

Critical Issues

Abuse and Exploitation

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Abuse and Exploitation



Introduction

Facilitators who have not recently trained or worked in the area covered by this Resource Pack, should read carefully through the various Topics, Overheads, Exercises, Handouts and Readings before starting to plan their training activity. Please note when using these materials, that they are to be used in conjunction with stated policy (they do not replace it) and aim to stimulate learning and discussion.

KEY CONCEPTS

The following are the key concepts that are addressed in this Resource Pack.

1. Abuse and Exploitation are relative concepts that need to be understood in relation to personal values, cultural and community standards as well as international standards.
2. Refugee and displaced children may be at an increased risk of abuse and exploitation owing to their age and the particular circumstances they and their families find themselves in. Poverty is frequently the root cause of exploitative child work and sexual exploitation.
3. In different circumstances, children undertake a wide range of different kinds of work, some of which will be both beneficial and socially acceptable, and some of which may be exploitative. There is a complex relationship between child work and education.
4. Sexual abuse and exploitation usually have a devastating effect on the physical and mental health of children, and also on their families and communities.
5. There are various legal instruments that can be used to protect children from different forms of abuse and exploitation.
6. A range of preventive strategies can be developed to protect children from different forms of exploitation. A child-centred situation analysis will be an essential pre-condition for developing an effective preventive strategy.
7. Various support systems can be developed to protect and assist working children.
8. Skilled and sensitive intervention is required when cases of sexual abuse or exploitation are reported or suspected. Inappropriate or insensitive intervention can cause further distress to the child. Different situations call for different strategies of intervention, and there may be an important role for UNHCR staff, local statutory authorities and the refugee community. There are important principles to be followed in response to allegations of sexual abuse or exploitation.

9. Community mobilisation strategies may be especially appropriate in developing both preventive approaches and in responding to allegations of child abuse and exploitation.
10. Child abuse within the family presents especially serious protection issues that require rapid, skilled and sensitive intervention. It is an urgent necessity to formulate a protection plan for the child and for other child members of the household.

These key concepts appear in **Overhead 1.0**.

OVERVIEW AND DEFINITIONS

The vulnerability of children to various forms of abuse and exploitation in situations of conflict and refugee contexts has increasingly been recognised as a major and serious protection issue. Sexual exploitation and gender-based violence were issues that received particular prominence in the 1996 United Nations Study on the Impact of Armed Conflict on Children (the Machel Study). The issues of sexual violence, abuse and exploitation were also highlighted in UNHCR's "Evaluation of UNHCR's Efforts on Behalf of Children and Adolescents" (1997).

While there has been a growing recognition within UNHCR of the issues of the sexual abuse and exploitation of women and children (for example, during flight, in camp situations and by members of armed forces or groups), there has been very little focus on issues of child abuse and exploitation within the broader context, including within the family.

There is considerable overlap between the terms "abuse" and "exploitation". Abuse is defined as "the process of making bad or improper use, or violating or injuring, or to take bad advantage of, or maltreat, the person," while exploitation literally means "using for one's own profit or for selfish purposes" ¹.

Child abuse includes the physical, emotional, or sexual mistreatment of a child, or the neglect of a child, in the context of a relationship of responsibility, trust or power, resulting in actual or potential harm to the child's physical and emotional health, survival and development.

Neglect of a child may be based on repeated conduct or on a single incident or omission that results in, or should reasonably be expected to result in, serious physical or mental injury or a substantial risk of death to the child. Neglect can include, but is not limited to, the failure to provide sufficient food, nutrition, clothing, shelter, supervision and medicine. It can also include the failure to make a reasonable effort to protect a child from abuse, exploitation or neglect by another person.

Exploitation of a child refers to the use of the child in work or other activities for the benefit of others and to the detriment of the child's physical or mental health, development, and education. Exploitation includes, but is not limited to, child labour and child prostitution. Both terms, however, indicate that advantage is being taken of the child's lack of power and status.

The term "child labour" also presents some ambiguities because of its very negative connotations. Does domestic work within the family constitute child labour? Not all children's work should be considered as exploitative, and in some situations may be regarded as beneficial to the child and a necessary part of the

family economy. These issues are discussed in **Topic 3**.

Two types of exploitation receive particular prominence in this Resource Pack: sexual exploitation and exploitative child labour. Care needs to be taken in defining situations as exploitative: exploitation as a relative rather than absolute term is discussed in **Topic 1**.

There is growing awareness that the perpetrators of child abuse and exploitation are more often than not known to the child, including not only direct family members but more commonly extended family members, family friends and even other children. While abuse within the family has sometimes been assumed to be a mainly western phenomenon, there is a growing awareness of it in other cultures. Moreover, the circumstances of conflict and forced migration create a whole range of environmental stresses that appear to place children in a more vulnerable situation. Cases of abuse within the family are particularly difficult to deal with as children and adults may be reluctant to reveal incidents of abuse, especially in cultures where the raising of children is seen as a private concern. But abuse within the family is particularly serious simply because the very people charged with the main responsibility for protecting the child are failing to do so.

Throughout this Resource Pack, references to refugee and displaced children should be taken to include internally displaced children, returnees and children in resettlement situations.

Dealing with child abuse and exploitation (especially sexual exploitation) require a high level of skill and sensitivity. This resource pack aims to provide an introduction to these difficult subjects but does not offer specialist and detailed training.

THE IMPORTANCE OF THE CONVENTION ON THE RIGHTS OF THE CHILD

The human rights of children are fully articulated in one treaty: the United Nations Convention on the Rights of the Child (CRC, 1989), offering the highest standard of protection and assistance for children under any international instrument. The approach of the Convention is holistic, which means that the rights are indivisible and interrelated, and that all articles are equally important. The CRC is the most universally accepted human rights instrument – it has been ratified by every country in the world except two (the United States and Somalia). It provides the most comprehensive framework for the responsibilities of States parties to all children within their borders: by ratifying the Convention, national governments have committed themselves to protecting and ensuring the rights of all children without discrimination, including the rights of refugee and displaced children and adolescents. The CRC defines a “child” as everyone under 18 years of age “unless under the law applicable to the child, majority is attained earlier”. The scheme of the CRC suggests that this exception should be interpreted as an empowering one, in other words that children under 18 years can claim the benefits of adulthood if granted by national law while still able to claim the protection of the CRC. This is particularly important to bear in mind where issues or questions related to the “age of consent” may arise.

Under the CRC, the child is entitled to protection from economic exploitation and from work that is likely to be hazardous or interfere with the child’s education or be harmful to the child’s health or development. The child should be protected from

violence, including abuse and neglect, whether occurring in the family (domestic violence), in the community or in institutions. States parties undertake to protect the child from all forms of sexual exploitation and sexual abuse.

States parties also have the obligation to protect the child from sale, trafficking and abduction. To extend the measures that they should undertake for that purpose, the General Assembly adopted in 2000 an Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.

The child victim of violence, neglect, exploitation or abuse has the right to recovery measures under CRC article 39.

STRUCTURE OF THE RESOURCE PACK

The material in this Resource Pack is wide-ranging and designed so that those working with the Resource Pack can select sections appropriate to their needs.

Topic 1 introduces the subject of abuse and exploitation of children. It considers how definitions can vary according to the context.

Topic 2 examines how refugee children may be at greater risk of abuse and exploitation and some of the issues that need to be considered.

Topic 3 looks at the different types of children's work and their impact on children.

Topic 4 examines the different types of sexual exploitation and their impact.

Topic 5 is a review of international legal instruments and their application when dealing with issues of abuse and exploitation.

Topic 6 looks at prevention as the most useful approach to dealing with abuse and exploitation.

Topic 7 looks at the type and range of interventions that can be used to deal with cases of child labour exploitation.

Topic 8 examines the issue of interventions in respect of sexual exploitation.

Topic 9 looks at the question of child abuse and exploitation within the family; this topic looks at both prevention and intervention.

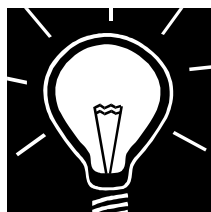
Participatory exercises, case studies, overheads and handouts are provided. Facilitators are strongly recommended to develop regionally or country-specific materials, such as case studies, in order to make the training more relevant.

OTHER RESOURCE PACKS IN THIS SERIES

Facilitators are encouraged to look at this Resource Pack in the light of other ARC materials. The **ARC Resource Pack on Child and Adolescent Development** includes a section (Topic 4) which looks at the impact of abuse and exploitation on children. **Separated Children** and children with **Disability** are frequently at increased risk of various kinds of abuse and exploitation, while **Child Soldiers** may experience particular forms of abuse and exploitation - reference may be made to the relevant **ARC Resource Packs**.

¹ These definitions are derived from the Oxford English Dictionary, Second Edition 1989.

Abuse and Exploitation



Topic 1

Defining Abuse and Exploitation

KEY LEARNING POINTS

- ***The term “child abuse” includes physical, emotional and sexual abuse, and neglect.***
- ***In determining whether refugee children’s work is exploitative within the framework of the appropriate laws and guidelines, it is necessary to consider the social, political, economic, and cultural context of the given host and refugee communities, including the influence of a camp, urban, or rural setting. Children’s views should be regarded as a fundamental part of this determination.***
- ***The term “exploitation” can cover a multitude of situations or practices. It will be important that participants are aware of this and agree on a working definition that is appropriate to the specific context.***
- ***There may be other forms of exploitation and abuse that are specific to particular contexts.***

While there has been a growing recognition within UNHCR of the issues of the sexual abuse and exploitation of women and children (for example, during flight, in camp situations and by members of the armed forces or groups), there has been very little focus on issues of child abuse and exploitation within the broader context, including within the family. Evidence from some countries suggests that there can be a close association between violence against women and violence towards children.

DEFINITIONS

A series of working definitions are presented here but, as this topic will outline, abuse and exploitation are relative concepts that need to be understood in relation to personal values, cultural and community standards as well as international standards.

The term child abuse is generally used to describe an act of *commission* that is outside of accepted cultural norms. It can include:

- *physical abuse*, the deliberate use of force on a child’s body which may result in injury, e.g. hitting, burning, shaking, choking;
- *Sexual abuse*, should be understood not only as violent sexual assault but also other sexual activities, including inappropriate touching, where the child does not fully comprehend, is unable to give informed consent, or for which the child

is not developmentally prepared.

- *emotional abuse*, persistent attacks on a child's sense of self, e.g. constant belittling, taunting or humiliation, isolation and intimidation.

Child neglect is rather an act of *omission*, the failure to provide for the child's basic needs. Again this can include:

- *physical neglect*, the failure to adequately meet the child's needs for, for example, nutrition, clothing, health care, and protection from harm; and/or
- *emotional neglect*, the failure to satisfy the developmental needs of a child by denying the child an appropriate level of affection, care, education and security.

Although different forms of abuse and neglect are recognised, it is important to remember that a child experiencing one form may also be experiencing other forms as well.

Exploitation is the abuse of a child where some form of remuneration is involved or whereby the perpetrators benefit in some manner – monetarily, socially, politically, etc. Exploitation constitutes a form of coercion and violence, detrimental to the child's physical and mental health, development, and education.

ABUSE AND NEGLECT IN PARTICULAR CONTEXTS

Certain types of behaviour towards children would be considered to be abusive and unacceptable in all societies: for example, the rape of a young child or beating a child to the point of sustaining serious physical injury. But other types of behaviour might be considered abusive in some societies but not in others. For example, induced bleeding which is thought to have beneficial health effects would be acceptable in some cultures but might be deemed abusive especially from the standpoint of westernised cultures. On the other hand, such practices as isolating infants in rooms of their own to sleep at night, or allowing them to cry without immediately comforting them are common in some western societies but considered abusive in others. Similarly, some cultural practices such as painful initiation ceremonies are considered abusive from some standpoints, but in societies where they are commonly practised it would be contravening cultural norms to attempt to "protect" a child from them and to deny him or her a place as an adult in the society. In the realm of physical chastisement – such as spanking or slapping – for unacceptable behaviour, societal norms differ widely. On the other hand, some traditional practices – notably female genital mutilation – clearly contravene international human rights instruments.

With regard to the physical neglect of children, the systematic under-nourishment of one particular child might be considered as culpable neglect in some contexts. On the other hand, in situations in which there are severe and chronic food shortages, it is not uncommon for parents to concentrate their investment in some children at the expense of others. This is a familiar situation in feeding centres in some refugee camps. It is vital that the total context is considered before labelling such behaviour as neglectful and culpable.

Before defining particular behaviour towards a child as abusive, it is important to understand cultural norms and not impose alien norms and standards. The term "idiosyncratic child abuse" is used to describe behaviour towards a child that falls

outside of a culture's accepted range of behaviours. In defining behaviour as abusive within its cultural context, it may be helpful to consider the following three criteria:

- the socialisation goals of the particular culture;
- parental intentions and convictions in their beliefs;
- the way the child perceives his or her treatment.

Practices which are generally considered as acceptable within a particular society, but which are considered abusive or inappropriate by external standards – such as painful initiation ceremonies, or severe physical chastisement – may be a legitimate cause for concern on the part of international and local agencies. However, intervention should address the concern as a *public issue* and should not be used to label individuals as abusive or deviant.

Unfortunately, most of the research and literature on idiosyncratic child abuse has been based in western societies¹. Recent decades have seen a rapid increase in the awareness of child abuse in western societies, and in turn this has revealed child abuse to be a much more widespread phenomenon than was previously believed. Evidence from non-western societies seems to suggest that child abuse is much less common, but whether this reflects the relative absence of the phenomenon, or *lack of awareness* of it, is difficult to determine. In societies in which children are seen as the property of their parents, or in which their care is seen as a purely private matter and not a public concern, it is more likely that abusive behaviour, if it does exist, will attract little attention or concern.

EXPLOITATION IN PARTICULAR CONTEXTS

It is important to avoid the blanket application of the concept of “vulnerability” to large categories of children (e.g. street children, female-headed households, working children). However, particular economic, social, political or cultural circumstances can imply increased vulnerability for certain children to a variety of exploitative practices. Conflict and displacement, compounded by an erosion of traditional values and cultural norms, create situations where children are at increased risk of exploitation - for example, under-age recruitment, trafficking and smuggling, and exploitative child labour. Some aspects of exploitation may be relatively “hidden” to personnel working in refugee contexts, such as refugee children recruited into armed forces, or drawn into the labour markets of cities (e.g. working and/or living on the street, prostitution and domestic work). It would be especially important to know if there was any organised exploitation - for example, trafficking which may be disguised as children crossing borders as “domestic workers”, when in fact they are being sold into the sex trade.

It may be helpful to consider what factors in the situation(s) under consideration result in children being exploited. In many contexts, the presence of certain risk factors and the absence of certain protective factors may heighten the child's vulnerability to other risks. So, for example, separated children may be at increased risk of sexual exploitation, while sexual exploitation may serve to heighten the risk of recruitment into armed forces. As well, poverty is a major cause of child work such as domestic labour, and a child domestic worker may be at increased risk of sexual abuse.

Although child labour and sexual violence may be the main forms of exploitation affecting children, other situations are sometimes encountered. For example, in Burundi, other family members or neighbours sometimes expropriate orphaned children's property. A second example is the exploitation of children in adult prisons, including sexual, labour and material (e.g. food rations) exploitation.

Another example, which might easily be overlooked, is the sexual abuse of children by other children. In situations where HIV and AIDS are very prevalent, teenage boys may look to increasingly younger girls as their partners. In the UK it has recently been estimated that 40% of instances of child sexual abuse are committed by other children. It is important to bear in mind that many children who exploit or abuse other children may themselves have been victims of abuse and exploitation and will, therefore, have needs (i.e. for psychosocial recovery) which need to be addressed in an age-appropriate manner which respects their rights.

Facilitators may like to encourage participants to identify examples of types of abuse or exploitation that are situation-specific, and consider possible responses.

Overhead 1.2 can be used as a means of identifying different influences on what may be determined to be abuse or exploitation, and this can be linked with **Exercise 1.1**, which can be used to illustrate the issues involved in such a judgement.

CHILD LABOUR

In many societies, almost all children undertake work, for example within the home or on the family's land. Many consider that work – within certain limits – contributes to children's development and education, especially if that work can be combined with education. In some situations, the family can only afford school fees if the child works. On the other hand, certain types of work are unquestionably exploitative - e.g. bonded labour and work which is harmful to the child's health or wellbeing.

In determining whether children's work in a particular context should be considered as exploitative, it is important to examine the totality of the children's situation. It will be important to consider such factors as:

- the age of the child;
- the hours spent working each day;
- the level of physical or psychosocial stress work creates;
- the conditions of work;
- the amount of pay;
- the level of responsibility;
- whether the child attends school;
- the level of dignity/self-esteem children maintain;
- whether work contributes to or harms the child's psychosocial and physical development.

This list is presented in **Overhead 1.3**.

In any given situation, it is important not to make blanket assumptions, but rather to decide what is in the individual child's best interest. In order to do this, the child's own perceptions and opinions will be of central importance. The issue of whether the child's work prevents him/her from attending school – or whether it facilitates it – is a particularly important one.

These issues are considered in more detail in **Topic 3**.

Some argue that the term "child labour" should be avoided on the grounds that it only conjures up images of the most harmful and exploitative forms of work and does not take into consideration work which is beneficial to a child's development. This is why terms such as "child work" or "children and adolescent livelihood issues" are sometimes used in place of "child labour".

SEXUAL EXPLOITATION

The term sexual exploitation can cover a multitude of situations or practices. It will be important that participants are aware of this and agree on a working definition that is appropriate to the regional context. Part of such an exercise could focus on how to raise awareness of the issue and a consideration of what might be cultural/societal constraints influencing such an exercise. This should be linked to the section on identifying children at risk of sexual abuse/exploitation.

It is important that the term "sexual exploitation" refers to **all** children up to the age of 18; issues of locally-defined "age of consent" are not relevant to the child's right to protection.

In UNHCR's statement to the Consultation on the World Congress against the Commercial Sexual Exploitation of Children in Stockholm, the term "sexual violence" covers all forms of sexual threat, assault, interference and exploitation. The term "rape" refers to instances where the victim's resistance is overcome by force or fear or under coercive conditions.

The Congress defined *commercial* sexual exploitation as a practice that implies not only sexual abuse of a child but remuneration in cash or in kind. In some situations, sex may be extorted for protection, crossing borders etc. Commercial sexual exploitation covers prostitution, trafficking and pornography. The child's level of understanding may be a significant issue (e.g. a mentally disabled 16 year old). It may also be appropriate for facilitators to introduce cultural practices such as early marriage and female genital mutilation. These are issues that are highly dependent on context, and the participants will be the experts and sources of information. It may be helpful to specify experiences of abuse/exploitation related to conflict situations, and those that may be more general and related to the vulnerability of certain children, and the circumstances that define this vulnerability.

An Optional Protocol to the Convention on the Rights of the Child, Article 2 addresses three forms of sexual exploitation: (1) *the sale of children*, defined as any act or transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration; (2) *child prostitution*, the use of a child in sexual activities for remuneration or any other form of consideration; and (3) *child pornography*, any representation, by whatever

means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.

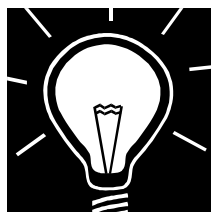
While child sexual exploitation affects girls more than boys, it is important not to lose sight of the affects for both genders. In many societies there is a greater taboo placed on the sexual exploitation of boys, which may mean that incidences of abuse and exploitation are even more under-reported than they are for girls.

TRAINING MATERIALS FOR TOPIC 1

Overhead 1.1: Key Learning Points for Topic 1	Summary of key learning points.
Overhead 1.2: Influences on What Is Considered Abuse or Exploitation	Diagrammatic representation of three key influences.
Overhead 1.3: Determining Whether Work is Exploitative for Children	Summary of key points.
Exercise 1.1: What Is Child Abuse?	Participants identify different types of child abuse that are prevalent in their working situations.
Exercise 1.2: When Does Work Become Exploitative For Children?	Ranking exercise to determine when work becomes exploitative for children.
Exercise 1.3: Defining Sexual Abuse and Exploitation	Participants work to develop a definition of sexual exploitation which is socially and culturally appropriate.

¹ While most research and literature is based on western societies, a significant exception is Korbin, Jill E. (1981): "Child Abuse and Neglect: Cross-Cultural Perspectives", Berkley, University of California Press. This book has been significant in informing this Topic.

Abuse and Exploitation



Topic 2

Refugee and Displaced Children are at Increased Risk

KEY LEARNING POINTS

- ***Refugee and displaced children and adolescents may be at increased risk of abuse and exploitation for a variety of reasons; these may include separation from their families, lack of access to education, and the need to take on adult responsibilities such as caring for siblings.***
- ***Poverty and social inequalities are significant in determining which children work, the kinds of work they do, and their working conditions. Decisions to work are greatly influenced by whether children have access to relevant education and vocational training.***
- ***Armed conflict may increase the level of risk and vulnerability of children to becoming victims of sexual violence and exploitation. When determining a child's level of risk and vulnerability it is important to consider the political, social and economic reality of the situation where the child is living. Poverty is often a root cause of many forms of exploitation.***

CHILDREN AT INCREASED RISK OF ABUSE AND EXPLOITATION

Almost half of all refugees are children and adolescents. Uprooted from their homes, forced to leave behind relatives, friends, familiar surroundings and established social networks, they may be exposed to an increased level of risk and vulnerability of becoming victims of abuse and exploitation. Children who are displaced in their own countries may also face perilous circumstances, lacking both protection and assistance. In addition, adolescents often find themselves overlooked by programmes addressing the needs of refugees and IDPs, which tend to focus on adults as the decision-makers or on younger children who are seen to be “the most needy”.

For refugee or internally displaced families and children who are returning to home communities, many barriers may be encountered during reintegration, and ensuring education and re-establishing family life and productive livelihoods may be difficult.

Various factors may place children and adolescents at risk of either exploitative child labour or sexual exploitation (including commercial exploitation).

- Separation from families denies children the protection and guidance of parents and other family members. Abuse within institutions is thought to be widespread. Unaccompanied children may have to fend for themselves, while

children in foster homes may have to fulfil expectations of contributing to the household economy. **Exercise 4.3** is also relevant to separated children.

- Adolescent heads of households and children of disabled parents often have to accept adult responsibilities, including economic ones, which may make them especially vulnerable.
- Lack of access to education places pressures on young people. Even if school exists, children may not be able to enrol because they lack proper documentation, are not considered residents of the area or are unable to pay school fees. This may lead to feelings of exclusion and pessimism in relation to their future.
- Family poverty, and the associated sense of desperation that often go hand-in-hand with the refugee experience, is often a root cause of both exploitative child labour and sexual exploitation.
- The experience of flight and conditions in refugee camps may place children at increased risk of sexual exploitation.

RISKS FACED BY REFUGEE AND DISPLACED CHILDREN¹

In addition to the issues highlighted above, other specific considerations may involve considerable risk factors for refugee and displaced children:

1. Prior to flight, children are often targeted for abuse by the military, police and/or other persons in positions of power in the country of origin. Frequently, children have been subjected to sexual abuse during internal conflict, prompting the desire to flee. Peacekeeping troops may also be involved. Sexual violence may even happen with the complicity of male or female community members, in the form of bartering women and children for arms and ammunition or other benefits.
2. During flight, children (especially young girls) are particularly vulnerable to sexual attacks by pirates, bandits, members of the security forces or armed groups, smugglers and other refugees. Border guards may detain and abuse women and young girls; pirates may capture them and extort sex in exchange for their safety or onward passage; and smugglers may assist female refugees across the border in exchange for sex and/or money.
3. Refugees and displaced persons are likely to find themselves living in camp situations or in close urban quarters. Under such conditions children, and their families, may be particularly vulnerable to misuse of power and authority by officials. For example, some refugee girls may be approached for sexual favours in exchange for assistance, such as during food distribution. Sometimes humanitarian workers are involved in sexual exploitation. Separated children are particularly vulnerable to exploitation and may suffer sexual abuse by foster family members.
4. Refugee and displaced children are at an increased risk of sexual exploitation and violence owing to their environment, restricted access to resources and basic services, security and, in some cases, family support and affection. This environment may create a sense of hopelessness and powerlessness for both the children and their families. Feelings of desperation, influenced by an

increasing sense of marginalisation, may lead to the targeting of children for sexual exploitation and violence.

5. During repatriation operations, large population movements may separate women and children from their support systems. Crowding and other changes leave children vulnerable to the same dangers they faced during flight and exile.
6. During the reintegration phase, returnees, particularly women and children, may be targeted by the local military or government in retribution for having fled. Special attention must be paid to women and children during this phase to prevent sexual extortion in exchange for material assistance, protection or documentation.
7. Vulnerability and risk are cumulative. Children can experience an accumulation of risk as their basic emotional and physical needs are ignored. Children subjected to one form of abuse or exploitation become increasingly vulnerable to other forms. For example, a domestic child worker may be exposed to physical, mental and sexual abuse owing to isolation and lack of protection. In addition, tasks traditionally allocated to girls (such as carrying water or collecting firewood) may expose them to additional risks of sexual abuse, owing to the fact that they may be forced to go to remote and potentially unsafe areas. Separated children may be at increased risk of exploitative child labour, sexual abuse and recruitment into armed services.
8. In some situations, rape and sexual exploitation have become almost systemic, to the point where it is no longer reported because it has been perceived as a “normal” part of people’s experience.

Situations of armed conflict and displacement may result in an increase in child abuse and neglect within the family. This issue is dealt with in some detail in **Topic 9** of this resource pack.

POVERTY AND SOCIAL INEQUALITIES ARE OFTEN THE ROOT CAUSES OF EXPLOITATIVE CHILD WORK

Refugee and displaced families are cut-off from the economic structures of their former community and are often denied access to economic opportunities in their host community. Like all families, they have certain members who must earn a livelihood to support other members. Particularly when living in camp settings, these traditional wage earners are often unable to find relevant work in their new environment.

Traditional wage earners’ decreased income often leads families to seek supplementary income from other members. At the same time, many children, particularly adolescents, have reached an age where they are physically able to perform the same work as adults. Many are asked to take on a greater responsibility for the economic survival of their family, or asked to work for no pay within the home in order to enable other members to work. This work is often performed by girls, spending long hours doing housework and minding younger siblings, and is not only performed unnoticed but impacts their ability to attend school.

Which children work, the kinds of work they do, and their working conditions will be

affected by levels of poverty and social inequalities based on gender, ethnicity, age, class and caste.

As children and adolescents (and their families) make decisions concerning whether or not to forgo education in favour of work, they weigh the importance of earning extra income in the present in relation to the possibility of securing greater income in the future through education. The availability and relevance of school and vocational training to a child's prospects of future work therefore affect this decision.

Lack of access to adequate education may be a contributing factor to why children work, but even if education is provided, it may not keep all children from working. In most situations, school terms and school times are not adjusted to fit in with the pattern of children's work. Many children and adolescents are solely responsible for themselves and the economic welfare of their families. Where schooling is not free, some children may have to work in order to earn money for their school fees or expenses (e.g. books and uniforms). These issues are considered in more detail in the Resource Pack on Education Topic 7.

Poverty and lack of education are common reasons why children work, but this does not justify the condoning of labour that is harmful and exploitative. Parents of working children are often unemployed or underemployed, yet their children are offered jobs because they accept less pay, are more malleable, and more easily exploited.

TRAINING MATERIALS FOR TOPIC 2

Overhead 2.1: Key Learning Points for Topic 2	Summary of key learning points
Overhead 2.2: Risks Faced by Refugee and Displaced Children	Lists aspects of their experience that may increase risk
Exercise 2.1: Refugee and Displaced Children are at Increased Risk of Abuse and Exploitation	Participants are asked how risks increase in certain situations and then to develop an information bulletin to share with others
Exercise 2.2: Case Study: Brigitta	Case study exercise which illustrates the issue of increased vulnerability of refugee and/or marginalised children
Exercise 2.3: How Different Situations Contribute to Increasing of Children And Adolescents	Discussion exercise

FURTHER SUGGESTIONS FOR TRAINING

Exercise 4.3 is a useful illustration of the vulnerability of separated children to institutional abuse.

¹ Much of the material in this section is derived from: "Sexual Violence against Refugees: Guidelines on Prevention and Response", Geneva, UNHCR (1995).

Abuse and Exploitation



Topic 3

The Nature of Child Labour

KEY LEARNING POINTS

- ***Children work for a range of different reasons in differing cultural, social and economic circumstances.***
- ***Different types of work can be examined by considering job activity, the work environment, the presence of particular hazards, the perceived benefits of work, and the nature of the employment relationship.***
- ***Gender issues need to be considered.***
- ***The relationship between children's work and education is a complex one. Care needs to be taken in determining whether children's work should be regarded as a problem that needs to be addressed. Children's own views will be essential in determining whether child labour constitutes a protection or assistance problem.***

WHY DO CHILDREN WORK?

There are many reasons why children and adolescents work.

- In some cases they are simply conforming to cultural norms. In many societies, it is normal for girls to undertake certain domestic tasks, or to care for younger siblings, and for boys to undertake other kinds of duties within or outside of the family economy. The concept of childhood as a life-stage in which children are dependent and are only involved in play and education is a distinctive western construction. Most societies see it as normal and positive for children of particular ages to undertake particular types of work. Work is seen as having an educative value as well as an economic one.
- In other situations, economic pressures compel young people to undertake work of a nature, or at an age, which is not within such cultural norms. Circumstances may require young people to contribute to the family economy when the family is faced with severe poverty and possibly limited opportunities for the adults to work. The particular problems facing refugee families may compel children to seek work in non-traditional areas in order to ensure family survival. Separated children, children in child-headed households and the children of disabled parents may be under particular pressure to seek paid work.
- In some situations, children work not so much to contribute to the family economy as to provide for their own consumption. This is to be seen most

clearly in western societies, where children work in service industries, delivering newspapers, babysitting etc., but is a growing trend in parts of Eastern Europe and in some developing countries.

- From the point of view of an employer, child labourers may have some specific advantages. For example they may be cheaper to employ, less aware of their rights, more compliant, more willing to carry out monotonous tasks, easier to lay off and do not join trade unions.

DIFFERENT TYPES OF WORK

World-wide, children are involved in many different types of work. The circumstances of these different types of work are analysed under the headings below.

- **Work activities:** these can range from a huge variety of agricultural activities to domestic work, caring for younger children, carrying goods, sweeping, construction work, a wide variety of tasks within manufacturing industry, including operating machinery as well as manual tasks, vending, gathering and sorting rubbish, shining shoes, prostitution and so on.
- **The work environment:** this can be the family home, an employer's house, the family's fields or land to which they have access, land owned by other people, a factory, shop, market or warehouse, a mine, the street, a building site, and so on.
- **The presence of specific hazards:** these may include using dangerous agricultural or industrial chemicals, operating dangerous machinery, working in a hazardous environment (e.g. a mine or on the streets), undertaking heavy manual work which may be dangerous for younger children, working excessively long hours, or exposure to the dangers of physical or sexual abuse. Children may be more prone to occupational injuries than adults because of their developmental stage e.g. shorter concentration span, fatigue, poor judgement. Issues of psychological hazards have been under-researched: work characteristics such as boredom, or emotional abuse by employers or customers may have a negative impact on children.
- **The nature of the employment relationship:** children may work for their own parents, for other adults within the friendship network of their own families, for employers (ranging from householders to factory owners), for brothel-keepers, criminal gangs and so on. In the case of bonded labour, children may have been sold, in effect, to employers, giving the latter great power over them and effectively denying the children the protection of their own families. Other young people will be working on a self-employed basis in the informal sector - e.g. shining shoes, collecting waste or vending on the street.
- **The benefits of work:** the literature on child work tends to give much more prominence to the perceived hazards than to the benefits of work. More recent research has highlighted that work is seen as beneficial to children in many societies. Benefits may include, for example, economic benefits, socialisation into adult roles and responsibilities, learning how to manage time and money, dealing with the public, and gaining a sense of independence, pride and satisfaction leading to enhanced self-esteem and self-confidence.

CHILDREN'S WORK AND GENDER ISSUES

Some types of work are seen to be more appropriate for either girls or boys. Hence, for example, it may be relatively unusual to find girls working in the construction industry. Boys may be more exposed to injury in the work that they perform. On the other hand, domestic workers will normally be girls, who may face the risk of sexual abuse and exploitation. The workload of girls within the family is often much heavier than that of boys: this may be a factor in the lower enrolment of girls in school. Girls are obviously more likely to become involved in commercial sexual exploitation, though in some countries boys are also involved.

CHILDREN'S WORK AND EDUCATIONAL ISSUES

It is sometimes assumed that child labour is harmful to children because it prevents them from attending school. But the relationship between work and education is not as simple as this.

- Sometimes the reality of the family economy is such that work must take precedence over school.
- In many situations, however, it has been found that it is children's work that makes it possible for them to attend school. If education is not free, or if the family must provide for the costs of books and materials, then working may actually facilitate access to education.
- The inflexibility of the timing of school may prevent some children from attending when work has to be undertaken at certain times of the day, or within certain seasons.
- Parents who have received little or no education themselves may tend to under-value educational opportunities for their children.
- In some situations, the perceived quality and relevance of school may be so poor that both children and their families believe that they have more to learn from the experience of working than from attending school.
- Valuable skills and knowledge can be learned through work, including apprenticeships and acquisition of traditional family trades and skills. Such methods of learning may be especially important in low-income countries where schools are either unavailable or of poor quality.

This issue is explored further in the ARC Resource Pack on Education, Topic 7.

HOW DOES CHILD LABOUR AFFECT CHILDREN?

It is important to avoid making the assumption that, if refugee children are working, then this is automatically a protection and/or assistance problem that needs to be addressed. For many families, work is not so much a problem as a solution to a problem.

One of the problems in much of the literature on child labour is that assumptions are made about the effects of work on children. Very often there is a strong emphasis on work hazards and assumptions are made on their effects on children's well-being and development. But the relationship between work hazards and children's development is a complex one. On the one hand, children may be

more susceptible to some work hazards than are adults because they are in the process of growth and have particular developmental needs. On the other hand, recent research has demonstrated that working children can have an extraordinary ability to weigh the complex costs and benefits involved in work. In attempting to determine whether or not work is harmful to children, it is vital to determine not just the objective conditions of their work but also the subjective value given to work by the children themselves. Research suggests that children can be extremely resilient and that the advantages that they themselves perceive may serve to shield them from some possible detrimental outcomes. On the other hand, resilience should never be a reason for not confronting work that is clearly damaging and exploitative. The effects of abuse and exploitation on children's development are considered in the ARC Resource Pack on Child and Adolescent Development, Topic 4.

In refugee contexts, where child labour is seen to be a significant issue, it will be important to undertake a thorough situation analysis. Some of the most serious hazards may be the most difficult to see, for example children sent away to be domestic workers. An essential aspect of a situation analysis will be to facilitate children's participation in order to ensure that their perceptions about the costs and benefits of work are fully taken into account. Reference can be made to the Situation Analysis Resource Pack for methods to use (Topics 4-8).

TRAINING MATERIALS FOR TOPIC 3

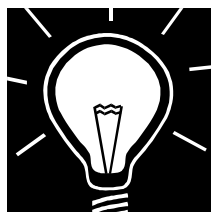
Overhead 3.1: Key Learning Points for Topic 3	Summary of key learning points
Exercise 3.1: Situation Analysis Of Working Children	Participants study a situation known to them where there is child labour and analyse the situation for the children
Exercise 3.2: What Is Acceptable Work And What Is Exploitative Work?	Participants are asked to consider which case examples constitute exploitative child labour

FURTHER SUGGESTIONS FOR TRAINING:

Education Exercise 6.2: "Poverty, Livelihood, Food and Education" is very relevant for facilitators who want to consider the inter-relationship between work and education for children who have to work in order to live.

Exploitation and Abuse Exercise 1.2 is also relevant to this topic.

Abuse and Exploitation



Topic 4

Principal Forms of Sexual Exploitation – Perpetrators and Impact

KEY LEARNING POINTS

- ***Children may be particularly vulnerable to sexual exploitation given their level of dependency and their limited power and ability to protect themselves. Additional ethnic, gender, cultural, economic and societal factors greatly increase their risk of becoming victims of sexual abuse and exploitation.***
- ***Sexual abuse and exploitation can take a variety of forms including rape, commercial sexual exploitation and domestic abuse. To best address and prevent the occurrence of such abuse and exploitation it is important to understand how each act is defined.***
- ***The perpetrators of sexual violence and exploitation are diverse. The term perpetrator represents those who indirectly coerce, trick, encourage, organise and maintain the exploitation, as well as those adults who participate in the exploitation directly.***
- ***Sexual exploitation has devastating effects on the physical and mental health of children, including their ability to learn and communicate. There may also be a profound impact on the family and community.***
- ***Where the perpetrator of sexual abuse is a member of the child's family there are particular protection issues. These are discussed separately in Topic 9.***

DIFFERENT FORMS OF SEXUAL EXPLOITATION

The UNHCR Guidelines on Prevention and Response of Sexual Violence Against Refugees defines sexual violence as all forms of sexual threat, assault, interference and exploitation, including “statutory rape” and molestation without physical harm or penetration. Sexual exploitation can also involve the use or threat of force on a child with the objective of forcing the child to take part in sexual acts performed by third persons.

The legal definition of rape varies from country to country. In many societies it is defined as sexual intercourse with another person without their consent. In the case of children, lack of consent is assumed when the child is considered incapable of understanding the sexual nature of the act. UNHCR recognises rape as being committed when the victim's resistance is overcome by force or fear or under other coercive conditions.

The Stockholm Congress defined commercial sexual exploitation of children as a practice that implies not only that the child is sexually abused but also that there is an exchange of goods or money as remuneration. Commercial exploitation therefore covers prostitution, domestic servitude and/or bonded labour, trafficking, and pornography. Commercial sexual exploitation is an extreme form of sexual abuse and a particularly insidious form of child labour.

COMMON FACTORS THAT INFLUENCE SEXUAL EXPLOITATION

Many factors may place children at particular risk of sexual exploitation and violence.

- **Poverty and social inequality** put refugee children at an increased risk of sexual exploitation, particularly prostitution and trafficking. Children are particularly vulnerable to being trafficked for sexual exploitation given that virginity, innocence and physical immaturity may be highly prized amongst perpetrators. In addition, economic insecurity may force families to initiate prostitution or trafficking in an effort to escape the desperation of their extreme poverty.
- **Consumerism/Materialism:** the development of a culture which condones the commodification of individuals (particularly women and children) in an effort to acquire material wealth, increases the vulnerability of children to fall victim to sexual violence and exploitation. For example, older women and men who kidnap or coerce young children into prostitution and other sexually exploitative practices as a way of making money.
- **Situations of armed conflict and subsequent displacement** of people can create a serious disruption of societal values. This may put children at greater risk of being targeted for sexual exploitation and assault by the military, irregular forces, other refugees, and/or those in a position of authority. This vulnerability can also be exacerbated by the breakdown of the family unit which reduces a child's access to protection and a secure and a stable environment.
- **Gender:** although both boys and girls are victims of sexual violence and exploitation, a general low regard for women exists in many cultures where women and girls are viewed as property. The vast majority of sexually assaulted, abused or exploited children are girls. On the other hand, a taboo against homosexuality may lead to the exploitation of boys being masked by silence.
- **Separated children** living on their own, and children in foster families or institutions, are also at increased risk of sexual exploitation and violence due to the fact that they no longer have direct access to a family member or family-like figures for physical protection and/or material and emotional support.
- **Mentally and physically disabled children** are particularly vulnerable to sexual assault and abuse owing to their inability to escape would-be aggressors. Children with both mental and physical disabilities require special attention when addressing issues of protection and care from sexual violence and exploitation.
- **Children belonging to marginalised ethnic groups** are sometimes targeted for sexual violence as a form of "ethnic cleansing". This violence is often

directly related to their ethnic affiliations and/or religious beliefs. There is also a demand within the sex trade for children of backgrounds different from those of the “consumers”. As a result, children of different ethnic backgrounds (usually marginalised) are lured away from their communities and taken to urban centres where they may be unable to communicate in a foreign language, reducing their ability to resist and flee.

- **Cultural beliefs** which are tolerant of child exploitation by condoning and/or ignoring the problems of prostitution, trafficking and early marriage of children (in some instances involving girls as young as eight), also contribute to the risk of children falling victim to sexual exploitation.

PERPETRATORS

- **Some elements in armed forces** are perpetrators of sexual exploitation and rape. At times these may be random acts perpetrated by individual soldiers but also more systematically organised cases have been associated with "ethnic cleansing". Additionally, in several well-documented cases, the presence of peacekeeping troops (and often associated with the presence of humanitarian workers), has caused an increase in child prostitution. Both power and money are used to exploit young girls for sexual relations in these situations.
- **Local and foreign “consumers” and organisers of the sex industry** are also perpetrators of child prostitution. Every year, tourists and locals, overwhelmingly men, create a huge demand for children and adolescents. This demand is often met by sending, abducting and/or selling local children from economically disadvantaged areas to various cities under the disguise of “work”. This prostitution is often organised and run by local men and women who profit from this exchange. Refugee children are among those particularly at risk of being subjected to exploitation due to their economic instability and physical displacement. Increasingly younger girls are particularly at risk because they are thought, by the perpetrators, to have fewer diseases (particularly HIV/AIDS) than older girls.
- **Staff and caregivers in institutions, and school-teachers** are also perpetrators of sexual abuse and exploitation of children. The vulnerability of displaced children in institutions or living with foster families increases the risk of such occurrences. Exercise 4.3 illustrates the vulnerability of separated children to institutional sexual abuse. Institutions can be depersonalised and dehumanising. Children may have little opportunity to form healthy attachments and therefore may have no one to turn to in distress. Teachers and others in authority also exploit children. However, the sensitivity around recognising and reporting such problems often allows them to be overlooked and children to remain unprotected in such circumstances.
- **Neighbours, acquaintances and others** in their own community also perpetuate sexual violence and rape during and after situations of armed conflict. Cases of abuse and violence by friends and neighbours, with whom the victim had previously lived in perfect harmony, illustrates the extreme societal and individual disruption caused by armed conflict. The general loss of accountability for behaviour in times of upheaval, along with a breakdown of

traditional and communal values, leads to a general incapacity of victims and perpetrators to separate acceptable and unacceptable behaviour.

- **Other Children** may also be perpetrators. In situations where HIV and AIDS are prevalent, it is not uncommon to find adolescent boys seeking younger and younger sexual partners, and where coercion is used on an unwilling girl, this should be seen as a form of sexual exploitation. However, it is important not to lose sight of **both** the potentially traumatic effect on the victim **and** the needs of the perpetrator, who may himself/herself be a victim of sexual abuse or exploitation and who is entitled to help and support.

THE IMPACT OF SEXUAL EXPLOITATION

Individual impact: the effects of sexual exploitation on the individual child can be profound, and can be experienced on several levels:

- **the physical consequences** can include genital injury, sexually transmitted diseases and the contraction of HIV/AIDS. There is evidence that adolescent girls are more likely to contract HIV from a single sexual contact than are adult women. Unwanted pregnancy can have further consequences including, for example, stigmatisation and unsafe abortions;
- **emotional consequences** can include the trauma of violent exploitation (which can have effects broadly similar to other traumatic experiences). In some societies, a sense of shame at having been violated, and especially if pregnancy results, can have severe consequences for the child;
- **social consequences** can include ostracism by the family or community - especially if the child is disbelieved or blamed for what has happened. In some cultures, sexual exploitation will have a negative impact on the child's chances of marrying;
- **secondary trauma** can result if the incident is handled insensitively. Examples include aggressive interviewing of the child (e.g. by the police), insensitive medical examination, or those in authority disbelieving the child or even blaming him/her for the incident. These can all inflict further trauma.

(These issues are also discussed in the **ARC Resource Pack on Child Development, Topic 4**).

Sexual exploitation within the family, by both immediate and extended family members such as parents and step-parents, siblings and cousins, or aunts and uncles, is particularly serious. Unless either the child or the perpetrator is removed, the risk of further abuse remains, but the child may be trapped because of the difficulties in speaking out against a member of the family. Other members of the family may be disinclined to believe the child's story, which can result in further victimisation. These issues are considered separately in **Topic 9**.

Community and family impact: sexual exploitation can have a serious impact on relationships not only within the family but also in the wider community. Particularly where the police or judiciary systems fail to respond to allegations, or where perpetrators are not seen to be brought to justice, this can create intense social tensions. In a broader context for communities, the threat of diseases such as HIV/AIDS and other sexually transmitted diseases being spread must also be of fundamental concern.

TRAINING MATERIALS FOR TOPIC 4

Overhead 4.1: Key Learning Points for Topic 4	Summary of key learning points
Exercise 4.1: Risk Map	Mapping exercise to highlight areas in a refugee camp where children might be vulnerable to exploitation and abuse
Exercise 4.2: Impact Of Sexual Exploitation On Children And Adolescents	An exercise in which participants analyse the impact of abuse on children from adults in the community
Exercise 4.3: Case Study: Madame X	Case study which illustrates issues of institutional abuse

Abuse and Exploitation



Topic 5

The Legal Basis for Protection

KEY LEARNING POINTS

- ***The Convention on the Rights of the Child accords the child the right to be protected from abuse, neglect and exploitation.***
- ***Legal provisions exist to protect children and adolescents from employment that is likely to be hazardous or to interfere with their education, or be harmful to their development.***
- ***Legal provisions exist to protect children from sexual exploitation and abuse, as well as against trafficking, sale and abduction.***
- ***Sexual violence is a gross violation of fundamental human rights as well as, when committed in the context of armed conflict, a grave breach of humanitarian law.***

The basis of protection from abuse and exploitation of children can be found in various legal instruments that differ by nature and importance. Treaties, such as conventions or covenants, are formal legal texts to which States become parties. They are considered as “hard law”, because they create legal binding obligations. Other instruments, such as declarations, principles or rules, are non-binding on States, and are often referred to as “soft law”. The provisions they set out are often more detailed than those found in treaties, and can therefore complement hard law. These instruments are authoritative standards because States participated in their elaboration and they reflect international consensus, i.e. States did not object to the provisions they contain. An example, of soft law is the Beijing Declaration and Platform of Action.

In addition, staff working in a region should always be aware of the regional instruments and their provisions, such as the African Charter on Human and Peoples’ Rights, the African Charter on the Rights and Welfare of the Child, the European Convention for the Protection of Human Rights and Fundamental Freedoms, the American Convention on Human Rights and the Arab Charter on Human Rights.

National laws (criminal and/or family laws) of the States are particularly important and should always be referred to. These laws provide intervention procedures for the authorities in cases of abuse and exploitation, complaint/representation procedures, measures adopted for investigation, reporting, referral, rehabilitation and follow-up, as well as educational measures etc. It should also be noted that by ratifying the CRC, States commit to integrating all provisions into national law.

Selected articles of the legal standards are presented in **Handout 5.1**.

LEGAL PROTECTION: ABUSE AND NEGLECT

Article 19 of the Convention on the Rights of the Child accords the child the right to be protected from abuse and neglect, without discrimination:

“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.”

In other words, it is the duty of governments to protect children against abuse and neglect, including abuse happening within the family, as well as other caring environments, such as foster care, day care, schools, institutions. This duty takes on added significance when not respected, as it often deprives the child of access to help, and the mistreatment or abuse may then continue undetected for long periods of time.

Physical assault against the child constitutes child abuse. In this sense, punitive corporal punishment, whether in the family or in institutions is incompatible with the child’s right to physical integrity. Article 37 of the CRC explains that States parties are required to ensure that no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. The Human Rights Committee stated that this should include physical and mental pain, and extends to corporal punishment. Regarding corporal punishment in schools, CRC article 28.2 states that all appropriate measures shall be taken to ensure that school discipline is administered in a manner consistent with the child’s human dignity and in conformity with the present Convention. This includes article 19 and the broader protection of the child from physical and mental violence.

Traditional practices may need to be reviewed to determine whether they involve any form of physical or mental violence. When these traditional practices are beneficial, or harmless, communities should be encouraged to continue them as a way of maintaining their identity and preserving their culture. However, some traditional practices are harmful to health, well-being and development; most often, girls and women are the ones affected by harmful traditional practices. Female genital mutilation (FGM) and early childhood marriages are examples of harmful traditional practices that are prevalent among some populations of concern to UNHCR. These practices are internationally condemned due to the grave health risks they may entail as well as the human rights principles they violate. The CRC requires States to take all effective and appropriate measures to abolish traditional practices that endanger the health of children (article 24. 3). **The Declaration on the Elimination of Violence against Women (1993)** states that violence against women includes “.. female genital mutilation and other traditional practices harmful to women..”. It stipulates that States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination.

Disabled children may be particularly vulnerable to abuse due to difficulties in communication and in many cases being placed in institutions. Indeed, the **UN Standard Rules on the Equalization of Opportunities** of 1994 noted that persons with disabilities are particularly vulnerable to abuse in the family, community and institutions. The need to avoid the occurrence of abuse, recognise

when abuse has occurred and report on such acts are stressed (Rule 9(4)).

In all cases of abuse, neglect and exploitation, article 39 of the CRC notes that the State has an obligation to ensure that child victims [of armed conflicts, torture, neglect, maltreatment or exploitation] receive appropriate treatment for their physical and psychological recovery and social reintegration in an environment that fosters the health, self-respect and dignity of the child victim.

LEGAL PROTECTION: CHILD LABOUR

The CRC contains various articles concerning child labour. As stated in Article 32.1 of the CRC, “States parties recognise the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development”. Article 32 relates to the broader issue of the economic exploitation of the child. Under Article 33, States parties shall take all appropriate measures to prevent the use of children in the illicit production and trafficking of narcotic drugs and psychotropic substances. According to Article 35, States parties shall take all appropriate measures to prevent the abduction, sale or traffic of children for any purpose or any form. And Article 36 affirms more generally that States parties shall protect the child against all other forms of exploitation prejudicial to any aspect of the child’s welfare.

The **International Covenant on Economic, Social and Cultural Rights** asserts the same principles stating in its article 10(3) that “Children and young persons should be protected from economic and social exploitation. Their employment in work harmful to their morals or health or dangerous to life or likely to hamper their normal development should be punishable by law. States should also set age limits below which the paid employment of child labour should be prohibited and punishable by law”.

The **Universal Declaration of Human Rights** and **International Covenant on Civil and Political Rights** include provisions prohibiting slavery (UDHR Article 4) and forced labour (ICCPR Article 8). **The Supplementary Convention on the Abolition of Slavery, the Slave Trade, and the Institutions and Practices Similar to Slavery, 1956 (article 1)** covers, “any institution or practice whereby a child or young person under the age of 18 years is delivered by either or both of his natural parents or by his guardian to another person, whether for reward or not, with a view to the exploitation of the child or young person or of his labour.”

In refugee law, article 24 of the **1951 Convention Relating to the Status of Refugees** affirms obligations regarding child labour, stating that “the Contracting States shall accord to refugees lawfully staying in their territory the same treatment as is accorded to nationals in respect of the...minimum age of employment, apprenticeship and training...”.

The **International Labour Organisation (ILO) Forced Labour Convention of 1930 (No.29)** covers such problems as exploitation of children through debt bondage and “other contemporary forms of slavery” such as child prostitution. The **ILO Minimum Age Convention of 1973 (No.138)**, upheld by the Committee on the Rights of the Child as an appropriate standard, provides principles which apply to all sectors of economic activity. Ratifying States are to fix a minimum age for

admission to employment or work, undertake to pursue a national policy designed to ensure the effective abolition of child labour, and raise progressively the minimum age for admission to employment or work to a level suitable with the fullest physical and mental development of young persons.

In November 2000, the **ILO Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (No.182)** entered into force. It applies to all young persons under the age of 18, and defines, among other things, forced or compulsory recruitment of children for use into armed conflict as one of the worst forms of child labour (article 3).

It is the responsibility of the government to ensure the safety of children residing within that country. The government is responsible for providing minimum age for admissions to employment, appropriate regulation of the hours and conditions of employment, and provide for appropriate penalties or other sanctions to ensure effective enforcement. Such protection is to be accorded to refugee children and national children alike (CRC, article 2.1). In practice however, many countries which have signed international conventions in respect of child labour simply do not have the structure and mechanisms for monitoring and enforcement.

LEGAL PROTECTION: SEXUAL VIOLENCE, ABUSE AND EXPLOITATION

The CRC offers general protection measures to all children, without discrimination. Article 19 requires States to protect children from all forms of physical or mental violence and specifically mentions exploitation and sexual abuse. Sexual abuse should be understood not only as violent sexual assault but also other sexual activities, including inappropriate touching, where the child does not fully comprehend, is unable to give informed consent, or for which the child is not developmentally prepared.

Sexual exploitation and abuse are dealt with in more detail in article 34 of the CRC. Under this article, States parties undertake to protect the child from all forms of sexual exploitation and sexual abuse and particularly to take all appropriate measures to prevent the inducement or coercion of a child to engage in any unlawful sexual activity, including the exploitative use of children in prostitution and in pornographic performances and materials.

In situations of armed conflict, international humanitarian law prohibits sexual violence and protects the civilian population, including children, against sexual violence and abuse. Article 27 of the **Fourth Geneva Convention of 1949 relative to the Protection of Civilian Persons in Time of War** states that protected persons in time of war “shall at all times be humanely treated, and shall be protected especially against all acts of violence.... Women shall be especially protected against any attack on their honour, in particular against rape, enforced prostitution, or any form of indecent assault”.

With regard to internal armed conflicts, **Article 3 common to the four Geneva Conventions of 1949** prohibits “outrages upon personal dignity, in particular humiliating and degrading treatment”, against all persons taking no active part in hostilities. Similarly, article 4 (2) (e) of the 1977 **Protocol II relating to the Protection of Victims of Non-International Armed Conflicts** forbids the violation of personal dignity, in particular humiliating and degrading treatment, rape, enforced prostitution and any form of indecent assault.

The **Guiding Principles on Internal Displacement** also offer protection against sexual violence, forced labour of children, degrading treatment and sexual exploitation (Principle 11).

The **Rome Statute of the International Criminal Court** adopted in 1998, defines in its article 7 (g), “crimes against humanity” as any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population: rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilisation, or any other form of sexual violence of comparable gravity.

The **Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949)**, targets procurers and exploiters of prostitutes, and declared prostitution and the traffic in persons to be “incompatible with the dignity and worth of the human person and [to] endanger the welfare of the individual, the family and the community.”

The **Declaration and Agenda of the World Congress against Commercial Sexual Exploitation of Children** (Stockholm in 1996) stated that the commercial sexual exploitation of children constitutes a form of coercion and violence against children, and amounts to forced labour and a contemporary form of slavery (paragraph 5). It called for the promotion of stronger co-operation between States and all sectors of society to prevent children from entering the sex trade, to criminalise the commercial sexual exploitation of children, and to condemn and penalise all those offenders involved, whether local or foreign, while ensuring that the children victims of this practice are not penalised (paragraph 12).

In the **ILO Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (No. 182)**, the term “worst forms of labour” comprises the use, procuring and offering of a child for prostitution or for the production of pornography or for pornographic performances. States parties are required to take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency.

With the widespread practice of sex tourism, availability of child pornography on the internet, and increasing international trafficking of children, an **Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography** was adopted in 2000 to extend the measures that States parties should undertake in order to guarantee the protection of the child. State parties are asked to ensure that such acts and activities are fully covered under their criminal or penal law. Such offences shall also be deemed to be included as extraditable offences in any extradition treaty existing between States parties or concluded in the future between them. It also stresses the importance of international co-operation to apply the principle of extraterritoriality, i.e. that nationals of a State party, committing a sexual offence against children in another country, can be prosecuted in their own country.

CONTEMPORARY FORMS OF SLAVERY, INCLUDING TRAFFICKING AND SMUGGLING OF PERSONS

The word "slavery" today covers a variety of human rights violations. In addition to traditional slavery and the slave trade, these abuses include the sale of children, child prostitution, child pornography, the exploitation of child labour, the sexual

mutilation of female children, the use of children in armed conflicts, debt bondage, the traffic in persons and in the sale of human organs and the exploitation of prostitution. Such practices are generally clandestine. This makes it difficult to have a clear picture of the scale of contemporary slavery, as well as punish and eliminate it. The problem is compounded by the fact that the victims of slavery-like abuses are generally from the poorest and most vulnerable social groups. Fear and the need to survive do not encourage them to speak out.

UNHCR is particularly concerned by the criminal and organised smuggling of migrants that may lead to the misuse of national asylum and immigration procedures. Trafficking of children, mainly for the purpose of abuse and exploitation, is also a special concern and trafficked persons, particularly women and children, may be in need of international protection.

In 1998, the UN General Assembly established an Ad Hoc Committee open to all States, for the purpose of elaborating an international convention against transnational organised crime. The resulting **United Nations Convention against Transnational Organized Crime** was adopted by the General Assembly at its Millennium meeting in November 2000. Also, two optional protocols were adopted detailing measures to be taken by countries to combat smuggling of migrants and the trafficking of women and children for sexual exploitation or sweat shop labour.

The **Protocol Against the Smuggling of Migrants by Land, Air and Sea** aims to prevent and combat the smuggling of migrants, as well as to promote co-operation among States parties to that end. In the Protocol, smuggling of migrants means the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State party of which the person is not a national or a permanent resident. State parties shall adopt measures to make the smuggling of migrants a criminal offence. Migrants are entitled to the protection of their rights and assistance, and States parties shall take into account the special needs of women and children (article 16.4).

The **Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children** defines trafficking in persons as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion...to achieve the consent of a person having control over another person, for the purpose of exploitation. The new instrument details measures on how countries can improve co-operation on such matters as extradition, mutual legal assistance, transfer of proceedings and joint investigations. Parties to the treaty would also provide technical assistance to developing countries to help them take the necessary measures and upgrade their capacities for dealing with organised crime.

UNHCR POLICY AND GUIDELINES

UNHCR EXCOM Conclusion on Refugee Protection and Sexual Violence of 1993 noted that “refugees and asylum-seekers, including children, in many instances have been subjected to rape or other forms of sexual violence during their flight or following their arrival in countries where they sought asylum, including sexual extortion in connection with the granting of basic necessities, personal documentation or refugee status” and strongly condemned “persecution through sexual violence, which not only constitutes a gross violation of human rights, as well as, when committed in the context of armed conflict, a grave breach

of humanitarian law”. It recommended that victims of sexual violence and their families be provided with adequate medical and psycho-social care.

The **Refugee Children Guidelines on Protection and Care** (1994), state that every effort must be made to protect refugee children from abuse and to ensure that victims receive remedial assistance for their recovery. Evidence of torture, physical and sexual assault, abduction and similar violations of the safety and liberty of refugee children call for extraordinary measures. It urges those in a position of assistance to spare no effort to collect all the relevant facts, including corroborative evidence and identification of the culprits with a view to their apprehension; to retain legal counsellors, ensure that offenders are prosecuted and to take measures which may prevent further incidence of such abuse.

The Guidelines on Prevention and Response of Sexual Violence Against Refugees of 1995 mention unaccompanied children, children in foster care arrangement, and those in detention or detention like situations, as being most at risk of sexual violence and exploitation. The Guidelines state that UNHCR staff have an obligation to intervene whenever cases are reported or suspected and that the immediate physical and emotional consequences of sexual violence require a rapid response.

UNHCR Policy on Harmful Traditional Practices is spelled out in the IOM/FOM 83/97 of 1997. A harmful traditional practice which violates the individual rights of refugees will normally require the intervention of UNHCR.

UNHCR EXCOM Conclusion 84 of 1997, paragraph b)iii, calls on States to take all possible measures to protect refugee children and adolescents “by preventing sexual violence, exploitation, trafficking and abuse...”.

TRAINING MATERIALS FOR TOPIC 5

Overhead 5.1: Key Learning Points for Topic 5	Summary of key learning points.
Exercise 5.1: - Legal Issues: Exploitative Labour	Discussion questions.
Exercise 5.2: Case Study – Brigitta	A case study that will help candidates identify legal provisions for protection against abuse and exploitation.
Handout 5.1: Legal Texts on Abuse and Exploitation	Provides text of the relevant legal instruments.

Abuse and Exploitation



Topic 6

Prevention Is the Most Effective Way of Protecting Children

KEY LEARNING POINTS

- *The prevention of exploitation is obviously preferable to measures to deal with the consequences of it, for children and families.*
- *For some children, risk factors can be cumulative, so it is essential to respond to their needs promptly.*
- *A child-centred situation analysis will be an essential pre-condition for the development of a preventive strategy.*
- *There are many possible strands to a preventive strategy, including: livelihood issues, education and training, awareness raising, measures to protect women and children, visible procedures for reporting and monitoring instances of exploitation, and an effective police and judiciary system.*

THE CONCEPT OF PREVENTION

It is self-evident that it is better to take steps to prevent exploitation than to deal with its consequences. However, the concept of prevention is deceptively complex and can take many forms. When devising a programme, it may be helpful to begin by asking what is being prevented, how this is being achieved, and how the results will be demonstrated. For example, in respect to working children, prevention can be applied in various ways, and at different levels:

- by impacting on the reasons why children need to work, and providing meaningful alternatives for children and families;
- through promoting awareness of the importance of education and discouraging parents from allowing children to work;
- by interventions to prevent working children from drifting into more exploitative types of work.

Some children are more vulnerable to exploitation than others (e.g. separated children and child heads of households), and these children are more likely to become members of other high-risk groups, such as street children, prostitutes or child soldiers. Similarly, those children who have been demobilised from combat or who have been placed within families after living on the street, may find it particularly difficult to resume a normal life and may be more likely to drift into activities that ultimately lead to increased risk of exploitation. Children with various

types of disability may also be at increased risk - see **Exercise 2.2: Case Study - Brigitta**.

A child-centred situation analysis will help to identify particular areas of risk and resources that might be deployed in developing appropriate preventive programmes. The **ARC Resource Pack on Situation Analysis** provides some methods of conducting such an analysis. It is vital that young people themselves are enabled to voice their own concerns and problems, and their own ideas on how exploitation might be prevented.

GENERAL PREVENTIVE STRATEGIES

Many preventive strategies will impact on both labour and sexual exploitation. The following are some key issues that might be addressed.

- Assessing risk by means of a child-centred situation analysis is an essential precondition for any preventive strategy. This will need to involve governmental and non-governmental agencies, other UN bodies and refugees themselves, including children and adolescents. Members of the community such as Traditional Birth Attendants and women's leaders may help to identify hidden exploitation.
- Issues of poverty often lie behind all forms of exploitation. Programmes which address livelihood issues, provide appropriate job training, income-generation schemes and credit for micro-enterprise may, therefore, be vital in preventing exploitation.
- Facilitating children's access to education - including secondary and vocational education - will be significant in diminishing risks of exploitation. Public education may help to raise awareness of the value of education within the community.
- Educating children on their rights, with various forms of social and life skills training will help young people to make better life choices and develop the skills of protecting themselves from exploitation.
- Awareness-raising within the refugee community about exploitative child labour and sexual exploitation will be important: this will necessarily involve refugee leaders, female refugees and other agencies. Although women may take a lead role in activities related to the prevention of, and response to, exploitation, it is vital that awareness-raising and educational initiatives target men as well.
- Addressing the needs of separated children promptly, through family tracing and securing appropriate and protected forms of care (preferably within families), is essential.
- Government responsibilities and responses should be encouraged and/or facilitated e.g. stressing government duties to implement legislation and investigate complaints. Training and capacity-building may be important in order to enable government staff (police, soldiers, social welfare workers etc.) to undertake their duties in a responsible, sensitive and skilled way.
- Assessing the situation of all people who have access to children may reveal the incidence of exploitation in unexpected situations, for example, in schools

and child care centres. The training of such staff and the monitoring of their work can be an important aspect of a preventive strategy.

DEVELOPING A PREVENTIVE APPROACH

Although the primary responsibility for preventing and responding to cases of child abuse or exploitation lies with local authorities, including the police, judiciary, and welfare services, there may often be a lack of either capacity, will, resources, motivation, or skills to deal with the situation appropriately. Particularly in terms of prevention, even in situations where local authorities are responsive, a community mobilisation approach may be one of the most appropriate and effective means of protecting children and adolescents from abuse and exploitation, as well as for responding to individual cases as and when they arise. Facilitators may like to consider the ideas presented here in conjunction with the ARC Resource Pack on Community Mobilisation. Such an approach might involve some of the following steps.

- Getting a group of key people within the community together to define and explore the problem(s) they are concerned with, such as the sexual exploitation of women and girls, or the abuse of children within the family.
- The group might involve people who have experienced the problem personally, as well as other key people such as community leaders, health and social welfare workers, teachers, a UNHCR Protection Officer, etc.
- The group might explore the problem by undertaking modest surveys, using PRA methods or other simple techniques (see **ARC Resource Pack on Situation Analysis, Topic 8**). It will probably be necessary to gather qualitative as well as quantitative data, but care must always be taken in eliciting information of a personal and sensitive nature. It is important to be alert to the possibility that abuse and exploitation are to be found in unexpected places: it is not uncommon, for example, to encounter abusive school-teachers, foster parents and institutional staff.
- It is important that ways are found of listening to what children and adolescents themselves have to say, and avoid assuming that adults know what their problems are: young people may have both ideas and resources to bring to bear.

The analysis of the data would then lead into the planning of appropriate responses. These might include, for example:

- a central point through which allegations of abuse and exploitation can be notified, with assurances that such information will be treated in a confidential manner;
- a sympathetic contact person(s) for women or children to turn to for initial help and support;
- the development of “safe house” arrangements to provide a refuge for women and/or children who have been abused while the allegations are being investigated;
- the negotiation of clear liaison arrangements with local authorities, the police, social welfare agencies, schools, health workers, security forces, community

leaders, camp management and agencies such as UNHCR etc. (such arrangements would need to have an explicit understanding regarding the confidentiality of information);

- a support service, possibly operated by women who have themselves been abused or exploited and to whom people can refer themselves;
- a mediation service (possibly using community leaders, with the appropriate training) who can intervene and assist families in respect of inter-personal difficulties;
- the development of “safe spaces” such as clubs and organisations in which young people can share their ideas and concerns, with each other and with sensitive and caring adults.

It may be important that the provision of community services such as those suggested above are complemented by a public awareness and educational campaign to sensitise people to the problem, raise awareness of the various aspects of the problem, encourage people to take action when a child is thought to be abused or exploited, and inform people about possible sources of help and support. A public awareness campaign might also aim to target men and to seek ways both to address the problems they are experiencing, and to influence their behaviour within the family and community. It is unlikely to be sufficient just to target women

Community groups, with the support of international and local agencies, may also be encouraged to find ways of advocating for the prosecution and punishment of offenders. Effective and visible means of bringing offenders to justice is an extremely important factor in deterring exploitative behaviour.

PARTICULAR STRATEGIES IN RELATION TO SEXUAL VIOLENCE

The protection of women and children in refugee camps and institutions is a critical preventive measure. This can be partly achieved by creating safe, well-lit (particularly around latrines etc.) physical layouts for camps to minimise the possibility of women and children being exposed to attack. In addition, it is important to ensure that all women and children have secured access to the goods and services of the camp or institution. Security patrols may be an important preventive measure, and women should also be included in the security staff of the camp. Sexual violence against women and children frequently occur simultaneously and are closely inter-connected. Both groups are almost always the most disempowered populations during and after times of upheaval.

There is evidence that trafficking networks sometimes are organised at the outset of conflict and flourish in camps and among refugee populations: it is therefore imperative that preventive approaches are considered at an early stage.

A lack of reporting and documentation on issues of sexual abuse and exploitation increases the vulnerability of children to suffer from sexual violence. Reporting sexual abuse and exploitation is important as a preventive and curative measure. Owing to a fear of retaliation, embarrassment, ignorance, shame and ostracism, many victims and their families do not report incidents of sexual assault and/or exploitation. This fact makes it increasingly difficult to protect children, provide support and rehabilitation for the victims, and prevent such abuses from

continuing. Therefore, it is important to have child-friendly, visible and widely publicised reporting mechanisms run by knowledgeable and sensitive staff and/or refugees. It is critical not to single out sexual violence victims but rather mainstream the reporting process with other violations of the rights of children. Under-reporting is a serious risk because without reports, refugee workers and officials may deny the existence of sexual violence in their community. It is critical to be aware of the incidence of sexual assault to help prevent and lower a child's risk of being victimised.

An essential aspect of any preventive approach is to ensure that young people themselves are given opportunities to articulate their needs and concerns and to participate actively in the design and implementation of preventive approaches.

TRAINING MATERIALS FOR TOPIC 6

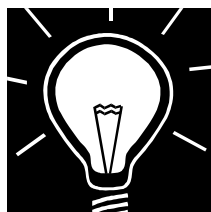
Overhead 6.1: Key Learning Points for Topic 6	Summary of key learning points
Exercise 6.1: Identifying Potential Risks Of Exploitation During Flight	Brainstorming and listing exercise where participants identify potential risks in flight
Exercise 6.2: Developing A Situation Analysis Which Will Inform A Prevention Strategy	Discussion exercise using a case study
Exercise 6.3: Campaign Planning – Prevention	Participants are asked to develop a strategy for prevention in a known situation
Exercise 6.4: Slogan Campaign	Participants are invited to devise a slogan to be used as part of a campaign to increase awareness

FURTHER SUGGESTIONS FOR TRAINING

Exercise 2.2 also raises issues about the prevention of sexual exploitation.

Exercise 8.3 is relevant to this topic.

Abuse and Exploitation



Topic 7

Protecting Child and Adolescent Workers from Labour Exploitation

KEY LEARNING POINTS

- ***Refugee children and adolescents should be protected from harmful and exploitative forms of work.***
- ***To reduce the possibility of interventions having unforeseen negative consequences, working refugee children and their families should participate in policy and planning on child work issues.***
- ***Services to support working refugee children may need to be developed and sustained, as well as advocacy work.***

Refugee children and adolescents should be protected from harmful and exploitative forms of child work. As well as forms of work that interfere with their education, these include commercial sex work, involvement in military operations, bonded labour, mining, and all industries and agriculture where children are exposed to toxic chemicals or where children face increased risks to their physical and mental health and well-being.

IMPLEMENTATION

By ratifying the Convention on the Rights of the Child, States commit to undertaking "all appropriate legislative, administrative and other measures for the implementation of the rights recognised in the Convention" (CRC, article 4). States report on such measures to the Committee on the Rights of the Child, who are charged with monitoring States implementation.

In its review of reporting, the Committee urges all levels of government to, among other things:

- ensure that all legislation is fully compatible with the Convention by incorporating it into domestic law or ensuring that its principles take precedence in cases of conflict with national legislation;
- ensure that sufficient data are collected and used to improve the situation of all children in each jurisdiction;
- raise awareness and disseminate information on the Convention by providing training to all those involved in government policy-making and working with or for children;

- involve civil society, including children themselves, in the process of implementing and raising awareness of child rights.

Specifically in relation to Child Labour, the Committees guidelines on reporting request States to provide information on:

- a minimum age or minimum ages for admission to employment;
- appropriate regulation of the hours and conditions of employment;
- appropriate penalties or other sanctions to ensure the effective enforcement of CRC, article 32;
- any mechanism of inspection and system of complaint procedures available to the child, either directly or through a representative.

THE ROLE OF LOCAL AUTHORITIES

In many countries, local governments are increasingly assuming responsibility for protecting child rights. Indeed, local authorities have a pivotal role to play in giving support to other service providers and also in the areas of regulation, enforcement and monitoring of child rights. This role is increasing where decentralisation and reduction of safety nets have created vacuums in social provision, adding to the burden at the local level. In many such cases, city and municipal authorities and local branches of national agencies become the primary actors in providing basic services for children. Even where assistance from higher levels of government is lacking, local authorities maintain the legal responsibility to respond as best they can to the situation of children under their jurisdiction.

PLANNING INTERVENTIONS

Taking steps to remove children from harmful work without offering anything in its place is rarely appropriate. In order to reduce the possibility of interventions having unforeseen negative consequences, working children and their families should participate in policy and planning on child work issues.

As youth delegates at the 1997 Amsterdam Child Labour Conference stressed, in many instances the primary concern should be regulation and not necessarily abolition except for in the cases of the most pernicious forms of child labour. If children are prevented from working and no safe alternative income sources for themselves and their families are available, they may engage in less visible, more dangerous and exploitative work. This occurred in Bangladesh, where political pressures caused large numbers of child workers to be dismissed from garment factories: a follow-up study showed that none of the children in the sample returned to school and it is thought that many drifted into more hazardous and exploitative forms of work. This example highlights the need to ensure that good local knowledge is available: local NGOs may have an important role to play - especially if they possess familiarity with the local community, share the same language as the refugees and are able to facilitate the involvement of young people themselves.

A child-centred situation analysis will be needed to ensure that any intervention responds appropriately to the young people's definitions of their needs and priorities. Again the involvement of young people in this process is essential.

POSSIBLE INTERVENTION STRATEGIES

Many different programme strategies may be considered.

- Protective services may include some form of legal protection such as providing registration cards, awareness-raising in respect of children's rights, empowering children to assert their rights, and the provision of legal advice. Universal birth registration is also an important protection measure as it helps regulate the use of underage workers.
- Health and hygiene services may be especially important for children living and/or working on the streets or in unhygienic environments.
- The provision of savings schemes may enable children to save money, especially if they are vulnerable to theft.
- Various education approaches, that are more flexible, relevant and attractive to child workers than more "orthodox" forms of schooling, may be at the core of programmes for working children. Approaches may include:
 - non-formal educational opportunities, which enable children to combine work with a relevant and accessible curriculum;
 - programmes of vocational training in marketable skills;
 - programmes which enable children to gain access to state education, perhaps with tutorial support and possibly material support.
- Production and economic activities can be promoted to help young people find more remunerative or more appropriate work. These may include an element of training (e.g. in business management), the provision of loans for micro-enterprise, sheltered work opportunities, setting up work co-operatives and so on.
- Play and recreational opportunities may also be an important component where working children find no time for leisure pursuits, or where games can also play an important education role.
- Public awareness and advocacy may also be important in ensuring the needs and rights of working children, addressing workplace abuse, pressing for improvements in education provision and in changing the negative image of working children.

The active involvement of young people themselves in all programmes, including design, implementation and evaluation, not only helps to ensure that these meet their needs and priorities, but also increase their social capacities and their sense of identity and self-worth. One way in which programmes have succeeded in giving adolescents a sense of meaning and purpose is to involve them in developing and implementing programmes for younger children.

Families and communities can better promote the psychosocial well-being of their children when they themselves feel relatively secure and confident about the future. Recognising that families and communities are often fragmented and weakened by armed conflict, programmes should focus on supporting survivors in their efforts to heal and rebuild their social networks. It is therefore vital that all

forms of external help be given in such a way as to enhance people's ability to help themselves.

TRAINING MATERIALS FOR TOPIC 7

Overhead 7.1: Key Learning Points for Topic 7	Summary of key learning points
Exercise 7.1: Action Plan – Intervention	Participants are asked to consider the issues in involving the community in developing an action plan for the protection of vulnerable children in a refugee setting
Exercise 7.2: Intervention Audit	Participants are asked to consider a list of activities which potentially protect children from exploitation or abuse and to analyse whether they are effective in this sense

FURTHER SUGGESTIONS FOR TRAINING

Exercise 8.3 is also relevant here

Abuse and Exploitation



Topic 8

Protecting Children and Adolescents Who Have Been Sexually Exploited

KEY LEARNING POINTS

- ***UNHCR staff have a duty to intervene whenever cases of sexual abuse or exploitation are reported or suspected: the survivors of sexual violence may need protection, medical and psycho-social care.***
- ***Different situations call for different strategies of intervention.***
- ***There are some important principles to be followed in responding to allegations of sexual abuse.***
- ***Particular issues are raised when the alleged abuser lives in the same household as the child.***
- ***Insensitive or inappropriate intervention can serve to further victimise the survivor. All actions must be taken with the utmost care and sensitivity.***

RESPONDING TO INCIDENTS OF SEXUAL VIOLENCE

The immediate physical and emotional consequences of sexual violence require a quick response. UNHCR staff have a duty to intervene whenever cases are reported or suspected. However, each case must be carefully handled owing to the extreme sensitivity of sexual issues. Each incident of sexual violence must be examined and assessed so that proper protection, medical services and psycho-social support can be provided. The survivor's immediate or long-term vulnerability must be taken into consideration, and the victim's own decisions must be respected.

DIFFERENT STRATEGIES OF INTERVENTION

Different forms of sexual exploitation, in differing contexts, call for differing responses. Below, are some of the strategies that may be considered.

- With the agreement of the survivor, governmental agencies such as the police, judiciary and welfare services will need to be involved. All actions need to take account of criminal and child protection legislation within the country, and be dealt with in conjunction with national and local authorities. It is essential that in this process the survivor's confidentiality be respected, including the right to decide whether to seek legal redress. Intervention which does not respect confidentiality and which lacks sensitivity and understanding can result in the survivor feeling further victimised.

- Survivors of sexual abuse or exploitation need speedy access to medical care and, where needed, psycho-social support.
- UNHCR staff are often involved in responding to allegations of exploitation. It is vital that protection, community services, medical and field staff work closely together, with the relevant statutory agencies, to ensure that a sensitive, swift, appropriate and co-ordinated response is given. Good cross-sectoral collaboration is essential.
- The refugee community may have social structures that can respond to situations of sexual exploitation. Women's groups, for example, may provide not just an accessible resource for victims to refer to, they may also provide a network for communication and information and a structure for promoting preventive approaches.
- Care needs to be taken to respect the rights of any person accused of sexual exploitation or violence: the presumption of innocence should be respected until guilt has been established through judicial proceedings.

A COMMUNITY RESPONSE TO SEXUAL EXPLOITATION

In one camp for Guatemalan refugees in Mexico, women from the "well-being Committee" decided to form a crisis group, which included some women who themselves had been sexually abused. Experience had shown that, despite receiving training from UNHCR, the local police had demonstrated that they were unable to skilfully and sensitively intervene in situations of sexual exploitation. This group provided an important reference-point for women and girls who had been abused or exploited, and an important source of support for them and for their families.

IMPORTANT PRINCIPLES IN RESPONDING TO INCIDENTS OF SEXUAL EXPLOITATION

Whatever strategy is used to respond to incidents, it is vital that a number of key principles be followed.

- The immediate physical and emotional consequences of sexual violence require a quick response.
- It is essential that responses are based on a thorough understanding of local norms, customs and taboos to do with sexual behaviour. The impact of sexual violence can only be understood in this context.
- Extremely careful and tactful responses are needed because of the great sensitivity of sexual issues.
- The individual must feel that she/he will be believed, that confidentiality will be preserved and that her/his views are respected.
- The person interviewing the child needs to be highly skilled, able to deal with overwhelming emotion and be experienced in enabling children to talk about extremely difficult issues. In general, it is also preferable that they are of the same sex as the child. However, cultural and social factors must also be taken

into account when determining the sex of the interviewer. In many societies, for example, boys will not speak to other males about homosexual abuse, but will sometimes be more comfortable speaking to a woman instead.

- It must also be remembered that the accused person must be treated as a person with rights.
- Under-reporting of sexual violence is very widespread. Where there are suspicions of unreported exploitation having taken place, deploying a person of the same gender (unless there are particular contra-indications) to interview the individual, using a sympathetic and gentle manner will be essential.
- Victims of sexual abuse need speedy access to medical care and psycho-social support. They also may need access to legal services.
- When children have been sexually abused, it will sometimes be necessary for counselling to be undertaken with the family in order to ensure that the child is believed, supported and provided with the means of returning to normal life. Family members may also need help - for example, when parents feel guilty that they have failed to protect their child. Families may need particular support in situations where the perceived loss of their honour might lead to rejection of the child.
- All actions taken should be consistent with the principle of the child's best interests, and in order to determine this the child's own expressions of his/her wishes and feelings will be vital.

Where the child is alleging sexual abuse by a member of the same family (including foster family) there is an obvious danger that abuse will continue if she/he and the alleged abuser continue to live in the same household. Other siblings may also be at risk. In such situations, the best interests of the child may be in conflict with her/ his expressed views. Very careful and sensitive assessment needs to be made to determine the most appropriate course of action. These issues are discussed in more detail in **Topic 9**.

Whatever actions are taken, it is essential to remember that insensitive or inappropriate intervention can serve to further victimise and unnecessarily harm the child.

TRAINING MATERIALS FOR TOPIC 8

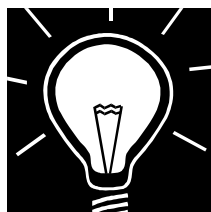
Overhead 8.1: Key Learning Points for Topic 8	Summary of key learning points
Exercise 8.1: Case Study: Sexual Exploitation In Transit Centres	Case study where participants are asked to consider how to react to situations of sexual exploitation
Exercise 8.2: Intervention: Sexual Exploitation	Participants work in pairs to analyse how a situation where a child was sexually exploited was handled
Exercise 8.3: Case Study: The Don Bosco Child Protection Unit	Case study which presents an effective community mobilisation strategy to protect children from exploitation and abuse

FURTHER SUGGESTIONS FOR TRAINING

Exercises 7.1 and 7.2 can be adapted for use in connection with sexual exploitation.

Chapter 3 of UNHCR (1995): “Sexual Violence against Refugees”, Geneva, UNHCR, contains further information relevant to this topic.

Abuse and Exploitation



Topic 9

Child Abuse Within the Family

KEY LEARNING POINTS

- *The concepts of child abuse and neglect are relative terms that can only be understood within their particular cultural context.*
- *Child abuse which contravenes cultural norms needs to be understood by reference to the characteristics of the parents (or other carers), of the child, and the nature of the wider environment.*
- *Various features of situations of conflict and forced migration may contribute to a rise in child abuse and neglect.*
- *Child abuse within the family is particularly serious because those charged with protecting him/her are failing to do so.*
- *Various strategies can be used to prevent child abuse and neglect.*
- *Responding to allegations of abuse and neglect within the family requires exceptionally skilful and sensitive work.*

WHAT CONSTITUTES ABUSE AND NEGLECT?

Child abuse and neglect have to be understood as **culturally relative** terms. The implications of this were discussed fully in **Topic 1**, which also considers different kinds of abuse and neglect. Intervention, however, requires an understanding of the relevant legal definitions of what acts of commission or omission constitute abuse and neglect, and require legal sanction. Hence it is important to understand the relevant national, regional and international legal instruments: these were considered in more detail in **Topic 5**.

WHAT ARE THE CAUSES OF CHILD ABUSE AND NEGLECT?

While it is not possible to offer a definitive statement about the factors that lie behind abusive behaviour towards children, there is general agreement that child maltreatment results from the complex interplay between three different factors:

- the particular characteristics of the parents (or other care-takers);
- the particular attributes of the individual child;
- the particular pattern of environmental and social stresses.

Research in western societies suggests that **abusive parents** often have some of the following characteristics:

- material and/or emotional deprivation;
- poor coping mechanisms and high vulnerability to stress;
- lack of parenting skills;
- a disorganised lifestyle;
- personal immaturity - often characterised by impulsiveness, poor tolerance for frustration etc.;
- social stress and social isolation;
- unrealistically high expectations of children and rigid attitudes towards their behaviour;
- drug and/or alcohol abuse or poor health;
- low self-esteem or depression;
- single parents, in some situations, are more prone to abuse or neglect of children because, for example, of higher stress and lower income.

It must be emphasised that, while certain factors may often be present among families where abuse occurs, this does not mean that the presence of these factors will always result in abuse and neglect. What might be a cause in one family will not be a cause in another.

In different societies, certain **characteristics of children** may place them at particular vulnerability. A child's age and physical, mental, emotional and social development can greatly increase or decrease the likelihood of abuse depending on the interaction of these characteristics with parental factors. Other characteristics may include, for example, the presence of a disability or disfigurement, illegitimacy or the fact of the child being unwanted (the product of rape being an extreme example), particular gender, characteristics or behaviour that lead to the child being seen as somehow "different" or "difficult", children that result from a difficult labour, step-children, mentally or physically disabled children, and so on. Gender factors may be significant, for example, in some societies, boys tend to be more valued than girls and vice versa. Fostered children may be more at risk than the children born of the family, in relation to physical and sexual abuse and neglect.

The **environmental stresses** that contribute to the incidence of child abuse include poverty and food scarcity, unemployment and many different types of personal and family stress. The particular effects of conflict, and those aspects of refugee life that may enhance the potential for child abuse, are dealt with below.

CHILD MALTREATMENT IN THE CONTEXT OF ARMED CONFLICT AND DISPLACEMENT

There are many characteristic features of armed conflict and forced migration (including internal displacement, repatriation and resettlement) which may contribute to a rise in domestic violence and other forms of child abuse and neglect.

- Separation, loss and sudden change can threaten the quality of family relationships and create inter-personal tensions.
- Impoverishment can not only be highly stressful for families, it may also contribute directly to the physical neglect of children's nutrition and health.
- Forced migration often leads to a powerful sense of loss of control over one's life and destiny: for some men, domestic violence may be a means of re-establishing control and increasing personal power.
- Displacement, repatriation and resettlement may necessitate significant changes to the roles and responsibilities of family members, for example, unemployment or under-employment among men may create a sense of frustration and cause a collapse in identity and self-esteem. Women may be forced into taking on unfamiliar roles such as paid work outside of the family. Single parents may be particularly affected, for example, fathers taking on unfamiliar tasks such as cooking or fetching water, or mothers having to take on more significant roles in disciplining older sons.
- Traumatic experiences – witnessing, participating in or being victims of violence, sudden flight etc. – can be highly stressful. Parents who have lost a child, or whose child has been attacked, may carry a burden of guilt for having failed to protect him or her.
- Armed conflict is a situation in which violence is resorted to on a massive scale to resolve disputes. Very often, armed conflict is associated with a breakdown in social norms and controls that can have a pervasive effect. Family solidarity may be undermined and parents and community leaders may lose the respect and authority that they previously had.
- Population movements often result in social networks being destroyed or disrupted. There is considerable evidence to show that the existence of strong social networks serves to protect children from abuse, and helps to ensure that someone will intervene when standards of care are seriously violated.
- Lack of opportunities for children to attend school may also create tensions within the family, and also denies children opportunities to confide in trusted adults outside of the family.
- One kind of stress can contribute to others: an unemployed, frustrated father may resort to alcohol, which in turn can cause stress for other members of the household.

WHAT IS THE PARTICULAR SIGNIFICANCE OF ABUSE OR NEGLECT WITHIN THE FAMILY?

A prime function of the family is to provide the child with the care and protection he or she needs for healthy development. An essential requirement of parents (or other care-takers) is that the child loves and trusts them. So when a parent abuses or neglects the child, this may constitute a serious breach of trust for the child, and there may be no one else for the child to turn to for help and protection. Furthermore, because of their particular developmental stage, young children may

be powerless to resist or protect themselves from abusive behaviour, and may not find it possible to reveal the abuse to someone outside of the family.

Evidence from western societies suggests that abusive or neglectful behaviour towards a child is likely to continue unless, and until, its causes have been identified and addressed, or unless the risk of further abuse is minimised by the removal of either the perpetrator or the child. Any decision to remove either the abuser or the victim is likely to be highly complicated. A child who is sexually abused by her/his father is likely to continue to be abused if the father remains within the family home. Removing the father may, however, place the rest of the family at risk if, for example, he has been the sole provider or breadwinner for the family. If the child is removed, other children within the household may be at increased risk. Also, removing the child may leave him/her feeling that he/she has done something wrong and is being punished. It is not always easy for the non-abusing parent to protect the child, especially if this is the mother who may, for example, be afraid for her own safety. The immediate protection of a child abused within the family is always the most urgent priority.

Another significant feature of child abuse within the family, as identified in western societies, is that it is not uncommon for abused children to grow into abusing adults. For example, there is a risk that boys who have been victims or long-term sexual abuse may later become abusers themselves, while emotionally neglected children may grow up without the personal knowledge of the importance of love and affection, which may have a negative effect on their own parenting skills.

PREVENTING CHILD ABUSE AND NEGLECT IN THE FAMILY

Although it is of obvious importance to respond to allegations of child abuse and neglect and to ensure protection for the child, a strategy to draw attention to the problem of maltreatment and to prevent or diminish its occurrence may often be an urgent priority. Experience in many countries suggests that where public attention is drawn to the problem, and the secrecy which often surrounds it is broken, it becomes more possible to “see” the problem and its scale (see **ARC Resource Pack on Situation Analysis, Exercise 5.1**). Greater public awareness also makes it possible for abused or neglected children to draw attention to their plight, and for other concerned people to identify the problem and to respond. In situations in which agencies are concerned about a potentially large, but mainly hidden, problem of child abuse and neglect, public awareness campaigns, designed to draw attention to the issue and to turn it into a public rather than private matter may be an early priority.

A preventive strategy may have three components that mirror the causes of child abuse and neglect.

1. Identify which children are most vulnerable: for example, children who are disabled or in some manner are seen as “different”, fostered children etc. It may then be possible to devise strategies for monitoring their well-being.
2. Identify and address those factors which may lead to parents (or other carers) maltreating their children. Ensuring food security may be the most essential step, but other strategies may include supporting single-parent families, responding to issues of alcohol abuse (which is often associated with domestic violence and child abuse).

3. Identify and respond to the most widespread environmental stresses. In the context of forced migration, social isolation and the lack of support networks can be a major factor.

DETECTING CHILD ABUSE

Detecting child abuse is particularly difficult in societies in which child rearing is seen as a private, family matter, not one of public concern. For the children themselves, they may have no other reference point and not realise that what they are experiencing is abnormal. Furthermore, in conflict and refugee situations, it is unlikely that professional staff such as health workers, teachers and social or community workers will have the opportunity to identify signs of abuse, or even to have had any training in this extremely difficult area.

Physical neglect is most likely to be detected by health workers. Often the biggest clue is either that the child is failing to thrive and grow in a way that is out of proportion to the level of available nutrition, or in a way that distinguishes the child from other children within the family.

Physical abuse is the most visible form of abuse. It is sometimes revealed when the explanation of a child's injury is inconsistent with what is observed. Certain types of injury should always lead to a suspicion of child abuse - for example, bite marks (consistent with adult human teeth marks), cigarette burns, evidence of old but untreated broken bones, and signs of severe and long-term bruising, especially to the face, which cannot be explained by an accident such as a fall. A particularly serious type of physical abuse is the shaking of a small infant, which can cause extremely serious injury (brain damage, spinal injury, retinal haemorrhage and rib fractures caused by grasping the chest while shaking the child).

It is, however, important (and often difficult!) to check for medical conditions which might partly explain the child's condition, for example, a bleeding disorder which may explain signs of severe bruising.

Emotional abuse is extremely difficult to detect. In some cases the child will show no obvious signs of abuse and evidence is most likely to come from friends or neighbours who observe the parents' behaviour to the child, or from school teachers who may gain clues from the child's behaviour or emotional state. Slow physical development, learning problems, speech disorders, difficulties in forming relationships, withdrawal, disruptive behaviour, insecurity and poor self-esteem can all be possible results of emotional abuse. In many cases, the effects may only become evident in the child's later development stages. The availability of a trusted adult is often the most important avenue for the child to reveal the abuse.

Sexual abuse is also difficult to detect. Young children have been known to endure sexual abuse for many years without realising that what they experience is abnormal, and only realise its significance during early adolescence when they learn about sexual behaviour. For obvious reasons, it will generally occur in private, and again it is the availability of a trusted adult that may provide the opportunity for the child to reveal what is happening.

With all forms of abuse, the child's demeanour may provide clues. Children experiencing chronic abuse may reveal one or more of the following:

- “Frozen watchfulness” - the child sitting passively and watching his/her surroundings passively
- Persistent avoidance of eye contact with adults (but this needs to be considered carefully in relation to cultural norms). A wariness of adults or flinching when there is a sudden movement may provide clues.
- Physical symptoms that appear to have no medical cause may also provide clues e.g. persistent stomach pains, headaches etc.
- Sexually abused adolescents sometimes appear to be nonchalant and submissive

However, care must always be taken in jumping to conclusions too quickly. Where abuse is suspected, it is important to carefully and sensitively look for other evidence before concluding that abuse has occurred.

RESPONDING TO ALLEGATIONS OF CHILD ABUSE AND NEGLECT WITHIN THE FAMILY

This is an exceptionally difficult area in which to intervene. This Topic offers only a brief introduction to a large and complex area.

Intervening in cases of child abuse and neglect require formal working arrangements with local police and social welfare authorities which may be charged with responsibilities of formal investigation of allegations, initiating child protection plans for children and possibly initiating criminal proceedings against perpetrators. Where such authorities lack the resources or capacity to undertake these responsibilities, UNHCR may assist to facilitate investigations.

Intervention requires the utmost skill and sensitivity: on the one hand, failure to intervene when child abuse or neglect is alleged or suspected can leave the child (and possibly other members of the family) in a highly vulnerable situation; on the other hand, insensitive intervention can leave the child even more vulnerable than before. In situations where abuse is occurring in the family, a recurring problem is that children may be highly resistant to being removed from that family, especially if this means facing an uncertain future. An added problem is that abuse, especially sexual abuse, usually occurs in private and may be extremely difficult to prove, especially in cultures in which adults are more likely to be believed than children. Authorities may be unwilling to act if there is no corroborating evidence. Many of the points raised in **Topic 8** will apply also to interventions in respect to child abuse within the family - see particularly the section on ‘**Important Principles in Responding to Incidents of Sexual Exploitation**’. It must always be borne in mind that child abuse within the family raises particular protection issues by virtue of the fact that the people who have the prime protection and care responsibilities for the child are failing to exercise them.

It is not possible to provide universal guidelines on how to intervene, as many factors will need to be taken into consideration, some of which will be specific to the local situation. However, an intervention strategy will probably have some of the following elements.

- Systems to facilitate **the identification and reporting** of allegations of child abuse and neglect. These may involve health workers, teachers, community leaders, women's groups and so on.
- **Investigation** of allegations of child abuse and neglect by the appropriate bodies, which may include the Police, Social Welfare Departments, UNHCR Protection Officers etc. Very careful thought needs to be given to the question of how to proceed if it is a case of the child's word against an adult's - there may be no independent witnesses, and if there are they may be unwilling to provide information.
- Investigation should result in the formulation of a **protection plan for the child** and other members of the household, which may necessitate the removal of the child or the perpetrator. Removal of the child can be extremely frightening, and the child may prefer to stay in an abusing situation rather than face an uncertain future away from the family.
- The provision of sensitive and skilled **medical examination and care** where this is required. The insensitive examination of a child who is thought to have been sexually abused, especially if undertaken by a male doctor or nurse, can be experienced by the child as a further violation.
- **Mediation, personal support and/or counselling** by community leaders, members of women's groups, Community Services Officers or government social welfare workers.
- **Appropriate follow-up** to ensure the continued well-being of the child and *other members of the household*.

A recurring problem is that of gaining an accurate picture of the incident and ensuring an appropriate protection strategy for the child. Very often, mothers are unwilling to side with a child against their husbands and may collude with them. They may fear for their own safety, while their dependence upon their husbands may make it difficult for them to speak out in defence of the child. A sense of fatalism, or the shame associated with child abuse, may also inhibit mothers from taking action. Where the abuser is the mother, fathers may hesitate to take action because they fear the consequences, which may include having to cope with the children on their own. Some communities may see violence within the family as a private matter that should not involve outsiders. Such attitudes may also be found among the police and other official agencies: as a result, an abused child may be blamed for the incident, further victimised or even punished. These examples of secondary abuse will leave the child even more vulnerable to abuse in the future.

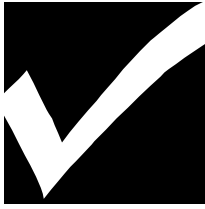
A COMMUNITY MOBILISATION APPROACH

Please refer to **Topic 6** in this Resource Pack for some ideas on how a Community Mobilisation Approach can be used both as a strategy for the prevention of abuse and exploitation, and as a means of responding to individual allegations.

TRAINING MATERIALS FOR TOPIC 9

Overhead 9.1: Key Learning Points for Topic 9	Summary of key learning points
Exercise 9.1: Case Examples: Abuse Within the Family	Case examples where participants are asked to consider what would be an appropriate and effective course of action in order to protect the child
Exercise 9.2: Situation Analysis to Identify Potential Child Abuse in a Given Setting	Participants work to develop a situation analysis
Exercise 9.3: Planning an Awareness Campaign.	In response to a presentation, participants focus on one area of abuse that is relevant to their situation and develop elements of an awareness campaign to address the issue

Abuse and Exploitation



Sample Programme

Different participants are likely to have different learning needs and priorities. We have divided participants into three broad groups: senior managers, sector co-ordinators and field staff.

Senior managers are those people who have key responsibility for an NGO's operations in a country or region or a UNHCR Section. They will have overall responsibility for strategy and resource allocation within the organisation's policy framework. Senior managers' needs are likely to be best served through briefings.

Sector co-ordinators comprise those people who have responsibility for a particular aspect of their agency's work in a country or region or who have a responsibility for a particular function within an operation, such as for example UNHCR programme, protection or community services officers. Sector co-ordinators are those responsible for translating policy into practice and ensuring that programme budgets reflect the necessary resources to support good practice.

Field staff is those people working in the field who are responsible for implementing the programme activities. They often have considerable front-line experience. Field staff may value the opportunity to develop and practise new skills as well as develop their knowledge and understanding.

Training programmes should be designed with the responsibilities and learning needs of these different groups in mind. If possible, participants from different groups should be trained separately but if this is not possible, exercises and input should be selected which will meet the needs of all groups. It may be possible to use different small group exercises to address the needs of each type of participant in a mixed group workshop.

Two types of programme are included in this resource pack. The first describes a half day Awareness-Raising Workshop. The programme makes detailed reference to materials from the resource pack and describes how a facilitator might use these materials to conduct a session lasting four hours.

The second example is for a full day workshop. It is written in the form of a Session Plan that covers:

- the overall aim of the training session;
- specific learning objectives;
- a description of what will be covered and the sequence to be followed;
- the timing for each part of the session;
- who will take responsibility for the different parts of the programme;

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- what inputs and exercises will be used;
- what materials (e.g. handouts, overheads, briefing papers, index cards) will be required;
- what equipment (e.g. flipchart, overhead projector, blackboard, video) is needed.

The purpose and development of session plans are described in detail in the **ARC Facilitator's Toolkit**.

Both programmes are intended as guidance examples only. It is very important that the facilitator should think carefully about the group of participants with whom he or she will be working and devise a programme that takes into account:

- the role and responsibilities of the participants;
- the learning needs of the participants;
- their existing level of knowledge;
- their interest in the subject;
- their willingness to share experience and admit to gaps in their knowledge / skills;
- current / local issues and priorities for the participants;
- the amount of time they have available;
- their position in their organisation.

Any training programme should be devised, if possible, in consultation with the intended participants. If it is not possible to consult with all participants (for example, by sending out an application form including questions about their expectations for the training), the facilitator should try to speak to a sample of participants before making final decisions about the programme.

The facilitator should also consider:

- the range of Topics to be covered;
- the order in which Topics should be addressed;
- how to encourage the sharing of experience and information between participants;
- who will carry out the training;
- what methods will be most appropriate for the participants.

More detail on the process of training can be found in the **ARC Facilitator's Toolkit**.

Remember to build in a workshop evaluation - you will find ideas for this in the **ARC Facilitator's Toolkit**.

DETAILED PROGRAMME FOR A HALF DAY AWARENESS WORKSHOP

This programme proposes a session of four hours designed to provide participants with an overall awareness of the subject and an introduction to some of the key issues.

LEARNING OBJECTIVES

By the end of this workshop, participants will be able to:

- establish working definitions of child abuse and exploitation, appropriate to the specific context;
- highlight possible risk factors within refugee or displaced communities;
- identify different types of abuse and exploitation within the region;
- review the national and international standards and laws that might be used;
- identify possible programme responses both with a view to the prevention of abuse or exploitation or to promoting appropriate responses.

PREPARATION

The facilitator should prepare an information pack for the participants which may include:

- copies of the relevant Handouts and Briefing Notes;
- a copy of the Reading List and relevant Readings;
- copies of relevant materials from the region / country / locality (e.g. research papers, monitoring reports).

If possible, this pack should be sent to participants in advance.

The facilitator should gather any locally relevant information on the Topics to be addressed in the training and identify individuals with specific expertise who could act as resource persons. All participants can be asked to bring along relevant material to display / share with others. The facilitator could, if possible, devise locally appropriate case-studies.

The facilitator should study the notes for each Exercise carefully to ensure that all the necessary materials are prepared in advance.

Introduction – Abuse and Exploitation

10 mins	Introduce the agreed objectives of the workshop on Abuse and Exploitation on a prepared flipchart. Using Overhead 1.0 Key Concepts introduce the relevant Key Concepts.	Flipchart summarising objectives. Overhead 1.0
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Defining Abuse and Exploitation

10 mins	Using Briefing Notes for Topic 1 , provide an introduction to the concepts abuse and exploitation.	Briefing Notes for Topic1
35 mins	Introduce and facilitate Exercise 1.1 to illustrate the importance of establishing working definitions for abuse, and exploitation, that are appropriate to the specific context.	Exercise 1.1

Factors Determining Risk of Abuse and Exploitation

30 mins	Following a brief introduction related to Topic 2 Briefing Notes, use Exercise 2.3 to explore with participants, working in groups, the increased risk factors (including decreased protective factors) for refugee and displaced children.	Exercise 2.3.
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Child Labour

10 mins	Using Briefing Notes for Topic 3 provide an introduction to the issue of child labour.	
15 mins	Ask participants to describe types of child work in their region and determine what is acceptable and what is exploitative work, especially in regard to the child's ability to access education.	

Sexual Exploitation

10 mins	Using Briefing Notes for Topic 4 provide an introduction to the issue of sexual exploitation.	
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15 mins	Ask participants what the various forms of sexual exploitation in their region and who are the likely perpetrators.	
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The Legal Standards for Protection

20 mins	Using the Briefing Notes for Topic 5 , introduce the framework of international and national legal instruments that can be used to protect children and adolescents from abuse and exploitation. N.B. As a pre-workshop exercise participants could be requested to collect information on national laws that protect children from exploitation.	Briefing Notes for Topic 5. Handout 5.1.
20 mins	Introduce and facilitate Exercise 5.2 , Case Study - Brigitta, which explores the provisions of the CRC.	Exercise 5.2

Prevention and Intervention

45 mins	Provide a brief introduction using Briefing Notes from Topics 6, 7, and 8, highlighting the importance of the implementation of legal standards and the mobilisation of the community. Facilitate Exercise 7.2 asking participants to consider the prevention and intervention strategies appropriate to their particular context.	Exercise 7.2
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Summary

10 mins	Review learning objectives from the workshop and conduct a brief evaluation.	Evaluation forms
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SESSION PLAN FOR A DAY WORKSHOP ON ABUSE AND EXPLOITATION / CHILD AND ADOLESCENT DEVELOPMENT

This programme has been written in the form of a training plan to demonstrate how materials from more than one Resource Pack can be combined to create a workshop that is customised to the needs of a particular group of participants. It is intended as an example only.

OVERALL AIM

To raise the awareness of participants to the issues of abuse and exploitation, and demonstrate how an understanding of child development can contribute to ensuring appropriate prevention and intervention strategies, taking account of the principle of the child's best interest.

LEARNING OBJECTIVES

By the end of this workshop, participants will be able to:

- establish working definitions of child abuse and exploitation, appropriate to the specific context;
- identify possible risk factors for children within refugee/IDP/returnee communities;
- understand some of the principle threats to the development of children and adolescents in situations of forced migration and conflict;
- understand the concept of resilience and describe ways in which child development can be best promoted for children at different ages and stages of development
- explain why the Convention on the Rights of the Child offers the highest standard of protection and assistance for children;
- devise appropriate programme responses which either help to prevent exploitation or to promote appropriate responses to it;
- understand that the Best Interest Principle must be applied in all situations where decisions are taken about the future of children and adolescents

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Timing	Content	Methods	Materials	Resources & Equipment	Responsibility
10 mins	Introduction	Short input by facilitator	Overhead 1.0: Key Concepts	Overhead projector Flipchart and pens	
15 mins	Introduce the concepts of abuse, neglect and exploitation	Short input by facilitator highlighting the need to establish definitions appropriate to the particular context	Briefing Notes for Topic 1 Overhead 1.2	Overhead projector Flipchart and pens	
35 mins	What is Child Abuse?	Small group exercise Plenary discussion	Exercise 1.1 Overhead 1.2	Overhead projector Flipchart and pens	
45 mins	When Does Work Become Exploitative and What is Sexual Exploitation?	Using Topic 1 Briefing notes provide a brief introduction to the concepts of exploitation and child development Working groups to explore definitions for the two main categories of exploitation	Overhead 1.3 Exercise 1.2 Exercise 1.3	Overhead projector Flipchart and pens	
60 mins	Refugee and Displaced Children are at Increased Risk of Abuse and Exploitation	Short input by facilitator using Topic 2 Briefing Notes Small group exercise Plenary discussion	Exercise 2.1	Flipchart and pens	
60 mins	Risk and Resilience in Children and Adolescents	From the ARC Resource Pack on Child and Adolescent Development use Topic 3	CAD Overheads 3.2 – 3.6 CAD Exercise 3.2: The Importance of Community	Overhead projector	

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		Briefing Notes to introduce the concept of resilience Case Study exercise	Structures for Children’s Development		
45 mins	Promoting Child and Adolescent Development in Programming	Using CAD Topic 5 Briefing Notes introduce key concepts Case Study exercise	CAD Overhead 5.2 CAD Exercise 5.2	Flipchart and pens Overhead projector	
45 mins	The Legal Basis for Protection	Introduce the legal framework of child protection (international, regional and national), with the CRC as a key instrument Small group exercise	Exercise 5.2: Case Study – Brigitta	Overhead projector Flipchart and pens	
60 mins	Prevention and Intervention	Introduce intervention strategies using Topic 6, 7 and 8 Briefing Notes Small group exercise.	Exercise 7.2: Intervention Audit	Flipchart and pens	
40 mins	How to Apply the Best Interest Principle	Using CAD Topic 6 Briefing Notes introduce “Best Interests” Case Study exercise	CAD Exercise 6.1: Case Studies (develop regional examples related to Abuse and Exploitation)	Flipchart and pens	
25 mins	Summary, action-planning and workshop evaluation	Small group action-planning exercise. Evaluation exercise.	Evaluation form.	Overhead projector Flipchart and pens	

Abuse and Exploitation



Overheads

- [1.0](#) Key Concepts
- [1.1](#) Key Learning Points for Topic 1
- [1.2](#) Influences on What Is Considered Abuse or Exploitation
- [1.3](#) Determining Whether Work is Exploitative for Children
- [2.1](#) Key Learning Points for Topic 2
- [2.2](#) Risks Faced by Refugee and Displaced Children
- [3.1](#) Key Learning Points for Topic 3
- [4.1](#) Key Learning Points for Topic 4
- [5.1](#) Key Learning Points for Topic 5
- [6.1](#) Key Learning Points for Topic 6
- [7.1](#) Key Learning Points for Topic 7
- [8.1](#) Key Learning Points for Topic 8
- [9.1](#) Key Learning Points for Topic 9

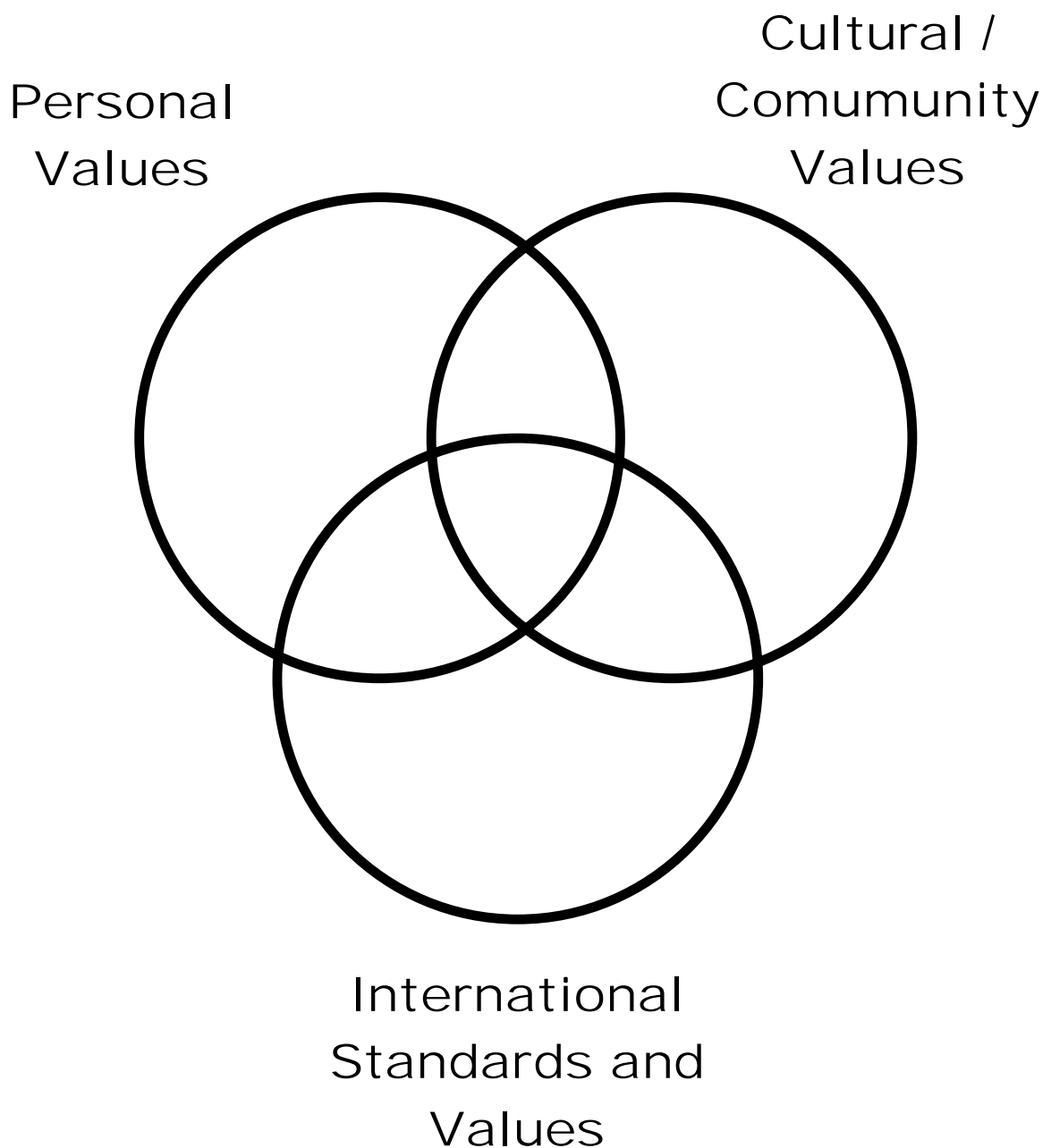
Key Concepts

1. Abuse and Exploitation need to be understood in relation to personal values, cultural and community standards and international standards
2. Refugee and displaced children may be at an increased risk of abuse and exploitation
3. Children undertake a wide range of different kinds of work, some beneficial and socially acceptable, and some exploitative
4. Sexual abuse and exploitation have a devastating effect on the physical and mental health of children, families and communities
5. There are various legal instruments that can be used to protect children
6. Preventive strategies can be developed to protect children from exploitation
7. Various support systems can be developed to protect and assist working children.
8. Skilled and sensitive intervention is required when cases are reported or suspected.
9. Community mobilisation may be appropriate in developing preventive approaches and responding to allegations
10. Child abuse within the family presents especially serious protection issues

Key Learning Points for Topic 1

- ***The term “child abuse” includes physical, emotional and sexual abuse, and neglect.***
- ***In determining whether refugee children’s work is exploitative within the framework of the appropriate laws and guidelines, it is necessary to consider the social, political, economic, and cultural context of the given host and refugee communities, including the influence of a camp, urban, or rural setting. Children’s views should be regarded as a fundamental part of this determination.***
- ***The term “exploitation” can cover a multitude of situations or practices. It will be important that participants are aware of this and agree on a working definition that is appropriate to the specific context.***
- ***There may be other forms of exploitation and abuse that are specific to particular contexts.***

Influences on What Is Considered Abuse or Exploitation



Determining Whether Work Is Exploitative for Children

In determining whether children's work in a particular context should be considered as exploitative, it is important to examine the totality of the children's situation. It will be important to consider such factors as:

- the age of the child;
- the hours spent working each day;
- the level of physical or psychosocial stress work creates;
- the conditions of work;
- the amount of pay;
- the level of responsibility;
- whether the child attends school;
- the level of dignity/self-esteem children maintain;
- whether work contributes to or harms the child's psychosocial and physical development.

Key Learning Points for Topic 2

- *Armed conflict may increase the level of risk and vulnerability of children to becoming victims of abuse and exploitation. When determining a child's level of risk and vulnerability it is important to consider the political, social and economic reality of the situation where the child is living. Poverty is often a root cause of many forms of exploitation.*
- *Refugee and displaced children and adolescents may be at increased risk of exploitative child labour for a variety of reasons; these may include separation from their families, lack of access to education, and the need to take on adult responsibilities such as caring for siblings.*
- *Poverty and social inequalities are significant in determining which children work, the kinds of work they do, and their working conditions. Decisions to work are greatly influenced by whether children have access to relevant education and vocational training.*

Risks Faced by Refugee and Displaced Children

1. Prior to flight
2. During flight
3. In the country of asylum
4. Within the refugee environment
5. During repatriation operations
6. During the reintegration phases
7. Vulnerability and risk are cumulative.
8. Lack of reporting

Key Learning Points for Topic 3

- Children work for a range of different reasons in differing cultural, social and economic circumstances.
- Different types of work can be examined by considering different types of job activity, the work environment, the presence of particular hazards, the perceived benefits of work, and the nature of the employment relationship.
- Gender issues need to be considered.
- The relationship between children's work and education is a complex one. Care needs to be taken in determining whether children's work should be regarded as a problem that needs to be addressed. Children's own views will be essential in determining whether child labour constitutes a protection or assistance problem.

Key Learning Points for Topic 4

- Children may be particularly vulnerable to sexual exploitation given their level of dependency and their limited power and ability to protect themselves. Additional ethnic, gender, cultural, economic and societal factors greatly increase their risk of becoming victims of sexual abuse and exploitation.
- Sexual abuse and exploitation can take a variety of forms including rape, commercial sexual exploitation and domestic abuse. To best address and prevent the occurrence of such abuse it is important to understand how each act is defined.
- The perpetrators of sexual violence and exploitation are diverse. The term perpetrator represents those who indirectly coerce, trick, encourage, organise and maintain the exploitation, as well as those adults who participate in the exploitation directly.
- Sexual exploitation has devastating effects on the physical and mental health of children, including their ability to learn and communicate. There may also be a profound impact on the family and community.
- Where the perpetrator of sexual abuse is a member of the child's family there are particular protection issues.

Key Learning Points for Topic 5

- Legal provisions exist to protect refugee children and adolescents from employment that is likely to be hazardous or to interfere with their education, or be harmful to their development.
- The Convention on the Rights of the Child accords the child the right to be protected from abuse, neglect and exploitation.
- The Convention on the Rights of the Child and its two Optional Protocols, offer provisions to protect children against sexual exploitation and abuse, as well as against trafficking, sale and abduction.
- Sexual violence is a gross violation of fundamental human rights as well as, when committed in the context of armed conflict, a grave breach of humanitarian law.

Key Learning Points for Topic 6

- The prevention of exploitation is obviously preferable to measures to deal with the consequences of it, for children and families.
- For some children, risk factors can be cumulative, so it is essential to respond to their needs promptly.
- A child-centred situation analysis will be an essential pre-condition for the development of a preventive strategy.
- There are many possible strands to a preventive strategy, including: livelihood issues, education and training, awareness raising, measures to protect women and children, visible procedures for reporting and monitoring instances of exploitation, and an effective police and judiciary system.

Key Learning Points for Topic 7

- Refugee children and adolescents should be protected from harmful and exploitative forms of work.
- To reduce the possibility of interventions having unforeseen negative consequences, working refugee children and their families should participate in policy and planning on child work issues.
- Services to support working refugee children may need to be developed and sustained, as well as advocacy work.

Key Learning Points for Topic 8

- UNHCR staff have a duty to intervene whenever cases of sexual abuse or exploitation are reported or suspected: the subjects of sexual violence may need protection, medical and psycho-social care.
- Different situations call for different strategies of intervention.
- There are some important principles to be followed in responding to allegations of sexual abuse.
- Particular issues are raised when the alleged abuser lives in the same household as the child.
- Insensitive or inappropriate intervention can serve to further victimise the survivor. All actions must be taken with the utmost care and sensitivity.

Key Learning Points for Topic 9

- The concepts of child abuse and neglect are relative terms that can only be understood within their particular cultural context.
- Child abuse which contravenes cultural norms needs to be understood by reference to the characteristics of the parents (or other carers), of the child, and the nature of the wider environment.
- Various features of situations of conflict and forced migration may contribute to a rise in child abuse and neglect.
- Child abuse within the family is particularly serious because those charged with protecting him/her are failing to do so.
- Various strategies can be used to prevent child abuse and neglect.
- Responding to allegations of abuse and neglect within the family requires exceptionally skilful and sensitive work.

Abuse and Exploitation



Exercises

1.1	What Is Child Abuse?	Senior Managers, Sector Co-ordinators, Field Staff.
1.2	When Does Work Become Exploitative for Children?	Sector Co-ordinators, Field Staff.
1.3	Defining Sexual Abuse and Exploitation	Senior Managers, Sector Co-ordinators, Field Staff.
2.1	Refugee and Displaced Children Are at Increased Risk of Abuse and Exploitation	Senior Managers, Sector Co-ordinators, Field Staff.
2.2	Case Study – Brigitta	Senior Managers, Sector Co-ordinators, Field Staff.
2.3	How Different Situations Contribute to Increasing Risks of Children and Adolescents	Sector Co-ordinators, Field Staff.
3.1	Situation Analysis of Working Children	Senior Managers, Sector Co-ordinators, Field Staff.
3.2	What Is Acceptable Work and What Is Exploitative Work?	Senior Managers, Sector Co-ordinators, Field Staff.
4.1	Risk Map	Sector Co-ordinators, Field Staff.
4.2	Impact of Sexual Exploitation on Children and Adolescents	Sector Co-ordinators, Field Staff.
4.3	Case Study - Madame X	Senior Managers, Sector Co-ordinators, Field Staff.
5.1	Legal Issues – Exploitative Labour	Senior Managers, Sector Co-ordinators, Field Staff.

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5.2	Case Study – Brigitta	Sector Co-ordinators, Field Staff.
6.1	Identifying Potential Risks of Exploitation During Flight	Senior Managers, Sector Co-ordinators, Field Staff.
6.2	Developing A Situation Analysis Which Will Inform A Prevention Strategy	Sector Co-ordinators, Field Staff.
6.3	Campaign Planning – Prevention	Sector Co-ordinators, Field Staff.
6.4	Slogan Campaign	Sector Co-ordinators, Field Staff.
7.1	Action Plan – Intervention	Sector Co-ordinators, Field Staff.
7.2	Intervention Audit	Sector Co-ordinators, Field Staff.
8.1	Case Study: Sexual Exploitation in Transit Centres	Sector Co-ordinators, Field Staff.
8.2	Intervention: Sexual Exploitation	Sector Co-ordinators, Field Staff.
8.3	Case Study: The Don Bosco Child Protection Unit	Senior Managers, Sector Co-ordinators, Field Staff.
9.1	Case Examples: Abuse Within the Family	Sector Co-ordinators, Field Staff.
9.2	Situation Analysis to Identify Potential Child Abuse in A Given Setting	Sector Co-ordinators, Field Staff.
9.3	Planning an Awareness Campaign	Sector Co-ordinators, Field Staff.

Abuse and Exploitation



Exercise 1.1: (Facilitator's Notes)

What Is Child Abuse?

TARGET GROUP

Senior Managers, Sector Co-ordinators, Field Staff.

OBJECTIVES

By the end of this exercise, participants will be able to:

- give a brief description of the different types of child abuse;
- identify which types of child abuse are prevalent in the participants' local area.

TIME FRAME

15 minutes small groups

20 minutes plenary

METHOD

Provide a short introduction, using **Briefing Notes from Topic 1** to describe abuse and to explain that this definition is influenced by social and cultural factors (use **Overhead 1.2** to illustrate this). Provide locally relevant examples of situations that may be termed abuse in one context but not in another.

Divide participants into small groups and ask them to consider situations/actions that would constitute child abuse *in their own cultural context*. Ask them to decide which of the following categories each situation/action would come under: *Physical abuse; sexual abuse; emotional abuse; physical neglect; emotional neglect*. Having done this, ask the participants to decide which of the above, children are most at risk from in the participants' own working situations.

Plenary: participants to feed into the main group information about the forms of abuse that are most prevalent (or from which children are most at risk) in their working situations.

RESOURCES

Flipchart paper and marker pens.

Abuse and Exploitation



Exercise 1:2: (Facilitator's Notes)

When Does Work Become Exploitative for Children?

TARGET GROUP

Sector Co-ordinators, Field Staff.

OBJECTIVE

By the end of this exercise, participants will be able to:

- describe the factors that determine when it becomes exploitative for children to contribute to their family livelihood.

TIMEFRAME

10 minutes introduction

20 minutes groups

15 minutes plenary session

METHOD

Preparation: before starting this exercise, “draw” a line across the length of the training room, using masking tape. At one end of the line place a card, which has “very exploitative” written on it, and at the other a card with “contribution to the family livelihood”.

Brainstorm with the participants all the tasks or jobs that children and adolescents may be asked to perform in the area that participants are working. Encourage participants to give examples of tasks that they consider to be acceptable for children to perform (e.g. fetching water, looking after animals) as well as those that they consider to be exploitative. Write suggestions on flip chart and at the same time ask an assistant to write each suggestion on individual cards.

Once all the ideas have been noted, distribute cards to participants and ask them to place the cards on the continuum line on the floor in the position that they think is appropriate. Review the position of the cards with the participants and discuss and change positions (by group consent).

Ask the participants to agree at which point along the continuum line working becomes exploitation.

Ask them to analyse the following question (either in the whole group or in smaller groups):

What factors should be taken into consideration when deciding whether the work that a child does is acceptable or exploitative?

Plenary: facilitator to use points from **Briefing Notes for Topic 1** (and **Topic 3**) to inform plenary session (under child labour).

RESOURCES

Flipchart paper and marker pens.

Index or post cards.

Abuse and Exploitation



Exercise 1.3: (Facilitator's Notes)

Defining Sexual Abuse and Exploitation

TARGET GROUP

Senior Managers, Sector Co-ordinators, Field Staff.

OBJECTIVE

By the end of this exercise, participants will be able to:

- define what constitutes sexual exploitation in a specific context.

TIMEFRAME

10 minutes introduction

20 minutes group work

15 minutes plenary session

METHOD

Provide a brief introduction to the subject, using briefing notes from **Topic 1**. Include the information that sexual abuse and exploitation can cover a number of situations and practices.

Use **Overhead 1.2** to illustrate the different influences that determine our understanding. Provide locally relevant examples of what may or may not be considered sexual abuse or exploitation locally. Invite participants to contribute examples.

Participants to work together in small groups. The task: to provide definitions of sexual abuse and exploitation that are culturally and socially relevant to the area in which participants are working.

Plenary: share definitions in large group and work together to develop from these one definition which is acceptable to all.

RESOURCES

Flipchart paper and marker pens.

Abuse and Exploitation



Exercise 2.1: (Facilitator's Notes)

Refugee and Displaced Children Are at Increased Risk of Abuse and Exploitation

TARGET GROUP

Senior Managers, Sector Co-ordinators, Field Staff.

OBJECTIVES

By the end of this exercise, participants will be able to:

- explain why refugee and displaced children and adolescents might be more vulnerable to abuse and exploitation than other children;
- communicate this understanding by producing relevant information materials.

TIMEFRAME

10 minutes introduction

40 minutes small groups

10 minutes plenary

METHOD

Provide a brief introduction to the subject using **Briefing Notes from Topic 2**.

Divide participants into small groups, and ask them to consider the following question:

“Why and how might children and adolescents be at greater risk of abuse and exploitation when they are refugees or IDPs?”

Ask them to make lists of potential risks and the types of abuse and exploitation that children might be vulnerable to in each of the following situations (or use the situations which are relevant to the participants' needs):

In flight; in transit; in refugee camps; in the country of asylum; upon repatriation, resettlement or local integration.

(Facilitators might prefer to divide the tasks so that half of the groups concentrate on sexual exploitation and the other half concentrate on child labour).

When the lists are completed, ask the participants to develop an information bulletin that could be used to inform other workers or members of the communities of these risks. The bulletin can be in the form of a poster, a radio presentation or a leaflet.

Participants to present their bulletins

RESOURCES

Flipchart paper and marker pens.

Abuse and Exploitation



Exercise 2.2: (Facilitator's Notes)

Case Study - Brigitta

TARGET GROUP

Senior Managers, Sector Co-ordinators, Field Staff.

OBJECTIVE

By the end of this exercise, participants will be able to:

- describe the main the risks and vulnerabilities of marginalised children in refugee settings.

TIMEFRAME

10 minutes groups

20 minutes plenary

METHOD

Put participants into small groups, give them flip chart pages and pens and the case study. Give them 5 minutes to read it and then ask them:

How does this case study represent the accumulation of risk and vulnerability for already marginalised children (i.e. those with a disability, refugee status)?

Each group to then feed back into the plenary and discuss the points made.

RESOURCES

Flipchart paper and marker pens.

Copy of case study.

Abuse and Exploitation



Exercise 2.2: (Participants' Notes)

Case Study - Brigitta

OBJECTIVE

By the end of this exercise, you will be able to:

- describe the main the risks and vulnerabilities of marginalised children in refugee settings.

TIMEFRAME

10 minutes groups

20 minutes plenary

METHOD

Take 5 minutes to read the following case study and then list on flip chart pages the answers to the question at the end.

Brigitta was 10 year old when she arrived in her first refugee camp in Northern Croatia from Banja Luka, Bosnia. Her mother left home when she was a baby and she was raised solely by her elderly father who was sick with severe asthma. At a very young age she was forced to assume all household domestic duties and was never allowed to attend any formal schooling. She could neither read nor write. When the Serbian forces invaded Banja Luka in 1993 she fell victim to the infamous "rape camps" and was raped brutally by Serbian soldiers. Following this invasion, Brigitta managed to escape from Banja Luka with her father to a large refugee camp in Northern Croatia. Shortly after she arrived in Croatia Brigitta became extremely introverted and refused to speak. She cut off all of her long hair and refused to leave the tent where she was living. One night while her father was in the hospital for his asthma she was gang-raped by two fellow refugee men who were also in the camp with her. When her father returned the next day he scolded Brigitta for not being "more careful" and with the help of a local NGO they were transferred to another refugee camp on a remote Croatian island. When Brigitta arrived on the island she appeared to be developmentally impaired, unable to grasp basic concepts or communicate her thoughts. When the other refugee children asked where she was from she just looked at them blankly and said she couldn't remember. Despite her adolescent physical appearance she demonstrated the mental capacity of a young child. She was persuaded by the NGO staff to attend the school but she quickly dropped out after the young children taunted her for not knowing how to spell her name. Although some volunteers offered to tutor her privately she appeared depressed, distracted and uninterested during the sessions.

Within a matter of weeks on the island, a 50-year-old male refugee in the camp befriended Brigitta. He became friendly with her father and offered to "watch" Brigitta when her father went for medical treatment on the mainland once a week. It soon became apparent that the man and Brigitta were involved in a sexual relationship, as she emerged from his tent with his pants unzipped and her blouse unbuttoned almost daily. Before too long, it became known that her father was aware of the relationship and condoned it since the man brought him cigarettes, soap and coffee regularly.

As the relationship became more explicit the man was warned by island police authorities to stay away from Brigitta. This however only forced their relationship to become more clandestine, Brigitta referred to the man as "her friend" and seemed unable to understand the problem with their "friendship" and the "games" he taught her to play. Over a period of 2 months Brigitta put on a considerable amount of weight and one of the NGO clinic staff requested that she secretly be brought in for a pregnancy test. The staff member was concerned that Brigitta's father might hurt her if he found out she was pregnant. Brigitta tested negative for pregnancy but positive for a venereal disease despite the fact that she insisted she never had sexual intercourse. When asked if she knew what it meant to be pregnant she simply looked confused and shook her head "No". Within a matter of weeks Brigitta and her father applied to be transferred to another camp in Croatia, in the hope of being repatriated into Bosnia.

How does this case study represent the accumulation of risk and vulnerability for already marginalised children (i.e. those with a disability, refugee status)?

Record your points on a flip chart.

Abuse and Exploitation



Exercise 2.3: (Facilitator's Notes)

How Different Situations Contribute to Increasing Risks for Children and Adolescents

TARGET GROUP

Sector Co-ordinators, Field Staff.

OBJECTIVE

By the end of this exercise, participants will be able to:

- describe the potential risks of exploitation when certain factors are present in a situation.

TIMEFRAME

20 - 40 minutes

METHOD

Ask participants in small groups to study the Participants' Notes for this exercise. Ask them to prioritise the five factors that are most influential in the context of their work.

For each factor ask participants to share with each other in which ways the situation might increase the vulnerability of refugees to abuse and exploitation. Encourage participants to share with each other examples of abuse that they have witnessed in these different situations.

RESOURCES

Copy of the **Participants' Notes** for each participant.

Abuse and Exploitation



Exercise 2.3: (Participants' Notes)

How Different Situations Contribute to Increasing Risks for Children and Adolescents

OBJECTIVE

By the end of this exercise, you will be able to:

- describe the potential risks of exploitation when certain factors are present in a situation.

TIMEFRAME

20 - 40 minutes

METHOD

Please study the factors in the following list then prioritise the five factors that are most influential in the context of your work.

For each factor, discuss ways the situation might increase the vulnerability of refugees to abuse and exploitation. Share with each other examples of abuse that you have witnessed in these different situations.

Which of the following factors/ risks are relevant in the context of your work:

1. Poverty and social inequality
2. Consumerism/materialism
3. Situations of armed conflict
4. Low regard for women
5. Separated and orphan children
6. Mentally and physically disabled children
7. Children belonging to marginalised ethnic groups
8. Poor border controls
9. Ineffective law enforcement
10. Cultural tolerance of child exploitation
11. Poor understanding of legal rights of children

Can you identify any other risks?

Abuse and Exploitation



Exercise 3.1: (Facilitator's Notes) Situation Analysis of Working Children

TARGET GROUP

Senior Managers, Sector Co-ordinators, Field Staff.

OBJECTIVE

By the end of this exercise, participants will be able to:

- develop a situation analysis which could be applied to a situation where participants have identified a problem of child labour.

TIMEFRAME

45 minutes

METHOD

Participants to work in small groups. Ask each group to consider a situation where they know there is a problem of child labour (e.g. a refugee camp, resettlement area, village, displaced community etc.)

Give each group a copy of the participants' notes for this exercise and ask them to work through the questions.

Plenary. Ask each group for feed back on the main points of their discussion and to outline a strategy for the future

RESOURCES

Flipchart paper and marker pens.

Abuse and Exploitation



Exercise 3.1: (Participants' Notes) Situation Analysis of Working Children

OBJECTIVE

By the end of this exercise, you will be able to:

- develop a situation analysis which could be applied to a situation where you have identified a problem of child labour.

TIMEFRAME

45 minutes

METHOD

Participants to work in small groups. Each group is asked to consider a situation where they know there is a problem of child labour (e.g. a refugee camp, resettlement area, village, displaced community etc.)

Read and answer the following questions in your small groups:

1. What is already known about the phenomenon of children's work - e.g. the type of work, age and genders of children, particular work hazards etc.? Make sure that you all understand how "work" is defined - e.g. does it include work within the family?
2. What else will you need to know in order to decide whether intervention is required and what form this might take. Add to this list as the exercise progresses?
3. Identify the main reasons why children work.
4. Identify and discuss the advantages and disadvantages of children's work - to the children themselves and to their families.
5. Try to define the relationship between children's work and school attendance.
6. Define the problem(s) which need(s) to be addressed.
7. Brainstorm ideas on how the problem(s) might be addressed.
8. Plan a strategy (including for the gathering of additional information which might be needed) for improving the situation for these children.

Abuse and Exploitation



Exercise 3.2: (Facilitator's Notes)

What Is Acceptable Work and What Is Exploitative Work?

TARGET GROUP

Senior Managers, Sector Co-ordinators, Field Staff.

OBJECTIVE

By the end of this exercise, participants will be able to:

- assess and describe a number of working situations in terms of their level of exploitation.

TIMEFRAME

25 minutes groups

15 minutes plenary

METHOD

Participants to work in small groups. Give participants the **Participants' Notes**, which is a list of cases describing various examples of children working. Get each group to decide if they consider this type of work exploitative.

Once the participants have selected the most exploitative situations, show them **Overhead 1.2** and ask them to test these situations against the factors outlined on the overhead. Facilitators might like to consider photocopying this overhead as a handout.

Plenary. Ask participants to share any other factors that they consider should be taken into consideration in deciding whether work is exploitative for children. In plenary discuss each case and compare answers.

Part Two

An optional second part to this exercise is to consider intervention strategies for those cases the group has considered exploitative. Ask participants to describe how they might intervene to either stop the exploitation or remove the child from the potential for exploitation.

RESOURCES

Flipchart paper and marker pens.

Participants' Notes and **Overhead 1.2**.

Abuse and Exploitation



Exercise 3.2: (Participants' Notes)

What Is Acceptable Work and What Is Exploitative Work?

OBJECTIVE

By the end of this exercise, participants will be able to:

- assess and describe a number of working situations in terms of their level of exploitation.

TIMEFRAME

25 minutes groups

15 minutes plenary

METHOD

In small groups read the following case examples describing various examples of children working. Decide as a group whether you consider this type of work exploitative.

In plenary discuss each case and compare answers.

WORKING AT HOME

12 year old Sara's mother works in an NGO sponsored health project as a TBA and her father is a labourer. Her elder brother attends school and her mother, when she has some free time, teaches Sara about literacy, numeracy and health issues. Sara's job in the family starts early in the morning when she makes breakfast for the other children in the family. All day she sits in front of the fire cooking or running around, she looks after the babies. Other girls her age are gathering at a neighbour's house for school and some embroidery training, but Sara is so busy that she is not able to go. She would like to play with them.

FIELD WORK

James, a 14-year-old boy, works part time in another family's vegetable plot. During the winter he works less and goes to a local school, but in the summer he spends all day in the fields with his father and brother. James does not make any money himself, but his work makes his father more productive so that he can earn more money. His father is paid by each kilo of vegetables that he picks.

BAKERIES

Sayid, a 10-year-old boy works in a bakery 12 Kilometres from his house. His father was killed in the fighting and his mother brought him and his two brothers to safety. Because the bread making starts early in the day he has to sleep in the

bakery. Sometimes he worries because the bakery owner has threatened him in the past, and it makes him uncomfortable to sleep there. Still his mother needs the money he makes and he doesn't think the work is too dangerous. There is no chance of schooling for him.

CAR MECHANICS

Ali was 7 years old when he started to work in a car mechanic shop 4 kilometres from his house in a camp. His father is very old and can barely support him and his three sisters and their mother with some temporary work he gets in the bazaar. Ali's job is to help repair car batteries. At times he works directly with the battery acid without protective equipment and with very little training. Last month there was an accident in the shop and one of his friends was badly injured. Ali was frightened, but he feels he has to work to bring a small income to his family and to learn a skill for the future. He works from 6 a.m. until 7 p.m. with only a short break for lunch and is often beaten. He is so hungry that it is hard to pay attention to his work.

DOMESTIC SERVANT

11-year-old Fatima is a young girl working as a domestic servant with a family of 11 members. She works from morning till evening, cleaning, washing, shopping, helping with ironing, cooking, looking after the children. She is allowed to go home once a month. She gets a salary that she is not allowed to spend, but gives it to her mother, This is the only income of the family. She is physically abused for mistakes or things she breaks.

GARBAGE COLLECTION

A 10-year-old child, Mohammed, along with his 7-year-old brother collects garbage from one of the residential areas. What he collects, he sells. He comes early in the morning to be the first one to sort out the garbage and goes back home later in the evenings. Most of the time he goes without food, because he cannot afford it, and sometimes he physically hurts himself by putting his hands in the garbage.

BRICK-KILN

Mohammed is an 11-year-old boy and has managed to get a job in a brick-kiln. He makes very little each month working seven days a week 12 hours per day. His earnings are essential for the family.

CARPET WEAVING

Sefia is an Afghan girl aged 7. She comes from a family of renowned carpet weavers and has already been trained to make high quality carpets. She works with other adult women and children sitting for long hours in front of a loom. Sefia has missed school but has acquired a very important skill. The head of the family sells the carpets at a good price and Sefia's family is considered well off.

MINE WORKER

Umer is 16 and works in a mine. He is fit and strong and can easily work ten hours each day. His monthly salary is sent to his family in a refugee camp. He lives with other adult men and boys in a compound provided by the mine owner.

Abuse and Exploitation



Exercise 4.1: (Facilitator's Notes) Risk Map

TARGET GROUP

Sector Co-ordinators, Field Staff.

OBJECTIVES

By the end of this exercise, participants will be able to:

- determine the places within a refugee camp where children might be vulnerable to abuse and exploitation;
- list out ways of minimising these risks.

TIMEFRAME

45 – 60 minutes

METHOD

Participants to work in small groups with flip chart paper and pens.

Provide a brief introduction to the exercise using **Briefing Notes for Topic 4**. Ask the participants first to construct a map of the camp that they are working in on flip chart paper. Ask them to develop different symbols to identify clinics, schools, play area, registration centres, homes etc. Then ask them to discuss which areas in the camp may be places where children are susceptible to exploitation or abuse, and to draw an agreed “danger” symbol beside these areas. They may like to rank the levels of risk by using one, two or three symbols together (three symbols would indicate extreme risk).

Plenary: each group to paste their map to the wall and describe where they have identified areas of risk, what these risks are, and who the potential perpetrators are.

Discussion: lead a discussion on how this information can be used to minimise the risk for children in camps.

Note: Facilitators could also use **Exercise 6.3** here, in which participants are asked to develop a prevention campaign.

RESOURCES

Flipchart paper and marker pens.

Abuse and Exploitation



Exercise 4.2: (Facilitator's Notes)

Impact of Sexual Exploitation on Children and Adolescents

TARGET GROUP

Sector Co-ordinators, Field Staff.

OBJECTIVES

By the end of this exercise, participants will be able to:

- describe the long term detrimental effects of sexual abuse on children;
- explain different types of consequences that might affect a child who has been abused by different members of his/her community.

TIMEFRAME

40 minutes

METHOD

Using the information presented in the **Briefing Notes for Topic 4**, work with the participants to develop a flow chart which analyses the impact of abuse and exploitation on children. This can be done as a whole group exercise or with the participants working in small groups.

Note: there will be some consequences of sexual abuse which will affect all children who have been abused, and there will be others which will vary according to the type of perpetrator. For example, there will undoubtedly be physical and emotional consequences for children who are abused (and these can be explored with the participants), but if the perpetrator is, for example, the child's teacher, there will be another set of consequences which will impact upon the child.

Encourage the participants to consider the following types of consequences:

Physical, emotional, social, and also the issue of secondary trauma (if, for example, the incident of abuse is handled insensitively by another adult).

And include the following potential perpetrators and the effect that their interference might have on a child in the discussion:

1. Members of the armed forces
2. Staff and caregivers at institutions
3. Teachers
4. Neighbours, acquaintances and other refugees

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5. Members of the family
6. Local and foreign “consumers” and organisers of the sex industry
7. Other children

RESOURCES

Flipchart paper and marker pens.

Abuse and Exploitation



Exercise 4.3: (Facilitator's Notes)

Case Study - Madame X

TARGET GROUP

Senior Managers, Sector Co-ordinators, Field Staff.

OBJECTIVES

By the end of this exercise, participants will be able to:

- recognise and describe the particular issues relating to institutional sexual abuse of children;
- explain strategies for preventing and dealing with the institutional sexual abuse of children.

TIMEFRAME

45 minutes

METHOD

Divide the participants into small groups. Give each group a copy of the participants' notes for this exercise. Allow 30 minutes for reading the case study and discussing the questions. Ask them to present a summary of their answers on a flip chart.

Plenary: groups to share the answers to the questions.

RESOURCES

Copy of the **Participants' Notes** for each participant.

Flip chart paper and marker pens.

Abuse and Exploitation



Exercise 4.3: (Participants' Notes)

Case Study - Madame X

OBJECTIVES

By the end of this exercise, you will be able to:

- recognise and describe the particular issues relating to institutional sexual abuse of children;
- explain strategies for preventing and dealing with the institutional sexual abuse of children.

TIMEFRAME

45 minutes

METHOD

Work in small groups. Read the case study below and, in your group, discuss the questions. Write a summary of your answers on flip chart.

Plenary: each group will share their answers to the questions.

CASE STUDY: MADAME X

Before the war, Madame X was a well-known and respected member of the community in Liberia. She worked as a social worker mobilising women's groups and their communities. When the war began, her husband was killed. Madame X spent what money she had travelling to the U.S. with her children. She settled her children in the U.S. then returned to Liberia when her money ran out.

Sometime after her return to Liberia, Madame X travelled to Danane in Northern Côte d'Ivoire where there was an enormous refugee population. In a short time it became apparent that the leadership of the refugee population in Danane was strong and would not tolerate irregular behaviour. Madame X returned to Liberia and then travelled to Tabou an area populated by many thousands of refugees through the South East of Liberia.

Once in Tabou she started to make contact with Liberian refugee girls aged between 14 and 18. Most of the girls had lost their parents, either in attacks or when fleeing Liberia. Many of them were living in groups or with people who had taken them in. At first the girls trusted Madame X and were glad to see her. Many of them had known her in Liberia or knew of her reputation as a social worker. Many of the girls called her Aunt and it was not difficult for her to persuade them to agree to pretend to be her nieces and other relatives when asked.

Using her standing in the community as “mother” and “Aunt” it was possible to start her activities in Tabou without raising any suspicions. Using her reputation as a social worker she set up a centre for unaccompanied girls and claimed that legitimate activities were happening there. In fact the centre was constructed with booth like rooms and a list of client prices was drawn up and the girls were forced into prostitution. The girls were not paid for their services but were told that they were being “looked after” by their mother and working for their keep. They received clothes, make-up, food and occasionally a little money. Some of the girls were additionally sent out during the day to work in domestic service for families of foreigners in the area who felt they were helping the girls from the centre by providing them with income generating work.

After some time, the community in Tabou became worried and went to the UNHCR office to report on Madame X’s activities. UNHCR made investigations but found it hard at first to reveal the true nature of what was happening. However, it was revealed that some of the girls had run away, others had become pregnant, some had gone with their “partners” and many had nowhere to go.

Despite the fact that she was arrested, Madame X managed to get free and was last heard of in Liberia.

Questions

1. What combination of circumstances led to the abuse of the children at the “girls centre”?
2. What could have been done to prevent the exploitation occurring in the first place, and what could have been done to stop it early on?

Abuse and Exploitation



Exercise 5.1: (Facilitator's Notes) Legal Issues: Exploitative Labour

TARGET GROUP

Senior Managers, Sector Co-ordinators, Field Staff.

OBJECTIVE

By the end of this exercise, participants will be able to:

- to initiate a preliminary discussion about the international and national legal and other instruments that might be used to protect refugees from labour and sexual exploitation.

TIMEFRAME

10 minutes in small groups

20 minutes large group discussion

30 minutes if you do the exercise in plenary

METHOD

This can be done in small groups or as a plenary exercise. If the number of participants is above 10 then break up into smaller groups.

Select a sample of the questions, DON'T use them all. Either write the selected questions onto a flipchart or if working in a large group read them out as the discussion progresses

If you break into small groups then each group should feed back into the large group. The points from all groups can then be discussed.

RESOURCES

Flipchart paper and marker pens.

QUESTIONS

1. Which international laws are relevant to protecting refugee children and adolescents from exploitative labour?
2. Are their regional laws, national laws, or customary laws which address these issues?

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3. How has the government of the country of asylum protected children and adolescents from exploitative labour? Have the same standards been enforced for refugee children and adolescents?
4. How can NGOs and UNHCR best use these legal tools and instruments to protect children in your region?
5. What types of concerns do you think would prevent victims from taking legal action?

Abuse and Exploitation



Exercise 5.2: (Facilitator's Notes)

Case Study- Brigitta

TARGET GROUP

Sector Co-ordinators, Field Staff.

OBJECTIVE

By the end of this exercise, participants will be able to:

- to look at the potential for sexual exploitation in transit camps and how the law might be used in this type of situation.

TIMEFRAME

10 minutes groups

20 minutes plenary

METHOD

Put participants into small groups, give them flip chart pages and pens and invite them to read the case study in the **Participant's Notes**. Give them 5 minutes to read it and then ask them to give answers to:

How could have the Convention on the Rights of the Child and the Refugee Children Guidelines on Protection and Care been used to intervene on Brigitta's behalf to stop the exploitation and minimise her vulnerability?

Each group to then feedback into the plenary and discuss the points made.

RESOURCES

A copy of the **Participant's Notes** for each participant.

Flipchart paper and marker pens.

Abuse and Exploitation



Exercise 5.2: (Participants' Notes)

Case Study - Brigitta

Take 5 minutes to read the following case study, discuss fully and then list on flip chart pages the answer to the question at the end.

Brigitta was 10 year old when she arrived in her first refugee camp in Northern Croatia from Banja Luka, Bosnia. Her mother left home when she was a baby and she was raised solely by her elderly father who was sick with severe asthma. At a very young age she was forced to assume all household domestic duties and was never allowed to attend any formal schooling. She could neither read nor write. When the Serbian forces invaded Banja Luka in 1993 die fell victim to the infamous "rape camps" and was raped brutally by Serbian soldiers. Following this invasion, Brigitta managed to escape from Banja Luka with her father to a large refugee camp in Northern Croatia. Shortly after she arrived in Croatia Brigitta became extremely introverted and refused to speak. She cut off all of her long hair and refused to leave the tent where she was living. One night while her father was in the hospital for his asthma she was gang-raped by two fellow refugee men who were also in the camp with her. When her father returned the next day he scolded Brigitta for not being "more careful" and with the help of a local NGO they were transferred to another refugee camp on a remote Croatian island. When Brigitta arrived on the island she appeared to be developmentally impaired, unable to grasp basic concepts or communicate her thoughts. When the other refugee children asked where she was from she just looked at them blankly and said she couldn't remember. Despite her adolescent physical appearance she demonstrated the mental capacity of a young child. She was persuaded by the NGO staff to attend the school but she quickly dropped out after the young children taunted her for not knowing how to spell her name. Although some volunteers offered to tutor her privately she appeared depressed, distracted and uninterested during the sessions.

Within a matter of weeks on the island, Brigitta was befriended by a 50 year old male refugee in the camp. He became friendly with her father and offered to "watch" Brigitta when her father went for medical treatment on the mainland once a week. It soon became apparent that the man and Brigitta were involved in a sexual relationship, as she emerged from his tent with his pants unzipped and her blouse unbuttoned almost daily. Before too long, it became known that her father was aware of the relationship and condoned it since the man brought him cigarettes, soap and coffee regularly.

As the relationship became more explicit the man was warned by island police authorities to stay away from Brigitta. This however only forced their relationship to become more clandestine, Brigitta referred to the man as "her friend" and seemed unable to understand the problem with their "friendship" and the "games"

he taught her to play. Over a period of 2 months Brigitta put on a considerable amount of weight and one of the NGO clinic staff requested that she secretly be brought in for a pregnancy test. The staff member was concerned that Brigitta's father might hurt her if he found out she was pregnant. Brigitta tested negative for pregnancy but positive for a venereal disease despite the fact that she insisted she never had sexual intercourse. When asked if she knew what it meant to be pregnant she simply looked confused and shook her head "No". Within a matter of weeks Brigitta and her father applied to be transferred to another camp in Croatia, in the hope of being repatriated into Bosnia.

How could have the Convention on the Right of the Child and the Refugee Children Guidelines on Protection and Care been used to intervene on Brigitta' s behalf to stop the exploitation and minimise her vulnerability?

Record these on a flip chart.

Abuse and Exploitation



Exercise 6.1: (Facilitator's Notes)

Identifying Potential Risks of Exploitation During Flight

TARGET AUDIENCE

Senior Managers, Sector Co-ordinators, Field Staff.

OBJECTIVES

By the end of this exercise, participants will be able to:

- describe how refugees may become vulnerable to exploitation during flight;
- generate options for managing the different potential points of vulnerability.

TIMEFRAME

45 minutes

METHOD

In small groups ask participants to list examples of interactions between adults and children which may expose children to a particular form of exploitation during different stages of the refugee experience.

Then ask them to describe how each stage of flight affected their level of vulnerability?

Discuss and review the lists in the large group.

In small groups get participants to list strategies that could reduce the possibilities of exploitation at the various stages of flight.

Discuss and review the lists in the large group.

RESOURCES

Flipchart paper and marker pens.

Abuse and Exploitation



Exercise 6.2: (Facilitator's Notes)

Developing A Situation Analysis Which Will Inform A Prevention Strategy

TARGET GROUP

Sector Co-ordinators, Field Staff.

OBJECTIVES

By the end of this exercise, participants will be able to:

- use a framework for analysing a situation in which sexual exploitation is widespread;
- develop a preventive strategy.

TIMEFRAME

45 minutes small group discussion

20 - 30 minutes plenary discussion

METHOD

Participants are invited to read the case study and discuss the questions at the end of it. If appropriate, the case study (with amendments if necessary) can be related to a refugee situation relevant to the participants' experiences. Facilitators may wish to consider using this exercise in conjunction with the **ARC Resource Pack on Situation Analysis (notably Topics 3 and 4)**.

RESOURCES

Flip charts and pens.

Abuse and Exploitation



Exercise 6.2: (Participants' Notes)

Developing A Situation Analysis Which Will Inform A Prevention Strategy

TARGET GROUP

Sector Co-ordinators, Field Staff.

OBJECTIVES

By the end of this exercise, you will be able to:

- use a framework for analysing a situation in which sexual exploitation is widespread;
- develop a preventive strategy.

TIMEFRAME

45 minutes in small groups

20 - 30 minutes feedback to large group

METHOD

Read the attached case study and discuss the questions at the end of it.

CASE STUDY: SEXUAL EXPLOITATION AND EARLY MARRIAGE

In a refugee camp of some 20,000 people, staff of an international NGO started to become concerned at the escalating number of early marriages: frequently girls as young as 12 and 13 were being married by boys in their teens. The camp houses refugees who fled from the civil war in a neighbouring country in which civilians were indiscriminately attacked, women and girls raped and people of all ages abducted into guerrilla forces.

Informal discussions with community leaders and young people themselves have revealed the following information:

- there has been a widespread breakdown in social norms and values, and this applies particularly in relation to sexual behaviour. There is widespread fear and some suggestion that girls and women are trading sex for protection.
- humanitarian staff have been implicated in a number of instances of sexual exploitation of refugee girls.
- there is a significant number of adolescents living on their own or in small groups.

- many young girls have been coerced into sexual relationships by adolescent boys and there has been a widespread sense of parental inability to control the situation. There are indications of a generalised feeling of powerlessness and hopelessness to change the situation.
- in response to the high level of sexual activity among young people, many community leaders have encouraged the formalisation of sexual relationships into *de facto* marriages, despite the fact that many parents have been reluctant to agree to this.
- there is some likelihood of organised repatriation within the foreseeable future. There are rumours that land may be allocated to “households” and that this may have encouraged some families to see their adolescent children married off in order to benefit from this.
- although there are primary schools in the camp, provisions for secondary and vocational education are very limited. Hence there are many adolescents with nothing to do, and there are virtually no opportunities for paid work in the area.

DISCUSSION QUESTIONS

1. On the basis of the above information, and considering it from the point of view of concerned agencies (including a children’s rights international NGO and UNHCR), try to define the preventive problem(s) which need to be addressed.
2. Devise a strategy for more detailed analysis of the problem and its wider context. This strategy needs to include a statement about:
 - what further information will be needed?
 - who needs to be involved in examining the problem further?
 - what methods and techniques will be used in analysing the situation?
3. On the basis of the limited information that is already available, brainstorm ideas on the kind of responses which might be developed.

Record your findings on a flip chart for presentation to the plenary session.

Abuse and Exploitation



Exercise 6.3: (Facilitator's Notes) Campaign Planning – Prevention

TARGET AUDIENCE

Sector Co-ordinators, Field Staff.

OBJECTIVES

By the end of this exercise, participants will be able to:

- explain the importance of involving the local community, institutions and outside organisations in developing strategies for prevention;
- describe the different roles that each can play in developing an effective prevention strategy.

TIMEFRAME

60 minutes in groups

30 minutes large groups

METHOD

This exercise is to plan a campaign to increase community or camp residents' awareness of the issues around the prevention of exploitation. The campaign should reflect the local situation and involve the local structures.

Put the participants in groups. If there are existing teams or logical groups that should work together use these, however if not then use random groups.

They are to plan a campaign to raise awareness, either in the local community or local organisations, as to what can be done to prevent exploitation. The campaign is to reflect the local situation and the resources available and must work through the local structures.

Each group is to have 10 minutes to present their campaign plan and allow up to 20 minutes to review the overall process and reinforce the key learning points.

*Note: This exercise can be used as a follow up to **Exercise 4.1** in which participants map out areas of risk within a camp*

RESOURCES

Flipchart paper and marker pens.

Abuse and Exploitation



Exercise 6.4: (Facilitator's Notes)

Slogan Campaign: Poster or T-shirt

TARGET GROUP

Sector Co-ordinators, Field Staff.

OBJECTIVES

By the end of this exercise, participants will be able to:

- develop a simple awareness campaign to raise general awareness of exploitation and wider child rights issues;
- devise strategies for informing local populations about the existence of various forms of exploitation.

TIMEFRAME

20 - 45 minutes in small groups

10 - 30 minutes feedback to large group

METHOD

The exercise can be used at the end of a workshop with any group. It is intended to consolidate the learning and provide a fun end to the session. The slogan may be able to be used in a camp or the community as part of a wider education programme.

Invite participants to work in groups of three to four people. Explain that the purpose is to create an appropriate slogan that can be used for a poster or T shirt campaign to increase awareness among the local community on how to help prevent exploitation and uphold children's rights. Use the time you have available so that participants prepare the slogan and then share them with the large group.

If you have more time and suitable materials, then participants could create posters that could be used in the community/camp.

RESOURCES

Flipchart paper and marker pens.

Abuse and Exploitation



Exercise 7.1: (Facilitator's Notes)

Action Plan – Intervention

TARGET GROUP

Sector Co-ordinators, Field Staff.

OBJECTIVES

By the end of this exercise, participants will be able to:

- explain the issues in developing a strategy for protecting refugee children;
- describe the process and methodology for involving the community in developing this strategy;
- develop an action plan for working with communities to protect their children from abuse and exploitation.

TIMEFRAME

20 - 45 minutes in small groups

10 - 30 minutes feedback to large group

METHOD

The protection of refugee children is most effective when undertaken with or by local communities; local communities are closest to families and often take responsibility for the protection of children in their villages/localities.

The purpose of this exercise is to create an action plan which outlines the issues and the processes that need to be considered when seeking to involve a community in a programme of intervention to address exploitation of children.

Ask the participants to work in small groups. Their task is to:

1. consider the issues that should be addressed in setting up a community led strategy for protecting refugee children from abuse and exploitation;
2. consider the process and the methodology of involving the community in developing this strategy;
3. devise an action plan which will be effective in protecting refugee children from abuse and exploitation in participants' working environment.

The groups will come together and share the key points of each of their plans. Ensure that they have covered the key points.

RESOURCES

Flipchart paper and marker pens.

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Exercise 7.2: (Facilitator's Notes) Intervention Audit

TARGET GROUP

Sector Co-ordinators, Field Staff.

OBJECTIVES

By the end of this exercise, participants will be able to:

- identify which of a list of activities can be considered intervention strategies;
- identify which of these strategies is in operation in their area of work;
- determine ways in which these strategies might become more effective prevention strategies.

TIMEFRAME

45 minutes

METHOD

Brief introduction to participants using **Briefing Notes for Topic 7**, which details a number of possible intervention strategies.

Divide participants into small groups of people who are working in the same situation, if possible, and give each group a copy of the Participants' Notes for this exercise.

Ask them to look through the list of activities described. Their task is to:

1. identify which of the activities cited are happening in their own working environment;
2. identify other activities which are taking place in their own working environment and which also act as intervention/prevention strategies for vulnerable children;
3. for each one of the activities cited above, participants should decide in which ways they are acting as intervention strategies and, in their opinion, how effective they are in prevention children from abuse and exploitation;

Ask participants to summarise their discussions on flip chart.

Plenary: short plenary to share key points to emerge from small group discussions.

If time permits, participants can be encouraged to consider ways in which some of the above strategies could become more effective in protecting vulnerable children from exploitation or abuse.

RESOURCES

Copy of the **Participants' Notes** for each participant.

Flip chart paper and marker pens.

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Exercise 7.2: (Participants' Notes) Intervention Audit

OBJECTIVES

By the end of this exercise, participants will be able to:

- identify which of a list of activities can be considered intervention strategies;
- identify which of these strategies is in operation in your area of work;
- determine ways in which these strategies might become more effective prevention strategies.

TIMEFRAME

45 minutes

METHOD

Work in small groups of people who are working in the same situation.

Read through the list of activities described below and then:

1. identify which of the listed activities are happening in your own working environment;
2. identify other activities which are taking place in your own working environment and which also act as intervention/prevention strategies for vulnerable children;
3. for each one of the activities listed above, decide in which ways they are acting as intervention strategies and, in your opinion, how effective they are in preventing children from abuse and exploitation.

Summarise the main points of this discussion on a flip chart. There will be a plenary session in which you can share the key points to emerge from your discussions.

ACTIVITIES WHICH POTENTIALLY ADDRESS THE ISSUE OF EXPLOITED CHILDREN

1. Printing and dissemination of information on children's rights to authorities (national and international laws/instruments).
2. Awareness raising of possible exploitation i.e. round table seminars, mass media, interviews with local media.
3. Research/studies on exploitation in the region.
4. Establishment of education centres (including non-formal education) in camps or areas where children may be vulnerable.
5. Rehabilitation of schools/provision of equipment/books.
6. Material assistance for children (shoes, clothes, sporting/recreational equipment).
7. Tolerance education for children including information on their rights.
8. Income generation (e.g. micro-credits).
9. Adolescent/apprenticeship programmes.
10. Develop/foster women/children support NGOs.
11. Creation of women/children social/resource crisis centre.
12. Emergency accommodation at the border.
13. Life skills, language and reproductive health programmes.
14. Social, medical and financial assistance vulnerable groups.
15. Better parenting skills training.

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16. Access to counsellors.

17. Summer camp.

18. Skills training for teachers in areas of refugee and IDPs.

19. Capacity building of border guards and law enforcement officials.

Abuse and Exploitation



Exercise 8.1: (Facilitator's Notes)

Case Study: Sexual Exploitation in Transit Centres

TARGET GROUP

Sector Co-ordinators, Field Staff.

OBJECTIVES

By the end of this exercise, participants will be able to:

- describe the risks of children being sexually exploited in transit camps;
- explain the most effective ways of dealing with these situations;
- assess the usefulness of existing guidelines and policies in these circumstances.

TIMEFRAME

30 minutes groups

20 minutes plenary

METHOD

Divide participants into small groups, give them flip chart sheets and pens and the participants' notes. Give them 5 minutes to read it and then give them the questions. Depending on time available and the focus of the session, participants can address all or just some of the questions.

Each group is to then feedback into the plenary and discuss the points made.

RESOURCES

Flipchart paper and marker pens.

Copies of **Participants' Notes**.

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Exercise 8.1: (Participants' Notes)

Case Study: Sexual Exploitation in Transit Centres

OBJECTIVES

By the end of this exercise, you will be able to:

- describe the risks of children being sexually exploited in transit camps;
- explain the most effective ways of dealing with these situations;
- assess the usefulness of existing guidelines and policies in these circumstances.

TIMEFRAME

30 minutes groups

20 minutes plenary

METHOD

Take 5 minutes to read the following then:

1. Discuss fully and list on flip chart pages the answer(s) to the question(s).
2. Each group to feed back into the plenary and discuss the points made.

You are a protection officer working for UNHCR in Country HOMELAND, to which hundreds of thousands of refugees are returning under a massive UNHCR voluntary repatriation programme.

Under this programme refugees are transported from refugee camps in neighbouring countries of asylum to temporary transit centres in HOMELAND. The transit centres are run by UNHCR through its implementing partner, WELCOME. Returnees normally remain at the transit centre for a few days, where they are registered and receive food and non-food items. Subsequently they are transferred by UNHCR to their homes.

Included amongst the returnees to HOMELAND are thousands of separated children. Some of these children are repatriating alone and others are returning with the foster families with whom they lived in countries of asylum. As a result, UNHCR has set up special measures for separated children at the transit centres. All separated children are interviewed and registered by WELCOME social workers for purposes of tracing and family reunification. Children who are completely alone are taken by WELCOME from the transit centres to one of the

many children's centres located throughout HOMELAND. Children who are with foster families generally remain with the foster families.

PROBLEM: DAY 1

Late on a Friday afternoon, you receive an urgent call on the radio from a WELCOME camp manager operating a transit camp located nearby. She advises that she has just learned from one of her social workers that a 12 year old girl, who recently arrived at the transit centre with a foster father, is being sexually abused by the foster father. She asks you to come immediately.

When you arrive at the transit centre, the WELCOME social worker who knows about the case fills you in on the details. Approximately one week ago, a man with four young children aged between 3 and 12 arrived from a country of asylum with a UNHCR convoy to the transit centre. He claimed that he was their foster father, however he had no registration papers indicating this, as is normally the case. The children appeared to the social workers to be in very poor health. After a few days, some other returnees at the transit centre reported to the WELCOME social worker that the man was sexually abusing one of the children, a girl aged 12 years. The social worker tried to take the four children to a children's centre, but the man refused. The social worker became angry and went to the local authorities to arrest the man, but the authorities refused for lack of medical evidence. Eventually the social worker told his supervisor, the WELCOME camp manager, who immediately contacted you.

After hearing the story you ask the social worker to find the four children. He manages to find three of them, but the girl who had allegedly been abused ran away when she found out that the social worker was looking for her so that "UNHCR could take her away."

CONSIDER QUESTIONS 1 AND 2:

You speak to the children, who are dirty and poorly clothed, but so are most of the children at the transit centre. You also speak with various people about the case, but the neighbours at the transit centre who had reported the case to the social worker are now reluctant to talk. Two hours have passed, it is getting dark and close to curfew, and the girl has still not returned.

CONSIDER QUESTION 3

PROBLEM: DAY 2

You arrive at the centre early the next morning and meet with the WELCOME manager. She advises that the girl has not yet returned. She also advises that after you left yesterday evening, she decided to "lock up" the man in a small room where non-food items are stored, to ensure that he will not harm the other children. While you are talking the girl returns.

CONSIDER QUESTION 4

The WELCOME manager releases the man. You explain to the man that you would now like to take all four children to the children's centre. The man agrees

that the three younger children can be taken to the children's centre, but refuses to part with the oldest girl. He says that she will refuse to go anyway.

Using the WELCOME social worker as an interpreter you decide to talk to the girl alone. She insists that she wants to stay with the man and refuses to come to the centre.

CONSIDER QUESTIONS 5 TO 8

Questions

1. Should you take any action before going to the transit centre?
2. At the transit centre who should you speak to? What type of information should you try to obtain? Where and how should the interviews be conducted?
3. What action do you take:
 - with respect to the girl?
 - with respect to the man?
 - with respect to the other children?
4. What do you think of the action of the WELCOME manager in locking up the man?
5. What should you do? Are there any international instruments or UNHCR Guidelines that might assist you in making your decision?
6. UNHCR Policy favours fostering, seeing children's centres as a last resort. However, is fostering possible in a situation like this? How can UNHCR protection staff monitor the situation of children in foster families?
7. What are the various roles of the parties involved in a case like this: UNHCR (Protection and Community Services) NGOs Government? How might they be better co-ordinated?
8. How might this problem have been avoided at an earlier stage?
 - In the country of asylum?
 - In HOMELAND?
9. Do any UNHCR Guidelines provide assistance?
10. Are these practical in the circumstances?

Abuse and Exploitation



Exercise 8.2: (Facilitator's Notes)

Intervention: Sexual Exploitation

TARGET GROUP

Sector Co-ordinators, Field staff.

OBJECTIVES

By the end of this exercise, participants will be able to:

- analyse the strengths and weaknesses of the way in which an intervention (known to them) was handled;
- identify learning points from this analysis.

TIMEFRAME

45 minutes

METHOD

Participants to work in pairs. Each pair is asked to choose a situation, known to one or both of them, where a young person was sexually abused or exploited in a refugee context. The task is to chart how the situation was handled from the first moment that it was either discovered or reported. Who was involved? How did they deal with the situation? How did the young person react? How was the perpetrator dealt with? Make notes on paper or flip chart.

Having done this, ask the participants in the same pairs to develop a SWOC analysis (Strengths, Weaknesses, Opportunities, Constraints) of how the situation was handled. If facilitators are not familiar with this method, it is fully described in the ARC Facilitator's Toolkit.

From this analysis, participants are asked to draw up guiding principles about handling such interventions.

Plenary: Pairs to share with each other the guiding principles that they have drawn up (either by presenting them on flip chart or by talking through them).

Facilitator to give copies of Participants' Notes for this exercise.

RESOURCES

Flip chart paper and marker pens. Copy of **Participants' Notes**.

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Exercise 8.2: (Participants' Notes) Intervention - Sexual Exploitation

OBJECTIVES

By the end of this exercise, you will be able to:

- analyse the strengths and weaknesses of the way in which an intervention (known to them) was handled;
- identify learning points from this analysis.

TIMEFRAME

45 minutes

METHOD

Working in pairs, choose a situation, known to one or both of you, where a young person was sexually abused or exploited in a refugee context. The task is to chart how the situation was handled from the first moment that it was either discovered or reported. Who was involved? How did they deal with the situation? How did the young person react? How was the perpetrator dealt with? Make notes on paper or flip chart.

Having done this, in the same pairs develop a SWOC analysis (Strengths, Weaknesses, Opportunities, Constraints) of how the situation was handled.

From this analysis, draw up guiding principles about handling such interventions.

Be ready to share in plenary the guiding principles that you have drawn up (either by presenting them on flip chart or by talking through them).

Key Points to Remember

(UNHCR Sexual Violence Against Refugees: Guidelines on Prevention and Response)

- **Ensure the physical safety of the victim.**
- **Prevent any further suffering by the victim.**
- **Be guided by the best interests of the victim.**
- **Respect the victim's wishes in all instances.**

Strict confidentiality is essential.

Wherever possible, a victim's anonymity should be maintained.

Written information on the victim must be kept locked and secure from others.

If confidentiality is breached it could bring grave consequences for the victim, particularly if adequate protection is not in place. It may discourage others from coming forward.

- **Be sensitive, discreet, friendly and compassionate when dealing with the victim.**
- **Ensure same-gender interviewer/interpreter/doctor.**

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Exercise 8.3: (Facilitator's Notes)

Case Study: The Don Bosco Child Protection Unit

TARGET GROUP

Senior Managers, Sector Co-ordinators, Field Staff.

OBJECTIVE

By the end of this exercise, participants will be able to:

- describe an effective intervention strategy which uses a community mobilisation approach;
- explain how they might adapt or apply elements of this strategy in their own working situations.

TIMEFRAME

45 – 60 minutes

METHOD

Participants to work in small groups. Give each group a copy of the **Participants' Notes** for this exercise.

Ask them to read the case study and to address the task at the end of it.

Plenary session.

The following key points may be useful when conducting the plenary session.

Key Elements of the Approach

The following are some of the key elements of the approach that may usefully be applied to other contexts:

- an overall community mobilisation approach is taken: the football teams and the Child Monitors are used as entry-points into urban communities, and the approach empowers the community not only to acknowledge child protection issues but also to take responsibility for preventing abuses and responding to them when they come to light;
- the whole approach seeks to counteract a culture of corruption, an atmosphere of violence and a pervasive sense of powerlessness and to enable people to see that they can take collective action to respond positively;

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- the involvement of young people as social actors in being concerned about, and in taking responsibility for, child protection issues;
- a child-to-child approach in promoting leadership among children and encouraging young people to be concerned about each other's concerns and rights;
- a networking approach which seeks to diffuse knowledge of children's rights and child protection broadly within schools and local communities;
- the programme aims to particularly target disadvantaged and vulnerable young people, while at the same time it adopts an inclusive approach which seeks to integrate them into their local community, foster a sense of belonging, and to counteract tendencies for marginalisation;
- in this African context it is important that the work emphasised both children's rights and their responsibilities.

RESOURCES

Participants' Notes for this exercise.

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Exercise 8.3: (Participants' Notes)

Case Study - The Don Bosco Child Protection Unit

OBJECTIVES

By the end of this exercise, you will be able to:

- describe an effective intervention strategy which uses a community mobilisation approach;
- explain how you might adapt or apply elements of this strategy in your own working situation.

TIMEFRAME

45 – 60 minutes

METHOD

In small groups, read the following case study and then address the task set at the end.

There will be a plenary session for you to share the results of your discussions.

THE DON BOSCO CHILD PROTECTION UNIT IN LIBERIA

1. BACKGROUND AND CONTEXT

During the period following the long and complex civil war in Liberia, the Don Bosco Child Protection Unit became involved in the demobilisation and rehabilitation of child soldiers and was also working with young people living and/or working on the streets. They became aware of a marked increase in the abuse and exploitation of children, both within the family and within the wider communities, many of which contained numerous displaced people. There was a perception that the comparatively wealthy and powerful could exploit the poor and powerless at will, and within the communities there was a sense of fatalism and that nothing could be done about this. Behaviour that traditionally would have been seen as wholly outside of cultural norms had become almost regarded as a norm. This reflected the breakdown in social norms during the war period and the widespread violence and brutality which characterised the war.

2. THE DON BOSCO'S APPROACH

The approach adopted aimed to combine the deployment of child protection workers with an attempt to involve members of the community directly in protection

issues. The approach had three main components.

2.1 Community Teams

They started a programme that sought to use existing community football teams as entry points into the community. The football teams catered for different ages from 8 years upwards. Each one particularly targets disadvantaged young people, including children living on the streets, though any child can be accepted. Each team has a coach - usually a youth or young adult and also at least one "Contact Person", an adult living in the local community who would act as a formal link to Don Bosco's Child Protection Workers. The team members are encouraged to share child protection issues - including actual allegations of abuse - and where possible these would be dealt with by a community mobilisation approach, facilitated by a combination of the contact persons and the Child Protection Workers. There is now a growing programme of kick-ball teams for girls that adopt the same approach.

One example of their work is that of a 9 year old girl who had been raped by someone in the community, and as well as dealing with the particular case, they got members of the community, including significant community leaders, together and talked about the wider issue. The result was that the community deployed an older man to keep an eye on the children after school, which was the period when risk was perceived to be high.

The overall aim is the empowerment of the community to recognise child protection issues, to exercise a sense of ownership for preventing and responding to them. Sometimes the Contact Persons become involved in other community development activities - e.g. mobilising people to respond to issues such as access to drinking water.

The coaches and Contact Persons receive training in workshops, covering issues relating to children's rights, child protection issues and leadership.

2.2 Junior Counsellors and Child Monitors

The idea of this approach emerged from a retreat weekend for children attending Catholic schools. In each of 13 Catholic Schools, they try to deploy one Junior Counsellor in each class and they are provided with training on children's rights, peer counselling, youth leadership and "palarvar management", which consists of conflict resolution skills. Some of these children also take on the role of Child Monitor within their local community, again with a particular brief to look out for children's rights and child protection issues. Other children are invited to approach them with any concerns regarding child protection and children's behaviour, and in some cases they will take the initiative in approaching other children if they are concerned about their behaviour or protection.

They became concerned about the behaviour of some teachers and started challenging the system - for example by pointing out the corrupt system of "buying" grades and they challenged a principal who was physically abusing children. These Junior Counsellors and Child Monitors form a network and they hold meetings to discuss their work and issues arising from it. The teachers surprisingly accepted the idea of their role - initially they were afraid of the children becoming "frisky" but most could see the value of their work, especially when they were at pains to emphasise children's responsibilities as well as their rights. As with the football teams, the Junior Counsellors and Child Monitors have access to

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Don Bosco's Child Protection Workers where it is necessary to involve them with individual cases or broader community concerns.

The whole programme comes together in a pattern of regular "Network" meetings involving representatives of the Contact persons, Junior Counsellors/Child Monitors, Child Protection Workers, other Don Bosco staff and colleagues from the Catholic college and education secretariat, to debate common issues and concerns and to decide on appropriate courses of action.

GROUP TASK

In small groups, you are invited to consider this case study and then discuss whether it is possible to apply or adapt some of the key elements of the approach to a situation known to you.

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Exercise 9.1: (Facilitator's Notes)

Case Examples: Abuse Within the Family

TARGET GROUP

Sector Co-ordinators, Field Staff.

OBJECTIVE

By the end of this exercise, participants will be able to:

- develop a protection plan for a child who is being abused by a member of his/her family.

TIMEFRAME

60 minutes

METHOD

Participants to work in small groups. Provide each group with the **Participants' Notes** for this exercise, or if possible develop locally relevant examples instead.

Ask the participants to choose one or two of the case examples; to examine it from the point of view of the case worker involved (the teacher, health worker); and to consider what action needs to be taken to ensure that a protection plan is made and implemented for that child.

Plenary

The following notes may be useful in conducting the plenary session.

- A key issue is how the worker involved, and other key people, can satisfy themselves that the child is being adequately protected and if not what steps should be taken.
- A protection plan requires careful investigation, especially if the parent denies abuse or neglect. What sources of information can be used? What happens if there are no independent witnesses, the child alleges abuse and the parent denies it? Should the child be put through an intrusive investigation if the authorities will only act if there is independent proof? Should medical evidence be sought - especially if allegations of sexual abuse are being made? If so, how can this be done in a sensitive and non-intrusive manner?
- The role of relatives or close friends and neighbours in providing alternative care, in monitoring or supporting the child.

Action for the Rights of Children (ARC)

- What characteristics of the community are likely to facilitate the protection of the child? The more concerned adults there are within the family's social network, the more likely it is that the child will be protected. On the other hand, the presence of mistrust and suspicion within the community will make this more difficult.
- The role of community leaders in helping to analyse the situation and determining an appropriate protection plan.
- The role of other professionals such as teachers, pre-school workers, health workers and NGO staff in helping to assess the situation, monitor the child and ensure protection.
- The potential role of women's groups or other community organisations in investigating the situation, supporting the child and/or parents.
- The importance of considering whether the law should be invoked? Does the alleged incident suggest that an offence has been committed, and if so what criteria would be used in deciding whether to refer to the appropriate authorities. What are the advantages and disadvantages of doing so? What assurances are there that the police or other authorised bodies will deal with the situation appropriately and sensitively? Should legal advice be obtained, and if so, from whom?
- What is the role of the UNHCR Protection Officer in each situation?
- Is this thought to be an isolated incident or could it reflect a broader issue within the community, and if so what steps need to be taken to respond to it?

RESOURCES

Participants' Notes for this exercise.

Flip chart paper and marker pens.

Abuse and Exploitation



Exercise 9.1: (Participants' Notes)

Case Examples: Abuse Within the Family

OBJECTIVE

By the end of this exercise, you will be able to:

- develop a protection plan for a child who is being abused by a member of his/her family.

TIMEFRAME

60 minutes

METHOD

Work in small groups. Read the following case examples. Choose one or two of these examples and consider it from the point of view of the worker on this case (i.e. the health worker; the teacher). What action does s/he need to take to ensure that a protection plan is made and implemented for the child in question. Note your answers on flip chart.

There will be a plenary session.

CASE EXAMPLES:

JUAN

Juan is an eight-year old boy, the fourth in a family of six children. He is in the first grade at school, having started late because his mother did not initially enrol him in the camp school because he has a harelip and she didn't consider that he was worth educating. It was only through the encouragement of a health worker (who has arranged for him to have the necessary surgery) that she agreed for him to attend school. It is known that Juan's father is absent and assumed to be fighting in a guerrilla army: his mother is under considerable stress in caring for six children while also struggling to supplement the meagre refugee rations by seeking casual work. She is very isolated socially, and although there is a women's centre in the camp she does not attend.

One morning Juan comes into school with a large bruise around his eye. His teacher decides to send him to the local clinic where they find severe but fading bruises on his back and arms, as well as the facial bruising and a very blood-shot eye. The health worker suspects that he may have previously had a broken arm that has not been properly treated but is now mending. Although Juan refuses to say how the injuries were caused, a friend tells the teacher that she often hears Juan's mother screaming at him in the home.

MARIA

Maria is a physically mature twelve-year-old girl. In school she is described as withdrawn and uncommunicative. It is known that the family had some harrowing experiences prior to fleeing from their original village and the teacher assumed that that was the cause of her emotional state.

Although a regular attendee at school, Maria suddenly stops coming, and no explanation is offered by her or her parents. Concerned about her well being, her (female) teacher makes inquiries of the other children, but they look away and say they don't know anything about her. The teacher decides not to pursue the issue, but a few days later she finds Maria hanging around school at the end of the school day and approaches her to find out why she has not been attending.

Maria bursts into tears and is taken into a private room in the school. Gradually it emerges that her stepfather has been having sexual intercourse with her for several years and she now fears she might be pregnant. She fears that her mother might not be sympathetic towards her and hence has said nothing to her. She is terrified at the possibility of being taken away from her family.

There have been a few previous allegations of child sexual abuse within the camp, and there is a women's group which is concerned with the women victims of rape and domestic violence.

ANITA

Anita is a little girl aged 22 months. A community health worker has been monitoring her health and development, and for the third time is so concerned

about her poor weight gain and slow development that she refers her and her mother to a supplementary feeding centre.

She is the youngest of a family of five children, three boys and two girls. It is known that two previous children, both girls, died in infancy. The mother has no partner, has a recurring chest infection and finds it extremely difficult to cope with the demands of her family. She always appears to be very smartly dressed. The two oldest boys do not attend school and despite their age (9 and 11) she expects them to look for work in order to earn money to supplement the family's economic resources, though it is extremely difficult to find any paid work apart from occasional casual labouring for extremely low wages.

All of the other children in the family appear to be adequately nourished and to enjoy good health. The nutritionist at the feeding centre suspects that Anita is suffering from "selective neglect", despite the mother's assertion that she is doing her best.

MARCO

Marco is a six-year old boy. The health worker has seen this boy quite frequently, usually for coughs and colds, and he always appears to be a sickly child. He always seems quiet and withdrawn and tends to flinch if there are sudden movements by anyone near him. It is also apparent that his mother is extremely impatient with him, always criticising him for minor mis-deeds, often shouts and him: she blames him for being ill and for causing her so much trouble. The health worker has also noted that she never shows him any affection and often compares him unfavourably with her other children. He is said to cry frequently, has no friends and is largely shunned by other members in the family.

Abuse and Exploitation



Exercise 9.2: (Facilitator's Notes)

Situation Analysis to Identify Potential Child Abuse within a Given Setting

TARGET GROUP

Sector Co-ordinators, Field Staff.

OBJECTIVE

By the end of this exercise, participants will be able to:

- describe what elements of a situation analysis would enable staff in a given situation to identify cases of child abuse.

TIMEFRAME

60 minutes

METHOD

Prepare a presentation on the issues of child abuse and neglect, using **Briefing Notes from Topic 1 and Topic 9**.

Participants to work in small groups. Ask them to use a setting known to them: a refugee camp or a transit centre. Their task is to develop a situation analysis that will provide information about the incidence of child abuse or neglect within this setting.

They should develop this analysis using a three-point framework:

- the characteristics of the parents or carers;
- the characteristics of the child/children;
- the characteristics of the local environment.

Firstly, they should write down on a flip chart what is already known to them under these three headings.

Then they should identify what else they need to know, what sources of information they would use, and how they would obtain this information.

Plenary: each group should present their analysis to the whole group.

Facilitators may wish to refer to the **ARC Resource Pack on Situation Analysis** for more information about this methodology..

Abuse and Exploitation



Exercise 9.3: (Facilitator's Notes) Planning an Awareness Campaign

TARGET GROUP

Sector Co-ordinators, Field Staff.

OBJECTIVE

By the end of this exercise, participants will be able to:

- apply their understanding of issues around child abuse to developing an awareness campaign.

TIMEFRAME

60 minutes

METHOD

Prepare and present an introduction to this topic, using material from the **Briefing Notes for Topic 1 and Topic 9**.

Divide participants into small groups. Ask them to discuss one of the issues presented under this topic (example: different types of abuse – emotional, sexual, physical – or neglect – physical or emotional): how prevalent is it in the situation that the participants are working in? How do they know? How is it dealt with? By whom? What do they think about the way this issue is handled?

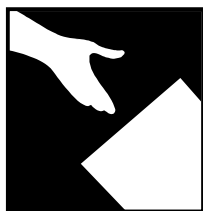
Ask them to consider what elements they would include in a campaign to raise awareness about this issue. They should write down their ideas on a flip chart.

Plenary: each group to share their campaign strategies with the whole group.

RESOURCES

Flipchart paper and marker pens.

Abuse and Exploitation



Handout 5.1

Text of Legal Instruments

LEGAL PROTECTION: ABUSE AND NEGLECT

Convention on the Rights of the Child, 1989

Article 2.1

States parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

Article 19.1

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.

Article 24.3

States parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

Article 28.2

States parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

Article 37 (a)

States parties shall ensure that:

(a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment...

Article 39

States parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

LEGAL PROTECTION: CHILD LABOUR

Convention on the Rights of the Child, 1989

Article 32

1. States parties recognise the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

2. States parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States parties shall in particular:

- (a) Provide for a minimum age or minimum ages for admission to employment;
- (b) Provide for appropriate regulation of the hours and conditions of employment;
- (c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.

Article 33

... protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

Article 35

States parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children...

Article 36

States parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

International Covenant on Economic, Social and Cultural Rights, 1966

Article 10 (3)

(3) Special measures of protection and assistance should be taken on behalf of all children and young persons without any discrimination for reasons of parentage or other conditions. Children and young persons should be protected from economic and social exploitation. Their employment in work harmful to their morals or health or dangerous to life or likely to hamper their normal development should be punishable by law. States should also set age limits below which the paid employment of child labour should be prohibited and punishable by law.

Universal Declaration on Human Rights, 1948

Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

International Covenant on Civil and Political Rights, 1966

Article 8

1. No one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited...

3. (a) No one shall be required to perform forced or compulsory labour; ...

ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999

Article 3

For the purposes of this Convention, the term "the worst forms of child labour" comprises:

- (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

Optional Protocol to the CRC on the Involvement of Children in Armed Conflict, 2000

Article 1

States parties shall take all feasible measures to ensure that members of their armed forces who have not attained the age of 18 years do not take a direct part in hostilities.

Article 2

States parties shall ensure that persons who have not attained the age of 18 years are not compulsorily recruited into their armed forces.

LEGAL PROTECTION: SEXUAL EXPLOITATION

Convention on the Rights of the Child, 1989

Article 34

States parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;
- (c) The exploitative use of children in pornographic performances and materials.

Article 35, 36 and 37(a) see CRC above

Article 38.1

States parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.

Geneva Conventions, 1949

Article 3 Common to the Four Geneva Conventions

In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be

bound to apply, as a minimum, the following provisions:

(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War. Geneva, 1949

Article 27

Protected persons are entitled, in all circumstances, to respect for their persons, their honour, their family rights, their religious convictions and practices, and their manners and customs. They shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats thereof and against insults and public curiosity.

Women shall be especially protected against any attack on their honour, in particular against rape, enforced prostitution, or any form of indecent assault.

Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 1977.

Article 4.2

Without prejudice to the generality of the foregoing, the following acts against the persons referred to in paragraph I are and shall remain prohibited at any time and in any place whatsoever:

(e) outrages upon personal dignity, in particular humiliating and degrading treatment, rape, enforced prostitution and any form of indecent assault;

Guiding Principles on Internal Displacement (Principle 11)

2. Internally displaced persons, whether or not their liberty has been restricted, shall be protected in particular against:

(a) Rape, mutilation, torture, cruel, inhuman or degrading treatment or punishment, and other outrages upon personal dignity, such as acts of gender-specific violence, forced prostitution and any form of indecent assault;

(b) Slavery or any contemporary form of slavery, such as sale into marriage, sexual exploitation or forced labour of children;

(c) Acts of violence intended to spread terror among internally displaced.

The Rome Statute of the International Criminal Court, 1998

Article 7.1: Crimes against humanity

For the purpose of this Statute, "crime against humanity" means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack:

(g) Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilisation, or any other form of sexual violence of comparable gravity;...

Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, 2000

Article 3

1. Each State Party shall ensure that, as a minimum, the following acts and activities are fully covered under its criminal or penal law, whether these offences are committed domestically or transnationally or on an individual or organized basis:

- (a) In the context of sale of children as defined in article 2:
 - (i) The offering, delivering or accepting, by whatever means, a child for the purpose of: a) sexual exploitation of the child; b) transfer of organs of the child for profit; c) engagement of the child in forced labour;
- (b) Offering, obtaining, procuring or providing a child for child prostitution...;
- (c) Producing, distributing, disseminating, importing, exporting, offering, selling or possessing for the above purposes child pornography....

2. Subject to the provisions of a State Party's national law, the same shall apply to an attempt to commit any of these acts and to complicity or participation in any of these acts.

Article 4

1. Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences referred to in article 3, para 1, when the offences are committed in its territory or on board a ship or aircraft registered in that State.

2. Each State Party may take such measures as may be necessary to establish its jurisdiction over the offences referred to in article 3, para 1, in the following cases:

- (a) When the alleged offender is a national of that State or a person who has his habitual residence in its territory;
- (b) When the victim is a national of that State.

3. Each State Party shall also take such measures as may be necessary to establish its jurisdiction over the above-mentioned offences when the alleged offender is present in its territory and it does not extradite him or her to another State Party on the ground that the offence has been committed by one of its nationals.

Article 5.1

The offences referred to in article 3, para 1, shall be deemed to be included as extraditable offences in any extradition treaty existing between States parties and shall be included as extraditable offences in every extradition treaty subsequently concluded between them, in accordance with the conditions set forth in those treaties.

Article 6

1. States parties shall afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings brought in respect of the offences set forth in article 3, para 1, including assistance in obtaining evidence at their disposal necessary for the proceedings.

2. States parties shall carry out their obligations under para 1 of the present article in conformity with any treaties or other arrangements on mutual legal assistance that may exist between them. In the absence of such treaties or arrangements, States parties shall afford one another assistance in accordance with their domestic law.

LEGAL PROTECTION: CONTEMPORARY FORMS OF SLAVERY

United Nations Convention against Transnational Organised Crime, 2000

Article 2 - Use of terms: for the purposes of this Convention:

(a) “Organized criminal group” shall mean a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit;...

Protocol against the Smuggling of Migrants by Land, Sea and Air, 2000

Article 3 Use of terms: for the purposes of this Protocol:

(a) “Smuggling of migrants” shall mean the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident;...

Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, 2000

Article 2 - Statement of purpose: the purposes of this Protocol are:

(a) To prevent and combat trafficking in persons, paying particular attention to women and children;...

Article 3 -Use of terms: for the purposes of this Protocol:

(a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

(b) The consent of a victim of trafficking in persons to the intended exploitation shall be irrelevant

(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons”...;

(d) “Child” shall mean any person under eighteen years of age.

Article 6 - Assistance to and protection of victims of trafficking in persons

3. Each State Party shall consider implementing measures to provide for the physical, psychological and social recovery of victims of trafficking in persons, including, in appropriate cases, in co-operation with non-governmental organisations, other relevant organisations and other elements of civil society...

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Further Readings, Videos and Websites

RECOMMENDED READINGS

General Texts

Machel, Graça (Expert of the Secretary General of the United Nations) (1996): "Impact of Armed Conflict on Children", Geneva, United Nations. See section on Sexual Exploitation and Gender-Based Violence on pages 20 – 23.

UNHCR (1997): "Evaluation of UNHCR's Efforts on Behalf of Children and Adolescents", Geneva, UNHCR. See section on Sexual Abuse, Exploitation and Abuse on pages 10 - 12.

UNHCR (1995): "Sexual Violence against Refugees: Guidelines on Prevention and Response", Geneva, UNHCR. An important reference document, though the main focus is more on women than on children. Chapter 2 on Prevention is particularly relevant to Topic 5, while Chapter 3 on Responding to Incidents is relevant to Topic 7. (NB this should be in the Readings Section as it is generally available).

FURTHER READING

Reading on Working Children and Exploitative Child Work

There are numerous readings on this topic. The following is a small selection of some of the more recent and most useful writings:

Ennew, Judith (1994): "Street and Working Children: a Guide to Planning", London: Save the Children. A useful guide to programme planning, with a strong emphasis on child participation. The fact that the book covers work with both street and working children is not always helpful in identifying the differences between the two groups.

Boyden, Jo, Ling, Birgitta and Myers, William (1998): "What Works for Working Children", Florence and Stockholm: UNICEF and Rädda Barnen. A recent and comprehensive analysis of many of the key issues.

Woodhead, Martin (1998): "Children's Perspectives on their Working Lives", Stockholm, Rädda Barnen. A recent look at how work affects children based on participative research in six countries.

Tolfree, David (1998): "Old enough to Work, Old Enough to Have a Say: Different Approaches to Supporting Working Children", Stockholm: Rädda Barnen. A

collection of case studies of different programme approaches with a discussion of the key issues to emerge from a comparative analysis of them.

Readings on Child Abuse and Neglect within the Family

Korbin, Jill E. (1981): "Child Abuse and Neglect: Cross-Cultural Perspectives", Berkley, University of California Press. This is possibly the only book on child abuse and neglect which looks at the phenomena from the standpoint of many different cultures, but not specifically in relation to situations of armed conflict and forced migration. Chapter 11 - Conclusions - offers a short and useful over-view of the main findings.

WEBSITES

WHO

This website offers comprehensive documents on the concepts of exploitation and abuse

http://www.who.int/violence_injury_prevention/vaw/infopack.htm#The_girl_child

ILO

The ILO web page on Child Labour and the new Convention.

<http://www.ilo.org/public/english/comp/child/standards/index.htm>

Save the Children – Sweden

This site contains various information on exploitation of children, and contains a link to the official site of the World Congress against Commercial Sexual Exploitation of Children.

<http://www.rb.se/worldcongress/engcongressindex.htm>

UNICEF

Useful information can be found trough UNICEF Homepage

<http://www.unicef.org/>