going to school, might lead to infection with sexually transmitted diseases, including HIV/AIDS, and can result in early and unwanted pregnancies, which result in higher maternal mortality. These factors all hinder the achievement of development goals, including MDG 1 (to eradicate extreme poverty and hunger), MDG 2 (universal primary education), MDG 5 (improve maternal health) and MDG 6 (halt and reverse the spread of HIV/AIDS).

Measures that have proved useful include telephone hotlines, easy access to confidential counselling and recruitment of female police officers.

EXAMPLES OF UNICEF IN ACTION

Internationally, UNICEF, the World Tourism Organization and ECPAT (End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes) International launched a Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism. The project aims to involve the tourism industry in actively combating child sex tourism.

In **Indonesia**, pilot interventions on the sexual exploitation and trafficking of children carried out by UNICEF in 2005 in two selected districts in West and Central Java helped raise awareness of the risks of sexual exploitation and trafficking. The projects helped build the capacities of parents, community leaders, law enforcement officials, policy makers and service providers to protect children.

In **South Africa**, UNICEF contributed to raising awareness on child pornography by lending technical and financial support to the National Child Pornography Conference held in May 2005. The conference adopted an Action Plan for the Elimination of Child Pornography.

Notes

¹ International Labour Organization, *A Global Alliance against Forced Labour: Global report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work 2005*, Report I (B), International Labour Conference 93rd session 2005, Geneva, 2005, pp. 12, 15.

² International Labour Organization, International Programme on the Elimination of Child Labour, 'Facts on Commercial Sexual Exploitation of Children', March 2003, available at <www.ilo.org/childlabour>.

³ International Labour Organization, International Programme on the Elimination of Child Labour, *Unbearable to the Human Heart: Child trafficking and action to eliminate it*, ILO, Geneva, 2000, p. 17.

Female Genital Mutilation/Cutting

Female genital mutilation/cutting (FGM/C) refers to all procedures involving partial or total removal of the external genitalia or other injuries to the female genital organs for cultural or other reasons that are not medical necessities. FGM/C reinforces the inequality suffered by girls and women and is a violation of universally recognized human rights – including the rights to bodily integrity and to the highest attainable standard of physical and mental health. While health consequences vary, they commonly include failure to heal, inflammatory diseases and urinary infections. Gynecological complications that result from female genital mutilation/cutting can become particularly serious during and after childbirth, and include fistula. Increased susceptibility to HIV infection is a concern. The pain of the procedure is known to cause shock and long-lasting trauma, and severe bleeding and infection can lead to death.

The reasons for FGM/C are many and complex, but the most significant seems to be the belief that a girl who has not undergone the procedure will not be considered suitable for marriage. Traditionally, FGM/C is performed by local practitioners, most of whom are women. In some countries, efforts have been made to 'medicalize' the procedure by having medical staff perform it in or outside of hospitals. This does not, however, make it less a violation of human rights, and communities should be helped to abandon the practice.

FACTS AND FIGURES

- FGM/C occurs mainly in countries along a belt stretching from Senegal in West Africa to Somalia in East Africa and to Yemen in the Middle East, but it is also practised in some parts of south-east Asia. Reports from Europe, North America and Australia indicate that it is practised among immigrant communities as well.¹
- It is estimated that more than 130 million women and girls alive today have been subjected to female genital mutilation/cutting.

HUMAN RIGHTS

There are many international treaties and conventions that condemn harmful practices. They include the **Convention on the Rights of the Child** (1989), the **Convention on the Elimination of All Forms of Discrimination against Women** (1979), the **African Charter on the Rights and Welfare of the Child** (1990). A specific focus on female genital mutilation/cutting is found in UN **General Assembly Resolution 56/128 on Traditional or Customary Practices Affecting the Health of Women and Girls** (2001) and in the Protocol on the Rights of Women in Africa, or **Maputo Protocol** (2003).

- FGM/C is generally carried out on girls between the ages of 4 and 14; it is also performed on infants, women who are about to get married and, sometimes, women who are pregnant with their first child or who have just given birth.
- Most recent Demographic Health Survey data for Egypt indicate that the prevalence rate among ever-married women aged 15–49 has shown a slight decline from 97 per cent to 96 per cent.²

BUILDING A PROTECTIVE ENVIRONMENT FOR CHILDREN

Government commitment and capacity

Ratifying relevant international conventions, developing appropriate legislation prohibiting FGM/C and supporting budget allocations are effective steps governments can take to encourage the abandonment of the practice. These efforts can be reinforced in national development plans, poverty-reduction programmes and other state-led interventions.

Legislation and enforcement

Laws that ban FGM/C and penalize the practitioners should be passed and enforced. This will be most effective in the context of a comprehensive awareness-raising campaign, including in schools and communities.

Attitudes, customs and practices

Support for FGM/C may be rapidly reversed and abandoned if attitudes and customs are collectively addressed by the practising communities. Involvement of religious or moral leaders who can explain that there is no religious justification for the practice can help in accelerating the abandonment of female genital mutilation.

Open discussion

This is particularly important for many child protection issues, including harmful traditional practices. Communities, parents, teachers and children all need to feel able to discuss FGM/C.

Children's life skills, knowledge and participation

Young girls at risk are rarely in a position to avoid or refuse the procedure. However, education and understanding of alternatives can help them to address the issue more openly with their parents, resist societal pressures, and protect themselves, their sisters and daughters.

Capacity of families and communities

As FGM/C prevalence follows ethnic lines and is perpetuated among intra-marrying communities, it is essential to coordinate the work done among communities with such ties. Grass-roots non-governmental and community-based organizations concerned with the protection of human rights and human dignity need to be strengthened and supported, as they play an important role in FGM/C abandonment.

MILLENNIUM DEVELOPMENT GOALS

FGM/C is a violation of the physical and psycho-sexual integrity of girls and inherently contradicts gender equality (MDG 3). One of the many negative health implications is an increased chance of death during childbirth, thus impeding efforts to reduce maternal mortality (MDG 5). Some studies also show a higher vulnerability to HIV/AIDS among girls who have been subjected to FGM/C, meaning that the practice hampers efforts to halt and reverse the spread of AIDS (MDG 6).

Essential services, including prevention, recovery and reintegration

Support for women who oppose genital mutilation/cutting and help for those who have undergone the procedure include medical services to deal with the health consequences of FGM/C – which tend to be chronic and life-long – as well as educational and awareness-raising activities that contribute to the abandonment of the practice.

Monitoring, reporting and oversight

Analysis of data collected through the Demographic and Health Survey, for example, should be widely disseminated and utilized. Agreed indicators should become a common monitoring tool. Main interventions should include baseline participatory assessments and local ethnographic studies.

EXAMPLES OF UNICEF IN ACTION

In **Egypt**, in 2005, UNICEF and its partners expanded awareness campaigns about female genital mutilation to new communities in Upper Egypt, including mobilizing village members as advocates against the practice.

In **Senegal**, UNICEF worked with TOSTAN international non-governmental organization to establish a village empowerment programme based on the human rights-based approach to combat violence against girls, in particular FGM/C and child marriage. In 2005, the programme was developed in 130 village communities and led to public declarations of abandoning these practices in 114 villages. By the end of 2005, nearly 1,630 villages have announced their decision to drop the practice of female genital mutilation/cutting.

Notes

¹ Unless otherwise indicated, data are from United Nations Children's Fund, *Female Genital Mutilation/Cutting: A statistical exploration 2005*, UNICEF, New York, 2005.

² UNICEF, <<http://www.childinfo.org/areas/fgmc/profiles.php>>. Data from preliminary report.

Trafficking

Child trafficking affects children throughout the world, in both industrialized and developing countries. Trafficked children are subjected to prostitution, forced into marriage or illegally adopted; they provide cheap or unpaid labour, work as house servants or beggars, are recruited into armed groups and are used for sports. Trafficking exposes children to violence, sexual abuse and HIV infection and violates their rights to be protected, grow up in a family environment and have access to education.

A 'child victim of trafficking' is any person under 18 who is recruited, transported, transferred, harboured or received for the purpose of exploitation, either within or outside a country. The use of illicit means, including violence or fraud, is irrelevant. Ending trafficking will require international, regional and national cooperation. Root causes – poverty, discrimination, exclusion and violence – need to be addressed along with the demand side.

FACTS AND FIGURES

- The invisible and clandestine nature of trafficking and the lack of strong data collection make it difficult to know the global number of child victims. However, according to the latest estimates available, some 1.2 million children are trafficked worldwide every year.¹
- In East Asia and the Pacific, most trafficking is into child prostitution, though some children are also recruited for agricultural and industrial work. In South Asia, trafficking is often related to debt bondage.²
- In Europe, children are mainly trafficked from east to west, reflecting the demand for cheap labour and child prostitution.

BUILDING A PROTECTIVE ENVIRONMENT FOR CHILDREN

Government commitment and capacity

To protect child victims of trafficking, governments must ratify international legal standards that

HUMAN RIGHTS

The **Convention on the Rights of the Child** (1989) asks States Parties to take "all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form" (Article 35) and to "promote physical and psychological recovery and reintegration of a child victim" (Article 39).

Optional Protocol to the Convention on the Rights of the Child (2002) on the sale of children, child prostitution and child pornography further defines these standards. The optional protocol to the **UN Convention against Transnational Organized Crime** (2000), known as the Palermo Protocol, for the first time defines trafficking in human beings. **ILO Convention 182 on the Worst Forms of Child Labour** (1999) includes child trafficking.

address all forms of exploitation, as well as develop bilateral agreements to facilitate cross-border cooperation. Poverty-alleviation policies are critical to a comprehensive anti-trafficking strategy. And non-discrimination, the best interest of the child and equitable participation are the core principles for establishing durable solutions.

Legislation and enforcement

Far too often, trafficked children are arrested and detained as illegal aliens, rather than recognized as the victims. The prosecution of criminals needs to be complemented with legislation that focuses on protecting child victims. Law enforcement needs to ensure that children in custody have access to their families and other support services.

Attitudes, customs and practices

Inequality between men and women, boys and girls contributes to child trafficking. Abuse will also flourish if it is socially acceptable for men to purchase sex with children, for families to use children as domestic servants, or if sending children away from their families becomes a survival strategy in response to conflict and other crises.

Open discussion

The participation of media and civil society can inform and educate communities about the dangers of trafficking. But the rights of the victims need to be ensured at all times, and sensational reporting should be avoided as counterproductive.

Children's life skills, knowledge and participation

The concept of 'child agency' defines children as thinking individuals and decision-makers who have the right to express opinions regarding choices that affect them. While adolescents need to learn how to recognize false 'employment' offers, they also need respect for their aspirations towards legitimate and safe mobility.

Capacity of families and communities

To protect and assist vulnerable children, parents, teachers, police, health and social workers need skills, capacity, knowledge, authority and motivation. But increases in trafficking are most often associated with the breakdown of families' abilities to care for their children. Strengthening existing welfare systems and improving reliable access to these services are the core of successful interventions.

Essential services, including prevention, recovery and reintegration

Full access to child welfare services, health and education should be granted to children, regardless of their legal status. Specific services may range from the immediate appointment of a guardian for identified child victims to creating youth centres that help exploited children re-enter society.

MILLENNIUM DEVELOPMENT GOALS

Achieving MDG 1 – to eradicate extreme poverty and hunger – will eliminate the conditions that are a root cause of trafficking. Because this dangerous human rights violation prevents a child from going to school and can lead to infection with sexually transmitted diseases, protecting children from trafficking will support universal primary education (MDG 2) and help halt and reverse the spread of AIDS (MDG 6).

Monitoring, reporting and oversight activities

States should create effective monitoring and oversight mechanisms to collect reliable data and information. These activities can be especially effective when community-based. Once accurate information has been collected, procedures should be in place for sharing and analysis at the international level.

EXAMPLES OF UNICEF IN ACTION

UNICEF is part of the United Nations Inter-Agency Project on Human Trafficking in the **Greater Mekong Subregion**, established in June 2000 to facilitate a stronger and more coordinated response to human trafficking in Cambodia, China, Lao People's Democratic Republic, Myanmar, Thailand and Viet Nam. The project aims to strengthen the regional response to human trafficking through improved knowledge, effective collaboration and better targeted action.

In 2005, UNICEF and the **United Arab Emirates** signed an agreement to return children involved in camel racing, many of them victims of trafficking, back to their countries. According to recent statistics, more than 1,000 child camel jockeys – mostly from Bangladesh, Mauritania, Pakistan and Sudan – have been sent home and many have been reunited with their families. UNICEF provided technical assistance and expertise. As follow-up to this initiative, in 2006, UNICEF helped organize the first ever workshop on combating child trafficking in the **Arab world**. Nine countries were represented at the event: Bahrain, Egypt, Jordan, Kuwait, Lebanon, Qatar, Saudi Arabia, United Arab Emirates and Yemen.

Notes

¹ International Labour Organization, *A Future without Child Labour*, ILO, Geneva, 2002, p. 32.

² United Nations Children's Fund, *The State of the World's Children 2006: Excluded and invisible*, UNICEF, New York, 2005, p. 50.

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