

U.N. Convention on the Rights of the Child



REPUBLIC OF BELARUS: Monitoring, Evaluation, Reporting in Support of CRC Implementation (MERSCI): Article 19 and General Comment 13

“Protecting Children from All Forms of Violence”

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Why Child Protection?

According to UNICEF:

Between 500 million and 1.5 billion children estimated to experience violence annually;

As many as 275 million children world-wide are estimated to witness domestic violence;

86% of children 2-14 years old experience physical punishment and/or psychological aggression (2 of 3 receive physical punishment;

20-65% of school aged children report being verbally or physically bullied in school in the previous 30 days (Global School Based Student Health Survey)



Why the UN CRC?

- ❖ Mission: To provide guidance for those duty-bearers for children in every country to improve current approaches to creating Child Protection Systems to achieve:
 - ❖ CRC State obligations. MERSCI focuses on:
 - ❖ CRC Article 19: Protecting Children from all forms of Violence (plus Articles 3, 34, 39), as addressed in
 - ❖ CRC General Comment 13: The Child's Right to Freedom from Violence (April 2011)



CRC Purpose: to ensure Inter-sectoral, Interdisciplinary Cooperation

- ❖ The UN Convention on the Rights of the Child, adopted and put into force in 1989/1990, is strengthening the rights and protection of children globally.
- ❖ Yet there are technical challenges to nations/governments who are not only morally obligated to protect children from violence and maltreatment, but are legally obligated through their ratification of the CRC.



CRC Article 19 REVIEW

Asserts children's rights to protection "from all forms of physical or mental violence, injury and abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has care of the child."



CRC Article 19 - Full Text

CHILD'S RIGHT TO PROTECTION FROM ALL FORMS OF VIOLENCE.

1. States Parties shall take all appropriate legislative, administrative, social, and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.



CRC Article 19 - Continued

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for the identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.



CRC General Comment 13: Protection of Children from all forms of Violence

- CLARIFICATIONS TO ARTICLE 19 TEXT:

Paragraph 1 – Obligations of States Parties: “shall take all appropriate...measures”

States Parties are strictly obligated to undertake “all appropriate measures” to fully implement this right for all children.



Confirming that “all appropriate legislative, administrative, social and educational measures” establishes that effective protection of children requires the implementation by States Parties of broad-ranging measures, including public health approaches, which cut across all sectors of government and society.

Confirming that this can only be accomplished by

- * an integrated, cohesive, interdisciplinary and coordinated systems approach incorporating the full range of measures identified in Article 19 across the full range of interventions.

- * sustainable and coordinated government mandated systems and infrastructures which will effectively prevent and respond to violence and maltreatment of children.

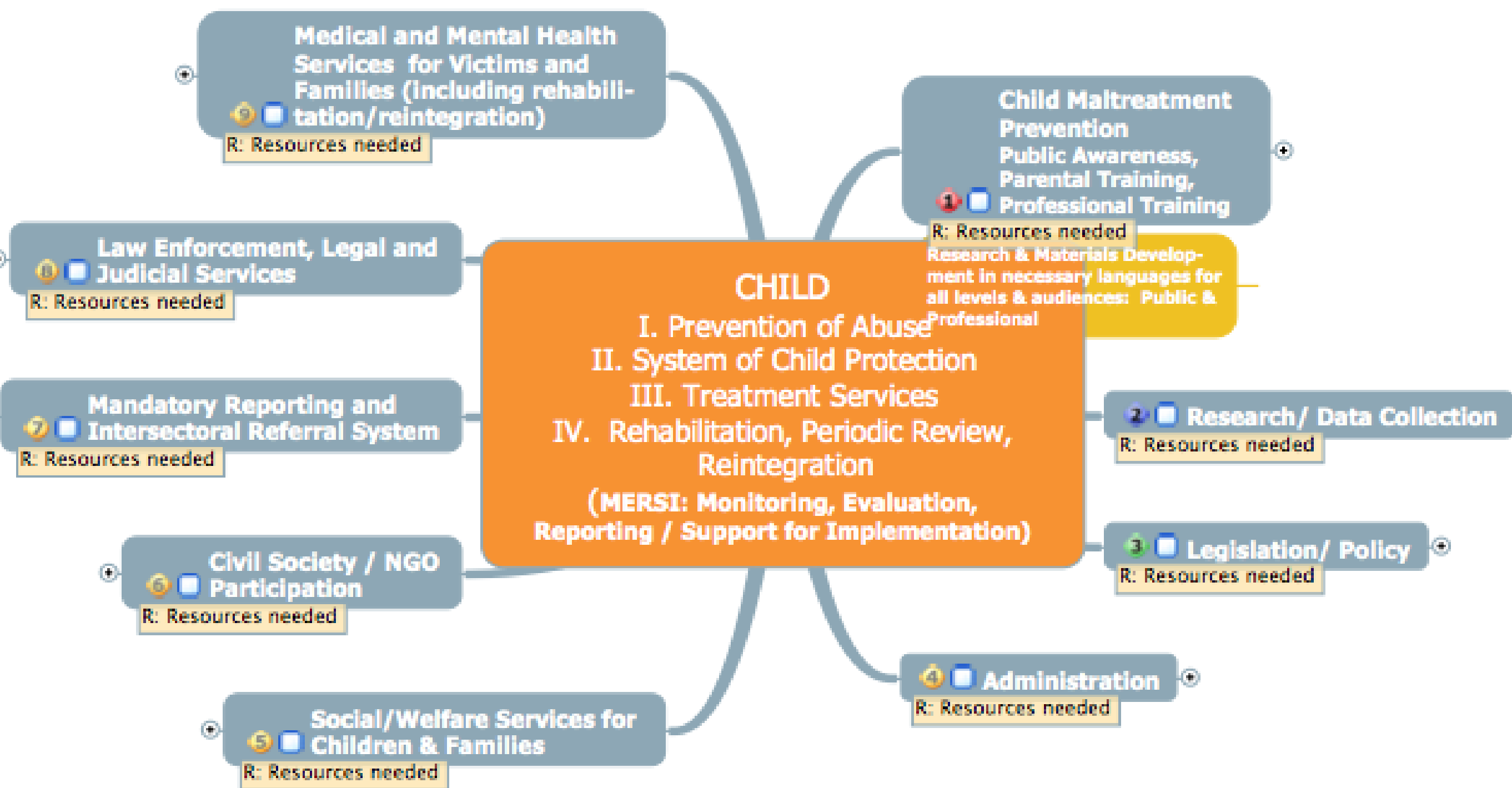


Republic of BELARUS CRC Periodic Report 3-4 (August 2010)

MERSCI Technical Supplement on Protecting Children from Violence:

- ❖ The Technical Report on Protecting Children from Violence provides a systematic response to assist the Committee on the Rights of the Child to better understand the challenges of protecting children from violence in the Republic of Belarus.
- ❖ It provides technical information to assist the Committee to provide highly effective recommendations within their next Concluding Observations, for implementation of stronger child protection systems and measures for Belarus children in the future.
- ❖ MERSCI Technical Report is recommended also for the 5/6th State Party Report DUE OCTOBER 2017.

MERSCI -Monitoring, Evaluation, Reporting - to Support CRC Implementation





Child Protection (Child-Centered) System Approach

I. Prevention of Violence/Maltreatment

II. System of Child Protection

III. Intervention/Treatment Services

IV. Rehabilitation, Periodic Review, Reintegration

❖ Approach: Implementation... Monitoring, Evaluation, Reporting to Strengthen and Support Implementation



CRC Concluding Observation Paragraph #40

Continued Goal: to undertake studies on domestic violence, violence against children, ill-treatment, abuse, including sexual abuse, and implement the statistical system created to keep a record of incidents of physical and mental violence & neglect against children, to assess the extent, scope and nature of these practices.

Reference: State Party Report Articles 195-197: A unified inter-sectoral statistical report is needed from the Statistics Office that reflects all types of violence against children...will enable improved integrated information and conclusions.



CRC Concluding Observation Paragraph #40:

Information is requested on the allocation of budgetary and other resources relevant to Prevention & Protection of Children from Violence and Maltreatment

The Republic of Belarus current National Policy does not commit State financing toward the Prevention & Protection of Children from Violence and Maltreatment - including not for NGOs' implementation of Child Protection.

(State Party Report (SPR) Article 200)



In fact,

While

- ❖ UNICEF MICS-Belarus (2012) reported that 65% of Children are experiencing one or more forms of violence.

Important progress can be measured in the evolving Belarus Child Protection System:

- ❖ A cost-benefit study (CBS-2) of the improvements in the Child Protection System confirms that it is 2.5 times more cost-effective in comparison of the traditional system of previous years (Ponimanie 2013 study).

**C.O. #40. (b) adopt and implement effectively adequate measures and policies to prevent and combat ill-treatment and abuse of children, including public campaigns, and to contribute to changing attitudes.

Again, progress to report -

In 2011, the Program "Children of Belarus" for 2011-15 was launched to strengthen children's protections. In 2012, the National Plan of Action towards Child Protection for 2012-16 (articles 54, 55, 67) added further protections that we can recognize as important progress.

However, by 2016 the corporal punishment of children may STILL NOT be prohibited by legislation.

This should be an important goal for Belarus by 2016.



**C.O. #40. (g) seek international cooperation and technical assistance from, among others, UNICEF and W.H.O.

Again, progress to report -

In 2013-14, the UNICEF local office supported re-establishing the National Child Rights Coalition.

The first meeting to discuss Coalition needs was held 7 April 2014 in relation to the Evaluation of the UNICEF 2005-2012 Program.



General Principles: Respect for the views of the child (Article 12).

Further progress -

With the goal met to establish 4 Child Reference Groups (to express and hear children's opinions) by 2012, through children's and youth NGO and educational establishments --

by 2014 - there is a goal to establish 17 Child Reference Groups.



C.O. Family Environment and Alternative Care: Respect for the views of the child (Article 12).

Progress with Child Protection Administration:

In 2014, Belarus has established:

- a National Child Helpline 8-801-100-1611
- an NGO Coalition has been re-launched

With the goal to establish by 2015:

- * Children's Ombudsman Position
- * National Help Line (for all victims of violence)
- * an effective, operating National Coalition of NGOs
- * Children's Courts



Separation from Parents (Art. 9) & Family Reunification (Art. 10)

In 2014,
the number of programs for biological family rehabilitation continues to face the same shortages as in 2011.

A goal is proposed to increase this level for each situation -
by 20% by 2015



Recovery of maintenance for the child (Art. 27)

In 2014, the number of maintenance recovery programs has plateaued.

By 2015, the number of programs for recovery maintenance is expected to increase by 20%



Children Deprived of a Family Environment (Art. 20)

In 2014:

67% of orphaned children were placed in alternative care

Goal for 2015:

80% of orphaned children to be placed in alternative care



Adoption (Art. 21)

The National Center of Adoption has opportunities to improve transparency as it relates to adoptions.

In 2013, the website www.dadomu.by was launched to facilitate national adoption.

Goal for 2015:

With new information, a gender balance could be created between male/female adoption rates.



Abuse & Neglect (Art. 19)

In 2014, Belarus launched 3 key Ponimanie Strategy strategies to be implemented into the National Child Protection Policy:

- * National Center for Missing & Exploited Children
- * 15 child-sensitive Interviewing Rooms for Abused Children
- * National Child Helpline 8-801-100-1611

Goal for 2015:

- * 25 Interviewing Rooms for Abused Children



Periodic Review of Child Placement (Art. 25)

2014 Results:

Compared to 2011, the return of children from alternative care was reduced by 30%.

Goal for 2015:

Reduce the return of children from alternative care by an additional 20%



Protective Measures including Effective Procedures for Social Programs to Support the Child and Those Who Have Care of the Child

2014 Results:

- * 11 international social projects launched by NGO
 - * 8 by NGOs
 - * 3 UN agencies in partnership with state agencies

Goal for 2015:

- * At least 3 additional NGO program launches in partnership with state agencies



Identification of Child Maltreatment / Violence

Annual Progress:

* Public awareness campaigns

- June 1
- November 1-19
- May 18 and May 25

*5th International Conference - Blue Ribbon Campaign

Safe Belarus and CIS Region for Children

- April 2014

Goal for 2015:

* Increased dissemination of and engagement in these public awareness campaign



Reporting of Child Maltreatment / Violence

Belarus' Progress in 2014:

- * Opportunities to improve public awareness campaign efforts recognized in early 2014.
- * NGO strategy provisions **revised aiming to improve upon 2011 and 2012.**
- * Identified & trained group responsible for reporting child endangerment.
- * Preliminary legislation introduced to invoke mandatory reporting of child endangerment

Goal for 2015:

Continue to measure success of progress made.



C.O. #40 (c) Investigation of family violence and abuse of children

Belarus' Progress through 2014:

- *15 Child-Sensitive Interviewing Rooms for Abused Children
- * A National Child Helpline 8-801-100-1611 (3303)
- * Conditions are prepared to re-launch an NGO Coalition

With the goal to establish by 2015:

- * 25 Interviewing Rooms for Abused Children
- * Children's Ombudsman Position
- * National Help Line (for all victims of violence)
- * An effective, operating National Coalition of NGOs

And Continue to measure success of progress.

Observation Paragraph #40 (c)



Requirement of Judicial involvement to resolve cases in the best interests of the child (Art.40)

C.O. #40. (c) investigate... and [establish] judicial procedures in order to ensure better protection of child victims, including the protection of their right to privacy;

By 2014,

* Protocols for child-friendly Investigations, Issued by Investigation Committee

With the goal to establish by 2015:

* Children's Courts

* Family Courts



CRC Concluding Observation Paragraph #40 (d):

The Committee reiterates its recommendation (CRC/C/15/Add.180, para. 40(d)) that the State party prohibit all forms of corporal punishment at home, in schools and other institutions and develop measures to raise awareness on the harmful effects of corporal punishment, and promote alternative forms of discipline in families, in institutions and in the penal system, to be administered in a manner consistent with the child's dignity and in conformity with the Convention.

In this regard, the Committee draws the State party's attention to its general comment No. 8 (CRC/C/GC/8) on corporal punishment.

2016 Goal: that corporal punishment of children be prohibited by legislation.



CRC Concluding Observation Paragraph #40 (e):

Further, the UN CRC requires that the State party:

40(e) take measures to provide support services to children in legal proceedings

and for the physical & psychological recovery & social reintegration of victims of rape, abuse, neglect, ill-treatment & violence, in accordance with CRC art. 39.



Requirements ON CSO, NGO, CHILD COOPERATION. C.O. ART. #40 (g)

40(g) SEEK, INTERNATIONAL COOPERATION AND TECHNICAL ASSISTANCE FROM, AMONG OTHERS, UNICEF AND WHO.

- *By 2014 a formal NGO Coalition has NOT been re-established, only several small coalitions supporting partner projects appeared. Roles and responsibilities in Child Protection are NOT shared and agreed on-only simple communications between NGO are allowed.
- *UN agencies need to be able to communicate to and support strong national NGOs.
- *Today demonstrates further evidence of the important International Belarus-Russia-USA Coalition which has been formed, for which duties of participants are agreed and common action is successfully implemented in 2010-14.



CRC Concluding Observation Paragraph #70

The Committee recommends that the State party continue its efforts to combat sexual exploitation and human trafficking, particularly of children.

It recommends that all child victims be provided with adequate protection and specialized assistance for speedy recovery and reintegration in their communities.

CRC C.O. #40 (b) adopt and implement effectively adequate measures and policies to prevent and combat ill-treatment and abuse of children, including public campaigns and to contribute to changing attitudes.

Child Abuse/Maltreatment PREVENTION - the greatest national investment.

In 2013-14: Introduction of Programs-

- * Papa Schools in Minsk

- * The International Child/Parent Development Program has been piloted also in Minsk: to promote essential good quality interaction between caregivers and their children (teacher-child, parent-child). It supports parents to exemplify and teach their children improved emotional communications and social/emotional, cognitive and regulative behaviors and interaction.

(ICDP originates in Norway/Sweden/UK since 1985- now in over 30 countries world-wide)

2015 GOAL: Increased access to Parenting Programs in Belarus.

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