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

## **Annual Report of the Special Representative of the Secretary-General on Violence against Children**

### *Summary*

The present annual report reviews, pursuant to General Assembly resolution 68/147, key initiatives promoted by the Special Representative. It builds on the twenty-fifth anniversary of the adoption of the Convention on the Rights of the Child and the shaping of the post-2015 development agenda, and highlights the potential and risks associated with children's use of new information and communication technologies.

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## I. Introduction

1. 2014 marked the twenty-fifth anniversary of the adoption of the Convention on the Rights of the Child, which provided significant opportunities to mobilize enhanced support for children's protection from violence. During the year, three important processes gained special relevance for children and countries across regions.

2. First, the commemorative events held around the world confirmed that the values and principles of the Convention remain a crucial reference for shaping national laws and policies, and generating positive change in attitudes and behaviours towards children's protection. The anniversary of the Convention helped to generate valuable information campaigns to raise awareness of the long-lasting impact of violence on children's development and well-being, deepening understanding of how and why children are affected by violence. The anniversary also helped to set in motion concerted efforts to enact and enforce legislation, implement comprehensive policy agendas, gather data and consolidate institutions to safeguard children's care and protection.

3. Second, the international community has made progress in shaping the global development agenda beyond 2015, aiming at a future free from poverty and violence. As the Secretary-General highlights in his report "The Road to dignity by 2030: Ending Poverty, Transforming All Lives and Protecting the Planet",<sup>1</sup> "we are on the threshold of the most important year of development since the founding of the United Nations itself ... With this extraordinary process and the unprecedented leadership that it has witnessed, we have an historic opportunity and duty to act, boldly, vigorously and expeditiously, to turn reality into a life of dignity for all, leaving no one behind" (para. 161). The best way to avoid leaving children behind is to put them first.

4. Third, the present report pays special attention to the rapid development of information and communication technologies and their impact on the way children learn, communicate, play and more generally, relate to the world. Alongside the role technology can play in supporting children's development and protection, the report highlights potential risks for children's well-being and freedom from violence.

5. The report also addresses emerging concerns,<sup>2</sup> focusing on the risk of violence for girls involved with the criminal justice system as victims and witnesses, and when deprived of liberty.

## II. Twenty-fifth anniversary of the adoption of the Convention on the Rights of the Child

6. The anniversary of the Convention provided a timely opportunity to take stock of the significant achievements made towards the realization of children's rights. It became a strategic opportunity to reflect on the persisting challenges that compromise children's development and well-being.

7. The right of children to freedom from violence lies at the heart of the Convention. Thanks to the process of implementing the Convention and the United Nations Study on Violence Against Children, children's protection from violence has evolved from a largely

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<sup>1</sup> [http://sustainabledevelopment.un.org/content/documents/5527SR\\_advance%20unedited\\_final.pdf](http://sustainabledevelopment.un.org/content/documents/5527SR_advance%20unedited_final.pdf).

<sup>2</sup> For concerns addressed in previous reports, see A/HRC/16/56, A/HRC/21/25 and A/HRC/25/47.

hidden and neglected topic into a growing global concern. Over the past year, that process has been further strengthened at the international, regional and national levels.

### **A. Further mainstreaming violence against children in the United Nations agenda**

8. In 2014, violence against children gained increased visibility within the United Nations system. The consultations on the post-2015 development agenda were a decisive dimension of that process, and important United Nations studies issued during the year helped to further expose the prevalence and seriousness of incidents of violence against children.

9. As highlighted by the United Nations Children's Fund (UNICEF) report "Hidden in Plain Sight",<sup>3</sup> the World Health Organization Global status report on violence prevention 2014,<sup>4</sup> the United Nations Office on Drugs and Crime Global Study on Homicide 2013<sup>5</sup> and its Global Report on Trafficking in Persons 2014,<sup>6</sup> the risk of violence remains widespread and deeply concerning. Almost a billion children between the ages of 2 and 14 are subject to physical punishment by their caregivers; 84 million girls are victims of emotional, physical, emotional or sexual violence at the hands of their husbands or partners; 8 per cent of global homicides affect children under the age of 15; and child trafficking continues to increase, in some regions reaching more than 60 per cent of detected victims, most of whom are girls.

10. Clearly, the urgency of safeguarding children from violence has not diminished and the evidence emerging from those reports offers a sound basis to frame States' actions and accelerate progress in implementation efforts.

### **B. Enhancing the normative foundation: United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice**

11. Significant progress has been made towards universal ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography which, by the end of 2014, was in force in 169 countries. Similarly, there has been an incremental adherence to the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, following its entry into force in April 2014. The Special Representative will continue to support those efforts and promote the wide dissemination of child-friendly versions of both protocols,<sup>7</sup> which are already available in ten languages.

12. In December 2014, the General Assembly adopted new standards to protect children from violence — the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice (A/C.3/69/L.5).

13. The Model Strategies bring together international norms and standards on children's rights and criminal justice. They provide valuable guidance to Member States to enhance

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<sup>3</sup> See [http://www.unicef.org/publications/index\\_74865.html](http://www.unicef.org/publications/index_74865.html).

<sup>4</sup> See [http://www.who.int/violence\\_injury\\_prevention/violence/status\\_report/2014/en/](http://www.who.int/violence_injury_prevention/violence/status_report/2014/en/).

<sup>5</sup> See [http://www.unodc.org/documents/gsh/pdfs/2014\\_GLOBAL\\_HOMICIDE\\_BOOK\\_web.pdf](http://www.unodc.org/documents/gsh/pdfs/2014_GLOBAL_HOMICIDE_BOOK_web.pdf).

<sup>6</sup> See [www.unodc.org/documents/data-and-analysis/glotip/GLOTIP\\_2014\\_full\\_report.pdf](http://www.unodc.org/documents/data-and-analysis/glotip/GLOTIP_2014_full_report.pdf).

<sup>7</sup> See <http://srsg.violenceagainstchildren.org/children-corner/materials>.

progress in crime prevention and in law reform, policy development and practical implementation.

14. The Model Strategies address crucial challenges for children's protection from violence in the criminal justice system. Misperceptions and widespread prejudice towards marginalized groups of children continue to fuel incidents of violence and re-victimization. Those children are frequently perceived as responsible for serious crimes and high rates of criminality, and deserving of harsh sanctions and lengthy periods of detention. Yet available data indicate that children are not predominant in crimes statistics and in the majority of cases where they may have infringed the criminal law, it is for minor offences and petty crimes.

15. Gender discrimination and stereotyped gender roles increase the risk of violence against girls, including rape, forced marriage and crimes in the name of honour. Those misperceptions may lead to punitive approaches in legislation, policy and implementation.

16. In some communities, superstitious beliefs towards vulnerable children may lead to accusations of witchcraft and in turn to serious acts of violence, torture and also murder of those children. As a result of fear and social pressure, incidents of violence are often met with impunity.

17. To overcome those challenges, the Model Strategies call for a legal ban on all forms of violence against children, including as a form of discipline, control or sentencing, and for the removal from legislation of any justification condoning or allowing violence.

18. Legislation should equally align the minimum age of criminal responsibility with international standards, and decriminalize status offences and survival behaviours. To ensure that deprivation of liberty is used only as a measure of last resort, legal provisions need to foresee a range of appropriate non-custodial measures for diverting children away from the criminal justice system, such as restorative justice, warning, probation and community-based programmes.

19. The Model Strategies call for high-quality basic social services for children, and for programmes that address the root causes of social exclusion and inequity. States need strong child protection systems and effective institutional cooperation between all relevant sectors, including child welfare, health, education, social protection, law enforcement and criminal justice agencies.

20. The Model Strategies also call for data and research on the incidence and impact of violence on children, as well as on the risk factors, attitudes and social norms that underlie it. Broad public awareness and social mobilization campaigns are also needed, with the involvement of the media, professional associations, community leaders and faith-based organizations.

21. Professionals in the criminal justice system may also share misperceptions and societal attitudes, and they often lack training on children's rights and ways of securing their protection from violence. All professionals working with children in the formal and informal justice systems should acquire the knowledge and skills to safeguard children's rights and keep children safe.

22. Children are at risk of violence at all stages of the criminal justice process and in many cases, incidents remain unreported and are not investigated. Child victims may conceal their cases, fearing reprisals or lacking trust in the justice system. The Model Strategies therefore call for strong accountability and enforcement mechanisms to prevent violence, investigate abuses and fight impunity, including through unannounced visits of independent child rights institutions to places of detention.

23. The Model Strategies provide a crucial tool to promote progress in violence prevention and elimination. However, their success is dependent on the extent to which they are acknowledged and used to make a real difference in the lives of children.

24. The Special Representative remains strongly committed to promoting the dissemination and implementation of the Model Strategies across regions. The Pan-American Child and Adolescent Congress,<sup>8</sup> organized in December 2014 in Brazil, offered one such opportunity to promote their implementation through the Organization of American States.

### **C. Consolidating progress at the regional and national levels**

25. Protecting children from violence is a priority on the political agendas of regional organizations and institutions — in the Arab region, Asia, Europe, Africa and the Americas, strong political commitments have been solemnly made, and detailed agendas for action put in place to guide Member States in implementation. Across regions, there is promising change in the promotion of an integrated approach to violence prevention and response; the enactment of a legal ban on violence against children; the consolidation of data systems and research to assess the magnitude of the phenomenon and identify children at high risk; and, no less importantly, wide alliances and social mobilization processes are helping to overcome deeply rooted attitudes and social norms that condone violence against children.

26. In order to increase implementation, the Special Representative has promoted periodic high-level regional meetings, and five comprehensive regional studies have been conducted to capture change and re-energize action. The studies were necessary in order to monitor how much change is taking place and assess the difference it is making, and to target action to prevent children from being left behind.<sup>9</sup>

27. Dialogue between regions has also gained ground with the Cross-Regional Round Tables hosted annually by the Special Representative. The most recent meeting, held in June 2014 in Jamaica, provided an effective platform to promote the sharing of experiences and agree on joint action to prevent and eliminate violence from early childhood through law, policy, research, adequate resources and changes in attitudes and behaviour.<sup>10</sup>

28. In 2015, the annual round table will be organized jointly with the Council of Europe, in Strasbourg, and will primarily address children's protection from sexual violence.

29. At the national level, important developments have taken place. A growing number of countries have adopted a national time-bound agenda to address all forms of violence against children, in some cases supported by detailed implementation action plans.

30. Significant legislative reforms have been undertaken to prohibit violence in all its forms, including within the family. At the end of 2014, some 45 countries had comprehensive legal bans, triple the number in place in 2006. In order to support implementation, many States have promoted information and social mobilization campaigns, capacity-building initiatives for professionals working with and for children, and initiatives to promote positive parenting and non-violent discipline. That has led to a decrease in the acceptance of the use of violence, and a greater tendency to report incidents of violence.

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<sup>8</sup> See <http://xxicongresopanamericano.org/en/xxicongreso/>.

<sup>9</sup> See <http://srsg.violenceagainstchildren.org/category/regions>.

<sup>10</sup> Further information can be found in A/69/264, paras. 59–61.

31. Lack of data and research remain pressing challenges, but promising progress has taken place in that area with the development of national data surveys on violence against children in a number of countries in Africa, Asia and the Caribbean. Those efforts helped to inform the design and implementation of multisectoral policy and programme responses, the promotion of training initiatives and the issuance of guidance for professionals. In support of that process, in October 2014, the Special Representative joined the Government of Cambodia in launching its national household survey, the first to be completed in the East Asia and Pacific region.

### **III. Enhancing children's protection from violence in the post-2015 development agenda**

32. Ensuring that the protection of children from violence remains at the centre of the post-2015 development agenda has been a high priority for the Special Representative, as has including in the process those who are most affected: children and young people themselves.

33. In order to capture the wealth of children's opinions, the Special Representative undertook, in close cooperation with civil society partners, a review of a wide range of reports and contributions to the post-2015 agenda debate, including many national consultations held around the world. The review informed the Special Representative's report "Why children's protection from violence must be at the heart of the post-2015 development agenda: A review of consultations with children on the post-2015 development agenda".<sup>11</sup>

34. The report shows that children are eager to have a voice on the post-2015 development agenda. The message from the more than eight hundred thousand children involved in the numerous consultations is clear and unambiguous: "violence is a major obstacle to child development and it urgently needs to be brought to an end!"

35. In their recommendations, children highlighted three major issues. Firstly, they expressed deep concern at the high levels of violence affecting their lives — in schools, the community, the workplace and the home. Girls underscored the particularly high risk of sexual violence, and boys the special risk of severe forms of physical abuse, crime-related violence and homicide. Children called for their effective protection from violence in all contexts and at all times. They ranked protection from violence as their second highest priority, immediately after education. For them, education is crucial to develop children's talents and skills and to promote healthy lifestyles, and it is important in preventing violence and discrimination, countering intolerance, and enhancing dialogue and critical thinking. As they noted, receiving an inclusive and high-quality education helps prevent fear and abuse, as well as violence-related school dropout, early pregnancy, child marriage and child labour.

36. Secondly, children acknowledged that some manifestations of violence have heightened incidence in different regions of the world, where some groups of children are at special risk of violence. In Africa, children with disabilities were considered particularly vulnerable to violence and discrimination in schools. In many cases, early pregnancy and harmful practices, such as child marriage and female genital mutilation, were special concerns. In Asia, trafficking, child labour and violence associated with drugs and alcohol abuse were particularly emphasized. In Latin America and the Caribbean, domestic and family violence ranked the highest, followed by sexual abuse, corporal punishment, armed

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<sup>11</sup> See <http://srsg.violenceagainstchildren.org/page/1153>.

violence and homicide. Structural violence associated with marginalization, social exclusion and lack of opportunities was a constant concern echoed by the children, and indigenous children and those of African descent were recognized as being particularly at risk of violence in schools and on the streets. In Europe, violence in schools, domestic violence, early pregnancy and child marriage ranked high amongst children's concerns, while children belonging to ethnic minorities, including the Roma community, were considered at particular risk of violence, discrimination and exclusion.

37. The third message strongly conveyed by children was that violence constitutes not only a crucial priority that the post-2015 development agenda should specifically address, but also a cross-cutting concern that other development goals need to take into consideration. Thus, while placing special emphasis on the role of education in preventing and addressing violence, they highlighted the fact that violence is widespread in schools, compromising child development and well-being. Violence prevention was a dimension that, in their view, public health systems should consider. Violence was equally felt to undermine gender equality and empowerment, and social practices and beliefs compromise girls' confidence and ability to report incidents of violence, at times leading to school dropout. Moreover, children recognized that violence and poverty are closely related and both can lead to high risks of poor child health, failing school performance, social exclusion and welfare dependency.

38. As the report powerfully illustrates, children are seriously engaged in the post-2015 development process and have a clear vision for the future: they want to enjoy a safe and healthy life, free from all forms of violence.

39. Those important dimensions need to be preserved in the finalization and implementation of the sustainable development goals. Indeed, freedom from violence is indispensable to sustainable development, to a future in which children can grow up healthy, well-nourished, resilient, well-educated, culturally sensitive and effectively protected from neglect, abuse and exploitation.

40. The views expressed by children find an echo in the outcome document that the intergovernmental Open Working Group on Sustainable Development Goals submitted to the General Assembly.<sup>12</sup> In fact, particular emphasis is placed on violence against children in the document, both as a target under goal 16 on peaceful and inclusive societies, and as a cross-cutting dimension of other goals, including education, gender equality and empowerment and decent work.

41. Violence against girls and boys is also a concern echoed by the Secretary-General in his report mentioned in paragraph 3 above.

42. As the international community moves forward in the shaping of the global post-2015 development agenda, Member States' decisive voices and influence are needed to promote an agenda that bridges development and children's rights concerns, and is guided by the best interests of the child.

43. To leverage progress in the years to come, three important steps remain critical:

(a) Firstly, to mobilize the voice and commitment of leaders in all areas to advocate for the elimination of violence against children to be preserved as a distinct target, as well as a cross-cutting concern in other goals related to education, health, gender equality and decent work. Political support and secure resources are indispensable to achieve that aim.

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<sup>12</sup> See [http://srsg.violenceagainstchildren.org/document/a-68-l61\\_1166](http://srsg.violenceagainstchildren.org/document/a-68-l61_1166).

(b) Second, building upon the significant efforts promoted within and beyond the United Nations system, it is critical to invest in sound data on violence against children, and agree on a set of indicators and monitoring tools to track progress in that area and to promote global accountability mechanisms at the local, national and international levels.

(c) Third, to continue to include in the process those who are most affected: children and young people. They need to be given genuine opportunities and platforms to help shape the road ahead as true partners and agents of change.

#### **IV. Information and communication technologies and violence against children**

44. In 1989, when the Convention on the Rights of the Child was adopted, the Internet was still in its infancy. It was during that same year that the World Wide Web was developed.

45. Twenty-five years on, the rights of the child remain at the heart of our concerns. At the same time, information and communication technologies (ICTs) have evolved rapidly, bridging physical distances, opening up new ways of communicating, learning, delivering services and doing business.

46. Children have not been exempt from those developments: mobile phones, computers and access to the Internet are very present in children's daily lives. ICTs offer children new and exciting means of enhancing knowledge and skills and experiencing creative research and cultural activities, as well as engaging in play, socialization and entertainment.

47. However, there are also risks associated with ICTs. Children can be exposed to harmful information or abusive material, groomed by potential predators, and subject to exploitation and abuse, including through the production and distribution of child abuse images or live web streaming. In some cases, including cyber-bullying, children's own conduct online may harm others and represent a risk to themselves.

48. Concern about the role of ICTs in generating violence against children has been growing in recent years. In 2006, the United Nations Study on Violence Against Children acknowledged that "the Internet and other developments of communication technologies ... appear to be associated with an increased risk of sexual exploitation of children, as well as other forms of violence" (A/61/299, para. 77). The third World Congress against Sexual Exploitation of Children and Adolescents, held in 2008 in Brazil, reaffirmed that concern.

49. The topic was also highlighted in countries' responses to the global survey on violence against children, published in 2013 by the Special Representative.<sup>13</sup> Governments stressed the importance of adapting laws, policies and practices to the evolving challenges generated by fast-developing technology, and expressed the need for research, data and international cooperation forums in which common concerns could be addressed, experiences shared and solutions found.

50. In response to those concerns, in October 2014 the Special Representative published a thematic report on the topic,<sup>14</sup> which was informed by an expert consultation and available research, and built upon consultations held with children and adolescents. It calls for an inclusive, safe and empowering digital agenda that strikes the right balance between

<sup>13</sup> See <http://srsg.violenceagainstchildren.org/sites/default/files/blocks/Violence%20booklet%203-update4.pdf>.

<sup>14</sup> "Releasing children's potential and minimizing risks: ICTs, the Internet and Violence against Children". Available from <http://srsg.violenceagainstchildren.org/page/1154>.

ensuring that children benefit from the potential offered by ICTs while enjoying safety and effective online protection.

#### **A. Children and the digital world: maximizing opportunities and minimizing risks**

51. Across regions, more and more children use information and communication technologies, starting at an increasingly young age. Children navigate online for hours, often without adult guidance or supervision. Although that enhances children's digital literacy, it may also expose them to online risks.

52. ICTs and access to the Internet open avenues for children's empowerment, learning, communication, social interaction and entertainment. Increasingly research is showing the importance of digital technology as a learning tool, and its contribution to children's linguistic, cognitive and social development. For the youngest children, the use of touchscreen devices in kindergarten is associated with vocabulary development and academic achievement.

53. ICTs also enable children, and indeed adults, to learn about human rights and ways of securing their protection. ICTs are increasingly the means children choose to seek advice from child helplines, approach a children's ombuds, report incidents of violence, ask for help and assistance, or promote child rights advocacy through websites, blogs and social networks.

54. Alongside their unique potential, ICTs are associated with many risks that are sometimes difficult to detect and address, including for families and caregivers. Openness and accessibility are fundamental aspects of the Internet, but therein also lie some of the greatest threats to children's safety and protection from violence.

55. Harmful material and information, including violent, sexually explicit or hateful content, are readily available and may spread quickly, potentially reaching millions in a fraction of a second and remaining in cyberspace for a lifetime. Violence, abuse and exploitation can easily take place in spaces that are not under adult supervision, and parents and caregivers may struggle to keep up with technological developments to monitor children's online activity, especially in countries where digital literacy is low.

56. Today's children tend to shift easily between "real" and "virtual" worlds and regard the online/offline distinction as increasingly less relevant. ICTs are contributing to the breakdown of traditional boundaries of privacy, creating situations in which children engage in "chats" in apparently private settings while in fact potentially exposing themselves to a wide and unknown audience. Sharing personal information, and not recognizing online dangers or warning signals, may lead to multiple risks for children.

57. The more children engage in online activities, the more they enhance their digital literacy, gain skills and resilience, and become self-confident and curious. Yet the more skills they possess, the more online opportunities they explore which puts them at greater danger of being confronted with associated risks. Gaining online skills and resilience can, however, also reduce the harm that children experience, and help them to cope better with potential online threats.

58. Most children do not report being bothered or upset going online, and most risks are encountered by a minority of children. However, when harm arises, the impact on the child can be devastating, leading to depression and generating fear, eating and sleeping disorders, aggression, anxiety, low self-esteem, and a sense of shame and guilt. That is exacerbated when multiple forms of abuse and exploitation take place simultaneously or are committed against the same victim over time.

59. For example, ICTs have facilitated the production, distribution and possession of child abuse images and materials. Between 1997 and 2006, the number of such images on the Internet increased by 1,500 per cent.<sup>15</sup> The children depicted are increasingly young: more than 80 per cent are 10 or under, and even toddlers are targeted.<sup>16</sup>

60. Online risks encountered by children may take place in many contexts and be expressed in different ways, including violent content, harmful material, child abuse images, online grooming, cyberbullying, self-exposure, obsessive online behaviour or excessive use of the Internet.

61. However similar to any other form of violence, online abuse is not inevitable. It can be prevented and addressed effectively. As children often stress, technology is not bad, it depends on the use one makes of it.

62. Online safety and a sense of online responsibility are becoming increasingly important for young people. As those participating in the thematic report stressed, “We are a click away from producing positive situations and avoiding bad ones ... The way in which we connect using technologies is a personal choice, and we undertake to do this without causing harm to others”.<sup>17</sup>

## **B. Factors associated with online violence against children**

63. Understanding the way children embrace ICTs is key to the development of strategies to maximize opportunities and minimize risks of violence against children. A number of important studies show that factors such as age, gender, education, geography, socioeconomic background and vulnerability influence the way children engage with ICTs, benefit from their potential and are more easily exposed to potential risks.

### **Age and gender**

64. Age has a significant influence on how children operate online. Children are beginning to interact with ICTs and use the Internet at an increasingly young age. The relative simplicity of mobile devices, such as touchscreen tablets and smartphones, is making digital entertainment and Internet content available and easily used by children, including in their very early years. At the same time, younger children may be particularly vulnerable as they lack appropriate technical expertise or ability to identify risks.

65. According to the EU Kids Online initiative,<sup>18</sup> in Europe there has been a substantial increase in Internet use by children under the age of 9. Video-sharing sites are one of the first sites they visit and are popular, as are playing games, searching for information, doing homework and socializing with friends.

66. Younger children are particularly concerned about risks related to the online content they may encounter. As they get older, they become more concerned by contact and conduct risks linked to the use of social networking sites.<sup>19</sup> Adolescents may face unusually

<sup>15</sup> See E/CN.15/2014/CRP.1, p. 17. Available from [www.unodc.org/documents/commissions/CCPCJ/CCPCJ\\_Sessions/CCPCJ\\_23/E-CN15-2014-CRP1\\_E.pdf](http://www.unodc.org/documents/commissions/CCPCJ/CCPCJ_Sessions/CCPCJ_23/E-CN15-2014-CRP1_E.pdf).

<sup>16</sup> *Ibid.*, p. 26.

<sup>17</sup> “Releasing children’s potential and minimizing risks”, p. iii.

<sup>18</sup> Donell Holloway, Leila Green and Sonia Livingstone, *Zero to eight. Young children and their internet use* (London, London School of Economics and Political Science: EU Kids Online, 2013), p. 4.

<sup>19</sup> “Releasing children’s potential and minimizing risks”, p. 37.

high risks of exposure to harmful material and cyberbullying.<sup>20</sup> A considerable proportion of the victims of online sexual abuse are children under the age of 12.

67. Gender differences also influence how children use ICTs and perceive and respond to online risks. In Europe, boys appear more bothered by online violence than girls, while girls are more concerned with contact-related risks.<sup>21</sup> Teenage girls are slightly more likely to receive nasty or hurtful messages online than teenage boys.

68. There are also indications that boys enjoy more and better quality access to the Internet than girls.<sup>22</sup> That pattern is likely to exist in other regions, especially in contexts where girls may experience discrimination in society. At the same time, ICTs may also provide important tools for those girls to obtain information, participate in social and cultural life, and overcome isolation in their communities.<sup>23</sup>

### **Vulnerability**

69. The Internet has the potential to compound and magnify existing vulnerabilities of children at risk, and to add to the challenges they face in the offline world. For marginalized children, including those experiencing social exclusion, those out of school, with disabilities, belonging to minorities or affected by migration, who may have no access to the Internet at home or in school, who may lack guidance and advice from caregivers and who explore the cyberspace on their own, the opportunity to become an empowered digital citizen is seriously limited. Those children will be less likely to enjoy the benefits offered by the online environment or to receive information regarding online safety than their peers, and more likely to face bullying, harassment or exploitation online.

70. Social isolation affects the nature of a child's online behaviour and the amount of their online activity, as well as their propensity to seek help when problems arise.<sup>24</sup> The likelihood of reporting concerns to the authorities is lower when young people lack confidence in the police, or where police officers are perceived to lack the knowledge and skills necessary to act in a child-sensitive manner and to effectively address crimes associated with new technologies.

71. Yet ICTs and the Internet have enormous potential to overcome many of the challenges vulnerable children face in the offline world, especially through social networks which offer valuable means to reduce the social isolation and discrimination they may encounter.

### **Geographical considerations**

72. While the Internet helps to overcome spatial barriers, geography influences the experience of children online. The number of Internet users globally has reached 3 billion, but 90 per cent of the 4 billion people not yet using the Internet live in the developing world. As a result of that digital divide, the opportunity for children to become empowered digital citizens is conditioned by their place of residence, and higher prices for Internet access in less developed areas only exacerbate the divide.

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<sup>20</sup> See E/CN.15/2014/7, para. 40.

<sup>21</sup> Livingstone, *In their own words*, p. 1.

<sup>22</sup> Monica Barbovschi and Michael Dreier, "Vulnerable groups of children", in *Innovative approaches for investigating how children understand risk in new media: Dealing with methodological and ethical challenges*, Monica Barbovschi, Leila Green and Sofie Vandoninck, eds. (London, LSE: EU Kids Online, 2013), p. 60.

<sup>23</sup> "Releasing children's potential and minimizing risks", p. 38.

<sup>24</sup> See E/CN.15/2014/7, para. 40.

73. Widespread poverty and weak State structures compromise children's social and legal protection and enhance the vulnerability of potential victims. In poorer countries, children who have access to the Internet without adult guidance and supervision, for instance in cybercafes, may be particularly vulnerable to online solicitation and their economic situation may pressure them into accepting risky propositions. Moreover, parental knowledge and awareness of the online risks children face may be lacking, limiting further the support and protection those children receive. The generational divide has become increasingly apparent in poorer urban areas and rural neighbourhoods, in low- and middle-income countries.

74. Geographic and socioeconomic considerations also determine the availability of technology, which in turn has an impact on children's online experience and vulnerability.

75. In industrialized countries and advanced East Asian economies, much of children's Internet access is from home.<sup>25</sup> Increasingly, children access the Internet from their own rooms or from mobile devices, which further limits parental supervision and guidance.

76. In developing countries, children and young people are more likely to access the Internet at school, on mobile phones or from Internet cafes. Where such cafes are unregulated or inadequately supervised, there is a greater risk that children will encounter inappropriate online material or fall victim to offline solicitation or abuse by customers, staff or owners. In a survey conducted by Plan International in Brazil, children indicated that risks in badly managed "lan houses" (Internet cafes) include drug dealing and contact with unknown adults.<sup>26</sup>

77. Risks tend to increase with the growing availability of sophisticated mobile phones with Internet connectivity, which enable online activities to be conducted on smartphones rather than via computers in fixed locations.

### **C. Towards a safe, inclusive and empowering digital agenda for children**

78. The challenge of creating a safe, inclusive and empowering online environment for children lies in responses that strike the appropriate balance between ensuring that children benefit from the potential offered by ICTs, and securing their rights, including the right to freedom from violence. It is crucial to ensure an optimal balance between children's curiosity, creativity, sense of innovation and freedom to learn, and their effective protection from harm. It is essential to enhance children's confidence, resilience and empowerment to cope with potential risks. International human rights standards provide a sound framework to guide effective action in that field.

#### **Children's rights online**

79. The Convention on the Rights of the Child and the Optional Protocols thereto, notably the Optional Protocol on the sale of children, child prostitution and child pornography, provide important guidance for the realization of children's rights online.

80. Offline and online, States are required to ensure that all measures, including legislative, policy and educational initiatives, are guided by the best interests of the child; respect and support children's growing autonomy and agency; protect children from violence and safeguard them from the risk of discrimination, including when associated with a gender, social and economic digital divide. Those principles lay the foundation for

<sup>25</sup> "Releasing children's potential and minimizing risks", p. 41.

<sup>26</sup> *Ibid.*, p. 41.

children's online empowerment; promote children's learning and freedom of expression; support them in accessing, receiving and imparting information; and secure their protection from harmful materials and information, from unlawful interference with their privacy or correspondence, and from situations in which their image, honour and reputation may be at risk.

81. Framed by those standards, children can capitalize on the potential offered by ICTs to access information on the promotion and protection of their rights, and seek support and redress when exposed to violence, abuse and exploitation. For many children, quality access to the Internet is perceived as a fundamental human right.

82. The past years have been marked by the adoption of international standards to combat cybercrime, including the United Nations Convention against Transnational Organized Crime and the Council of Europe Convention on Cybercrime, as well as to protect children from online abuse. The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse addresses risks associated with technological developments, and is the first such instrument to identify as an offence the solicitation of children for sexual purposes through ICTs, often known as "grooming".

### **A multifaceted agenda is needed to unleash children's potential and minimize online risks**

83. Children's online empowerment and protection calls for concerted prevention efforts, effective detection, reporting and prosecution of offences, and assistance to victims, including their recovery and reintegration. National authorities, families, schools, academia, civil society and the corporate sector are key actors in that process, and children's active contribution to their own protection needs to be placed at the heart of those endeavours.

84. To consolidate progress in that fast-changing area, it is crucial to pursue a multifaceted, safe, inclusive and empowering digital agenda that capitalizes on the opportunities offered by ICTs, is effective in detecting and addressing online abuse, and, most importantly, that releases children's potential and enhances their skills to explore the online world with confidence and in safety.

85. The digital agenda should include the following key dimensions.

#### *Empowering children*

86. The Internet has opened up a digital divide among children, both between those who have ready and easy access to the Internet at home, school and elsewhere, and those who do not, and between those who are confident and proficient users and those who are not.

87. Children and young people want to be able to navigate the online world in safety and, as they often stress, they call for solutions that go beyond simply avoiding online threats. That is reflected in many initiatives, including a manifesto developed by teenagers from Latin America, along with a regional online awareness-raising campaign to promote safer Internet use.<sup>27</sup>

88. It is critical to raise children's awareness of online risks and provide guidance on ways of addressing them when they occur. However, children need, and want, to develop their capacities as digital citizens and to learn solid values and life skills, including a strong sense of responsibility, respect and concern for others. Rather than curtailing children's

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<sup>27</sup> See <http://rednatic.org/project/manifiesto-de-jovenes-latinoamericanos-por-un-uso-seguro-y-responsable-de-las-tic/>.

natural curiosity and sense of innovation, initiatives should tap into their resourcefulness and enhance their resilience.

89. Guided by children's evolving capacities, it is equally important to support a positive, caring, digitally-informed and protective family environment, with access to relevant child-friendly information and services, including on how to report online abuse.

Strategies to enhance children's resilience online include:<sup>28</sup>

- Open communication with children, both at home and at school, about issues concerning the online environment;
- Opportunities for children to learn how to use online coping strategies, such as deleting messages, blocking contacts and reporting providers of inappropriate content, from an early age;
- Appropriate support for children to tackle their psychological problems and build self-confidence, especially for vulnerable children;
- Parental Internet access and use, which both cultivates the confidence of parents and caregivers and enhances their ability to provide guidance to children;
- Positive attitudes about online safety and proactive coping strategies among peer groups;
- Support for children's Internet use and safety by schools and teachers, both technical support and assistance in developing problem-solving strategies;
- Action by parents to address online risk, including monitoring and mediation, rather than simply restricting children's Internet use.

#### *Supporting parents and caregivers*

90. Technological advances have been so rapid that parents and caregivers often struggle to keep up with developments, and to detect and respond to online risks.

91. Informed and engaged parents and caregivers who support and advise children on their access to the Internet and their use of ICTs create opportunities for a safer online experience. Taking time to surf cyberspace together, to guide and reassure their children, and to provide age-appropriate rules about online conduct, are crucial dimensions of that process.

92. Parents' and caregivers' own digital literacy is a key factor. They need support and advice to reduce their anxiety and to gain an understanding of the online world and of how children operate in that environment, the risks they might encounter, the harm that can potentially ensue and, crucially, the most effective ways to cope and develop their children's resilience.

<sup>28</sup> Sonia Livingstone, Leslie Haddon, Anke Görzig and Kjartan Ólafsson, *Risks and safety on the internet: The perspective of European children* (London, LSE: EU Kids Online, 2010).

93. The Guidelines for Parents, Guardians and Educators on Child Online Protection, prepared by the International Telecommunication Union (ITU),<sup>29</sup> offer useful guidance on ways to ensure the safety and security of computers in the home and to establish rules on ICT use through discussions with children. The guidelines recommend, for example, never disclosing private information or arranging to meet someone children may have encountered online, and highlighting the risks of posting photographs on the Internet. Information is also included on filtering, blocking and monitoring programmes to help to prevent access to information that is harmful to children.

*Capitalizing on schools' potential*

94. Schools have unique potential to promote non-violent behaviour and to support changes in attitudes that condone violence. Through quality education, children can gain the skills and abilities to surf cyberspace with confidence, avoid and address risks, and become well-informed and responsible digital citizens. Digital literacy skills enhance creativity, self-expression, interpersonal relations and the sense of empowerment to prevent and address incidents of online violence.

95. Accessing ICTs and promoting digital literacy in schools can also leverage efforts aimed at children's social inclusion and narrow the digital divide affecting the most vulnerable children, those who are otherwise less likely to enjoy the benefits of new technologies or access information promoting safe Internet use.

96. Especially in remote areas, schools can also become a bridge between a child's home and community, an environment where students, parents and other community members meet to gain digital literacy and confidence, and to benefit from ICT-based training on life skills, social and economic empowerment and entrepreneurship.

97. That process is, however, largely dependent on the extent to which teachers themselves understand the online environment and have the necessary skills and training to advise, guide, empower and support children and young people, to identify early signals of abuse, and to report and follow up on such cases in an ethical and child-sensitive manner. That is an area in which more investment is needed.

*Joining efforts with civil society*

98. Through information, capacity-building and research initiatives, operating helplines and providing support to child victims, and through support to policy and legislative reforms, civil society partners play a decisive role in national and international efforts that seek to build a safe online environment for children.

99. In many countries, cooperation with civil society organizations has been critical to widen online literacy and safety among children and their families, and to promote responses to harm. It has also helped to capture children's experiences, fears, expectations and online behaviour through surveys conducted with young people. Those efforts have in turn informed important advocacy and action by children themselves.

100. Civil society organizations have an extraordinary networking capacity and can become strategic partners in initiatives led by governments and other stakeholders, at national and international levels. Their expertise, programmes, data and advocacy materials should be made more widely known in order to support others and benefit the maximum number of children.

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<sup>29</sup> See [www.itu.int/en/cop/Documents/guidelines-educ-e.pdf](http://www.itu.int/en/cop/Documents/guidelines-educ-e.pdf).

*Consolidating partnerships with the corporate sector*

101. The corporate sector can actively contribute to preventing violence, minimizing risks and securing children's online protection. That is particularly important given that their services or products can be used to expose children to online abuse, including violent content, grooming and sexual abuse, cyberbullying and sexting.

102. Internet service providers (ISPs), social media companies and manufacturers and distributors of ICTs can all play a crucial role in safeguarding children's online safety and ending impunity. As an important content provider, the corporate sector also has a responsibility to provide good quality and age-appropriate online content for children.

103. A number of recent international developments highlight the significance of the corporate sector in that area. The Committee on the Rights of the Child has adopted valuable general comments on the topic, explicitly recognizing the importance of cooperation with the mass media and the ICT industry to devise, promote and enforce global standards for child caregiving and protection;<sup>30</sup> and stressing States parties' obligations regarding the impact of the business sector on children's rights, and companies' liability when criminal acts of violence against children are committed through the Internet.<sup>31</sup>

104. At the regional level, the Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse encourages the participation of the private sector in the development and implementation of States' policies to prevent online abuse, and foresees corporate liability measures for offences established under the Convention.

105. The Children's Rights and Business Principles, jointly developed by UNICEF, the UN Global Compact and Save the Children, is the first comprehensive set of principles to guide companies' actions in the workplace, the marketplace and the community to respect and support children's rights.<sup>32</sup> The ITU Guidelines for Industry on Child Online Protection, developed with UNICEF, identify ways for industry to integrate child rights into policy and management; processes for handling child sexual abuse material, establishing safe and age-appropriate online environments; and ways of promoting the positive use of ICTs and online safety education for children, parents and teachers.<sup>33</sup>

106. Strategic platforms such as the Global Child Forum periodically gather leading corporations to promote children's rights and enhance online safety for children. The potential of the corporate sector to contribute to child protection is equally illustrated by the establishment in 2008 of the Mobile Alliance against Child Sexual Abuse Content, which works to prevent the use of the mobile environment to consume or profit from child sexual abuse content.<sup>34</sup>

107. Those are promising developments, but in such a fast-changing universe, it remains essential to pursue the effective implementation, periodic evaluation and further improvement of the frameworks already developed to prevent risks and enable children to enjoy the full potential of ICTs with confidence and safety. In addition, more consistent protection tools are needed to address child sexual abuse material and content that is harmful to children, to provide guidance on child safety addressed to children and parents, and to promote means to report abuse.

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<sup>30</sup> See CRC/C/GC/13, para. 43 (a) (viii).

<sup>31</sup> See CRC/C/GC/16, para. 60.

<sup>32</sup> See [www.unicef.org/csr/12.htm](http://www.unicef.org/csr/12.htm).

<sup>33</sup> See [www.itu.int/en/cop/Documents/bD\\_Broch\\_INDUSTRY\\_0909.pdf](http://www.itu.int/en/cop/Documents/bD_Broch_INDUSTRY_0909.pdf).

<sup>34</sup> See [www.gsma.com/publicpolicy/myouth/mobiles-contribution-to-child-protection/mobile-alliance](http://www.gsma.com/publicpolicy/myouth/mobiles-contribution-to-child-protection/mobile-alliance).

*Capitalizing on States' accountability to secure children's online protection*

108. Governments have a leading responsibility in the realization of children's rights. That includes violence prevention and children's online protection through measures such as those addressed in previous sections.

109. Capitalizing on implementation of the recommendations of the United Nations Study on Violence Against Children, the children's digital agenda should be integrated as a core component of any national comprehensive policy framework to prevent and address all forms of violence against children. The agenda needs to be well-coordinated, adequately funded and include clear time-bound goals and a transparent process to monitor and evaluate progress. The agenda should be promoted with the involvement of all stakeholders, and informed by the views and experiences of children and young people online, including those exposed to abuse. In a number of countries, such as Costa Rica (see box below), child safety online has become a priority in the policy agenda.

In Costa Rica, where as many as 52 per cent of children and young people under 18 were found to own a computer in 2011, decisive measures have been taken to enhance children's online protection. Costa Rican legislation criminalizes the production, possession, and distribution of child pornography, whether or not a computer is involved.

In December 2010, a National Commission on Online Safety was established with a multidisciplinary, intersectoral structure and including representatives of both public and private institutions. Its role is to devise policies on the safe use of the Internet and ICTs and to develop the National Plan of Online Safety. Specifically, the Commission:

- Raises awareness amongst children, teenagers and their families about the appropriate use of the Internet and digital technologies;
- Proposes measures to prevent access to inappropriate content by children;
- Promotes safe access to the Internet and digital technologies;
- Develops strategies to avoid inappropriate use of the Internet or digital technologies in public and private institutions;
- Proposes legislation to strengthen the rights of individuals, communities and institutions regarding access to the Internet.

*(i) National legislation*

110. National legislation is a core component of the process. Legislation is indispensable to enable children's access to the Internet and ICTs and the enjoyment of digital literacy without discrimination. It needs to include an explicit prohibition of all manifestations of violence associated with the use of ICTs, secure children's online protection and provide for effective remedies, recovery and reintegration to address online harm, abuse or exploitation. Moreover, it needs to establish child-sensitive counselling, reporting and complaint mechanisms and procedures to address incidents of online abuse, and to fight impunity.

111. Whenever possible, legislation should be “technology neutral”, so that its applicability is not eroded by future technological developments. At the same time, it is crucial that legislation address loopholes associated with emerging concerns, including new forms of online abuse such as grooming, and develop criminal proceedings to facilitate their investigation and prosecution.

112. The accountability of States is equally important to set a clear regulatory framework for the activities of corporations and to support businesses to meet their responsibilities in safeguarding children’s rights throughout their operations, both at home and abroad. The many opportunities offered by regulation, self-regulation, incentives and public-private partnerships should be further explored, including with a view to attracting new sectors of activity, as well as small and medium-size companies. One example of such a regulatory framework is the Philippines Anti-Child Pornography Act of 2009 (see box below).

The Philippines Anti-Child Pornography Act lists prohibited and unlawful acts, which include hiring, inducing, persuading or coercing a child to perform in the creation or production of child pornography; producing, manufacturing or directing child pornography; offering, publishing, selling, distributing, broadcasting, promoting, importing or exporting child pornography; and possessing child pornography with the intention to sell, distribute or publish.

The law prohibits grooming of children for sexual purposes and requires private sector actors, such as ISPs, private business establishments and Internet content hosts, to assist in the fight against child pornography. ISPs have the obligation to notify the Philippine National Police or the National Bureau of Investigation within seven days upon discovery that their servers or facilities are being used to commit child pornography offences. They are obliged to preserve evidence for use in criminal proceedings. Upon request by law enforcement authorities, they must give details of users who access websites containing child pornography. ISPs must install programmes or software designed to filter and block child pornography. Additionally, owners and operators and owners or lessors of other business establishments have the responsibility to report child pornography offences within seven days of discovering that their premises are being used to commit such offences.

Importantly, the Act requires appropriate protections for child victims of pornography offences, which includes strict confidentiality in handling evidence, protecting witnesses and assisting in recovery and reintegration.

113. Law enforcement is essential both to prevent online violence and abuse and to respond to it. However, that is a particularly challenging area, given that physical contact need not occur in order for a crime to be committed. Moreover, much of the evidence involved in those cases is in an ephemeral electronic format that may elude traditional policing methods.

114. Police investigations in many countries are hampered by a lack of capacity to conduct undercover operations, which are vital in investigating crimes such as grooming and the production and distribution of child sexual abuse materials.

115. Those factors also present challenges to judges and prosecutors, who require specialized training to handle digital evidence and assess its weight and value, as well as to understand child abuse and exploitation cases associated with the use of new technologies.

Investigations are further complicated by the international dimension of much cybercrime, which calls for cooperation among national law enforcement authorities.

116. Child victims are particularly vulnerable and require appropriate support to avoid the risk of re-victimization and to benefit from effective rehabilitation. That calls for coordination among different sectors, including police, justice, child welfare services, education and other relevant authorities. In order to improve implementation of the law, professionals working with and for children, including teachers and law enforcement officials, should benefit from capacity-building initiatives to gain skills and expertise to promote children's digital literacy, alert children to online risks they may face, and identify early signals of abuse and required steps to address them in an ethical and child-sensitive manner.

(ii) *Data and research*

117. In such a fast-changing area, data and research are crucially needed to inform law, policy and action and to provide deeper understanding of children's evolving skills, practices and concerns. That includes involving children in the assessment of the relevance of existing measures and awareness-raising materials.

118. Knowledge gaps also need to be addressed. So far, studies have focused more on problems and concerns, and less on online opportunities and the long-term consequences of risks. Few studies have been conducted in countries in middle- and low-income countries and less is known about how very young children engage with ICTs. Given that it is in those areas that change has been fastest and the need to minimize risks is particularly felt, it is there that research should be promoted further.

## **V. Consolidating knowledge on emerging concerns: preventing violence and deprivation of liberty of girls involved with the criminal justice system**

119. Over the past years, the boundaries between criminal and intimate violence have become increasingly blurred, provoking fear, insecurity and harm in families and in society at large.

120. Children are particularly vulnerable to those intertwined forms of violence, both as victims and witnesses. While adolescent boys may be at risk of physical aggression and homicide owing to their participation in street fighting, gang membership, possession of arms and manipulation by organized crime networks, girls are more likely to endure violence in the private sphere, in particular sexual violence, which is often associated with shame, fear and distrust.<sup>35</sup>

121. According to UNICEF, one in three adolescent girls aged 15 to 19 worldwide have been the victims of emotional, physical or sexual violence committed by their husbands or partners at some point in their lives.<sup>36</sup> Taking place behind closed doors, incidents of violence are often associated with a culture of silence that inhibits girls from speaking out, from seeking help, accessing justice and bringing perpetrators to justice.

122. As the international community reviews progress in the implementation over the past twenty years of the Beijing Declaration and Platform for Action, including the protection of girls from discrimination and violence, it is crucial to prevent and address the

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<sup>35</sup> See A/HRC/25/35, para. 17.

<sup>36</sup> UNICEF, "Hidden in Plain Sight", p. 206.

challenges they face when involved with the criminal justice system, as victims and witnesses of violence, and when deprived of their liberty. That is a concern the Special Representative will continue to pursue.

123. In 1995, data from many countries showed that girls experienced discrimination from the earliest stages of life, through their childhood and into adulthood.<sup>37</sup> Owing to violence, sexual abuse and exploitation, harmful attitudes and practices, such as female genital mutilation, son preference and child marriage, many girls do not survive into adulthood. They are neglected and their self-esteem undermined, with the risk of initiating a lifelong downward spiral of deprivation and exclusion.<sup>38</sup>

124. The Beijing Declaration includes nine strategic objectives to promote the elimination of all forms of discrimination, negative cultural attitudes and practices, and violence against the girl child.<sup>39</sup> Over the past two decades, significant progress has been made to safeguard the rights of girls, including through strengthened legislation, policy and national plans of actions. However, as noted in the Global Survey conducted by the Special Representative's office,<sup>40</sup> and other important studies, violence against girls, and overall against children and women, remains a global challenge.

125. Girls are often exposed to violence and discrimination owing to their gender, young age and powerlessness. They endure the detrimental impact of physical, mental and sexual violence in the home, at school, in the community, in institutional care and in justice institutions. Child trafficking is a crime that is on the rise and the majority of victims are girls.<sup>41</sup> Despite the criminalization of female genital mutilation/cutting in many parts of the world, every year 3 million girls are at risk of enduring that practice and around 14 million girls are forcibly married, often with much older men, and exposed to high risks of sexual abuse and other forms of violence.

126. In some communities, certain incidents of violence reflect harmful beliefs towards particularly marginalized girls, including those with disabilities or albinism, who may be accused of witchcraft. As a result, those girls endure stigmatization and are the victims of serious acts of violence, neglect, abandonment, mutilation and murder.

127. Driven by fear and superstition, incidents of violence are seldom reported or followed by investigation or prosecution. Girls may conceal them too, fearing further harassment and reprisals. Overall there is a pervasive culture of impunity.

128. Girls may also be criminalized for status offences or on the grounds of "immoral character" or "perverse conduct". Those who are victims of trafficking may end up being arrested and incarcerated as a result of their exploitation by prostitution rings. Girls may also be forced by boyfriends and family members or manipulated by criminal groups to commit offences, such as selling drugs.

129. In many parts of the world, there is a lack of alternative non-custodial measures and community-based programmes tailored to girls' developmental needs. Restorative justice approaches are rare and there is a lack of investment in programmes that promote girls' health and education and long-lasting reintegration.

130. As a result, countless girls end up deprived of their liberty, far away from home and family visits, and placed in units together with adult women. They may find themselves in

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<sup>37</sup> See A/CONF.177/20/Rev.1, para. 259.

<sup>38</sup> *Ibid.*, para. 260.

<sup>39</sup> *Ibid.*, paras. 274–285.

<sup>40</sup> See note 13 above.

<sup>41</sup> See [www.unodc.org/documents/data-and-analysis/glotip/GLOTIP\\_2014\\_full\\_report.pdf](http://www.unodc.org/documents/data-and-analysis/glotip/GLOTIP_2014_full_report.pdf), p. 10.

harsh conditions, in overcrowded cells or in solitary confinement. They may be exposed to sexual violence, harassment, invasive body searches and humiliating treatment by staff in detention centres. In some countries, girls may face inhuman sentencing, including flogging, stoning and capital punishment.

131. Either as victims, witnesses or alleged offenders, those girls are in desperate need of care, treatment and protection, and gender-sensitive approaches to promote their social reintegration. Sadly, many of them may be at risk of ill-treatment and re-victimization by the justice system itself.

132. Those girls face overwhelming challenges at all stages, including significant barriers to seeking justice. Many are unaware of their rights and even fewer have access to safe, effective and child-sensitive counselling, reporting and complaints mechanisms. Furthermore, perpetrators are often people they know and trust, or on whom they depend for their survival and protection, raising additional challenges to reporting incidents and preventing the risk of reprisals.

133. Seeking redress through the criminal justice system can also be very intimidating, as girls fear that their credibility may be questioned, or that they may be blamed, rather than protected as victims. In countries where discrimination and stigma against sexual violence is high, it is particularly hard for girls to approach police stations or courts, for fear of verbal intimidation and harassment, and of seeing their testimony dismissed.

134. In order to address those significant challenges, the international community has developed international standards, including the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),<sup>42</sup> the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice,<sup>43</sup> and the recently adopted United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice.

135. It is crucial to narrow the gap between those standards and practice. In that process, three dimensions have particular relevance.

136. Firstly, the enactment and enforcement of a sound legal framework to ban all forms of violence against children, including when used as a form of discipline, control or sentencing within the criminal justice system; to de-criminalize status offences, such as running away from domestic violence and survival behaviours; and to remove any justification that condones or allows violence, including on the grounds of culture, tradition, honour or religion.

137. Secondly, the establishment of widely available and easily accessible, safe and confidential mechanisms to support girls to overcome the fear of reporting cases of violence. They need to be supported by child- and gender-sensitive standards to ensure the effective participation of girls in relevant judicial and administrative proceedings, and to safeguard their safety, privacy and dignity at all stages.

138. Thirdly, ending impunity and tolerance of violence against girls. That calls for information and social mobilization initiatives to overcome social norms compromising girls' protection from violence. It also requires strong accountability mechanisms in places of detention and effective training of professionals in the formal and informal justice system. Solid skills are indeed indispensable to address the complexities and sensitivities of

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<sup>42</sup> See A/RES/65/229.

<sup>43</sup> See A/RES/65/228, annex.

violence against girls, to be effective in the prevention, investigation and prosecution of cases, and to safeguard girls' safety and protection, including when girls are deprived of their liberty. In that regard, it is important to promote special measures to protect girls' dignity and physical integrity through the use of alternative screening methods to replace strip and invasive body searches.

139. Recognizing the relevance of that area, the Special Representative welcomes the call by the sixty-ninth session of the General Assembly for a global study on children deprived of their liberty, and remains fully committed to contributing to its development. The global study will provide a strategic opportunity to prevent girls' deprivation of liberty, and associated risks of stigmatization and violence; safeguard girls' rights as victims, witnesses and alleged perpetrators; and promote their long-lasting recovery and reintegration.

## **VI. Looking ahead**

140. Over the past year, the Special Representative has pursued her global advocacy work with strategic partners within and beyond the United Nations system, acting as a bridge-builder and a catalyst for action across regions, sectors and settings where violence against children may occur, and promoting children's protection from violence as a human rights imperative.

141. The present report provides an overview of the strategic initiatives that the Special Representative developed in order to make progress in the implementation of the recommendations made in the United Nations Study on Violence Against Children. The initiatives have contributed to further mainstream the elimination of violence against children as a priority concern on the United Nations agenda, including in the shaping of the post-2015 development agenda, and to promote standards to address violence against children in the criminal justice system. Those efforts have also helped to consolidate cross-regional commitments to children's protection from violence and further strengthen advocacy, legal and policy action at the national level aimed at the prevention and elimination of violence.

142. The Special Representative will continue to mobilize support to consolidate those important efforts and in 2015, will place special emphasis on the following topics: ensuring violence against children remains a distinct concern on the global development agenda; reinforcing the protection of children from online sexual abuse; strengthening action for the prevention of violence in early childhood; and promoting the protection of children and adolescents affected by community and armed violence and organized crime.

143. Capitalizing on progress made so far, 2015 offers a strategic opportunity for the international community to make a quantum leap in children's protection from violence. Children want to help build a world as big as their dreams. The Special Representative will continue to promote collaboration with Member States and all other stakeholders to pursue that goal.

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