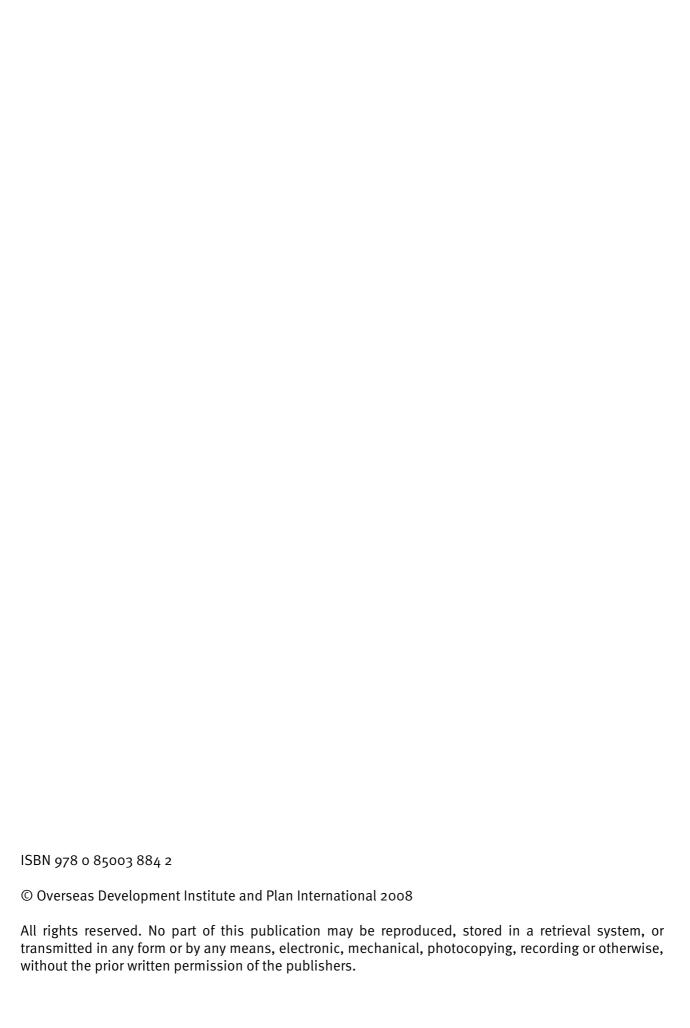# Painful lessons: The politics of preventing sexual violence and bullying at school

Nicola Jones, Karen Moore,
Eliana Villar-Marquez with Emma Broadbent

Working Paper 295

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Boxes, figures and tables

Acknowledgements

List of acronyms

CNRVV	Centre of Reference for Victims of Violence (Brazil)
CRC	UN Convention on the Rights of the Child
CPRC	Chronic Poverty Research Centre (UK)
CRIN	Child Rights Information Network
CWIN	Child Workers in Nepal
DEMUNA	Defence Office for Children and Adolescents
DESNA	Defence Office for Children in Schools
DFID	UK Department for International Development
DITOE	Teacher Capacity Building Unit (Peru)
FRESH	Focusing Resources on Effective School Health
GEM	Girls' Education Movement
GNP	Gross National Product
GSHS	Global School-based Student Health Survey
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
ICDS	Integrated Child Development Services (India)
IDB	Inter-American Development Bank
IDPM	Institute for Development Policy and Management (UK)
IRADM	Initiative for Research and Action for Global Development
MDG	Millennium Development Goal
NCPA	National Child Protection Authority (Sri Lanka)
NGO	Non-governmental Organisation
ODI	Overseas Development Institute (UK)
OHCHR	Office of the UN High Commissioner on Human Rights
PAHO	Pan-American Health Organization
PALS	Peace and Love in Schools (Jamaica)
PREAL	Partnership for Educational Revitalisation in the Americas
RAIO	Interactive Audiovisual Resource Association
RAPID	Research and Policy in Development Programme (ODI)
SWAGAA	Swaziland Action Group Against Abuse
UN	United Nations
UNICEF	UN Children's Fund
UNGEI	UN Girls' Education Initiative
UNHCHR	UN High Commissioner for Human Rights
UNESCO	UN Educational, Scientific and Cultural Organization
USAID	US Agency for International Development
WAGGGS	World Association of Girl Guides and Girl Scouts (WAGGGS)
WHO	World Health Organization
ZCEA	Zambia Civic Education Authority

Executive summary

The Millennium Development Goal (MDG) on Universal Education For All (Goal 2) has received widespread international attention, but only recently has the threat posed to its achievement by school-based violence emerged on the policy agenda. Until the 2006 United Nations Study on Violence against Children, the problem of school-based violence remained largely invisible, for a number of reasons. Schools have typically been viewed as 'safe' places for children; debates on prevention of violence against children have largely concerned domestic or stranger violence; and the focus on universal education enshrined in MDG 2 and the Education For All Campaign has been largely about access rather than quality (including the provision of a safe learning environment). The UN Study and the consultation process around it, however, revealed that a high incidence of violence against children occurs at or around schools and other educational facilities. In many countries, physical, sexual, emotional and social violence is committed by teachers and school staff as well as by other students, and has significant negative effects on children's health and safety, enrolment and educational achievement and dignity, self-esteem and social relationships. The objective of this paper is to identify policies, programmes and legal instruments that address school violence in the developing world, and to draw implications for policy, practice and research.

This paper adopts a broad definition of school-based violence to include physical, sexual and psychological forms of violence in primary and secondary school contexts. However, while recognising the interconnectedness of many expressions of school-based violence, such as corporal punishment, gang violence, assault with weapons etc., it focuses on bullying and sexual violence in school contexts only. This choice of focus was influenced by an international consultation process undertaken by Plan in 2007.

Methods: This paper is primarily a desk study combining a systematic review of grey and published literature on school violence, as well as an analysis of legislative measures designed to address school violence. The analysis was supplemented by phone and/or email interviews with governmental and non-governmental key informants from Africa, Latin America and Asia. These interviews sought to provide more detailed information on public perceptions about school violence; the relative importance of national and international policy instruments; key players involved in policy debates and programme implementation; and examples of 'good practice' in tackling school-based violence.

School-based violence against specific groups of children: The first substantive section of this paper focuses on the vulnerability of specific groups of children to school-based violence. Evidence suggests that, although most children are somewhat vulnerable to some form of violence at school, the level of vulnerability varies greatly, based on gender, sexuality, disability, stigmatised illness including HIV/AIDS and minority group status, and must be taken into account when developing intervention strategies. First, there is a growing body of evidence that indicates that children's experiences of violence are highly gendered. Corporal punishment and bullying generally affect both boys and girls, but the level of violence experienced by boys is usually more severe. By contrast, sexual harassment and violence appears to be overwhelmingly carried out against girl students by male students and teachers. Similarly, although research is still very limited, violence in educational settings also appears to be directed against children who do not conform to heterosexual behaviour or appearance codes. Disabled children and children suffering from stigmatised illnesses (including HIV/AIDS) also tend to be discriminated against by both teachers and students, and may be more vulnerable to bullying and/or sexual violence in school and other care and educational settings.

Regional focus: The paper recognises that power relationships – particularly those based on age and gender – between teachers, staff and students and among students themselves are at the root of violence in school settings. Many schools support highly hierarchical, control and punishment-oriented cultures – through both direct actions as well as inaction – to the extent that bullying and sexual violence may come to be seen as normal or inevitable parts of school life. However, the starting point of

Section 3 is that the social inequalities that underpin school-based violence are likely to be shaped by regionally (and no doubt nationally) specific socioeconomic, cultural and political structures and processes. Accordingly, we seek to address the dearth of regionally focused studies on school violence, and present detailed information on the specific characteristics of bullying and sexual violence, the ways in which these have been challenged and opportunities for regional cooperation in Latin America and the Caribbean, Asia and sub-Saharan Africa.

Sub-Saharan Africa: Although the evidence base is still limited, a growing body of research on school violence in Africa suggests that the problem is pervasive, affecting the majority of students at some point in their school life, and is entrenched in authoritarian and highly gendered school management systems and curricula. Fuelled by the alarmingly high rates of HIV/AIDS infection rates among school-age girls in Africa and by the international drive to provide education for all children by 2015, the problem of school-based sexual harassment and violence is receiving increased public and scholarly attention. Research findings suggest that sexual violence is largely perpetrated by older male pupils and male teachers against female students, and is likely to occur in or near toilets, empty classrooms or dormitories, the perimeter of the school grounds, or en route to school. Similarly, survey data suggest that bullying affects very high numbers of children in African schools, and is reinforced by a broader culture of violence in the family and community.

A number of broader political context factors shape the patterning of school-based violence on the continent. These include the role of poverty and inequality; the risk of HIV/AIDS; high levels of orphanhood (owing to disease and conflict); the emphasis on quantitative expansion of school enrolment rather than educational quality; violence of the apartheid era in South Africa; and the particular vulnerabilities of children in post-emergency and post-conflict contexts owing to increased military presence. Although a growing number of African governments have passed legislation to address sexual violence, none of the countries from our African sample have legal measures in place to address bullying. Moreover, many African countries have dual legal systems, whereby customary regulations and norms often exist in tandem with modern judicial frameworks, especially at the community level, rendering it more difficult for national legislation to affect behavioural change.

In terms of actors, international non-governmental organisations (NGOs) and donors appear to play a key role in supporting initiatives to address school-based violence in Africa. This is reflected to a significant extent by the way debates are framed in terms of human rights violations and/or girls' right to an education; social exclusion (based on gender, economic class, ethnic or location differences); and schools' roles as institutions that help to construct acceptable masculine (aggressive, competitive) and feminine (acquiescent, passive) identities. Local NGOs and national governments are also increasingly involved in tackling the problem, particularly within South Africa and, to a lesser but still important degree, in Southern Africa. Activities focus on awareness raising and information sharing, targeting children and teachers, as well as multi-stakeholder efforts involving communities and local leaders.

Despite growing public attention and awareness, there is nevertheless an urgent need for more nationally representative and regionally comparative data collection initiatives so that national governments and the international community can gain a better understanding of the extent and nature of the problem in the region, including identifying groups of children that are particularly vulnerable to abuse. Knowledge management at the national and regional levels also creates a significant challenge, as does cross-government agency coordination.

Latin America and the Caribbean: Studies on violence against children in the region have tended to focus on family abuse and/or neglect, as well as the abuse of children who have dropped out of school and/or are involved in child labour or living on the streets. The problem of school-based violence tends to be much less visible, especially among students living in poor rural areas. Analysts argue, however, that a broader culture that sanctions physical discipline and violence within the family and community constitutes a major contributing factor to school-based violence in Latin America and the Caribbean. Other important political context factors include the spill-over effects of criminal gang violence in the

school environment; the declining level of public resources invested in the education system in the region; and the stigma attached to sexual violence. Although all Latin American countries have provisions to address sexual violence in general, as well as specifically in school contexts, a common challenge identified in the region is a broad lack of confidence in the judicial system being able to protect ordinary citizens' rights.

Debates about school violence in Latin America and the Caribbean reflect the region's recent brutal military history; they are commonly framed in terms of the importance of promoting a culture of peace and democracy both within schools as well as through the life skills and values that schools instil in children. Accordingly, many of the governmental and non-governmental initiatives to tackle school-based violence emphasise educational programmes and, especially, life skills training for children, training teachers to use non-violent disciplinary measures and to model peaceful negotiation skills and promoting youth leadership and peer-to-peer counselling so as to develop a positive youth culture.

Three key challenges facing advocates of peaceful and democratic school environments in the region are identified. First, there is an urgent need to combat a strand of thought which attempts to dismiss school violence as a problem of individual miscreants and/or as a Western import linked to the collapse of the traditional family unit. Second, although there is a wide range of innovative initiatives attempting to tackle the root causes of school-based violence, there has been little investment in rigorous monitoring and evaluation of the effects of these efforts. Third, many of the programmes remain small, as governments have not yet committed adequate financial resources to scale them up nationally.

Asia: The evidence base on school-based violence is most limited in the South and East Asian regions. This seems to be because HIV/AIDS has not been perceived as such a threat to child and adolescent health and wellbeing as it has in Africa and, with one or two exceptions, armed conflict and community violence have not been perceived to 'spill over' into the school environment to the same extent as in many parts of Latin America and the Caribbean. While there is recognition among concerned government and NGO bodies that school-based bullying and sexual violence are significant problems, media attention and public awareness tend to be limited to extreme cases.

The Asian region encompasses a wide range of countries in terms of their level of economic and technological development, cultural background, experience of violent conflict and colonial experience, each of which affect the nature and quality of education and the extent and nature of school-based violence. At the same time, educational institutions throughout the region are dominated by an authoritarian and hierarchal model of teaching and social relations that are both highly gendered and determined by differences of caste, ethnicity and religion. Anti-bullying legislation exists in only a handful of countries; anti-sexual violence legislation exists everywhere but Pakistan. In both cases, the quality of legislation and implementation vary between countries.

There are three key challenges with regards to sexual violence and bullying in school environments in Asia. First, a greater level of research is required in the great majority of Asian countries to better understand school-based violence and the results of interventions against it. Second, a greater level of effective awareness raising about child rights is required, in order to undermine the feelings of shame that victims of violence often experience, which increases their vulnerability to violence and limits their capacity to report it. Third, networks of like-minded institutions and individuals at the national level need to be constructed in order to initiate and invigorate a joined-up and inclusive approach to school-based violence. An important first step will be to engage those interested in effectively banning corporal punishment, in facilitating Education For All and in battling violence against children in other contexts, such as the home. When they exist, debates on school-based violence are largely focused on corporal punishment, which is banned in some countries but continues to be accepted and practised throughout the region. A key challenge will be to link up broader concerns about school-based violence to anti-corporal punishment movements.

Recommendations: The paper concludes by presenting policy recommendations that Plan should consider when developing a global campaign against school-based violence. These recommendations draw on the findings from the report as well as examples of best practice from the literature on gender violence and are organised as follows: i) the importance of developing a comparative and longitudinal evidence base and communicating resulting messages in order to establish credibility and awareness; ii) designing, implementing and monitoring policies and programmes that promote joined-up services, capacity building for service providers and inter-sectoral coordination; and iii) promoting a socially inclusive, rights-based and multi-stakeholder approach in order to promote sustainability.

1.   Introduction

Safety and security don't just happen: they are the result of collective consensus and public investment. We owe our children – the most vulnerable citizens in any society – a life free from violence and fear.
Nelson Mandela, in the World Report on Violence and Health (Krug et al 2002)

1.1   Background

In 2000 and 2001, the Committee on the Rights of the Child recommended that the United Nations (UN) Secretary-General be requested, through the General Assembly, to conduct an in-depth international study on violence against children. This study was intended to lead to the development of strategies to prevent and combat all forms of violence against children. The aims of the study were to 'provide an in-depth global picture of violence against children and propose clear recommendations for the improvement of legislation, policy and programs relating to the prevention of and responses to violence against children'. The study was expected to obtain comprehensive national reviews of the situation of violence against children, including prevalence, legal frameworks, child protection systems and evaluation of reports and recording of data from successful child protection initiatives. The final report was presented to the UN in October 2006, and consists of the consolidated regional reports, prepared with the support of the UN High Commissioner for Human Rights (UNHCHR), the World Health Organization (WHO) and the UN Children's Fund (UNICEF).

The national and regional reports revealed that a great deal of violence against children was occurring at or around schools and other care facilities that also provide education. Physical, sexual, emotional and social violence is committed by teachers and school staff as well as by other students, and clearly has significant negative effects on the overall wellbeing of children – their health and safety, their capacity to receive a quality education and their dignity, self-esteem and social relationships.

Based on its own work in 49 developing countries, Plan also recognised that school-based violence was a crucial issue in child protection and called for the development of a more rigorous evidence base on which to develop appropriate interventions.[1] The overarching goal of the present study is to inform Plan's global advocacy campaign to prevent violence against children in school and alternative settings where education is provided. In order to support Plan as it develops an authoritative basis for action, the study aims to identify effective strategies for preventing and dealing with school violence, and to draw implications for policy, practice and research.

In 2007, an initial consultation undertaken by Plan with its worldwide staff identified corporal punishment, sexual violence and bullying as the greatest concerns, with some regional variations. Youth gangs and weapons at school were also identified by some as crucial issues. This study focuses on school-based sexual violence and bullying, both between teachers/staff and students and among students.

The timing is right for Plan to launch a global campaign against school violence. The international context, in terms of treaties and goals, is highly supportive, and a range of international initiatives are showing promise. In terms of treaties and goals, besides the very important UN Convention of the Rights of the Child (CRC), which has been ratified by more countries than any other international agreement and by all of the developing and donor countries with which Plan works (except for the US), there are a number of other international agreements that can be used as powerful tools to enforce a

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[1] At a Plan conference in Addis Ababa in 2006, three key conclusions were reached in terms of tackling the violence of which African girl children are most at risk: i) defining the problem in terms of its nature and magnitude with the use of both qualitative and quantitative data; ii) developing interventions on the basis of research, subsequently evaluated to ensure effectiveness; and iii) implementing interventions by identifying the key individuals and institutions to do so, while also building their capacity to implement effectively.

campaign against school violence. We have identified 28 additional international and regional treaties and goals that may provide support for putting school violence onto national and international policy and public agendas, and improve isolated or weak national policies and programmes. Presented in Annex 2, these international and regional agreements are based on frameworks that address human rights, workers' rights and children's rights — both the right to a life free *from* violence and abuse as well as the right *to* an education.

At the level of international programmes, positive experiences of WHO, UNICEF, UNESCO (the UN Educational, Scientific and Cultural Organization) and the World Bank suggest that there is a core group of cost-effective activities that could form the basis for joint action to improve school quality and effectiveness, by making them healthy, hygienic and safe for children, so contributing to the development of child-friendly schools. These agencies have now developed a partnership for Focusing Resources on Effective School Health (FRESH), which was launched at the World Education Forum in Senegal in April 2000. Since 2003, UNESCO has approached the problem of school violence as a matter of promoting a culture of peace, thereby lending the issue a greater sense of international urgency and priority. This approach has in turn influenced other policies and programmes that attempt to link efforts to combat school-based violence to broader socio-political processes, such as democratic strengthening and the development of a culture of citizenship from an early age.

However, although the international context appears conducive to a concerted campaign against violence in schools, at present the quantity and quality of research on school-based violence in developing countries – particularly bullying – is insufficiently comprehensive or comparative. Most systematic research on violence against children has been developed by multilateral organisations (e.g. WHO, UNHCHR, UNICEF) and international non-governmental organisations (NGOs) (e.g. Plan, Save the Children). This research, as well as the UN Study on Violence Against Children (2006) and its regional components, tends to consider violence against children in educational settings as part of a broader focus on violence against children in general, and a focus on violence in community settings in particular. Although it is appropriate to take a holistic approach, this can also mean that the specific forms of and ways to prevent school-based violence are somewhat under-researched. At the national level, research on violence in schools – again, particularly bullying – in developed countries far outstrips that in developing countries.

1.2   Structure of the report

In the remainder of this introductory section, we briefly review the methodology undertaken in the production of this paper. Next, the scene in which violence against children takes place is set. We argue that this is part of a broader 'culture of violence' and involves the exercise of power, control and 'discipline'. The specific forms of vulnerability that students face in the school – commonly perceived as a 'safe space' – are investigated through a holistic model, one which takes into account the entire social system. We close this section by presenting some global figures that tentatively suggest the global prevalence of the problem.

In Section 2, we present a more detailed analysis of which children are most affected by school-based violence. Evidence suggests that, although most children are somewhat vulnerable to some form of violence at school, the level of vulnerability varies greatly, based on gender, disability, stigmatised illness including HIV/AIDS and minority group status in particular. We argue that it is important to understand the nature of discrimination and abuse in each context in order to design more effective strategies and interventions against school-based violence.

In Section 3, we seek to address the dearth of regionally focused studies on school violence and present detailed information on the specific characteristics of bullying and sexual violence, and the

ways in which these have been challenged, in Latin America and the Caribbean, Asia and Africa.[2] In doing so, we attempt to determine both the extent to which there is a regional nature to the problem, and how it may be possible to build regional cooperation.

Section 4 concludes, by discussing possible regional and international policy recommendations based on the findings from Sections 2 and 3. The recommendations are organised as follows: i) the importance of developing a comparative and longitudinal evidence base and communicating resulting messages in order to establish credibility and awareness; ii) designing, implementing and monitoring policies and programmes that promote joined-up services, capacity building for service providers and inter-sectoral coordination; and iii) promoting a socially inclusive, rights-based and multi-stakeholder approach in order to promote sustainability.

1.3 Methodology

This paper is the result primarily of a desk-based study, supplemented by interviews with governmental and non-governmental key informants in various developing countries.

Our starting point was the 2006 UN Study on Violence against Children (UN 2006). An extensive internet-based document search was then undertaken, looking for the most recent, reliable and child-focused sources on violence against children from international organisations and NGOs, including UNICEF, Save the Children, Plan, UNHCHR, WHO, UNESCO and the World Bank. We then tracked down the key sources to which each referred. Sources suggested by Plan were also reviewed (e.g. the Child Rights Information Network, or CRIN). In each searchable document, keyword searches were undertaken to locate information specifically dealing with school-based violence.

We also searched the academic literature for recent research on bullying and sexual violence in schools in developing countries, primarily using the following search parameters, which were developed through trial and error: school AND (violence OR abuse OR bullying OR harassment) AND (geographical terms). Other keywords, such as 'school-based violence', 'emotional abuse', 'sexual harassment' and 'maltreatment', were also used. The following databases were used:
- British Library of Development Studies: http://blds.ids.ac.uk
- Gender Violence in Schools: Bibliography: http://www.sussex.ac.uk/education/1-4-25-3-2.html
- id21: http://www.id21.co.uk
- Science Direct: http://www.sciencedirect.com/
- Ingenta Connect: http://www.ingentaconnect.com
- Informaworld: http://www.informaworld.com
- Google Scholar: http://scholar.google.co.uk/
- CSA: http://www-uk1.csa.com/

In the case of both the 'grey material' and the academic literature, we attempted to draw out information on prevalence, forms and targets of school-based violence, as well as governmental and non-governmental policies and interventions against it. The majority of studies on school-based violence in developing countries are based on small samples, case studies and pilot studies.

For the legal status table presented in Annex 1, which considers whether sexual violence and bullying are prohibited by law in schools and alternative care facilities in the 49 developing and 17 donor countries with which Plan works, we relied primarily on the legal information presented by State Parties to the Office of the UN High Commissioner on Human Rights (OHCHR) for the global Study on Violence. We also referred to official reports on violence against children submitted by almost all countries in 2005 to the CRC, and the subsequent questionnaires and responses from State Parties. To improve the

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[2] As Plan only works in one transitional European country – Albania, on which there is no information on school-based bullying and sexual violence – we have chosen not to include a European regional section.

balance of information, we also took into account the alternative reports presented by NGOs and NGO coalitions; sometimes, there were as many as four organisations reporting on specific issues.

Finally, we undertook a number of interviews with key informants in developing countries in which Plan works. These interviews are summarised in Annex 4, and are utilised throughout the report, particularly in the regional overviews in Section 3. In some cases, interviews with informants in countries other than those in which Plan works were also undertaken, in order to provide regional breadth. The interviews focused on:

- The prevalence, forms and targets of school-based violence;
- The availability and content of national data and research on school-based violence;
- Policy and legal frameworks in place to prevent or respond to school-based violence and discrimination and the relative importance of national and international policy instruments;
- The key players involved in policy debates and programme implementation;
- Public awareness and perceptions of school-based violence;
- Examples of 'good practice' in tackling school-based violence; and
- Views as to how school-based violence could be tackled, and the key people and institutions that would be the main allies for a Plan campaign against school-based violence to be successful.

1.4   Scope of 'school-based violence'

School-based violence falls under the general heading of what the WHO's World Report on Violence and Health (Krug et al 2002) identifies as 'community violence' – that which takes place between individuals who are largely unrelated,[3] and who may or may not know each other, generally outside the home. This includes both 'random' acts of violence by strangers, as well as violence in institutional settings such as workplaces, prisons, nursing homes and schools.[4]

'School' is defined here as any kind of institution providing academic education to children under 18 years old. This can include military schools; religious institutions such as madrassas and monasteries; care homes and orphanages; and young offenders' institutes and prisons.[5] Children in these 'alternative educational settings' can often be particularly vulnerable if the institution is not required to be regularly monitored by government in the same way as schools, or if the institution's culture is particularly violent and hierarchical. For instance, bullying in military schools may be considered part of the 'training' – an exercise to build mental and physical strength.

The UN Study on Violence Against Children notes that violence at schools has both physical and psychological forms, and can be expressed as punishment; discrimination; sexual or gender-based violence; bullying; fighting; gang violence; assault with weapons; and violence via new technologies such as the internet ('cyber bullying') and mobile phones. In this paper, we focus on two types of violence: bullying and sexual violence.

The report notes that bullying can include a very wide range of activities: name calling; deliberately making false accusations in order to make trouble for the victim with peers or authority figures; physical violence; damaging or stealing belongings or money; spreading rumours; threats and intimidation; making silent or abusive phone calls; sending offensive phone texts; or posting insulting messages on the internet. The forms of bullying using new technologies or focusing on money and

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[3] We note that school-based violence may occur between children who are part of the same family or kin group – family violence can spill into the public sphere, and sometimes school is the main point of contact for more distant relatives.
[4] This is in keeping with the 2006 UN Study on Violence Against Children, which argues that 'while some violence is unexpected and isolated, the majority of violent acts experienced by children are perpetrated by people who are part of their lives: parents, schoolmates, teachers, employers, boyfriends or girlfriends, spouses and partners'.
[5] Home-based education is not considered here.

property are most common in developed and urbanised contexts, but are likely to be growing in most environments.

The international standard definition of bullying is also of relevance here; this emphasises the importance of *repetition*, along with *harm* and *unequal power*. In a recent comprehensive and international (but primarily developed country) review of the school bullying literature, Stassen Berger (2007: 94) explains:

> Olweus wrote: 'A student is being bullied or victimized when he or she is exposed, repeatedly and over time, to negative actions on the part of one or more other students' (2001, pp5–6). Other experts phrase it differently, with bullying as 'a systematic abuse of power' (Smith and Sharp, 1994, p2). Note three crucial elements: repetition, harm, and unequal power. These three characteristics of bullying are accepted by scientists worldwide (Nansel and Overpeck, 2003; Rigby, 2002b). The research definition carefully excludes playful fighting, a one-time attack, or good natured teasing between friends, but includes indirect attacks, especially social or relational bullying. Not all aggression is bullying, but bullying is always aggression, defined as hurtful and hostile behavior (Gendreau and Archer, 2005).

It is important to note that teachers and staff can also bully students, often in the guise of discipline or punishment. Indeed, in their Study on Violence Against Children (2006: 15, para 50) the UN notes that:

> Violence perpetrated by teachers and other school staff, with or without the overt or tacit approval of education ministries and other authorities that oversee schools, includes corporal punishment, cruel and humiliating forms of psychological punishment, sexual and gender-based violence, and bullying.

With regard to sexual violence, the UN Study on Violence Against Children defines sexual abuse of children as including any kind of sexual activity inflicted on children, especially by someone who is responsible for them, or has power or control over them, and whom they should be able to trust. Sexual violence against children encompasses a wide range of acts, including forced sex in dating relationships, rape by strangers, systematic rape, sexual harassment (including demands for sexual favours in return for grades), sexual abuse of children, child marriage and violent acts against the sexual integrity of women, including female genital mutilation and obligatory inspections for virginity. Sexual violence is also increasingly perpetrated via the internet, which 'has not only stimulated the production, distribution and use of materials depicting sexual violence against children, but has also become a tool for solicitation and "grooming" (securing children's trust in order to draw them into a situation where they may be harmed)', as well as harassment, intimidation and bullying (UN 2006: para 80).

Although this paper focuses on sexual violence and bullying, reference will frequently be made to corporal and other forms of punishment. This owes partly to the fact that an overall 'culture of violence' at school tends to encourage the existence of multiple forms of violence; this is partly because of the often significant overlap between punishment, bullying and sexual violence and partly because of the fact that many of the respondents interviewed for this study (and whose interviews are summarised in Annex 4) identified corporal punishment as the main concern in their national context. On the basis of a study of gender-based violence at school in three African countries funded by the UK Department for International Development (DFID), Leach (2003: 389) argues that,

> … an environment which tolerates one illegal type of violence, e.g. corporal punishment, is also likely to be permissive of other forms of violence, e.g. sexual abuse. Indeed the two are linked – a girl who grants sexual favours to a teacher will expect to avoid being beaten, whereas a girl who has turned a teacher down might risk being singled out for beating or other forms of victimisation. Where bullying, corporal punishment and sexual abuse are all more or less tolerated by school authorities, this means that their practice is implicitly sanctioned, even approved of.

As such, there are also clear links between the eradication of corporal punishment and the prevention of sexual violence and bullying in schools. A holistic approach to defeat violence in schools requires that corporal punishment be banned as an unacceptable method of discipline.

1.5   A culture of violence: Child vulnerability in educational settings

Much of what has been said and published on violence against children takes for granted that a large majority of this violence is exercised by parents or other relatives inside the private space of the home. By contrast, there is very little record of the violence exercised in other settings; as a result, school-based violence against children is largely 'invisible'. In the rare cases when violence against children is registered, details on the context in which it occurred are often not included. In part this owes to the general assumption that schools are, by definition, a safe and protected place for children.

However, schools – like any other social context – are the sites of power relationships among teachers, staff and students, and among students themselves. In particular, the power relationships between elders and juniors that flourish in the home also exist in the school environment. Sometimes, these relationships are articulated in abusive ways. Further, schools are also designed and developed as places where children are socialised into, learn and internalise social rules in order to be prepared for the 'real' world. When much of this outside world is strongly influenced by authoritarian and hierarchical models – an authoritarian political structure; a history of military rule; and/or a very hierarchical socioeconomic structure based on gender, age, ethnicity, religion, class and wealth – in too many countries, the use of violence at school has been legitimised as a 'natural' form of discipline, a means of setting limits for children and a way of establishing and maintaining hierarchical teacher–student and boy–girl relationships. As a US Agency for International Development (USAID) study on school-related gender-based violence in developing countries noted, the problem 'takes place in a context of gender inequality and specific cultural beliefs and attitudes about gender roles, especially those concerning male and female sexuality, a pattern of economic inequality, and in some instances significant political unrest and violent conflict' (Kim and Bailey 2003: iii).

Debarbieux (2003) argues on the basis of a comprehensive international (but again almost completely developed country) review of the literature that rising levels of deprivation, inequality and social exclusion play a large part in school-based violence. However, he notes that it is also related to factors internal to schools, individuals and families which, while often linked to socioeconomic factors, are perhaps more amenable to policy and programmatic change than global and national socioeconomic structures. For example, a lack of a school monitoring and reporting system where parents and children can lodge complaints, especially in isolated rural areas, may lead to impunity for teachers who go to school after having consumed alcohol, a risk factor especially in the case of sexual violence against girls.

Box 1: Violence in schools and violence in countries, communities and families

Where the social and physical environment of the community is hostile, the school environment is unlikely to be spared. The levels and patterns of violence in schools often reflect the levels and patterns of violence in countries, communities and families. These, in turn, reflect prevailing political and socio-economic conditions, social attitudes, cultural traditions and values, and laws and law enforcement. Where it is legal, considered acceptable and perhaps even commendable for men to control women, and the wealthy or privileged to control the poor and disadvantaged, and parents to control children through violence and the threat of violence, then it is likely to be legal, considered acceptable and perhaps even commendable for both adults and children to use similar methods in schools. By being victims, perpetrators and witnesses of violence, children learn that violence is an acceptable way for the strong and aggressive to get what they want from the comparatively weak, passive or peaceful.

Source: Pinheiro (2006: 111) 'Violence Against Children in Schools and Educations Settings', in the UN Study on Violence Against Children.

Another part of the 'culture of violence' in which school-based violence exists is based on the extent to which violence – including violence against children and young people – is portrayed in the mass media as normal, or even exciting and desirable. The print and visual media, including television, films and video games, as well as the internet, can be used to normalise a culture of violence and, equally, a culture of peace (Amado and Freire, 2003).

1.6   A framework for approaching violence

In recognition that violence results from and affects a complex interplay between individual, relationship, community and societal factors, the WHO World Report on Violence and Health (Krug et al 2002) uses a social–ecological model to understand violence and thus build better strategies to prevent it. Such a model allows one to address the factors that put people at risk of experiencing or perpetrating violence.

The individual level identifies the biological and personal factors *within the social context* that can increase the likelihood that someone becomes a victim or a perpetrator of violence. These factors can include gender, age, ethnicity, disability, education, income, substance use or history of abuse.

The relationship level includes factors that increase risk because of a person's relationships with his or her closest social circle – peers, intimate partners and family members.

The community level explores the settings, such as schools, workplaces and neighbourhoods, in which social relationships occur, and seeks to identify the characteristics of these settings that are associated with becoming victims or perpetrators of violence.

Finally, the societal level looks at the broad societal factors that help create a climate in which violence is encouraged or inhibited. These factors include social and cultural norms, as well the health, economic, educational and social policies that help to maintain or undermine economic or social inequalities between groups in society.

A key advantage of this model is that it demands preventive actions at multiple interrelated levels. Such interventions should not only be developmentally appropriate across the lifespan, but should also take into account the relationships and contexts within which students and perpetrators of violence live and schools operate. This approach is more likely to sustain prevention efforts over time and to break the intergenerational cycle of abuse than any single intervention (see also Mugawe and Powell 2006).

We combine this social–ecological model with insights from the evidence-based policy literature, the RAPID (Research and Policy in Development) framework (Court et al 2005), which highlights the linkages between knowledge, policy and power. This approach highlights the importance of linkages between: i) political and policy contexts; ii) quality evidence and the framing of messages; iii) formal and informal communication channels between key policy and civil society actors; as well as iv) external influences from the international community (e.g. international treaties, international media attention, donor assistance programmes, the role of international movements and NGOs etc.) This analysis in turn allows us to highlight opportunities and challenges involved in tackling school violence both across and within regions, and to propose context-appropriate policy recommendations in the concluding section of this paper.

1.7   Global prevalence of school-based violence

Violence against children in educational settings has been widely underestimated. In spite of the lack of recent, reliable and systematic recording of this silent phenomenon, an increasing number of small-scale survey-based and qualitative studies call attention to the large impact of school-based violence on children's lives, to which we refer in the sections below. According to the comprehensive study carried out by UN,

> The public image of violence in schools has been coloured by the media's focus on extreme events, such as school shootings; the targeting of schools for attacks and mass kidnappings. However, such events are very rare. More common are forms of violence that go unreported and may be so

> tolerated and perhaps so actively condoned by the public and by official policy and law that they are not deemed worthy of study, discussion or debate.

The availability of information on school-based violence is improving, with the UN Study both encouraging and gathering data from a large range of initiatives, from local-level action research to international statistical databases.

Most evidence is on the prevalence of corporal punishment, which remains standard practice in schools in a large number of countries, despite the fact that the CRC requires State Parties to take all appropriate measures to ensure that school discipline is administered in a manner consistent with the Convention. At the end of 2007, the Global Initiative to End All Corporal Punishment of Children judged that, out of 231 states and dependent territories, 93 countries (and some additional regions of federal countries) had banned corporal punishment in schools. However, enforcement is highly uneven. Only 23 states, all in Europe and Latin America, plus Israel, have banned corporal punishment completely in all settings (homes, schools and penal institutions).

In terms of bullying within developing country schools, the information is sketchier. The main source of internationally comparable information is the WHO Global School-based Student Health Survey (GSHS). Based on surveys conducted between 2003 and 2005 in a wide range of developing countries,[6] the GSHS found that between about 20% and 65% of school-aged children reported having been verbally or physically bullied over the past 30 days. The figure ranges widely from a low of 17% among girls in Beijing and the United Arab Emirates to 67% among boys in Zambia.[7]

Sexual violence at school is particularly hidden, owing primarily to the sense of shame felt by victims. However, in a report on all settings (not just schools), the WHO estimates that 150 million girls and 73 million boys under 18 years old have experienced forced sexual intercourse or other forms of sexual violence; combining this with the fact that such violence is generally carried out by offenders known to the child (such as relatives and authority figures, including teachers and school authorities), provides a hint of the magnitude of the problem of school-based sexual violence. Indeed, GSHS analysis reported in the UN Study for five sub-Saharan African countries suggested that between 10% and 30% of students had been physically forced to have sex, although it is not clear to what extent this occurred at or around school, or who the perpetrator was. Interestingly, despite the fact that victims of sexual violence are far more likely to be girls than boys, this only came out in the Ugandan sample (13% of boys vs. 25% of girls). Data on forms of sexual violence other than rape are harder to come by for developing countries, especially in forms that specify the context, except in a few countries where specific studies have been undertaken, for example gender-based violence in schools in Ghana, Malawi and Zimbabwe (see Leach et al 2003) and in Botswana and Ghana (see Dunne et al 2005).[8]

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[6] Botswana, Chile (metropolitan areas), China (Beijing), Guyana, Jordan, Kenya, Lebanon, Namibia, Oman, the Philippines, Swaziland, Uganda, the United Arab Emirates, Venezuela (Lara), Zambia and Zimbabwe (Harare). Since the publication of the UN Study, in which the GSHS figures are reported (p125), data from 12 other countries, mostly in the Caribbean and North Africa, are now available, as are figures on physical attacks and injuries at school; the data require further compilation.
[7] The UN Study (p124) also presents data from Health Behaviour in School-Aged Children: A WHO Cross-National Study 2001/2 (http://www.hbsc.org) which suggest that the range is similarly wide in developed countries, with 15% of Swedish students and Czech girls aged 11, 13 and 15, and 65% of Lithuanian boys, reporting an incident of bullying over the past two months.
[8] Further national and regional level data are reported on in the regional section in Section 3.

2.   School violence against specific vulnerable groups

Unsurprisingly, school-based violence is more frequently perpetrated on those children who are discriminated against based on, for example, gender, disability, stigmatised illness such as HIV/AIDS, poverty, caste, class, ethnicity or sexuality. Victims are targeted because they are perceived to be different from the perpetrator and less likely to fight back or complain – those who are already discriminated against are unlikely to have others to turn to report a violent incident. These processes tend to exacerbate the exclusion from school of girls, poor children, children with disabilities and ethnic minority children, and undermine the capacity to learn for those who do remain in school. In this section, we present an analysis of the prevalence and nature of the school-based violence that occurs on the basis of children's personal or ascribed status, starting with the most notable factor: gender.

2.1   School violence based on gender

In all societies, to a greater or lesser degree, women and girls are subjected to physical, sexual and psychological abuse that cuts across lines of income, class and culture. The low social and economic status of women can be both a cause and a consequence of violence against women.
Beijing Declaration and Platform for Action, 15 September 1995

Gender-based violence is violence inflicted or suffered on the basis of gender differences. It is most commonly directed against women and girls, in large part because females are generally accorded a lower and/or more passive cultural status (for example, including such practices as infanticide, honour killing, acid attacks and female genital mutilation). But the concept also applies to boys – for example, more boys than girls are subject to beating as a result of the belief that boys need greater physical discipline in preparation for their adult roles and responsibilities.

In the school context, children's experiences of violence are also highly gendered. Although corporal punishment and bullying generally affects both boys and girls, GSHS data suggest that the level of violence experienced by boys is usually more severe. By contrast, sexual harassment and violence appear to be overwhelmingly carried out against girl students by male students and teachers (Save the Children Alliance 2005).

2.1.1   Constructing gendered identities in school

Underpinning such violence are deeply entrenched cultural norms and values about gender and power. A number of researchers emphasise the critical role that educational settings play in the construction of masculine and feminine identities, and the way that this contributes to student-on-student and teacher-on-student violence. In many contexts, dominant and aggressive male behaviour is normalised within the school environment, just as acquiescent and passive female behaviour is encouraged and reinforced (e.g. UNICEF 2005). This is often most evident in school curricula. Gender-based violence in schools is reinforced by sexist and discriminatory content of educational materials. In Nicaragua, for instance, educational authorities recently approved a conservative religious inspired module on sexual education, popularly known as the 'catechism of sexuality' to be used at schools which, far from deconstructing violence and gender discrimination, deepens the gender roles, mandates and stereotypes (CLADEM 2005).

Teachers' behaviour also plays an important role in shaping student attitudes and behaviour. Through action and inaction, teachers reinforce culturally acceptable gender practices and attitudes. Perhaps most importantly, by not reporting or responding seriously to complaints of sexual abuse, teachers and school authorities convey the message that sexual abuse is permissible or to be tolerated as part of life.

Other significant concerns relate to the ways that teachers perpetuate gendered patterns of discipline and communication. For example, research in sub-Saharan Africa suggests that female teachers often call on male teachers to carry out corporal punishment of students; female teachers are the most likely to resort to emotional abuse (insulting language) to control students, therefore reinforcing gendered patterns of discipline and communication (Shumba 2002). Similarly, unless teachers themselves have been educated about gender and power issues, they are likely to model behaviour that reflects their own experiences and those of the wider community, which are often deeply unequal and even violent. For instance, a South African survey found that, among a sample of teachers in a pilot project, 47% of female teachers had suffered physical abuse at the hands of an intimate partner and 25% of male teachers admitted they had been physically abusive to an intimate partner (id21 2001).

2.1.2   Gendered dimensions of school geography

Research suggests that, in terms of violence, school geography is also gendered. There is little research on boys' experiences, but it has been suggested that girls are likely to feel unsafe in certain places for fear of harassment or attack. The most commonly feared areas appear to be the perimeters of the school grounds, the toilets, empty classrooms and dormitories, as there girls are most likely to be exposed to harassment and abuse by male students and teachers (e.g. Burton 2005). The gendered dimensions of place are highlighted in the following South African example. Researchers in Cape Town asked high school girls to draw a map of places where they felt unsafe (World Bank nd: 3). The map (Figure 1) shows that the girls considered the most unsafe places to be:

- The **gates** of the school, where former students would come to sell drugs and harass students;
- The **toilets**, which, in addition to being filthy, were places where girls could be harassed by gangs; and
- The **male teachers' staff room**, where teachers would collude to send girls for errands so that other teachers could sexually harass or rape them during their free hours. The girls were so afraid to go near the staff room that they arranged always to do errands in pairs so as to be able to protect each other. The picture next to the staff room shows a man taking a girl by the hand with the caption 'girl is crying'.

Figure 1: Map of unsafe places for a girl

Source: World Bank (2005).

Another key concern relates to the risk of violence while travelling to school. Research reported in the UN Study suggests that girls' likelihood of molestation increases as does the distance to school. The risk of such violence can constitute a major reason for parents' reluctance to send particularly pubescent girls to school (Woldehanna et al 2008). Travel is likely to be especially risky in conflict or post-conflict contexts in areas where children need to walk past army checkpoints and are subject to possible attack by military personnel (Save the Children Alliance 2005). Finally, girls may also fall prey

to so-called 'sugar daddies' – older men who pressure girls into sexual relationships outside school in exchange for money, food or presents (Kim and Bailey 2003).

2.1.3   Impacts of gender-based violence

The impacts of gender-based violence in school are multiple and overlapping, including deleterious effects on girls' educational, physical and psychological health.[9] Sexual harassment and violence pose a powerful barrier to girls' and young women's access to education and their ability to benefit from it. It is a powerful factor in influencing parents to keep girls out of school, in making girls themselves avoid school and also in girls' underperformance in the classroom (Plan, 2004).

Gender-based violence also has a range of health consequences. In addition to suffering physical and psychological trauma, young girls also may have to face the consequences of unwanted pregnancy, unsafe abortion and sexually transmitted infections, including HIV/AIDS (Kim and Bailey 2003). In some cultural contexts, they may also face social stigma and possible rejection by their families or community, because of the high cultural value attached to sexual purity (Ogunyemi 2000).

Beyond these more immediate effects, experience of sexual violence may also set the stage for girls' future adult interactions, in what is described in the literature as the cycle of violence (Save the Children 2006).

2.1.4   Responses to gender-based school violence

In order to address the gendered dimensions of school-based violence, a number of good practices are discussed in the literature. These include the following:
- The development and enforcement of gender-sensitive anti-violence regulations, including systematic reporting of offences and holding perpetrators accountable (UNGEI 2004);
- Employing a higher number of female teachers and school-based social workers, and ensuring they receive adequate training in preventing and responding to gender-based violence so that they can serve as role models and counsellors to girl students (Save the Children 2006);
- The development of life skills curricula that include modules to build both boys' and girls' awareness of the power dynamics of gender inequality, and practical sex education and sexuality classes in order to provide alternative models to the often abusive relations that children may see modelled within the household or community (Mirsky 2003);
- Training youth leaders and peer educators to tackle school violence, especially empowering children and young people to stand up to and report violence (Kim and Bailey 2003);
- Development of preventative healthcare services, including training personnel to raise awareness in the community, recognise warning signs of abuse and intervene sensitively (Kidd 2003); and
- Training female police officers to deal with crimes of sexual violence and employing specially trained court intermediaries to support child victims in prosecuting cases of abuse (Save the Children 2006; Harber 2001).

2.2   School violence based on sexual preferences

As the UN Study points out, 'Violence [in educational settings] is also increasingly directed against lesbian, gay, bisexual and transgendered young people in many States and regions' (p15 para 2). Homophobic bullying – abuse based on sexuality – is typically premised on entrenched cultural beliefs that girls and boys must conform to rigid rules of conduct and/or appearance based on their gender. Children and young people who do not conform run the risk of being victims of violence by peers and adults. Although research in developing country contexts on anti-gay violence in school settings is very

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[9] It is likely that boys who suffer from sexual violence in school environments also face a range of potential health, psychological and educational disadvantages but, again, little research exists in this area in developing country contexts.

limited, studies from Northern contexts suggest that the problem is pervasive in the school context. A US study, for example, found that lesbian, gay and bisexual youth were nearly three times more likely than their peers to have been involved in at least one physical fight at school, three times more likely to have been threatened or injured with a weapon at school and nearly four times more likely to be absent from school because they felt unsafe (Plan nd). Such violence is facilitated by governments' failure to enact and implement laws that provide students with explicit protection from discrimination, and by school authorities' failure to provide curricula that encourage acceptance and tolerance of diversity (Kim and Bailey 2003).

2.3   School violence based on disability and stigmatised illness

Bullying and sexual violence are two of the many factors that limit the participation of children with disabilities in both formal and informal education, and diminish their capacity to live healthy, safe and enjoyable lives.

The Global Survey on HIV/AIDS and Disability[10] notes that people with disabilities have a significantly elevated risk of physical violence, sexual abuse and rape, yet enjoy little or no access to the police or legal system for protection, and have less access to medical interventions and counselling than their non-disabled peers. The UN Study on Violence Against Children with Disabilities (2005) concurs, further noting that disabled children are often targets of violence even before they reach the schoolhouse door (see Box 2 below). The study points out that children with disabilities are particularly vulnerable owing to the combination of the stigma they endure and their physical and intellectual impairments, which limit their capacity to fend off attacks or be believed in their reports of violence. The study also notes (p16) that

> Many disabled children, already marginalized and stigmatized, are desperate to make friends and be included. Because of their need to feel included, some may be more easily manipulated, and be willing to put up with physical violence, sexual abuse or bullying, as long as these fragile young people are allowed to hang around and feel included.

Although there is a lack of recent and reliable statistics, evidence continues to suggest that, in the developing world, despite the increased policy attention owing to the Education For All movement, the large majority of children with physical and mental impairments never attend school at all and very few reach secondary school (see Yeo and Moore 2003, on which this section draws heavily).[11]

Those disabled children who do get an education often have low expectations of themselves and from others, and thus have few demands placed on them and therefore learn less than non-disabled children. They tend to be excluded from day-to-day interactions, limiting acquisition of basic social and life skills. They rarely get the support they need to participate equally, and receive inferior treatment from both teachers and non-disabled students. A study on disability and chronic poverty in Uganda (Lwanga-Ntale et al 2002: 16) notes that,

> Evidence from the field confirms that disabled children's experiences are characterised by dependency, social isolation, rejection, vulnerability and powerlessness. Many disabled children, especially adolescents, are exploited (including sexually), discriminated against and denied access to social and economic activities. The study observed that children without disabilities are often cruel to their disabled counterparts, nicknaming, punching, slapping, beating, teasing and bullying them.

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[10] See http://cira.med.yale.edu/globalsurvey/index.html.

[11] The process of exclusion from education operates in many different ways, and is a significant part of the discriminatory and disabling environment that children with impairments endure. In many countries, disabled children are not required to go to school, and there is no special provision for their needs if they do enrol. Even if schools are available, affordable and physically accessible, disabled children are less likely to be sent to school by parents and carers for fear that they will not cope academically or socially, that their disclosure will stigmatise the family and affect the marriage prospects of siblings and that they are not a worthwhile investment when resources are limited and there are other children to educate.

Box 2: School violence based on disabilities

Violence inside the classroom

Teachers: Disabled children are often beaten, abused or bullied by teachers, particularly untrained teachers who do not understand the limitations of some disabled children. Children with intellectual or hearing impairments are particularly at risk, but reports worldwide find that all disabled children are potential victims. Sexual abuse by teachers is also widely reported for both male and female students.

Fellow students: Teachers that humiliate, bully or beat children not only directly cause harm to the child, but also model such behaviour for other children in their classroom, who may follow the teacher's lead in physically harming, bullying and socially isolating the targeted disabled child. Sexual abuse by fellow students is also a concern and is often linked to physical violence and bullying behaviours by such classmates.

School staff: Individuals who work as teacher's aides or attendants for disabled children, or help transport, feed or care for such children, or clean and maintain school facilities, are often underpaid, overworked and largely unsupervised. While many who undertake such career choices do so out of the best of motives, others choose these jobs because it allows easy access to the most vulnerable children.

Lack of reporting mechanisms: Few schools have mechanisms in place that allow students (disabled or able bodied), parents or caregivers to complain about violence or victimisation. This is all the more serious because in many communities there are only a handful of schools or educational programmes available for disabled children. Parents/caregivers or children may hesitate to complain about violent or abusive behaviour in the school, fearing that they will be dismissed from a programme when no alternative exists. Of equal concern, few schools have systems in place to allow school staff to report abuse they have observed on the job.

Non-residential schools

Travelling to and from school: Educational facilities for disabled children are rare, so many children travel long distances to school.
- Reports of physical and sexual abuse by those responsible for transportation to and from school are common.
- Disabled children are often bullied, teased or subjected to physical violence (being beaten, stoned, spit upon, etc.) by members of the community on their way to and from school.
- Perpetrators of violent crimes, including robbery and rape, often target disabled children on their way to and from school, particularly schools for the disabled, believing them to be more vulnerable and less likely or able to report crime or abuse.
- Students with sensory or intellectual impairments seem to be at particular risk.

Residential schools

In many countries, children with specific types of impairments (particularly sensory or intellectual impairments) are educated in residential schools, where they may live away from their families for months or years. In addition to the potential for victimisation noted above for disabled children in the classroom, additional concerns for violence against disabled children must be noted for residential schools.

Housing at residential schools: Children who live in dormitories or are boarded out with local families are often subject to both physical violence and sexual abuse.

Lack of reporting mechanisms: Reporting mechanisms for such violence is limited or non-existent for most children. Children in residential schools often have little or no regular contact with the parents and, in some cases, such as of children with hearing impairments, may have parents who are unable to effectively communicate with them. Often, there is also no adult caretaker or teacher in the school to whom the child can report abuse.

Source: Adapted from the UN Study on Violence Against Children with Disabilities (2005).

In a small study of three Kenyan schools, disabled children were teased more often, and also were less happy in school; had fewer friends; had poorer relations with teachers; had more emotional, conduct disorder and hyperactivity problems; were less pro-social; engaged in fewer extracurricular activities; had poorer attitudes to lessons; had poorer arithmetic scores; and were less likely to hold positions of responsibility (Kariuki et al 2002).

Many children with a stigmatised health condition, or with a family member with such an illness, also find they are at increased risk of bullying at or on the way to school. Depending on the context, illnesses as wide-ranging as tuberculosis, leprosy, cancer, sexually transmitted diseases or depression, or conditions such as albinism, can be stigmatised. Despite significant improvements in how people with these conditions are perceived, stigma remains and is very strong in many parts of the world (CPRC 2004). Children with any illness that makes them *look* or *act* differently to their peers are often targets of bullying, as are those with illnesses perceived contagious or caused by a curse.

Today, it is attitudes towards HIV/AIDS in particular that stigmatise and exclude many millions. In addition to the high direct and indirect costs of HIV and AIDS to livelihoods and economies, there continues to be widespread social and economic discrimination against people who are HIV-positive or who have AIDS. People with AIDS, and often their households as well, continue to be excluded from work, access to services and family and community life. This exclusion is based on misperceptions about the source and effects of the illness, and amplified by existing social inequalities, especially those of gender, sexuality, race and class. According to Plan (2004),

> …another growing reason for being bullied is the stigma associated with HIV/AIDS. Children whose parents are ill because of HIV/AIDS, or those who have been orphaned by the disease, may be rejected by their friends and schoolmates. As one 16 year-old South African girl put it: *'They treat you badly. You don't feel like walking in the street, they give you names. They whisper when you pass. They take it that when one person in the house is sick, all of you in that house are sick.'*

Finally, there is some evidence (Groce and Traci 2004) that girls and women with disabilities are increasingly at risk of rape owing to the 'folk' belief that HIV/AIDS can be cured if one has sex with a virgin – disabled people are often (incorrectly) considered to be sexually inactive and thus virgins, as well as being 'easy targets'. Anecdotal evidence from a Southern African country suggests that this practice has extended to include abuse in educational facilities: the sexual abuse of students in a school for the deaf (SAFOD 2007).

3.   School violence by region

A major challenge surrounding the problem of violence in schools is the relative dearth of information on the extent and severity of the problem, and how this plays out in different regional and country contexts. The focus of this section is therefore on synthesising existing research findings on school violence (specifically bullying and sexual violence) in different geographical regions. Our starting point is that the power, age, gender and other social inequalities that underpin school-based violence are likely to be shaped by regionally specific socioeconomic, cultural, religious and historico-political structures and processes.

As discussed in the introduction, we frame our discussing using the RAPID framework, which focuses on linkages between: i) political and policy contexts; ii) quality evidence and the framing of messages; iii) formal and informal communication channels between key policy and civil society actors; as well as iv) external influences from the international community (e.g. international treaties, international media attention, donor assistance programmes, the role of international movements and NGOs etc.)

3.1   School violence in the sub-Saharan African region

Although the evidence base is still limited, a growing body of research on school violence in Africa suggests that the problem is pervasive and entrenched in authoritarian and highly gendered school management systems and curricula (Kent 2004; Dunne 2007). Existing surveys with students and/or teachers suggest that school violence affects the majority of children. For example, the GSHS of 2003 found that almost three-quarters (73.2%) of students surveyed in three provinces in Zimbabwe had been seriously injured as a result of school violence at least once during the past twelve months. Similarly, in Zambia, 63% of students reported being bullied at last once in the past month, and 32.7% had been physically forced to have sexual intercourse. Unfortunately, few schools have policies in place to tackle such violence, and the reporting of cases of abuse to school authorities appears to be low and holding suspected perpetrators accountable for such abuses even lower (Burton 2005).

Existing studies suggest that in Africa girls and boys, urban and rural children, experience school-based violence differently (e.g. Mugawe and Powell 2006). Gender differences stem from gendered patterns of discipline (boys receiving more severe physical punishment than their female counterparts) as well as deeply embedded cultural norms and values about appropriate masculinities (aggressive, competitive, dominant) and femininities (passive, accepting). These attitudes and behaviours are often modelled by teachers and reinforced by teacher acceptance of unequal power relations and differential behavioural patterns among boys and girls. Girls tend to face a greater incidence of sexual harassment and abuse, whereas the literature suggests that boys are more likely to be victims of bullying as well as to bully others.

Box 3: Key informant interviews from Africa: Awareness about school violence

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If we are talking about an opinion on the matter, there is very little awareness of how the issue is seen outside of Angola and how violence between students is not acceptable, or how those in authority abuse their power by employing violent means in order to discipline and teach children. There is a problem in Angola and that is people say 'African children are different', they think they need to be trained differently using violence. Everyone is aware that violence in schools occurs, but it is not always seen as a problem. It is life. (Former Policy Advisor, Department for Social Welfare: Angola)

The level of awareness is not high. Many are aware that violence against children occurs everywhere, every day, but they are not aware that this is against their human rights. This is the problem. People talk about violence against children in general but there is no concrete indication of how widespread it is. Ethiopia's human rights record is poor: the government does not uphold our rights. The same goes for educational institutions also. If there was legislation, I doubt that it would be respected. (Youth and Child Protection Team member, UNICEF: Ethiopia)

It is part of the cycle of violence: they were beaten as children and think that today's children should also be beaten. For men this is more so, they want to give an image of toughness and courage and also want the younger generations of boys to display this. (Former NGO worker, Swaziland)

I think [awareness levels about violence against children in schools] are very high in urban areas. Most people are aware of the ban on corporal punishment, even though they may not observe this ban. There is a strong movement to educate children on their rights, particularly in rural areas. (Former employee, Zambia Civic Education Association: Zambia)

Violence at school is a significant problem, but the community does not recognise its importance. A local research project suggests that students are most aware of school-based violence, then teachers, with community members least aware. (Initiative pour la Recherche et les Actions pour le Développement Mondial worker: Benin)

The level of awareness of how some children – particularly girls – are treated at school from both their peers and their teachers is a widely acknowledged in Ghanaian society, and depending on their level of education bullying is often seen as perpetrated by men against female students because they feel threatened by the prominence of women in society ... Others accept bullying of girls (and boys) as part of school life and in fact in some areas it is seen as due to a child's own weakness. It is often viewed as a sign of failure and weakness. This is why girls are often reluctant to speak out about their suffering. (Graduate student in Guidance and Counselling, Ghana)

The problem exists, but the population does not have a clear perception of the phenomenon. The level of comprehension is weak. This is due to the high rate of illiteracy among the Nigerien population. (Sociology lecturer: Niger)

3.1.1 Sexual harassment and violence

Fuelled by the alarmingly high rates of HIV/AIDS infection rates among school-age girls in Africa and by the international drive to provide education for all children, including girls, by 2015, the problem of school-based sexual harassment and violence is receiving increased public and scholarly attention (e.g. Mugawe and Powell 2006). Research findings suggest that sexual violence is perpetrated largely by older male pupils and male teachers against female students, and has a particular geographical dimension (e.g. George 2001). Girls report that they are most likely to be abused in or near toilets, empty classrooms or dormitories, the perimeter of the school grounds or en route to school (ibid). For example, almost one-quarter of Malawian children fear they will be attacked while walking to school, and one-third are fearful of particular places within the school grounds (Burton 2005).

Sexual violence in schools appears to be widespread and institutionalised in many country contexts in the region. This is reflected in the fact that such abuse is commonly seen as an inevitable part of school life (e.g. Leach 2003), as well as in the reluctance by education authorities to tackle the problem and bring perpetrators to justice. It is reinforced by a broader culture of gender violence and inequality, including family violence and the dominant view that women 'belong' to men and have lower status and value (ibid).

With the rise of awareness among some children, especially urban children, about child rights, reporting levels on sexual violence are not perhaps as low as one might hypothesise.[12] Nevertheless, based on existing evidence as well as well-established patterns of underreporting of such abuse in other contexts and in the case of violence against women, researchers concur that reporting levels are likely to represent only the tip of the iceberg (Ogunyemi 2000). This owes to concerns about stigmatisation, lack of confidence that schools will take action and limited willingness to confide in teachers for fear of reprisals. Equally troubling is the fact that few perpetrators are held accountable (Shumba 2002). Teachers are reluctant to report colleagues' abuses and, in some contexts, school authorities and even parents do not necessarily disapprove of sexual relations between pupils and teachers (Leach et al 2003).

Existing research suggests that sexual violence in school contexts has multiple and reinforcing deleterious impacts on girls' physical and psychological development and wellbeing. A number of studies stress that fear or experience of sexual violence in schools is a major reason behind some girls' underperformance in schools and/or dropping out of school, which is reflected in girls' lower enrolment rates at the secondary school level (Dunne et al 2005). This in turn undermines their opportunities to learn and gain access to vital information about their and their families' rights to services (id21 2001). Health and reproductive health impacts – both immediate and longer term – are also an important concern (Jewkes et al 2002).

3.1.2 Bullying

Survey data suggest that bullying affects very high numbers of children in African schools. For example, in a survey of Nairobi public schools, of a sample of 1,000 students, between 63.2% and 81.8% reported various types of bullying (Ndetei et al 2007). Similarly, in a South African survey, more than half of the respondents had experienced bullying once or twice in the previous month (Neser et al 2004; see also Lianga et al 2007). Although many teachers and parents reportedly view bullying as 'an inevitable part of school life', research with students suggests that experiences of being bullied have a deleterious impact on their schooling as well as mental and/or physical health.

Bullying is also seen to be linked to experiences of violence in the home, as children learn that violence is a primary mechanism for negotiating relationships. Children who suffer from family violence are more likely to be bullies and/or to be bullied. A number of studies also suggest that experiences of childhood bullying have long-term consequences, including a propensity to engage in anti-social and risk-taking behaviour and to suffer from greater rates of anxiety and depression (e.g. Lianga et al 2007; Mugawe and Powell 2006).

3.1.3 Political context

Underlying causes

As in other regions, authoritarian school cultures where physical discipline is viewed as an integral part of the classroom (Mugawe and Powell 2006) as well as pervasive patriarchal values and norms that encourage male aggression and female passivity are identified as critical underlying reasons for school violence in Africa (Harber 2001; Nhundu and Shumba 2001). However, these power-, age- and gender-based inequalities are refracted through a number of regionally specific socioeconomic, cultural and political structures and processes, which must be taken into account when attempting to understand the phenomenon of school violence in Africa and to design efforts to tackle the problem.

First, economic need and inequality is identified by many researchers as a key factor fuelling both bullying and sexual violence in the region.[13] Girls in particular are often vulnerable to sexual abuse owing to the lures of transactional sex, where sexual services are exchanged for money, school fees,

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[12] Burton (2005) in research on Malawi found that between three-fifths and two-thirds of offences against children were reported to someone, be this a parent, a teacher or the police. Bullying is most often reported (65.5%), whereas forced sex (61.4%) and oral sex (60%) are the least reported.

[13] For example, Harber (2001) in the context of South Africa argues that a violent social context characterised by high levels of unemployment and extremes of wealth and poverty underpin violent school cultures.

gifts or food (George 2001). The economics of school violence are also linked to the breakdown of traditional family structures as labour migration to urban areas of one or both parents increases.

The risk of HIV/AIDS is another critical theme in the literature on African school violence. Particularly in South Africa and the Southern African region, the very high prevalence of HIV/AIDS has raised concerns among authorities and NGOs about the vulnerability of school-age girls to infection, either through assault while travelling to school or through sexual abuse or coerced sex by male teachers or pupils within school grounds (Mirembe and Davies 2001). Unfortunately, this risk has been compounded by cultural myths that sex with a virgin will 'cure' HIV/AIDS, leaving even very young girls vulnerable to attack (Save the Children Alliance 2005).

The scourge of HIV/AIDS as well as war and conflict in many countries in the region has also led to a disproportionately high level of orphans, who tend to be more at risk of being victimised by bullying and/or sexual violence (Save the Children Alliance 2005). Relatives may also reject children if they believe they have contracted HIV/AIDS, and fear of such rejection may mean children are reluctant to seek testing and medical help even if it is free and available. Other barriers may be the cost of medical services and insensitive medical personnel (ibid).

Although of critical medium- and long-term importance, the current international drive to achieve education for all has also had an indirect impact on children's vulnerability to school violence on the continent, owing to the very rapid increase in school enrolment. With an emphasis on quantitative expansion rather than educational quality, school classroom sizes and pupil-to-teacher ratios have increased dramatically, rendering it more difficult for teachers to maintain control (Woldehanna and Jones 2006). Not only is this likely to reinforce teachers' reliance on physical punishment to discipline students, but also it risks decreasing the capacity of teachers to intervene in cases of student violence. Even in contexts where regulations or legislation have been introduced to address school violence, this has not been met with a concomitant increase in resources to address violence and enforce new regulations (interview with Viktoria Perschler, 2007). Similarly, the drive to increase girls' enrolment rates has in most cases not been met by increased resources to address their vulnerability to attack while travelling to school in rural areas. This, combined with generally more entrenched patriarchal values and lower levels of awareness about children's rights and access to related information, means that rural children are often more at risk of school violence (Burton 2005).

Other country-specific problems identified by research on school violence in Africa include linkages between the violence of the apartheid era and high levels of bullying and sexual violence in South African schools (Harber 2001; id21 2001) and the vulnerability of school children in Malawi to offers for transactional sex by 'sugar daddies' and 'sugar mummies' by foreign tourists (Ng'ombo 2004). In addition, the Inter-Agency Network for Education in Emergencies' research on West and Central Africa suggests that any education sector response to post-emergency and post-conflict contexts needs to pay particular attention to the vulnerability of children to increased military presence, e.g. risk of attack by soldiers at checkpoints on the way to school.

Policy and legislative responses
All the countries in our sample of African countries have legislation which provides general protection to children against sexual violence, mainly through penal codes (see Annex 1). Only Sierra Leone includes in its legislation an explicit law that regulates sexual violence against children at home. However, in the case of bullying, no countries in the region have legislation that provides specific protection against such practices. Partial exceptions include Kenya, where it is possible to take administrative action against bullying in schools (i.e. a student found bullying another may be suspended or expelled from school), and Guinea Bissau, where the Penal Code can be applied to sanction bullying.

The potential impact of these legislative measures, however, is likely to be shaped by the dual legal systems that characterise many African countries. Customary regulations, laws and norms often exist in tandem with modern judicial frameworks; at the community level, the former often dominate.

Accordingly, any legislative or policy strategy must pay particular attention to the implications for traditional laws and their gatekeepers.

3.1.4 Evidence and framing of messages

Evidence on school violence in Africa is very uneven. Geographically, there are a disproportionate number of studies on South Africa (reflecting at least in part the country's role as an economic and intellectual powerhouse in the region) and to a lesser extent Southern Africa. There are many fewer studies from East and West Africa.[14] In terms of methodological approaches, because of the relative silence surrounding the problem of school violence in the region until recently, there has been only limited investment in quantitative data collection on bullying and sexual violence.[15] More often, researchers have drawn on a variety of non-survey research methods, including ethnographic studies (particularly useful for uncovering social norms and values, and informal practices within school which reinforce cultures of violence); newspaper content analyses of articles documenting cases of abuse (which provide valuable insights into the framing of public debates on the issue); action research (Abrahams et al 2006); and analysis of non-clinical files from education jurisdictions (providing insights into the social characteristics of perpetrators and victims who report problems of abuse).

Framing of debates
The framing of the issue of school violence in Africa reflects both international debates as well as several more regionally specific themes. School violence in general is discussed by a number of authors, especially international NGOs, as a human rights violation and a failure by national governments to honour international obligations, particularly children's rights as enshrined in the CRC. The extent to which rights-based approaches are accepted is reportedly limited, with various arguments, such as those about Western-imposed values and/or cultural and religious differences, being used to justify non-compliance by some actors (Save the Children Sweden 2005). Moreover, others argue that, although children are increasingly familiar with rights discourses, a significant disjuncture between conceptual understanding and behaviour change remains (Burton 2005).

A substantial number of studies link school violence to social exclusion, based on class, ethnic or location differences. Poverty is seen as a key driver of girls' involvement in transactional sexual relationships (Leach et al 2003). Rural children in some contexts are considered more vulnerable to school violence than their urban counterparts, regardless of age (see Burton 2005 on Malawi).

Issues relating to school-based *sexual violence* are similarly framed by a number of analysts as risking girls' right to an education, and as endangering the achievement of the global push for education for all and Millennium Development Goal (MDG) 2 (ActionAid 2004). Other researchers, however, are less comfortable with a child rights approach and instead emphasise that sexual violence in schools may jeopardise the reproductive health and rights of 'tomorrow's adults' (Ogunyemi 2000), especially because of girls' vulnerability to HIV/AIDS through rape or coerced sex.

Another prevalent discourse relates to the role of schools as institutions that help to construct acceptable masculine and feminine identities. This is achieved both by the gendered role models that teachers provide and the types of behaviour by boys and girls that are sanctioned or discouraged (Dunne 2007). A common theme is the way in which the construction of African masculinity (premised on male sexual prowess, male competition and aggression) serves to render gender-based violence in schools invisible. While male aggression is often dismissed as 'normal male behaviour',[16] acquiescent female behaviour is tacitly accepted. Equally problematic is the way in which some teenage girls come to see their bodies as economic assets and thereby normalise transactional sex (Burton 2005).

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[14] Of a sample of 49 published and grey literature sources, 24 were on South Africa, 16 on Southern Africa, four on East Africa (Uganda and Kenya) and five on West Africa (Ghana and Nigeria).

[15] Exceptions include Burton (2005) on Malawi; Lianga et al (2007) and Neser (2005) on South Africa.

[16] A South African study, for example, found that: '12 percent of women said they had experienced harassment from a colleague. 47 percent of women teachers reported experiencing physical abuse at the hands of an intimate partner, 31 percent sexual abuse, and 69 percent psychological abuse. 25 percent of male teachers admitted that they had been physically abusive, 12 percent sexually abusive, and 33 percent psychologically abusive to an intimate partner' (id21 2001: 2).

Debates around bullying in the literature pay considerable attention to linkages between broader societal violence and school-based violence, particularly within the context of post-Apartheid South Africa. Ethnographic research findings, for example, attempt to illuminate children's 'gendered and violent cultures' (Bhana 2005).

Another key strand in the literature focuses on issues of safety, including concerns about the lack of first aid education to deal with injuries and immediate and longer-term health problems (GSHS 2003; Neser 2005). Some researchers extend this argument to include concerns about psychological harm and the potentially long-term risks of depression and anxiety, which may reach well into adulthood among both victims and perpetrators of bullying (Leach 2003).

3.1.5 Key actors and linkages

International human rights and child rights-focused international NGOs have played a significant role in raising awareness about school violence in Africa through research and information dissemination and the piloting of prevention, counselling and offender rehabilitation initiatives. Key organisations include ActionAid, Human Rights Watch, Save the Children, UNICEF, International Rescue Committee (in Rwanda), the Open Society Institute, Plan Ghana and Tanzania and the UK's DFID.

Other important institutions include select national governments (especially South Africa, and also Rwanda and Mozambique) and a number of local gender- and child-focused NGOs. A variety of initiatives have also been undertaken by various government agencies, including ministries or departments focusing on children and youth issues, ministries of health, justice and education (as well as teacher training institutes) and, in at least one case, a select parliamentary committee (Uganda). Although there are increasing efforts in South Africa to provide integrated services, in most cases a key weakness is limited inter-sectoral coordination (Leach et al 2003) and the absence of a designated and sufficiently powerful central coordinating agency and issue champion. This problem is powerfully illustrated in a detailed Plan study on Malawi, which illustrates how, despite the existence of innovative infrastructure to address children and human rights issues at the national and sub-national levels, poor coordination across these different commissions and government agencies has hindered significant progress in combating child protection violations (Ray 2006).

Poor inter-sectoral coordination is often compounded by the fact that governments typically rely on NGOs to provide necessary services to tackle school violence without an overarching national framework or guidelines, resulting in fragmented services and the absence of a clear monitoring and evaluation framework (Vetten 2005). Similarly, none of the available literature documents the presence of national or regional networks or communities of practice established to share experiences about how best to tackle school violence, suggesting that communication channels and mechanisms between key civil society and/or policy actors are largely informal or non-existent. Ray (2006) on behalf of Plan Malawi goes some way to identifying key actors involved in the reporting, managing, monitoring and evaluating of child protection at district level and mapping out how this could be achieved more effectively.

Limited coordination and communication notwithstanding, examples of good practice by government and NGO agencies alike suggest that a number of innovative policy and programming responses have been developed, and provide considerable potential scope to build on, expand and scale up. These include the following types of activities:

- *Awareness raising and information sharing targeting children*: Programmes include efforts to promote understanding about child rights[17] as well as unequal gender power relations and ways

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[17] For example, the Zambia Civic Education Association (ZCEA) is an NGO working to promote and protect children's rights through civic education. The programme's Child Rights Clubs project seeks to empower children by raising their awareness of their rights as enshrined in the CRC, the African Charter on the Rights and Welfare of the Child and other instruments. ZCEA believes that participation of children in their own programme is fundamental to the attainment of their justice and dignity.

to encourage greater gender equality;[18] promoting personal responsibility and respect often through use of multimedia methods, drama or storytelling approaches; identifying and supporting positive role models and mentors or peer educators to work with children and young people and teach them about their rights and responsibilities (e.g. Plan Togo 2006).

- *Awareness raising and information sharing targeting teachers and school authorities*: Given the powerful influence that teachers have in shaping children's values and modelling acceptable adult behaviour, ensuring that teachers understand the root causes and ways to address school violence is of critical importance. Programmes include 'training of trainer' initiatives focusing on teachers' attitudes and equipping them with the necessary skills to serve as positive role models; the development of life skills and sex education modules in school curricula that teachers feel comfortable teaching (Shumba 2002); and the development of professional codes of conduct, especially during teacher training, to address the high rate of sexual violence perpetrated by especially newly graduated young male teachers (Nhundu and Shumba 2001).

- *Involving multiple stakeholders*: There is increasing recognition that, if school violence is to be tackled effectively, a wide range of stakeholders need to be made aware of the problem, take ownership over and implement community-appropriate responses. Examples of good practice in the African context include the development of a manual to educate community leaders and parents about the problem and how to report it to judicial authorities where necessary (id21 2001); media monitoring to track how cases are reported and handled; the establishment of decentralised child abuse resource centres that empower communities to take responsibility for combating child abuse (Save the Children Alliance 2005); training of intermediaries to support children in the court system in child abuse cases (South Africa); free legal advice, including legal caravans for more remote rural populations, on sexual violence cases; training female police officers so that girls feel more comfortable reporting cases of abuse (Rwanda); and pro-child police training modules (Uganda); as well as programmes to rehabilitate young sexual offenders (South Africa). There also appears to be scope for lesson learning and even building on initiatives that tackle violence against women (interview with Swaziland Action Group Against Abuse – SWAGAA, 2007).

3.1.6 Future challenges

In order to tackle school-based sexual violence and bullying in Africa, a number of key challenges need to be addressed. First, there is an urgent need for more nationally representative and regionally comparative data collection initiatives, so that national governments and the international community can gain a better understanding of the extent and nature of the problem in the region, including identifying groups of children that are particularly vulnerable to abuse. It will also be critical for research to be repeated at regular intervals so policymakers can assess changing patterns over time and assess the relative efficacy of interventions. In terms of specific research gaps, there is a clear lack of evidence about how bullying and sexual violence intersect with homophobia and about boys as victims of sexual violence, as well as the extent of teacher-centred violence and the effects this has on student-centred violence. There is also a need for more scholarly attention to review the extent to which policy and legal interventions are effectively preventing school violence and/or appropriately supporting victims and holding perpetrators accountable (Ray 2006).

With this in mind, ZCEA has established 300 clubs in communities and in primary and high schools in all nine provinces of Zambia.
[18] For example, the Girls' Education Movement (GEM) operates in Botswana, Lesotho, Kenya, Uganda, South Africa, Tanzania, Zambia and Zimbabwe as an important aspect of the UN Girls' Education Initiative (UNGEI). When GEM was launched in 2001, it was conceptualised as a pan-African education initiative through which girls would become leaders in the transformation of Africa and agents in the decision-making processes concerning their educational chances. Girls' Parliaments, sponsored by GEM, in conjunction with the National Department of Education in South Africa, have offered girls the opportunity to contribute to policymaking around issues of sexual violence in schools. The first Girls' Parliament in South Africa took place in 2003. It is worth noting that GEM in South Africa has also developed posters addressing gender violence and a chat line for girls to speak out.

Second, although research on school violence in Africa is still limited, the research that does exist is not readily accessible in a single location (either real or virtual space). Knowledge management at the national, regional and international levels therefore constitutes a significant challenge, and should also take into account language barriers and the importance of accessing resources for translation and dissemination purposes.

Third, there is a clear need for greater cross-government agency coordination, including the identification of a single well-resourced issue champion to oversee a national framework (and related professional codes of conduct). This is an aim articulated by the Every Child Matters campaign led by the UK government, which advocates the interlinking of organisations involved in providing services to children – such as hospitals, schools, the police force and voluntary groups. Where the capacities of such actors allow, this may constitute a recommended approach to integrating child protection services and, correspondingly, ensuring that children are able to participate in discussing and addressing the issues that affect them.[19] Similarly, there is much scope for better cross-sectoral coordination in order to facilitate quality monitoring and evaluation, lesson learning and potentially scaling up effective and innovative initiatives.

Box 4: Key informant interviews from Africa: Tackling school violence

Who should be involved?

I would argue that it is necessary to have not only the school staff and pupils involved but also the parents of pupils at a school. This would mean that they become aware of the issues surrounding violence in school and may start them questioning its existence. (Policy Advisor, Department of Social Welfare: Angola)

The school community, policymakers and some local church leaders and community figures. (NGO worker for the Initiative for Research and Action for Global Development – IRADM: Ethiopia)

Allies would include the learners, the PTAs, the school authorities and the surrounding communities. (Policy Advisor, Ministry for Women and Children: Zambia)

We need to make programmes which engage the local community and give everyone a role. (NGO worker in SWAGAA: Swaziland)

The principal individual and institutional allies for such a campaign are: the government, through the ministries in charge of education, justice and the family; civil society through NGOs and Parent Associations; a network of school press to be installed in schools; and households, local elected officials and opinion leaders. (Initiative pour la Recherche et les Actions pour le Développement Mondial worker: Benin)

Certainly, in areas other than Accra, it is imperative that traditional rulers and elders are included in any process that involves the school community. The Assemblyman of an area is also a very important figure. Apart from these, I would say the children themselves, the parents of these children and anyone who works at a school, including the women who sell food at break times. (Graduate student in Guidance and Counselling: Ghana)

For an effective campaign against violence in schools, we need the participation of all actors. (Sociology lecturer: Niger)

Possible responses

Any organisation must focus on how a programme can be owned in part by Angolan authorities. This is the way legislation will become respected and enforced more effectively. (Former Policy Advisor, Department for Social Welfare: Angola)

Any programme would need to focus on the reform of the law. In particular, the law must recognise the rights of women more than it does currently and protect girls in school and all children in their homes. (Director, Forum for Street Children: Ethiopia)

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[19] http://www.everychildmatters.gov.uk/aims/.

> *The first thing would be to … give alternatives to the current mode of punishment, even though it has been outlawed. Without giving alternatives we cannot criticise corporal punishment because schools need a way of disciplining children.* (Director, Forum for Street Children: Ethiopia)
>
> *Linking with South African government figures and organisations often gives awareness programmes good leverage and good coverage in the media.* (Former NGO worker: Swaziland)
>
> *There is a need for friendly non-threatening mediators in child abuse cases, for children still fear the police will punish them physically.* (Former Policy Advisor, Ministry for Women and Children: Zambia)
>
> *There is a need for a new layer of authority which keeps a check on those in positions of authority and who provide a safe channel for children.* (Former policy advisor, Ministry for Women and Children: Zambia)
>
> *Improvement in the situation of violence in schools must occur through: awareness-raising; communication of messages to change behaviours; training; the struggle against poverty especially in grassroots communities; implementation of laws; and legislation.* (Initiative pour la Recherche et les Actions pour le Développement Mondial worker: Benin).
>
> *My advice would be to consider WHY bullying occurs, and let any programme be informed by why it is desirable to end bullying; to involve parents in the formulation of a programme that is sustainable and not unrealistic; to not advocate a blanket ban on corporal punishment as part of a Plan to eradicate bullying. This type of punishment is very institutionalised and needs to be treated carefully: Ghanaians rather than international workers must advocate for its abolition.* (Graduate student in Guidance and Counselling: Ghana)
>
> *Improving the situation of violence in schools requires training teachers in gender, peace education; restoring the teaching of Civic and Moral Instruction; introducing the teaching of the culture of peace in the curriculum; strictly applying rules in schools.* (Sociology lecturer: Niger)

3.2 School violence in the Latin American and Caribbean region

In Latin America and the Caribbean, studies on violence against children have tended to focus on family abuse and/or neglect, as well as the abuse of children who have dropped out of school and/or are involved in child labour or living on the streets. The problem of school-based violence tends to be much less visible, especially among students living in poor rural areas. However, recent research suggests that school-based violence in the region is widespread. For example, a study with Ecuadorian female adolescent victims of sexual violence found that 36.9% of perpetrators were teachers (surpassed only by neighbours (39.3%) and boyfriends (38.8%)) (CONAMU/Corporación Promoción de la Mujer/Taller de Comunicación Mujer 2001). Similarly, in the Caribbean, 60.8% of children had witnessed violence in their schools, and this was associated with high levels of fear, absenteeism and school dropouts (UNICEF 2006). The UN Regional Consultation in Latin America reported that girls in the Dominican Republic, Honduras, Guatemala, Mexico, Panama and Nicaragua experience sexual coercion from teachers, sometimes with threats that their grades will suffer if they do not cooperate.[20]

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[20] UN Study on Violence Against Children (2005) 'Regional Desk Review: Latin America', in UNICEF (2006) and available at: http://www.violencestudy.org/r27.

Box 5: Key informant interviews from Latin America: Awareness about school violence

Records show that the prevalence of sexual abuse is not so much at schools but more so at home and by family, friends and relatives. The prevalence in schools is very low. We are interested in underlining that. We do not deny that problem, but it may become a boomerang, because at the end of the day, the image of the school will be, in the view of public opinion, an unsafe place in which there is no confidence. (National Director of Teacher Capacity Building Unit: Peru)

Frequent news from the US and Europe have led to the problem of school violence now being on the public agenda in Colombia, not really because of actions or important events happening in the domestic national sphere … The tabloids have also raised the issue, but they have not been very serious about it. (Director of Institutional Management, Ministry of Education: Colombia)

There is a very low level of awareness in spite of the fact that newspapers and television broadcast many cases of violence involving students and teachers. The problem with this information from the media is that their approach is always portraying children and adolescents as aggressors, not as victims. This contradicts the existing research in the country, indicating that most children are victims of violence, including violence taking place in schools … Bullying is not an issue discussed in the country. (Programme Officer, Save the Children: Brazil)

The national education plan to 2021 states the need for institutional changes within the education system following the recommendations of the Truth and Reconciliation Committee, however it still considers violence as an external phenomenon taking place mostly in the family environment, with an impact on the school. (National Director of Teacher Capacity Building Unit: Peru)

3.2.1 Sexual violence

Latin America is considered one of the most violent regions in the world, in spite of the lack of comprehensive research on sexual violence in most countries (UN 2005). This limited systematic knowledge is also shared by the Caribbean, which is even weaker in building evidence on the topic. However, case studies and testimonies confirm the existence of widespread sexual violence, affecting especially women and girls. Girls are most likely to be exposed to sexual violence, ranging from harassment to rape.

These regions present a high level of social tolerance to the exercise of violence in general and alarming levels of impunity for perpetrators of sexual violence in all settings, including schools as a reflection of attitudes outside the classrooms. The limited monitoring and inadequate regulation of school violence and sexual violence in particular contribute to a climate of impunity and very limited enforcement of existing laws and regulations on the matter. Although few countries collect centralised data on sexual abuse in general, in school surveys carried out in Chile, Costa Rica, Panama and Peru, between 5% and 40% of female adolescents said that they had experienced sexual abuse (UN 2005).

3.2.2 Bullying

Bullying in schools remained largely invisible in the region until recently, because there are strong cultural and historical factors that contribute to a culture of verbal, physical and psychological abuse, even in supposedly protected environments such as school settings. One of the most evident cultural factors is that children are seen as the 'inferior' part of a power structure, in the teacher/student relationship or the older/younger child relationship (UN 2005). These misconceptions of both children and power may also operate under other differences: race, gender, ethnicity, disability, social and economic condition, etc.

Bullying has often been seen as a harmless, even useful (to forge personality), ritual among children where adult intervention is not desirable or convenient. However, the increasing interest in quality of education in the region offers a potentially important window of opportunity to incorporate a non-violent environment as a core part of the definition of quality education for all. Most efforts have been driven by the concept of creating a 'culture of peace' at schools, in clear allusion to the historical political violence lived by several countries, especially in Latin America, and the recognition that a culture of peace is an essential part of children's rights in all settings.

3.2.3 Political context

Underlying causes

A broader culture that sanctions physical discipline and violence within the family and community is identified as a major contributing factor to school-based violence in Latin America and the Caribbean. The region suffers from widespread domestic violence, low awareness of children's rights and general state inaction to tackle the problem (UN 2005). As a reflection of this acceptance of violence as a way of life and a 'normal' or 'harmless' phase that children need to go through and develop resilience towards, some parents still explicitly 'authorise' teachers to beat their children if they misbehave as they do at home (author interview, 2007). In other cases, school authorities do little to acknowledge and address the problem. In Ecuador, for example, efforts by parents or NGOs to report sexual abuse by school teachers are often met with a defensive attitude; police tend to keep poor records of such cases.[21]

In some country contexts, this culture of violence is also exhibited in the spill-over effects of criminal gang violence in the school environment. A UNICEF (2005) study found that school bullying is often linked to inter-gang rivalry and trafficking of illicit drugs within schools. Students with learning or physical disabilities are often targeted, as are children from single parent families. In Guatemala, for example, 'maras', or gangs, often target students close to education centres, either physically assaulting them or stealing their belongings on a regular basis (UN 2006). Similarly, according to the Caribbean consultation on violence against children, in Jamaica children are often subject to physical, sexual and emotional abuse when using public transportation to and from school (UNICEF 2005).

Another critical issue is the declining level of public resources invested in the education system in the region. According to the 2007 EFA report, the share of public spending on education per gross national product (GNP) between 1999 and 2004 declined in 41 countries, particularly in Latin America and in South and West Asia. As a result, public debates about education tend to focus on basic infrastructural issues such as school buildings, the lack of educational materials, high teacher-pupil ratios and the high costs of school fees. Accordingly, there is both less attention and fewer resources accorded to addressing problems of violence within the school environment, including investment in human rights curricula (CRC 2006). Research on Ecuador reported in the alternative NGO report (2005)[22] suggests that the problem has been exacerbated by poor teacher training and low motivation, based at least in part on low remuneration levels. Less than half of primary school teachers have a university degree and, as a result of limited training and familiarity with alternative disciplinary approaches, teachers often resort to punitive and physically violent methods of control.

In the case of sexual violence, structural barriers play a major role in impeding prevention. Sexual violence against girls tends to remain a silent crime because of the stigma attached to the early loss of virginity, including expulsion from school for female students who get pregnant or are involved in early marriage, as well as a broad lack of confidence in the judicial system being able to protect ordinary citizens' rights. Similarly, within the context of silence and shame that surrounds HIV infection, the fear of stigma, discrimination and possibly violence can lead to HIV-infected and affected children withdrawing from school or being excluded owing to bullying, as reported in Bolivia, El Salvador, and Haiti (UNICEF 2006).

In the case of school-based sexual violence, a lack of policies and procedures to address sexual abuse further compounds problems of government inaction. For example, in Peru until 2007, teachers accused of sexual abuse could still obtain a job in another area because of the dearth of a centralised reporting system for such crimes.[23] However, in other cases, country reports suggested that there is

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[21] For example, the national police (DINAPEN, in charge of children and adolescents) received 701 cases of sexual abuse between January 2000 and March 2004 at national level, but no records by sex have been filed, further affecting knowledge on sexual abuse against girls (Foro Ecuatoriano 2005).

[22] By the Foro Ecuatoriano Permanente de Organizaciones por y con los Niños, Niñas y Adolescentes.

[23] In Peru in 2007 only, 169 teachers were reported for rape and 'acts against decency' against students – 15 cases per month – and nobody has been convicted for such crimes, because of slow administrative procedures. In many cases, the aggressors are moved to administrative positions or move themselves to another school (El Comercio. 13 December 2007, page 4).

less abuse in schools than in other environments (e.g. house and community) and that schools may act as a protective factor (Pan-American Health Organization – PAHO/WHO quoted in UNICEF 2006). For instance, the police in Nicaragua reported that less than 1% of the total number of child sexual abuse incidents had taken place within the educational environment (Save the Children Alliance 2005).

Policy and legislative responses

Among the 12 countries reviewed in the Americas for this paper, all have legislation that provides general protection to children against sexual violence. Moreover, almost all countries – except for Haiti – have specific legal provisions (typically as part of laws against domestic violence and/or in child and youth codes) which punish sexual abuse at home. By contrast, only half of the countries surveyed have explicit laws against sexual violence at school, and just two (the Dominican Republic and Nicaragua) have specific laws against sexual violence in other alternative care settings. None of the countries in the region has legislation providing specific protection against bullying.[24]

The lack of legislative measures seems to be in keeping with the limited prioritisation accorded such reforms by many governments in the region.[25] This is highlighted by the fact that only seven out of 16 Caribbean states responded to the UNHCR's Report on Violence against Children in the region prepared by the OHCHR. Indeed, eliminating violence in Caribbean schools becomes particularly problematic when the issue of corporal punishment arises (UNICEF 2006):

> Not only is its use written into law in many Caribbean states, but it is also engrained into Caribbean culture. In Trinidad & Tobago there have been calls from parents, teachers and even students for the Parliament to reinstate the recently-abolished corporal punishment in schools … The incidence of homicides, wounding, sexual and physical assault in schools has risen sharply over the last decade, commanding the attention of most Caribbean governments and their citizens. With a murder rate of 55 per 100,000 in 2004 in Jamaica, 25% of those arrested for major crimes were youths, and disproportionately male, of school age.

3.2.4 Evidence and framing of messages

Geographical coverage and methodological approaches

In Latin America and the Caribbean, there is limited national research on school-based violence and even fewer comparative studies within the region. Many of the studies often draw on indirect assessments from other statistical data that is not specifically school focused. As a result, surveys on the prevalence of school-based violence present widely varying figures. For example, whereas in Uruguay, Ecuador and Brazil, approximately one-third of students (28%, 36.7% and 40%, respectively) reported that they had been involved in bullying (either as the aggressor or victim) (Viscardi 2003; Maluf et al 2003; Neto and Saavedra 2003), research from Colombia suggested much lower rates of bullying (15%) (DANE 2005);[26] Bolivian research suggested the problem could be as high as eight out of every 10 children (Defence for Children International 2005: 19). Similarly, an international comparative study[27] based on the European Observatory on School Violence questionnaire, uncovered very different perceptions among children about the prevalence of violence: 12.4% of Brazilian students think that violence happens frequently (always or almost always), compared with 38.5% of Chilean students (Debarbieux 2003; Gobierno de Chile 2006 quoted in Garcia and Madriaza 2006: 249).

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[24] See Save the Children Alliance (2005) on El Salvador, Guatemala and Honduras.

[25] For example, in the context of Guatemala, although there is a National Plan Against Sexual Commercial Exploitation of Children and Youth, and a number of civil society initiatives focused on the same topic, there are no specific policies or programmes focused on sexual violence in schools (CIPRODENI 2000).

[26] In 2005, the district government secretariat, with the technical support of Los Andes University in Bogotá, requested that the National Administrative Department of Statistics (DANE) design a study on bullying in order to describe and measure various manifestations of aggression, violence and delinquency in the Capital District and surrounding areas. The study – containing 173 questions – included topics such as peer violence, bullying, hitting, robbery, vandalism, sexual incidents, use of weapons at the school, gangs, drug use, problems in the surrounding areas of schools and child perceptions about the disciplinary environment at home and at school (Isabel Cristina Lopez, Director of Institutional Management, Ministry of Education, Colombia, key informant interview 2007).

[27] Quoted in Garcia and Madriaza (2006).

Innovative child-led research approaches are also beginning to emerge. One of our Colombian key informants highlighted the recent work of a project called INVENTUDES, which sampled 20,000 students between 2006 and 2007 about important school problems and possible solutions based on survey questions decided by students. Key problems identified by respondents centred around inter-personal relationships, power disputes and competition for popularity, as well as drug use. In order to address these problems, improvement of quality of education (53.4%); improved teacher training (43.1%); promotion of arts and culture (39.8%); greater freedom of expression (38.7%); and more opportunities to participate in school and community life (29.3%) were all identified.

Framing of issues
Although education debates in Latin America and the Caribbean are heavily influenced by the international Education For All campaign, and issues of educational quality in countries with already high primary school enrolment rates, these discourses have largely not been linked to the problem of school-based violence.[28] Instead, the debate on violence in school has been framed in most countries in the region in terms of the importance of promoting a culture of peace and democracy (including to a lesser extent as a human/children's rights issue, especially in countries such as Colombia and Peru, which have faced or are still facing civil war), as well as a problem linked to the persistence of many forms of social exclusion (especially on the basis of gender and ethnicity or race). Solutions to school-based violence have thus focused on the cultivation of non-violent negotiation skills, conflict management and, to a lesser degree, promoting a culture of citizenship, respect for common rules and a holistic approach to roots of violence. According to this vein of thinking, promoting school connectedness (i.e. linking school and respecting educational authority figures) and social inclusion in educational environments has been identified as a key protective factor against youth involvement in violence (UNICEF 2006). For example, the Peruvian national education plan to 2021 explicitly links the need for institutional changes within the education system to recommendations by the Truth and Reconciliation Committee, established to investigate human rights abuses during the country's two-decade civil war.

Although framing school violence as an absence of a culture of peace and democracy is gaining currency in the region, there is also a strand of thought that attempts to dismiss school violence as a problem of individual miscreants. A case study carried out in three regions of Peru, for instance, found that male and female teachers did not admit that child maltreatment was a regular practice in schools, and instead perceived it as very rare and a result of teachers suffering from 'personal problems' but who have enough money to avoid accusation or punishment. One example of these 'rare' cases involves checking girls' underwear in front of the entire class as a way of humiliation or punishment (Everychild and Escuela para el Desarrollo 2004).

Finally, the debate on problems such as bullying and some other forms of extreme violence (mass assassinations in schools, for example) tend to be dismissed as events that only happen in the developed world, owing to the crisis of the family as the central social institution and the lack of values and connectedness with their communities and families. As one key informant from Colombia noted:[29] 'frequent news from the US and Europe have caused that this problem [school violence] is now in the public agenda [in Colombia]; not so much because of actions or important events happening in the domestic national sphere ... but because the media tabloids have raised the issue, albeit in a rather irresponsible and not very serious way'.

3.2.5 Key actors and linkages
Initiatives to tackle school-based violence have proliferated in the region since 2000. Donors and NGOs have contributed to pioneering small-scale innovative new programmes, frequently with a rights-based focus, whereas national governments have launched various awareness-raising and educational campaigns, as well as dedicated institutions to address violence against children and young people.

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[28] In 2004, the net enrolment ratio for primary education ranged from 83.5% for the Caribbean region to 93.5% for Latin America (Education For All Global Monitoring Report 2007: UNESCO 2007).
[29] Interview with Isabel Cristina Lopez. Director of Institutional Management, Ministry of Education, Colombia.

Unfortunately, monitoring and evaluation efforts have been limited and thus we are unable to draw on rigorous evaluation data. Instead, we must limit the focus of our discussion to programme aims and strategies rather than outcomes and impacts.

Education and life skills training for children
In order to address school-based violence, education and life skills training have been prioritised by donors and national governments alike. One of the most important initiatives in the region is the PREAL (Partnership for Educational Revitalisation in the Americas) hemispheric network's Programme to Integrate Projects concerned with Tackling Violence through Basic Education Policies.[30] PREAL's mission is to contribute to educational quality and equity by promoting debates on education policies, disseminating good practices and monitoring educational progress in the region. In the case of school-based violence, together with UNESCO, PREAL launched a 'peace in schools' programme to promote non-violent values and conflict resolution skills (Avalos 2003). It also included health and family life education programmes and initiatives that use music, the cultural arts and sports to assist students.

Other programmes have focused more explicitly on rights. In Peru, for instance, school councils (supported initially by Save the Children Canada) in 6,000 schools throughout the country work to strengthen children's rights and put an end to corporal and psychological punishment and other violence against children. The councils arrange seminars for parents on children's rights and alternative means of disciplining children, including the question of corporal punishment; in cases of specific violations of children's rights, they take up the issue with the Municipal Children's Rights Office. Similarly, in Guatemala, the OHCHR and UNESCO, in cooperation with other partners, are supporting efforts to include human rights in the educational system at the national, regional and international levels through the World Programme for Human Rights Education (2005 – ongoing). The Plan of Action for its first phase (2005–2007) focuses on the integration of human rights education into national school systems, not only at the level of educational policies, processes and tools, but also at the level of practice (UN 2005).

In Brazil, there has been a particular emphasis on the role of extracurricular education. In 2000, during the International Year for a Culture of Peace, UNESCO Brazil launched the Opening Spaces programme in three provinces – Pernambuco, Rio de Janeiro and Salvador Bahia, which are characterised by large youth populations as well as a high prevalence of violence. This programme involved opening schools and other public places during weekends and holidays for recreational activities for children with no resources to enjoy these facilities. The programme has been extended to São Paulo and Rio Grande do Sul, and its implementation demands close coordination among the federal government, provinces, municipalities, NGOs and UNESCO. The initiative is complemented by a mediation programme based on a map of violence in Brazil; this attempts to better understand the dynamics of violence among young people in order to design more effective interventions in primary and secondary public schools.

Teacher training and developing training materials
Teacher training has been identified by a number of national governments (including in Costa Rica, Guatemala, Nicaragua and Panama) as a vital component in tackling school-based violence (UN 2005). An example of good practice is the Peruvian Ministry of Education's Programme for 'Democratic School Discipline. According to Ramos, one of our key informants, the programme seeks to provide training on topics such as sexual education, promoting a life free of drugs, democratic and peaceful coexistence and discipline at schools and human rights. The Teacher Capacity Building Department (DITOE) strategy is to strengthen teacher capacity because 'teachers are the ones who are at the schools, they will stay there for many years … the challenge is how to help teachers empower themselves. No actions we want to take with students will succeed or show any result if we do not address management issues in the school and the relationship of the principal with teachers, all the norms and regulations that exist inside the schools, the management styles.' Although hampered by resource constraints, by adopting a training of trainers approach, the programme is seeking gradually to reach 300,000 teachers in 75,000

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[30] PREAL is supported by the USAID, the Inter-American Development Bank (IDB), the Tinker Foundation and the World Bank, among others.

schools, in order to attain effective student tutoring on the nationally mandated minimum of one hour per week on the topics mentioned above. Related dissemination materials for teachers, including guidelines for addressing sexual abuse cases quickly and efficiently, are also being developed.

A similar intervention has been undertaken by the Brazilian Ministry of Education. Entitled 'Schools that Protect', the programme includes a comprehensive training course on violence against children (physical and psychological violence, abandonment, negligence, sexual exploitation and child labour) for teachers. This programme was launched in October 2004 as a pilot project within in three regions (Recife, Belem and Fortaleza) in alliance with the NGO Hathor – Ações de Amor à Vida. The implementation process included a two-step process: the establishment of a local management commission comprised of paid professionals from various civil society organisations and articulation of the programme with local institutions.[31] This process has been aided by the development of relevant audiovisual resources and activity sheets for children, with guidelines that assist the educator in making the best use of these materials. [32]

Participation of children in school governance
Another important strategy found in the region to protect children at schools – particularly in Honduras – are initiatives that seek to involve students in school governance (either as part of school governing bodies or dedicated child defense offices), as part of broader efforts to strengthen the realisation of children's rights. One specific experience of child participation exists in Honduras, which created by Decree the Legislative Student Congress in May 2004, where adolescents with academic excellence from across the country in public and private schools alike are invited to promote actions and laws in favor of youth and adolescence during Student Day on 11 June each year.

It is necessary to stress two relevant aspects of these child participation initiatives in school settings: they not only encourage democratic participation but also contribute to the defense and protection of students' rights *vis-à-vis* school authorities, thereby strengthening in practice children's ability to have their own opinions and to be heard.

Promoting youth associations
Developing and supporting youth associations is another strategy that has gained popularity in the region in addressing the roots of school violence. In Colombia, for instance, the Red Cross has established 'school brigades', which support extracurricular activities such as sports, dance, theatre, camping, protection of the environment, helping the elderly, etc. and also offer programmes for promoting tolerance, dialogue, conflict resolution and negotiations, social and community networks, etc. Similarly, the Mayor of Bogotá approved a development plan entitled 'Bogotá without indifference' for 2004–2008, which entailed a social commitment to combat poverty and exclusion and to promote reconciliation and peace. This included the 2006–2016 Public Policy for Youth, which emphasises the participation of young people in the city, including programmes to disseminate awareness of child rights and to address the needs of victims of school violence. In particular, 20 youth groups have promoted 'pacts of coexistence' among students, and the school education board has established local conciliation committees in the schools of 20 districts. These seek to teach mediation skills and harmonise schools rules with CRC principles. A key element includes the promotion of 'care ethics', whereby the emphasis in school environments is on care and wellbeing rather than punishment and control. Plan is also the architect of a seven-year old project entitled 'Young Peace Builders' in Colombia, which facilitates the education of children on citizenship and provides an opportunity for children to cooperate and learn about conflict resolution, peace building and shared planning activities. In this 'youth-to-youth methodology', the participant students are encouraged to undertake activities which 'foster self-expression, active participation and decision-making' (Interview, Project Manager, Colombia 2008).

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[31] Interview with Nara Menezes, Programme Officer. Save the Children Brazil.
[32] A good example of organisations devoted to such material development is the Interactive Audiovisual Resource Association (RAIO), which supports the peace in schools programme – paz nas escolas – designed to build community members' capacities, especially those of teachers and police officers (Federative Republic of Brazil 2004: 81).

A similar approach has been developed by the UNICEF-supported programme Xchange in the Caribbean.[33] Xchange aims to create a movement of young leaders throughout the Caribbean to play a vital role in promoting safe and protective environments for children at home and school, in the community and in institutions. Importantly, the programme is not simply prescriptive but also allows young people to identify key actions they would like to implement. Activities include the creation of green spaces, talks to young people by sports and entertainment personalities who would be positive role models, strengthening home and family life education programmes, among others.

Development of resource centres and hotlines

Some Latin American governments have developed specific centres in order to prevent violence against children and youth, and to provide support to victims. In Brazil, for example, the CNRVV (Institute Sedes Sapientiae's Centre of Reference for Victims of Violence) focuses on supporting children to break the pact of silence around child abuse and developing positive citizenship skills (Save the Children UK 2005). Similarly, in Peru, a national system of ombudsman offices (*DEMUNAs*) for reporting violence against children and women is located in municipalities, churches, communities and schools. Examples in the Caribbean include the following:

- Health and Family Life Education (2002) – St Vincent & the Grenadines;
- Zero tolerance policy by the Ministry of Education, Human Resource Development, Youth and Sports (1998) – St Lucia;
- Project Peace (2002) – Ministry of Education, Trinidad & Tobago;
- Pathways to Peace (1999) funded by UNESCO, Inter-Agency Task Force (2003);
- Programme for Alternative Student Support (2001) – Ministry of Education, Jamaica;
- Peace and Love in Schools (PALS) (1993) – Jamaica;
- Change from Within (1992) – University of the West Indies, Mona, Jamaica.

Other countries are beginning to establish hotlines to support child victims or those who fear they are at risk of violence. In Colombia, Teléfono Amigo 106 was established in the city of Cali in August 2004. It operates 18 hours daily; between August 2004 and June 2005, it received 5,128 calls related to abuse, violence and commercial exploitation that required intervention and follow-up.

3.2.6 Future challenges

In the Latin American context, it is clear that a number of interesting processes and initiatives to tackle school violence have already been established and could potentially be built on. There is also considerable scope for forging strategic alliances with an array of governmental and non-governmental actors. However, what is missing are rigorous monitoring and evaluation strategies to assess the relative effectiveness of these different approaches. Moreover, greater efforts are needed to make such findings about good and less effective practice easily accessible to policy and civil society actors across the region.

In order to attract more resources to interventions to address school-based violence, it also appears important for discourses on improving school enrolment and educational quality to be linked to problems of bullying and sexual violence. At the moment, child protection programmes appear to be woefully under-funded. Efforts are therefore urgently needed to raise the public profile of the issue as one of educational quality (and in turn an issue of longer-term labour force quality and national development), so as to increase national and sub-national governments' commitment to combating the problem.

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[33] XCHANGE programmes are either in place or planned for Jamaica, Trinidad & Tobago, Barbados, Haiti, Guyana, Belize and Grenada. Several other agencies are also involved, including PAHO/WHO, UNESCO, faith-based and community organisations and NGOs.

Box 6: Key informant interviews from Latin America: Tackling school violence

Who should be involved?

Students and parents; administrative staff (crucial); the school municipality; the school council; Defence Offices for Children at Schools (DESNAs) are all relevant actors. There are some others actors in the school such as the principal; sometimes we do not work with them, only with teachers, but things do not work out if the principal does not take part. There are also school assistants who are paid by the government and they take care of the discipline inside the schools, but they have not been taken into account so far. When they were, they felt recognized and were happy to collaborate. (National Director of DITOE: Peru)

Representatives of the ministries of education, health, and social assistance; some existing networks and councils; international cooperation organisations; and children and adolescents themselves. Judicial and legislative branches. Civil society, more specifically those who work on sexual violence or child maltreatment. (Programme Officer, Save the Children: Brazil)

Employers of students' parents, who sometimes do not allow parents to attend children's important events at school; corporations; families; mass media who may have a huge impact on children just by the way they portray violence; and the children themselves – without their participation no intervention will be successful. (Director of Institutional Management, Ministry of Education: Colombia)

Possible responses

Coexistence at school must be observed in different situations: on the patio, at break time, moments and places that sometimes teachers overlook, because the break time is when they get rid of children and they go to the coffee shop or do something else. But the break time, bathroom areas, and the shop stand allow abusive situations. (National Director of DITOE: Peru)

This year and last year we have been coordinating with the head of the National Directorate of Children and the responsible officers of the Defence Offices for Children and Adolescents (DEMUNAs) in the Ministry of Women and Human Development … because we do not want them to go to schools without letting us know … Previously, they [the ministry] used to invite teachers at the same time that we did (…) it is also true that inter-sectoral coordination does not work how it should because each ministry has its own work plan and, in the end, we are accountable for this plan and we will be evaluated according to our own plan. (National Director of DITOE: Peru)

The relevant law to protect children is the Statute for Children and Adolescents. The most recent laws passed were those against racism. The main programme in Brazil on this topic is Escola que protégé (Schools that Protect). (Programme Officer, Save the Children: Brazil)

Permanent articulated work with the government and with civil society. Training and orientation to strengthen the school community, not only teachers but also staff. This capacity should be built for them to identify and to prevent this kind of violence. Identification and dissemination of good practices. Lobby for a public budget to guarantee sustainability to fight and prevent this kind of problem at schools under the direct responsibility of the Ministry of Education. (Programme Officer, Save the Children: Brazil)

There is an interesting study carried out since 2006 by the students themselves with the support of the Secretary of Education in Bogotá. The project is called INVENTUDES and they have administered 20,000 questionnaires between 2006 and 2007. The analysis of this survey is supported by professionals. The questions were decided by the students and they had to find out the most important problems at schools in students' perceptions. (Director of Institutional Management, Ministry of Education: Colombia)

The Mayor of Bogotá approved a decree (Development Plan 'Bogotá without Indifference' 2004–2008, a social commitment against poverty and exclusion) with an action plan for reconciliation and in search of conciliation and peace. He also passed Decree 482 in November 2006 containing the Public Policy for Youth 2006–2016, proposing the construction of a culture of peace, reconciliation and prevention of violence. For this policy, he promoted the participation of young people in the city. A few points in this Decree are related to prevention of violence at schools: disseminating children's rights in schools; encouraging a culture of peace; and the application of modules to serve the victims. (Director of Institutional Management, Ministry of Education: Colombia)

Finally, from a legal perspective, it is important that national laws on bullying be introduced and that national legislation on sexual violence against children be reformed so as to be harmonised with international standards on preventing and addressing violence against children in all settings (see Annex 1).

3.3   School violence in the Asian region

The quantity and quality of research on school violence in Asia, especially sexual violence and bullying, is more limited than in either Africa or Latin America and the Caribbean, although this does vary by country.[34] In large measure, there seem to be two reasons for the relative lack of focus in Asia on non-corporal punishment forms of school-based violence, both of which are external to Asia. First, HIV/AIDS has not been perceived as such a threat to child and adolescent health and wellbeing as it has in sub-Saharan Africa, where high prevalence rates combined with cultural beliefs about how to 'cure' AIDS have led to a focus on sexual violence against school girls. Andersson et al (2004) suggest that perpetrators of sexual violence in South Africa were in fact twice as likely to believe that sex with a virgin could cure HIV infection or AIDS (odds ratio 2.13, 2.07 to 2.20; 22.6% (4988/22 114 v 12.% (30 705/255 771). Second, with one or two exceptions, armed conflict and community violence have not been perceived to 'spill over' into the school environment to the same extent as in many parts of Latin America and the Caribbean.[35] Here we focus on those countries of interest to Plan,[36] drawing on experience and examples from other states when they are illustrative.

The Asian region encompasses a wide range of countries in terms of level of economic development, cultural background, experience of violent conflict and colonial history, each of which affect the nature and quality of education and the extent and nature of school-based violence. At the same time, an authoritarian and hierarchal model of teaching continues to dominate schools and religious institutions that provide education (e.g. madrassas and monasteries) throughout the entire region. Throughout South and East Asia, schools are places where the teacher's authority is central to the learning process and, indeed, to all social relationships. As such, most violence by teachers against students occurs under the guise of discipline and punishment, and any student not perceived to be listening, behaving appropriately or learning effectively can be at risk. As such, the use of corporal punishment remains a priority issue throughout the region for those concerned with child protection.

At the same time, social relations throughout the region are highly gendered, and this plays a huge role in determining the relationships of power within schools. Especially in South Asia but also in Islamic Southeast Asia and other parts of the region, the concepts of family honour, sexual purity and shame provide a framework for girls' behaviour. This makes a girl less likely to report sexual violence – out of fear that she will be blamed, or feelings of guilt that she *is* to blame, for the defilement of her family's honour – and thus more susceptible to abuse.

Further, in India and parts of the rest of South Asia, caste continues to play a significant role in increasing the vulnerability of children to violence, including in the school environment. Throughout the region, indigenous and minority ethnic status is also a key basis of discrimination and violence against and between students, as is religious status. All these factors increase individual students' vulnerability to violence perpetrated by their peers, teachers, school staff and others with whom students interact en route to school, and discourage them from reporting abuse.

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[34] Further, it is possible that research has been undertaken and published in non-European languages, particularly in China.

[35] At times, armed conflict has spilled over into the school environment in Nepal, with neither rebel nor government forces consistently respecting a commitment to leave schools as zones of peace, and reports of incidents of children being killed inside schools and abductions of students and teachers.

[36] In South Asia: Bangladesh, India, Nepal, Pakistan and Sri Lanka; and in East and Southeast Asia, Cambodia, China, Indonesia, Laos, the Philippines, Thailand, Timor Leste and Vietnam.

In general, public awareness of extreme incidences of school-based violence has risen rapidly, but there is limited recognition of the everyday violence that many Asian girls and boys face in and around their schools. Indeed, it is often considered that 'mild' forms of sexual harassment are just something girls have to learn to cope with, and that bullying and fighting are all part of growing up for boys.

Box 7: Key informant interviews from Asia: Awareness about school violence

At the community level, people don't take school-based violence into account unless very extreme incidents occur: it's only violence when a girl gets raped or killed – but this is considered as a law and order problem, not gender-based violence. (India)

For physical and emotional punishment, after some cases in schools by teachers were raised by mass media, parents started to realise the problem. The Ministry of Education and Training also issued some regulations relating to banning violence against students in schools by teachers, however, teachers and parents still think that the regulation is only for banning serious cases. 'Normal' punishment is considered as educating children so it is good for children. Many students also agree with this. (National Child Protection Co-ordinator: Viet Nam)

3.3.1 Sexual violence

The extent to which there is a public and policy focus on sexual harassment and violence in general in the region depends to a large extent whether the country, or region of the country, faces a high level of trafficking in women and children and/or a high level of sex tourism. While trafficking and sex tourism can and do affect school-going children, these issues are not generally perceived to reach into schools themselves. The level of new technologies also matters, with our Vietnamese respondent noting the rise in sexual abuse via the internet and video games (interview with Nguyen Thi An, 2007).

In terms of sexual violence in schools, although the problem does not seem to be as widespread or systematic as in some African countries, it is clear that school-based sexual violence remains a serious problem across Asia, especially for girls. The situation as described for the Indian context (interview with Madhuri Mukherjee, 2007) is somewhat representative of the South Asian context, and perhaps beyond:

> *Important school-based violence includes gender-based violence, which includes eve-teasing [verbal harassment of females, often sexualised], problems of mobility (e.g. security for post-puberty girls who are thus taken out of school), lack of toilet facilities for girls (threat of sexual violence when relieving themselves in open areas) … At the community level, people don't take school-based violence into account unless very extreme incidents occur: it's only considered violence when a girl gets raped or killed – but this is considered as a law and order problem, not gender-based violence. … eve-teasing is ignored…*

Indeed, as noted in an ActionAid document (2004), 'In India incidents other than rape are dismissed under the inappropriate term "eve-teasing" … Eve-teasing degrades a girl or woman without affecting her physically and is considered by men as something "light in nature" and "fun", whereas for females it is a violation (Mirsky 2003: 18)'.

The South Asian regional consultation report for the UN Study on Violence Against Children (Kane 2006a) noted that, although there are large gaps in the data pertaining to sexual violence at school – much information does not specify where an incident occurred – it is clear that girls are particularly at risk when they have to walk long distances to reach school or when school premises are not properly protected. Extreme cases of abduction and trafficking have been reported, as have instances of sexual violence being used as extreme forms of bullying and discipline. The consultation does report on research from Nepal which revealed that almost 14% of child respondents (mostly girls but also boys) had been fondled or kissed, and just under 15% of these children had experienced this at school. In the same survey, of the 9% of children who experienced a more serious form of sexual abuse, such as oral sex or penetration, 17.5% said that it took place at school.

A recent very large-scale national study on child abuse in India (Kacker et al 2007) has gone a long way to filling the knowledge gap for that country. It is clear that physical, sexual and emotional abuse is experienced in various forms by a huge number of Indian children – possibly a majority of children. However, there is no analysis of *where* or in *what context* the physical or sexual abuse takes place, and very little disaggregation of *who* commits it when it is not a family member. Similarly, a national report on the status of children in Nepal reported a significant number of incidents of rape of children, almost all girls, but no information on *where* the offences were committed or by *whom* (CWIN 2004).

Sexual violence, including rape, molestation, verbal harassment, sexual bullying and 'ragging' by male students, faculty and members of the public, is also reported on university and college campuses throughout the region; indeed, most of the research on sexual violence in South Asian educational institutions focuses on the tertiary level. There is a geography of gender-based sexual violence on campus, with canteens, campus gates, libraries, computer rooms and toilets often being 'no-go' areas for young women (Mirsky 2003).

The East Asia and Pacific regional consultation report for the UN Study (Kane 2006b) notes a similarly low level of information on sexual violence in school. It does report, however, that the Children and Family Protection Centre of the Ministry of Education in Thailand states that every week at least one school teacher sexually abuses a student, and that a 2002 UNICEF survey revealed a high incidence of sexual and psychological violence in Indonesian schools. Mirsky (2003: 20) reports on a survey from the mid-1990s showing that 'of nearly 500 female Chinese college students in Hong Kong, about one in four experienced various forms of sexual harassment and one per cent was coerced into sexual activities during their college years by either teachers or peers'.

3.3.2 Bullying

School-based bullying attracts even less attention in developing Asia than sexual violence. The South Asian regional consultation report for the UN Study notes that 'Although there is not much information on bullying in schools in this region, it is known that older and stronger children pick on children who are "different" because of their gender, disability, race, ethnicity, religion, sect or caste' (Kane 2006a: 19–20).

Prevalence data are very limited. In a recent Bangladeshi study of the relationship between intervening in bullying and bystanders' feelings of shame, Ahmed (2005: 25) noted that, although there have been reports of extreme cases of violence in Bangladeshi schools, leading to extensive media coverage, bullying 'remains an understudied subject [and] … school intervention programmes to deal with the problem are non-existent'. Ahmed does claim that bullying is a serious problem in the country, however; in her study, 30% of students admitted bullying someone at least once over the past year, a figure comparable with that in Australia.

The East Asia and Pacific regional consultation report for the UN Study notes that bullying is an 'emerging' problem across the region – but it is unclear whether it is the research and reports that are emerging or it is an increase in this form of school-based violence itself. The report mentions a Mongolian survey showing that 27% of students reported having been subjected to violence by other children and a Lao study, in which 98% of girls and all boys reported witnessing bullying in schools. The report notes that 'Girls, children from ethnic minorities and students who are performing poorly in school for various reasons seem to be most often singled out for this violence. Girls most commonly use psychological violence on other girls, while boys fight' (Kane 2006b: 13). The Cambodian NGO Committee on the Rights of the Child (2000) noted that children recommended a crackdown on gang activity and gambling in and around school compounds to improve the learning process and quality of education.

A seven-country study (Eslea et al 2003) on the risk factors for bullying and victimhood included a large sample of over 4,700 girls and boys in primary and secondary schools in China. Of these children, 2% self-identified as bullies and 1.5% as both bullies and victims; over 13% identified themselves as the

victims of bullies – comparable with the figures for English and Irish samples, but rather low compared with those for Italy, Japan, Portugal or Spain.

The GSHS undertaken in the Philippines (WHO 2004) noted that nationwide, over one-third (35.7%) of students were bullied on one or more days during the 30 days preceding the survey; 28% of these bullied students reported that they were most often hit, kicked, pushed, shoved or locked indoors. Boys (35.8%) were more likely than girls (22.2%) to report such physical bullying. Lower-year students were more likely than higher-year students to have been bullied in general, and physically bullied in particular.

Discrimination against an ethnic and political minority as a basis for corporal punishment, bullying and humiliation by teachers and students alike has been reported in Tibet. The Tibet Justice Centre (2005: 15) accuses China of

> ... subjecting Tibetan children to torture and other cruel, inhuman, and degrading treatment and punishment in state-run schools. Tibetan children have been beaten, subjected to electric shocks, forced to kneel on sharp objects, locked in dark rooms for long periods of time, and burned ... Tibetan children whose parents' political opinions are disfavoured by the Chinese government are discriminated against.

If a Tibetan and a Chinese child get into a fight, the report notes that the Chinese school officials will support the Chinese child, even if he was the aggressor, and beat the Tibetan child. Another form of degrading and humiliating treatment reported by Tibetan children is teachers calling them '*meh*' or '*keh*' – derogatory female and male pronouns implying that the person does not exist.

3.3.3 Political context

Underlying causes

As in Africa and Latin America, school violence in Asia is based on 'authoritarian school cultures' and 'pervasive patriarchal values and norms', refracted through prisms of regionally and nationally specific socio-cultural, economic and political structures. The need to behave in ways that demonstrate respect for one's elders tends to dominate the lives of most Asian children. At its heart, the prevalence of bullying and sexual violence in Asian schools is a reflection of a general acceptance of corporal punishment in school and at home,[37] of violence against women and girls in homes and in the community and of discrimination against various minority groups. Respect for elders means that their behaviour – even when violent or discriminatory – can be seen by children as acceptable, facilitating an intergenerational cycle of violence and providing support for children's own bullying or violent behaviour.

Notions of sexual purity, shame and family honour limit the capacity of girls and young women in particular to report sexual violence, making them more vulnerable to it. In many parts of South Asia, it continues to be the case that rape is viewed first and foremost as an offence against the honour of the male members of the family, and only secondarily as a criminal offence against the dignity of the woman, whose provocative behaviour or dress make her a 'guilty party' (MHHDC 2000).

Pakistan provides an extreme example where both corporal punishment and discrimination against women and girls and minority groups remain part of the social fabric, such that all but the most severe instances of school violence are largely ignored. Corporal punishment is widely practised in educational institutions – according to the South Asian regional consultation report for the UN Study, it exists in at least 40% of government schools and 35% of private schools, as well as in madrassas. This is a major reason for low achievement and high dropout rates. The use of corporal punishment to

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[37] A recent study sponsored by Plan on corporal punishment in India (Saath Charitable Trust 2006) showed that, despite the Supreme Court ban, only three states have completely banned corporal punishment, with three others seeking its prohibition. More importantly, corporal punishment remains a common form of discipline throughout Indian schools and homes, with teachers, parents and even most children believing moderate corporal punishment to be a necessary and effective means of regulating children's behaviour that parents and teachers have the right to employ.

discipline children is not only deeply entrenched in school practice and social attitudes, it also has legal sanction: Section 89 of the Pakistan Penal Code 1860 (No XLV) empowers parents, teachers and other guardians to use moderate corporal punishment as a means to correct the behaviour of children under 12 years of age.

Pakistan is also the only country in which Plan works where there is no clear legal prohibition of child sexual abuse or sexual exploitation, and no legislation that clearly defines sexual consent. Most girls are not protected against marital rape and, until last year, when the form of Islamic law known as the Hudood Laws were overturned after a quarter of a century of existence, it was near impossible for a girl or woman to report rape or sexual violence without being accused of *zina* (sexual activity outside marriage), an offence punishable by imprisonment and lashes. Despite the best efforts of activists, national and international NGOs, women's rights groups, legal associations and government, it will take some time before women feel able to report sexual violence. The extreme reluctance to report rape because of social stigma and dishonour remains, particularly in a context where 'honour killings' of those even suspected of an 'immoral' relationship are not uncommon; at least until recently, a child's testimony was worth nothing, a woman's only half that of a man's and rape had to be witnessed by four Muslim men 'of good character' to be proven. In this context, it is difficult to imagine a student feeling able to report sexual violence at school, particularly if the perpetrator is a teacher, or a student from a powerful family or tribe.

At the same time, the Pakistan penal code, like those of India and Bangladesh, does not protect boys from rape, and the sexual abuse of boys is not uncommon in some parts of the region. For instance, the UN Study (2006: 119) reported that,

> *In 2004, Pakistan's Minister of State for Religious Affairs stunned the nation by reporting that, so far that year, 500 complaints of sexual abuse by clerics in religious schools had been registered and that, in the previous year, 2,000 complaints had been registered, although there had been no successful prosecutions so far.*[38]

Pakistan is an extreme example, but it is noted that, throughout both South and East Asia, the implementation and enforcement of existing laws protecting children is weak. The regional reports also note that, although there has been a great deal of outreach by NGOs in many Asian countries, there is still a lack of effective knowledge of child rights and a lack of understanding about the full range of effects that different forms of child abuse can have on the immediate and long-term wellbeing of a child. There also remains a lack of child protection services at the local level, such that those children and their supporters who do recognise that an infringement of rights has occurred have little recourse.

In the poorest countries and sub-national regions of South and East Asia, a scarcity of adequately trained teachers and school officials can exacerbate the problem of using corporal forms of discipline and a lack of supervision of student (and staff) behaviour. Throughout the region, as the Tibet example above demonstrates, it is also crucial that, along with sensitisation training, the teachers and staff of schools are representative of the ethnic, religious, caste etc. background of the students.

In Bangladesh, through an emphasis on child rights, smaller class sizes, locally sourced teachers and alternative teaching styles, NGOs have gone a long way to improving the culture in their own schools, which make up a significant proportion of the primary schools in the country. Those children who make it to the secondary level, however, often have a shock when they are faced with more traditional forms of discipline and interaction with teachers in government and private schools. Informal schools are not problem-free, however, particularly when teachers are under-trained, underpaid and under-monitored.

The Indian Alliance for Child Rights (2007) notes that the government's flagship Education For All campaign, which includes both informal and formal schools, seems to offer the poorest and most marginalised children the poorest quality facilities and teachers. Anecdotal evidence suggests that

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[38] There is now an initiative by the government to make madrassa education more compatible with regular public education and to eradicate violence against children studying in them.

students studying at 'bridge schools' – usually residential schools to help former child labourers make the transition into school, provided by the national and state governments of India as well as national and international NGOs – are also vulnerable to sexual harassment, corporal punishment and other degrading treatment, such as having to do menial jobs in teachers' houses. [39]

Policy and legislative responses
Bullying: The majority of the Asian countries in which Plan works have legislation that prohibits sexual violence in all settings – Pakistan is the exception, see above – but no legislation to prohibit bullying. The exceptions are Sri Lanka and Thailand and, to different extents, Viet Nam and India. In 1998, Sri Lanka enacted the Prohibition of Ragging and Other Forms of Violence in Educational Institutions Act (No. 20) to 'eliminate ragging and other forms of violence and cruel, inhuman and degrading treatment from Educational Institutions'. 'Ragging' is defined in Article 17(k) as 'any act which causes or is likely to cause physical or psychological injury of mental pain or fear'. In Thailand, the Child Protection Act of 2003 contains a section aiming to control bullying and hazing among students. While the term 'bullying' is not used in the Vietnamese legislation, Article 88 of the 2005 Education Law explicitly prohibits students from offending the dignity and honour of other students, and prohibits students from committing corporal abuse. India also has some provisions in its Penal Code that can be used to deal with bullying, although the prohibition is not clear.

In the Philippines, the prohibition against corporal punishment contained in the Family Code (Sec. 233) is so wide that it could be considered to prohibit teacher–student bullying. It states that, while school officials and teachers have the right to impose appropriate and reasonable disciplinary measures, no cruel or physically harmful punishment shall be applied, including: corporal punishment (slapping, jerking or pushing students about); imposing manual work or degrading tasks; meting out cruel and unusual punishments of any nature; holding up a student to unnecessary ridicule; using epithets and expressions intending to destroy the student's self-respect; or the permanent confiscation of students' personal property. Similarly, the newly formed National Commission for the Protection of Child Rights in India has been actively campaigning for the *effective* implementation of the recent ban on corporal punishment. In her definition of corporal punishment, the Commission's Chairperson Shantha Sinha includes practices such as humiliation, which may be considered teacher–student bullying.

As discrimination is often the basis for bullying, anti-discrimination legislation can be an important first step. All Asian countries with which Plan works have now ratified the Convention of the Elimination of Racial Discrimination, although a few maintain procedural reservations, which may be relevant in some cases of bullying. At the same time, in Cambodia, the Constitution only specifies rights of Khmer citizens, limiting the possibility for legal recourse in the case of discrimination and school-based violence on the basis of minority ethnicity status.

Sexual violence: The forms and level of prohibition against sexual violence differs markedly, reflecting the particular experiences and concerns of each country. Only Indonesia includes in its legal provisions an explicit law that regulates sexual violence against children in each of the specific contexts of home, school and other alternative care settings. At the same time, the Indonesian NGO Coalition (2004) notes inadequacies in rape laws in that country that do not seem to have been adequately dealt with in the recently adopted Child Protection Law (Act No. 23/2002). Girls between 12 and 16 seem to be excluded from both statutory rape and rape laws, the penalties for both are low and the Penal Code does not recognise the vulnerability of boys to rape and sexual abuse.

An example from the Philippines further suggests the complexity of the legal system that can surround sexual violence against children. The Children's NGO Network (2005) reports that RA 7610 was adopted after the Philippines ratified the CRC in 1990. This provides for special protection against child abuse, exploitation and discrimination, and for penalties for violation. It provides means for people who know of abuse to report it to various official bodies, and stipulates that school teachers and administrators,

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as well as medical officers and a range of government officials, *must* do so. To encourage reporting, several hotlines have also been set up (Government of the Philippines nd). However, RA 7610 is vague, since forms of abuse other than child prostitution, trafficking and pornography are lumped together, and child sexual abuse is included under the category of child prostitution. Because of these inadequacies, prosecution under RA 7610 is difficult. Further, while the Revised Penal Code also prohibits the sexual exploitation of minors, the penalties for offences against children between 12 and 18 years old are very low. At the same time, in 1995, the Philippines also instituted RA 7877, otherwise known as the 'Anti-Sexual Harassment Act', which provides that the state shall value the dignity of every individual, enhance the development of its human resources, guarantee full respect for human rights and uphold the dignity of workers, employees, applicants for employment and *students of those undergoing training, instruction or education*. All forms of sexual harassment in the employment, education or training environment were declared unlawful.

When Bangladesh ratified the CRC in 2002, it specified some conditions that make the commission of trafficking of children and women for prostitution particularly grave, including when the offender 'holds a public office and that the offence is committed in misuse of that office' (e.g. a teacher) or the fact that 'the offence is committed in a custodial institution or in an educational institution or social facility or in their immediate vicinity or in other places to which children and students visit for educational, sports, social and cultural activities' (BNWLA 2007: 12). A provision such as this, leading to higher penalties, could be extendable to any offence of a sexual nature against children.

There have been recent moves in some South Asian countries, including Nepal and Sri Lanka, to improve the monitoring and licensing of institutions caring for children by national governments and civil society advocates.

Institutional and programmatic responses
Although there is something of an increased openness to discussing the issue and a measure of increased cooperation among government and NGO bodies involved in child protection, violence against children in schools, other than corporal punishment, is only just beginning to come to the attention of governments and NGOs in Asia. While a number of existing projects and programmes aim generally to reduce children's vulnerability and support children in need, specific programmes to prevent violence and protect children from its effects within schools are still thin on the ground. A number of programmes in the region address violence by attempting to empower children with knowledge of their rights, to build their self-esteem and to provide them with information and options so that they know where to seek support. Other programmes empower and mobilise various groups to protect and support children, including parents, teachers, caregivers and government employees. They are trained both to intervene to protect children and also to report and deal with cases of abuse. In Nepal, for example, the South Asian regional consultation report for the UN Study notes the establishment of paralegal committees that raise community awareness and strengthen the links between community and district authorities; these can be drawn on to support child protection in school environments.

The South Asian regional consultation report for the UN Study also notes that violence in schools is addressed in several countries, including India, Nepal and Pakistan, through a 'child-friendly schools' approach, aiming both to improve the quality of teaching and to curb the use of physical punishment. In Sri Lanka, social workers are recruited and trained to help students deal with problems affecting their studies and to provide information about child rights to children, teachers and parents.

Throughout South Asia there has been a movement among children themselves – through the development of and participation in children's clubs, parliaments, hotlines and community surveillance systems – to protect children from discrimination, abuse and trafficking, to support children who have suffered some form of violence and to mobilise other young people in this regard through peer learning and public education on child rights. Girl guides associations have a particular prominence in countries such as Cambodia, Viet Nam, Thailand and India and have clearly established themselves as a way of training young people to recognise their responsibilities as citizens and

exercise their rights. The umbrella association of the World Association of Girl Guides and Girl Scouts (WAGGGS) for the Asia Pacific region has also been instrumental in promoting citizenship and leadership skills for youths in the region, with initiatives such as the International Leadership Training Workshops, which began in 2000. The involvement of WAGGGS in encouraging a 'culture of peace', with a particular reference to bullying, is found in their 'Call to Action' (2002).[40]

It was noted by this study's Indian interviewee that there is a very small number of examples of children's groups which have themselves taken extreme corporal punishment or sexual violence to a parent–teacher association, which has taken it to the headmaster, who has dismissed a teacher. A Save the Children study (Karkara and Jabeen, 2005) presented a testimony from a boy in Andhra Pradesh who is a member of a local children's government: 'In our village the teacher molested a girl. We organised a rally and took a petition to the police station. They arrested the teacher.' Children's use of the Child Workers in Nepal (CWIN) Helpline has led to official enquiries about abusive school officials.

It is important to recognise the strength of these children, and to support them in their efforts to bring perpetrators of violence against children to justice and decrease the incidence of such violence in their communities overall. However, it is also crucial to recognise the difficulties that most adults – much less young people – will face in trying to change a culture of violence, and not to rely solely on these types of initiatives to solve the problem. One example of a particularly successful initiative is Eliminating Violence from the School, undertaken by Plan East Timor. This was a pilot project based on the results of a national study conducted by Plan and involving the promotion of school peace pacts among children and parent–teacher associations in two districts. Plan East Timor is currently in the process of scaling up this initiative on the basis of the pilot's success.[41]

Awareness-raising work with boys and men is increasingly a main means of tackling violence against girls and women in the region. The UN Study (2006: 147) noted a Save the Children programme in Nepal that supports girls as they educate boys and men (including education officials and village leaders) to make their schools and community safer. Boys and men were unaware that girls perceived their 'innocent teasing' as sexual harassment and discrimination until the girls mapped the places where they felt unsafe. Girls' groups also have developed village- and district-level networks with other girls' groups, local police, teachers' and women's groups and the district child welfare committee. Similarly, NGOs in India, such as Adithi and Prerana, work with adolescent boys and men to improve their understanding of children's rights, violence, gender discrimination and reproductive health, which has improved their attitudes towards girls and women. Prerana's 'awareness generation camps', for example, focus on promoting awareness and disseminating knowledge of issues such as child abuse and the empowerment of women and children in a number of districts in Delhi.[42]

3.3.4 Key actors
There is a wide range of institutional actors involved in school violence prevention and awareness raising, ranging from international NGOs such as Plan and Save the Children, to local NGOs, such as CWIN in Nepal and the MV Foundation working on child rights in six large Indian states, to government bodies, including ministries of education, children, women and justice. The present focus is generally on corporal punishment in schools, and sexual and physical violence against children out of schools. However, as noted above, some initiatives are focusing on school-based sexual violence and bullying.

At present, some of the new child protection commissions seem best placed to provide a joined-up approach to school violence. The South Asian regional consultation report for the UN Study highlights the National Child Protection Authority (NCPA) in Sri Lanka as a unique example in the region of a government institution that has been successful in supporting legal reform, introducing new laws and coordinating actions among relevant offices. It has the authority to supervise and monitor all

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[40] See http://www.wagggsworld.org/en/grab/26/3/TheRighttoLiveinPeace.pdf.
[41] Personal communication with Jose Vicente De Sousa, Plan East Timor Child Rights Advisor, 24 January 2008.
[42] See http://www.prerana.org/.

institutions providing care to children and to secure the safety and protection of children involved in criminal proceedings. The NCPA has been working with a wide range of non-governmental groups and individuals and has sought to focus attention on the different forms that violence and abuse of children take in Sri Lanka. It has produced booklets and guidelines on corporal punishment of children, focusing on the effects of violence on children and with suggestions on how a parent, teacher or other caregiver can deal with anger and discipline. An important outcome of increased awareness of the problem of violence against children in the region is that more men are becoming involved in projects and programmes addressing the issue.

In India, the newly established National Commission for the Protection of Child Rights is actively working on the effective implementation of the ban on corporal punishment in schools, which may be extended to considering broader issues of school-based violence. The Integrated Child Development Services (ICDS), which reaches over 20 million Indian children under six, and millions of expectant and nursing mothers, with child survival and growth (health and nutrition) services, could also be used to get child rights messages across to children and their families before they enter school.

3.3.5 Future challenges

For the Asian region as a whole, there are three key challenges with regard to sexual violence and bullying in school environments. First, a greater level of research – both academic and large scale as well as localised and participatory – is required in the great majority of Asian countries to better understand the nature, extent, victims and effects of school-based violence, and the results of any local-level interventions against it. Second, a greater level of effective awareness raising about child rights and their violation is required, in order to undermine the feelings of shame that victims of violence often experience, which increase their vulnerability to violence and limit their capacity to report it. Third, networks of like-minded institutions and individuals at the national level need to be constructed in order to initiate and invigorate a joined-up and inclusive approach to school-based violence. An important first step will be to engage those interested in effectively banning corporal punishment, in facilitating Education For All and in battling violence against children in other contexts such as the home.

Box 8: Key informant interviews from Asia: Tackling school violence

Who should be involved?

National Commission for the Protection of Child Rights; NGOs; academics and intelligentsia – there hasn't been much written on this issue from an academic perspective. (Manager for Programme Support, Christian Children's Foundation: India)

Ministry of Education and Training (at national level)/Department of Education and Training (at provincial level); National Assembly (Department of Children and Youth); Youth Union/Pioneer Council; media; teachers; parents and parent associations; children and youth. (National Child Protection Coordinator: Viet Nam)

Possible responses

A strategy for improving the situation is the setting up best practice models – i.e. schools with no corporal punishment but high discipline – to demonstrate to other schools that it can be done. (Manager for Programme Support, Christian Children's Foundation: India)

For bullying: raising awareness and changing behaviour of students/children towards positive behaviour towards other students/children; raising awareness among parents and teachers; create peer-to-peer groups to support victims of bullying; to provide 'special' courses for students who bully others; to advocate government to issue new laws/regulations to ban bullying; to sensitise media about the issue; to promote children's prevention of bullying by writing articles, making films, radio programmes etc., to raise awareness for other children. (National Child Protection Coordinator: Viet Nam)

4. Conclusions and policy recommendations

4.1 Cross-regional conclusions and policy recommendations

Overall, the findings of this paper indicate that, although school-based violence is gradually becoming more prominent on the public agenda in some developing country contexts, there is still a great deal to be done to raise broad public, civil society and policymaker awareness about the gravity of the problem and the urgency of taking concerted cross-sectoral and multi-stakeholder action. Drawing on the research reviewed in the preceding sections about the types of approaches that are bearing fruit in preventing and responding to violence in school settings, as well as the international literature on gender-based violence, this concluding section highlights the types of policy action that will need to be championed, budgeted for and implemented if schools are to provide a safe and nurturing environment for children. These recommendations are organised into three categories:

i) Developing an evidence base and communicating messages in order to establish credibility and awareness;

ii) Designing, implementing and monitoring policies and programmes that promote joined-up services, capacity building for service providers and inter-sectoral coordination; and

iii) Promoting a socially inclusive, rights-based and multi-stakeholder approach in order to promote sustainability.

More detailed examples of recommended policy strategies and actions are then presented in Table 1 at the end of the section. We also highlight policy issues that respond to our synthesis of regionally specific challenges identified in Section 3, as well as those that affect particular groups of children likely to be more vulnerable to bullying and sexual violence, as discussed in Section 2.

Returning to the evidence-based policy analytical framework we adopted in Section 3, the first dimension to consider is the issue of quality evidence and the credibility and accessibility of messages.

- One of the most pressing issues underscored by the report is the need for more systematic data collection. There is an urgent need for comparative longitudinal survey data to establish the prevalence of abuse and identify patterns of change (or lack thereof) over time; for more qualitative sociological and ethnographic data to better understand the dynamics of school-based violence; as well as more participatory and action research with students, teachers and communities to identify possible solutions.

- Knowledge management of existing evidence is of equal importance if research findings are to be translated into policy and practice. This paper found a dearth of national, regional and international databases on school-based violence, thereby hampering access to existing grey and published literature on violence and lesson learning within and across regions about initiatives to tackle it.

- Similarly, researchers and advocates of non-violent school environments need to invest in dissemination and communication strategies to ensure that relevant messages are conveyed to civil society and policymaker audiences. An important finding in this paper is that the way in which debates about school violence are framed significantly shapes the degree to which they are acted on by governments, service providers and the community. Because of the invisibility and sensitivity of this issue in most developing country contexts, seeking innovative ways to package the problem that resonate with higher-profile national or international policy frameworks – such as Education For All, anti-corporal punishment or the promotion of democratic values and a culture of inclusionary citizenship – emerges as an important advocacy strategy.

An understanding of the political and policy context constitutes the second pillar of our analytical framework. Despite a growing recognition of the multidimensional nature and impacts of school violence, our synthesis of existing policy interventions suggests that cross-sectoral coordination and service provision is still in an at best embryonic stage in most contexts. As a result, efforts to harmonise programme interventions across sectors (education, health, judicial and social development) and to develop 'one-stop centres' are too often lacking and risk reducing the overall efficacy of legislative, policy and professional capacity-building strategies. Moreover, without a single coordinating authority to oversee inter-sectoral cooperation and promote synergies, school-based violence may be marginalised and narrowly defined as an issue of child protection only, rather than receiving the attention and resources it requires from other more powerful sectors, such as education, health, judicial and finance departments and legislative committees.

Findings from the more established literature on efforts to address gender-based violence suggest that a number of other policy and programming issues should also be considered (WHO 2004). As can be seen in Annex 1, all but one national government (Pakistan) have established specific legislative measures to address sexual violence in general, and seven countries have passed legislation to combat bullying. However, to date, little attention has been paid to the quality of these laws and monitoring and evaluating their implementation, especially whether or not general (rather than context-specific) legislative provisions are adequate to tackle cases of school-based abuse. By contrast, advocacy to tackle gender-based violence has placed considerable emphasis on developing the capacities of police and judicial personnel to implement laws, legal literacy for civil society and community groups and monitoring and evaluating legislative implementation in order to identify potential areas for legal review (UN 2006).

Securing sufficient and reliable budget allocations to tackle violence also emerges in the gender-based violence literature as important. This not only symbolises high-level political commitment to address the problem, but also helps to ensure adequate human and material resources to implement policy and programme strategies. Although budget constraints do not constitute a major theme in the literature on school-based violence, problems of insufficient funding to deliver programmes emerged as a critical concern among some of our key informants, especially those in Latin America.

The third pillar of our framework highlighted the importance of fostering linkages and communication channels among stakeholders. Literature on best practice in tackling school violence indicates that a multi-stakeholder approach is likely to be more effective. This is because violence and the unequal power relations and social exclusionary attitudes that underpin it are often reinforced not only by school authorities, but also by families and the broader community. Accordingly, involving governmental, non-governmental and community actors in addressing the problem is vital if the approach is to enjoy local ownership and sustainability. In addition, there is increasing awareness that, in order to overcome authoritarian school environments and to promote non-violent methods of discipline and interaction, promoting children's awareness of child rights as well as their participation in school governance, including tackling bullying and sexual violence, is of fundamental importance.

More specific policy recommendations aimed at national governments, civil society actors and international development partners are presented in Table 1 below.

4.2   Regionally specific policy priorities

In addition to the issues identified above, which have cross-regional relevance, the findings from our regional analyses suggest that regionally targeted advocacy strategies and coordination efforts would also be of value.

In Africa, a lack of research evidence on the prevalence and dynamics of school-based violence, especially in East and West Africa, is a pressing issue to tackle in order to develop evidence-informed policies and programmes. Donors, international organisations and national governments urgently need to coordinate efforts to design and implement comparative survey data collection, and to supplement this with more in-depth qualitative and participatory research to better understand the underlying dynamics of violence and challenges in stemming it. Given the high profile that the goal of universal education has garnered in Africa, it may be particularly fruitful to frame advocacy efforts to stem school violence as an important but still largely invisible part of this broader effort.

Particular attention also needs to be paid to the way that school-based violence intersects with poverty and social exclusion; the particular vulnerability of orphans and children living in conflict, post-conflict and post-emergency contexts; as well as ways in which efforts to promote HIV/AIDS prevention can also incorporate efforts to combat school-based sexual violence. In addition, while the gender-based violence evaluation literature suggests that legislative measures are an important first step in raising awareness about social problems and providing a framework for action to hold perpetrators accountable, initiatives in Africa will need to work closely with community leaders in order to ensure ownership of such legal frameworks and to promote complementarity with customary laws and norms.

In Latin America, framing efforts to tackle school violence in terms of broader political efforts to establish a culture of peace, democracy and accountability appear to enjoy broad regional resonance and could be usefully built on. Similarly, addressing school violence could also be presented as an important component of improving educational quality. Finding culturally palatable and politically feasible discursive strategies is clearly important, as advocates of change will need to be careful of having their objectives discounted as a Western imposition, or trivialised as a problem of individual offenders, rather than accepted as a broader societal or structural problem.

In order to justify greater national and regional attention and resources, it will also be critical for advocates to invest in monitoring and evaluation of the innovative awareness-raising, educational and capacity-building programmes that have already been developed in the region. Rigorous evaluation data will help to establish credibility for advocates' policy demands and, if managed in a centralised and easily accessible database, will serve to facilitate information sharing about good practice, both regionally and cross-regionally.

In Asia, an extreme dearth of research evidence on the nature and extent of school-based sexual violence and bullying in schools is the first challenge to overcome. Such research would help clarify which of the South and East Asian countries are priorities in terms of each issue, as well as the ways in which local actors are beginning to frame and confront these problems. Across the region, the rhetoric of child rights needs to be contextualised through clear campaigns that discuss the effects of violence on children's short- and long-term wellbeing – their health and safety, enrolment and educational achievement, capacity to undertake successful livelihoods and dignity, self-esteem and social relationships. In some countries, it may be possible to broaden anti-corporal punishment campaigns to consider broader forms of school violence; in others, Education For All campaigns may be a better inroad. In general, national commissions for child protection, when present, seem to offer the best means of offering joined-up services and knowledge creation.

Table 1: Recommended activities to tackle sexual violence and bullying in school settings

Policy area					
Developing an evidence base and effectively communicating messages					
Evidence collection and knowledge management	Collect baseline quantitative data on incidence of school violence by age and gender (education sector, statistical dept) as well as information on perpetrators so as to prevent teachers with a history of abuse being rehired in a different locale.	Conduct participatory research with teachers and children about experiences of violence within school settings as well as ideas about how to tackle challenges in school environments non-violently. Involve teachers and students in the design of the research so as to promote ownership of the findings.	Conduct action research on alternative forms of discipline and interpersonal relations in school settings.	Conduct research on efficacy of services and procedures that are most conducive to reporting of abuse by children and parents.	Design a strategy with donors and multilaterals to develop an international database on research findings related to school-based violence, including documentation of best practices in tackling the problem.
Dissemination and communication	Develop appropriate print and multimedia communication and training materials for professionals, community members and children. This could include the development of radio and TV programmes to raise awareness about school violence and how to tackle it.	Create a national competition to acknowledge best practices and to grant public recognition for schools with a healthier educational climate.	Support the development of networks and/or communities of practice to share experiences and strategies to tackle school-based violence.	Engage respected public champions to speak out on the impact of high tolerance to violence in the community (including schools), and to promote principles of democracy, respect and non-discrimination.	Nationwide dissemination of the official State Party report on violence against children, showing progress and gaps.
Designing, implementing and evaluating policy frameworks and programmes					
National legal and policy framework	Review national education plans to ensure inclusion of the concept of schools free of violence as part of the understanding of quality of education.	Advocate for appropriate budget allocation in the relevant sectors as an expression of political will and commitment to protect children from sexual abuse and bullying.	Prevent and reduce violence in schools through specific programmes which address the whole school environment, including conflict resolution skills,	Harmonise child protection policies and standards in residential schools and other educational settings (including military schools and special schools) and ensure compatibility	Design, and implement policies, guidelines and protocols to prevent and manage sexual violence and bullying in school settings.

			implementing anti-bullying policies and promoting respect for all members of the school community.	with international standards.	
Joined-up service provision	Incorporate modules on non-discrimination, inclusion and tolerance, as well as non-violent approaches to conflict resolution, as part of curricula for children and teacher training courses.	Introduce preschool enrichment programmes –to help children and adolescents develop social skills, manage anger, resolve conflicts and develop a moral perspective.	Establish child abuse hotlines which are easily accessible to allow children to report abuse confidentially.	Work with universities and teachers schools to develop training modules focused on conflict resolution, disciplinary alternatives for children and child rights issues.	Joined up prevention and protection – establishing/ strengthening CP systems and interagency working on VAC.
Capacity building for professionals	Disseminate information about the impact of bullying and sexual abuse; how children should protect themselves and report abuse; and build school staff capacity on CRC-specific mandates on school-based violence.	Train healthcare professionals in identification and referral of victims of sexual violence.	Ensure school principals and teachers use non-violent teaching and learning methods and adopt classroom management and disciplinary measures that are not based on fear, threats, humiliation or physical punishment.	Train judicial and police personnel so that they are aware of and understand the dynamics of school-based violence, and are familiar with relevant legal provisions.	Child protection as part of teacher training curricula.
Monitoring, evaluation and follow-up	Monitor the implementation of legislation designed to address school-based violence, and revise laws in accordance with M&E data to strengthen their impact and tackle loopholes.	Evaluate implementation of strategies by GOs and NGOs to tackle violence and identify best practice, including the way that issues are framed to resonate with national policy frameworks.	Encourage accountability mechanisms in school management, with clear policies and procedures to respond to problems of school violence, including holding educators and other service providers accountable for	Monitor risk behaviours: routinely record data on interpersonal violence in educational settings so as to build a more accurate profile of the problems.	Monitor media content with regard to reporting on school-based violence and discrimination. Awards or incentives could be created to promote a child's rights-based publicity.

			their actions. These should in turn be fed into national reporting systems.		
Promoting an inclusive, rights-based and multi-stakeholder approach					
Promoting children's rights and participation	Create effective validated mechanisms for transparent and accountable school governance, based on an ethic of care, participation and wellbeing rather than control and punishment.	Establish child protection policies in schools; involve children in developing action to address child abuse, through child clubs, child-to-child programmes and peer counsellors.	Create children's councils to disseminate information on children's rights and protection, and to facilitate reporting of abuse by students.	Encourage active participation of young people to contribute to developing solutions to counter bullying and sexual abuse.	
Addressing specific vulnerabilities	Include issues of gender equality and power relations between men and women, boys and girls, as part of school curricula.	Include issues related to non-discrimination against minority children, children with disabilities or stigmatised illness.	Develop prevention programmes that pay particular attention to issues of social exclusion.	Ensure service providers are aware of gender and other vulnerabilities to violence, and know how to address victims sensitively.	Promote female and minority group service provider capacities so they can act as positive role models and counsellors.
Promoting community engagement	Include in the agenda for discussion between teachers and parents the use of violence with children, with emphasis on teaching both acceptable and feasible repertoire to discipline children.	Promote an increasing interest from parents/teachers/community leaders and authorities in stopping school violence by sharing information on prevalence to identify risks.	Community awareness raising and education about school-based violence, how to tackle it and legal literacy with respect to relevant legislation.	Engage local governments to improve the physical environment in and around schools, such as improving street lighting, creating safe routes for children and youths on their way to and from school.	Share the results of monitoring and follow up with students and parents for further knowledge and discussion on possible solutions.

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Annex 1: Global summary of legal status[43] of sexual violence[44] and bullying[45] of children

State	Legislation to protect children		Prohibited in the home		Prohibited in schools		Prohibited in alternative care settings		Ratification date of the CRC, 1989[46]
	Sexual violence	Bullying	Sexual violence	Bullying	Sexual violence	Bullying	Sexual violence	Bullying	
Asia									
Central Asia									
Afghanistan[1]	YES	NO	YES	NO	YES	NO	YES	NO	28 Mar 1994
Mongolia	YES[2]	NO[3]	YES	NO	YES	NO	YES	NO	5 Jul 1990
East Asia									
China	YES[4]	NO	YES	NO	YES	NO	YES	NO	2 Mar 1992
South Asia									
Bangladesh	YES[5]	NO	YES	NO	YES	NO	YES	NO	3 Aug 1990
India	YES[6]	YES[7]	YES	NO	YES	NO	YES	NO	11 Dec 1992
Nepal	YES[8]	NO	YES	NO	YES	NO	YES	NO	14 Sep 1990
Sri Lanka	YES[9]	YES	YES	NO	YES	YES[10]	YES	NO	12 Jul 1991
Pakistan	NO[11]	NO	NO	NO	NO	NO	NO	NO	12 Nov 1990
Southeast Asia									
Cambodia	YES[12]	NO	YES	NO	YES	NO	YES	NO	15 Oct 1992
Indonesia	YES	NO	YES[13]	NO	YES[14]	NO	YES[15]	NO	5 Sep 1990
Laos	YES[16]	NO	YES	NO	YES	NO	YES	NO	8 May 1991
Malaysia	YES[17]	NO	YES	NO	YES	NO	YES	NO	17 Feb 1995
Philippines	YES	NO	YES	NO	YES	NO	YES	NO	21 Aug 1990

[43] Most of the legal information in this table has been based on the official responses given by Member States to the United Nations for the Global Study on Violence against Children in October 2006. All the reports may be consulted in: http://www.ohchr.org/english/bodies/crc/study.htm.

[44] We have considered that the general legal protection granted by the States regarding sexual violence against children (basically trough Criminal Law) results applicable to the home, school and also to other alternatives care settings, provided that there are not exclusion clauses in the legislation. In consequence, the answer "YES" followed by a footnote means -for future reference in this table- that there is indeed an explicit law that regulates sexual violence against children in each one of the specific contexts mentioned before.

[45] According to the document called "What happened to my rights? Section 5 Bullying and punishment", prepared by Plan International (http://www.plan-international.org/pdfs/bullying.pdf), bullying takes many forms including physical violence, threats, name-calling and sarcasm, spreading rumours, persistent teasing and exclusion from a group, torment, ridicule, humiliation and abusive comments. Moreover, according to the "Report of the independent expert for the United Nations study on violence against children (A/61/299, 29 August 2006)", bullying is frequently associated with discrimination against students from poor families or ethnically, marginalized groups, or those with particular personal characteristics (e.g. appearance, or a physical or mental disability). However, although we recognize that it might be possible to tackle bullying through anti-discriminatory legislation, for the purposes of this table "YES" refers only to legislation that explicitly recognizes the problem of bullying and seeks to address it. This is important for two reasons – it allows us to see in which countries the issue of bullying has been treated sufficiently seriously as to be adopted into legislation and also suggests one possible area for future policy advocacy.

[46] Information about ratification dates obtained in: http://www.ohchr.org/english/bodies/ratification/11.htm.

State	Legislation to protect children		Prohibited in the home		Prohibited in schools		Prohibited in alternative care settings		Ratification date of the CRC, 1989[46]
	Sexual violence	Bullying	Sexual violence	Bullying	Sexual violence	Bullying	Sexual violence	Bullying	
Singapore	YES[18]	NO[19]	YES[20]	NO	YES[20]	NO	YES[20]	NO	5 Oct 1995
Thailand	YES[21]	YES	YES	NO	YES	YES[22]	YES	NO	27 Mar 1992
Timor Leste	YES[23]	NO	YES	NO	YES	NO	YES	NO	16 Apr 2003
Viet Nam	YES[24]	NO[25]	YES	NO	YES	NO	YES	NO	28 Feb 1990
Africa									
North and East Africa									
Egypt	YES[26]	NO	YES	NO	YES	NO	YES	NO	6 Jul 1990
Ethiopia	YES[27]	NO	YES	NO	YES	NO	YES	NO	14 May 1991
Eritrea	YES[28]	NO	YES[29]	NO	YES[30]	NO	YES[30]	NO	3 Aug 1994
Kenya	YES[31]	NO[32]	YES	NO	YES	NO	YES	NO	30 Jul 1990
Sudan	YES[33]	NO	YES	NO	YES	NO	YES	NO	3 Aug 1990
Tanzania	YES[34]	NO	YES	NO	YES	NO	YES	NO	10 Jun 1991
Uganda	YES[35]	NO	YES	NO	YES	NO	YES	NO	17 Aug 1990
Southern Africa									
Malawi	YES[36]	NO	YES	NO	YES	NO	YES	NO	2 Jan 1991
Mauritius	YES[37]	NO	YES[38]	NO	YES[39]	NO	YES[40]	NO	26 Jul 1990
Mozambique	YES[41]	NO	YES	NO	YES	NO	YES	NO	26 Apr 1994
Seychelles	YES[42]	NO	YES	NO	YES	NO	YES	NO	7 Sept 1990
South Africa	YES[43]	NO	YES	NO	YES[44]	YES[44]	YES	NO	16 Jul 1995
Swaziland	NO[45]	NO	NO	NO	NO	NO	NO	NO	7 Sept 1995
Zambia	YES[46]	NO	YES	NO	YES	NO	YES	NO	6 Dec 1991
Zimbabwe	YES[47]	NO	YES	NO	YES	NO	YES	NO	11 Sep 1990
West Africa									
Benin	YES[48]	NO	YES	NO	YES	NO	YES	NO	3 Aug 1990
Burkina Faso	YES[49]	NO[50]	YES	NO	YES	NO	YES	NO	31 Aug 1990
Cameroon	YES[51]	NO	YES	NO	YES	NO	YES	NO	11 Jan 1993
Gambia	YES[52]	NO	YES	NO	YES	NO	YES	NO	8 Aug 1990
Ghana	YES[53]	NO	YES	NO	YES	NO	YES	NO	5 Feb 1990
Guinea	YES[54]	NO	YES	NO	YES	NO	YES	NO	13 Jul 1990
Guinea Bissau	YES[55]	NO[56]	YES	NO	YES	NO	YES	NO	20 Aug 1990
Liberia	YES[57]	NO	YES	NO	YES	NO	YES	NO	4 Jun 1993
Mali	YES[58]	NO	YES	NO	YES	NO	YES	NO	20 Sep 1990
Niger	YES[59]	NO	YES	NO	YES	NO	YES	NO	30 Sep 1990

State	Legislation to protect children		Prohibited in the home		Prohibited in schools		Prohibited in alternative care settings		Ratification date of the CRC, 1989[46]
	Sexual violence	Bullying	Sexual violence	Bullying	Sexual violence	Bullying	Sexual violence	Bullying	
Senegal	YES[60]	NO	YES	NO	YES	NO	YES	NO	31 Jul 1990
Sierra Leone	YES[61]	NO	YES[62]	NO	YES	NO	YES	NO	18 Jun 1990
Togo	YES[63]	NO	YES	NO	YES	NO	YES	NO	1 Aug 1990
Central Africa									
Rwanda	YES[64]	NO	YES	NO	YES	NO	YES	NO	24 Jan 1991

State	Legislation to protect children		Prohibited in the home		Prohibited in schools		Prohibited in alternative care settings		Ratification date of the CRC, 1989[47]
	Sexual violence	Bullying	Sexual violence	Bullying	Sexual violence	Bullying	Sexual violence	Bullying	
The Americas									
Belize	YES	NO	YES	NO	YES	NO[65]	YES	NO	2 May 1990
Bolivia	YES[66]	NO	YES[67]	NO	YES	NO	YES	NO	26 Jun 1990
Brazil	YES[68]	NO	YES[69]	NO	YES	NO	YES	NO	24 Sep 1990
Colombia	YES[70]	NO	YES[71]	NO	YES	NO	YES	NO	28 Jan 1991
Ecuador	YES[72]	NO	YES[73]	NO	YES[74]	NO	YES	NO	23 Mar 1990
El Salvador	YES[75]	NO	YES[76]	NO	YES	NO	YES	NO	10 Jul 1990
Guatemala	YES[77]	NO	YES[78]	NO	YES[79]	NO	YES	NO	6 Jun 1990
Guyana	YES[80]	NO	YES	NO	YES	NO	YES	NO	14 Jan 1991
Honduras	YES[81]	NO	YES[82]	NO	YES[83]	NO	YES	NO	10 Aug 1990
Nicaragua	YES[84]	NO	YES[85]	NO	YES[86]	NO	YES[87]	NO	5 Oct 1990
Paraguay	YES[88]	NO	YES[89]	NO	YES	NO	YES	NO	25 Sep 1990
Peru	YES[90]	NO	YES[91]	NO	YES[92]	NO	YES	NO	4 Sep 1990
Suriname	YES	NO	YES	NO	YES	NO	YES	NO	1 Mar 1993
The Caribbean									
Dominica	YES	NO	YES	NO	YES	NO[93]	YES	NO	13 Mar 1991
Dominican Republic	YES[94]	NO	YES[95]	NO	YES[96]	NO	YES[97]	NO	11 Jun 1991
Grenada	YES	NO	YES[98]	NO	YES	NO	YES[99]	NO	5 Nov 1990
Haiti	YES[100]	NO	YES	NO	YES	NO	YES	NO	8 Jun 1995
Jamaica	YES	NO	YES	NO	YES	NO	YES	NO	14 May 1991
Saint Lucia	YES[101]	NO	YES	NO	YES	NO	YES	NO	16 Jun 1993

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47 Information about ratification dates obtained in: http://www.ohchr.org/english/bodies/ratification/11.htm.

Transitional countries / Donor countries

State	Legislation to protect children		Prohibited in the home		Prohibited in schools		Prohibited in alternative care settings		Ratification date of the CRC, 1989[47]
	Sexual violence	Bullying	Sexual violence	Bullying	Sexual violence	Bullying	Sexual violence	Bullying	
Transitional countries									
Albania	YES	NO	YES[102]	NO	YES	NO	YES	NO	27 Feb 1992
Donor countries									
Australia	YES[103]	NO[104]	YES	NO	YES	NO	YES	NO	17 Dec 1990
Belgium	YES[105]	NO	YES	NO	YES	NO	YES	NO	16 Dec 1991
Canada	YES[106]	NO	YES	NO	YES	NO	YES	NO	13 Dec 1991
Denmark	YES[107]	NO[108]	YES	NO	YES	NO	YES	NO	19 Jul 1991
Finland	YES[109]	NO[110]	YES	NO	YES[111]	NO	YES	NO	20 Jun 1991
France	YES[112]	NO	YES	NO	YES	NO	YES	NO	7 Aug 1990
Germany	YES[113]	NO[114]	YES[115]	NO	YES[116]	NO	YES	NO	6 Mar 1992
Ireland	YES[117]	NO	YES	NO	YES	NO	YES	NO	28 Sep 1992
Japan	YES[118]	NO[119]	YES	NO	YES	NO	YES	NO	22 Apr 1994
Korea	YES[120]	YES	YES[121]	NO	YES	YES[122]	YES	NO	20 Nov 1991
Netherlands	YES[123]	NO	YES	NO	YES	NO[124]	YES	NO	6 Feb 1995
Norway	YES[125]	YES	YES	NO	YES	YES[126]	YES	NO	8 Jan 1991
Spain	YES[127]	NO	YES	NO	YES	NO	YES	NO	6 Dec 1990
Sweden	YES[128]	NO[129]	YES	NO	YES	NO	YES	NO	29 Jun 1990
Switzerland	YES[130]	NO	YES	NO	YES	NO	YES	NO	24 Feb 1997
UK	YES[131]	YES[132]	YES[133]	YES	YES[134]	YES	YES[135]	YES[136]	16 Dec 1991
US	YES[137]	YES[138]	YES[139]	YES	YES	YES	YES	YES	16 Feb 1995[140]

State	Legislation to protect children		Prohibited in the home		Prohibited in schools		Prohibited in alternative care settings		Ratification date of the CRC, 1989[48]
	Sexual violence	Bullying	Sexual violence	Bullying	Sexual violence	Bullying	Sexual violence	Bullying	
Europe									
Austria	YES[141]	YES[142]	YES	YES	YES	YES	YES	YES	6 Aug 1992
Bosnia and Herzegovina	YES[143]	NO	YES[144]	NO	YES[144]	YES[145]	YES[145]	YES	1 Dec 1993
Bulgaria	YES	NO[146]	YES	NO	YES	YES	YES[147]	NO	3 Jun 1991
Croatia	YES	NO	YES	NO	YES	NO	YES	NO	12 Oct 1992
Cyprus	YES[148]	NO	YES	YES[149]	YES	NO	YES	NO	7 Feb 1991

[48] Information about ratification dates obtained in: http://www.ohchr.org/english/bodies/ratification/11.htm.

State	Legislation to protect children		Prohibited in the home		Prohibited in schools		Prohibited in alternative care settings		Ratification date of the CRC, 1989[48]
	Sexual violence	Bullying	Sexual violence	Bullying	Sexual violence	Bullying	Sexual violence	Bullying	
Czech Republic	YES	NO	YES	NO	YES	NO	YES	NO	22 Feb 1993
Estonia	YES[150]	NO	YES	NO	YES	YES[151]	YES	NO	21 Oct 1991
Georgia	YES	NO	YES	NO	YES	NO	YES	NO	2 Jun 1994
Hungary	YES	NO	YES	NO	YES	NO	YES	NO	7 Oct 1991
Iceland	YES	NO	YES	NO	YES	NO	YES	NO	28 Oct 1992
Italy	YES	NO	YES	NO	YES	NO	YES	NO	5 Sep 1991
Latvia	YES[152]	NO[153]	YES	NO	YES	NO	YES	NO	14 Apr 1992
Liechtenstein	YES	NO	YES	NO	YES	NO	YES	NO	22 Dec 1995
Lithuania	YES	NO	YES	NO	YES	NO	YES	NO	31 Jan 1992
Moldova (Republic of)	YES	NO[154]	YES	NO	YES[155]	NO	YES	NO	26 Jan 1993
Montenegro	SEE SERBIA								23 Oct 2006
Poland	YES	NO	YES	NO	YES	NO	YES	NO	7 Jun 1991
Portugal	YES	NO	YES	NO	YES	NO	YES	NO	21 Sept 1990
Romania	YES[156]	NO	YES	NO	YES	NO	YES	NO	28 Sept 1990
Serbia	YES	NO	YES	NO	YES	NO	YES	NO	12 March 2001
Slovak Republic	YES	NO[157]	YES	NO	YES	NO	YES	NO	28 May 1993
Slovenia	YES	NO	YES	NO	YES	NO	YES	NO	6 July 1992
Eurasia									
Turkey	YES	NO	YES	NO	YES	NO	YES	NO	4 Apr 1995
Australasia/Oceania									
Fiji	YES[158]	NO	YES	NO	YES	NO	YES	NO	13 Aug 1993
New Zealand	YES[159]	NO[160]	YES[161]	NO	YES[162]	NO[163]	YES[164]	NO	6 Apr 1993
Papa New Guinea	YES[165]	NO	YES	NO	YES	NO	YES	NO	2 Mar 1993
Samoa	YES	NO[166]	YES	NO	YES	NO	YES	NO	29 Nov 1994
Tonga	NO[167]	NO	NO	NO	NO	NO	NO	NO	6 Nov 1995
Vanuatu	YES[168]	NO	YES	NO	YES	NO	YES	NO	7 Jul 1993

Notes

1 There is no official response given by Afghanistan to the United Nations for the Global Study on Violence against Children. Penal Code (Articles 426-430) protects women and children against rape, sexual abuse and sexual exploitation. It categorically protects girls, persons not 18 years old and those women and girls who become pregnant due to violent acts. Where teachers, tutors and persons having sexually transmitted diseases are perpetrators of sexual abuse, they are liable to severe punishment. It is not mandatory for medical personnel and supervisors to report cases of sexual abuse that they encounter. There are no specific laws on incest since there is no legal acknowledgement that parents and siblings could be perpetrators of sexual abuse. Concerning child pornography the Press Law 2002 (No. 81) prohibits the publication of articles and photos which contravene traditional values and morals. The Penal Code (Article 407-412) also provides protection only from the excessive violence which causes severe injury such as beating and laceration. According to the interpretations of the Shariah, physical punishment is widely accepted as a right of the father. Customary law generally does not interfere with the disciplinary measures taken in the family. The Afghanistan Constitution 2004 (Article 29) defines that no person, even with the intention of discovering the truth, can resort to torture or order the torture of another person who may be under prosecution, arrest, detention or convicted to be punished. Punishment contrary to human integrity is prohibited. Concerning child pornography, the Press Law 2002 (No. 81) prohibits the publication of articles and photos which contravene traditional values and morals.

Source: Regional Consultation on Violence Against Children in South Asia Report, 2005. UNICEF ROSA. See:
http://www.unama-afg.org/docs/_UN-Docs/_fact-sheets/October%202006%20-%20Facts%20on%20Child%20Violence%20in%20Afghanistan.doc

2 There are specific provisions with regard to the fight against and prevention of sexual violence in The Criminal Code, Family Law, Law on Domestic Violence, and Law on the Combat against Pornography, and other legislative acts. Although the UN Committee on the rights of the Child during concluding observations in 2005 were particularly concerned at the absence of a legal framework to protect children from incest.

3 The term 'bullying' is not used by Mongolian Legislation however The Law on the Protection of the Rights of the Child defines the forms of violence against children and includes insults, humiliation, and slander as forms of violence.

4 The Law on the Protection of Minors (1992) aims to protect the physical and mental health of minors and outlines functions and responsibilities of individuals and institutions charged with the development and education of minors, including: family, schools, society and legal organs. The Prevention of Child Pornography Ordinance was put into effect on 19 December 2003. Additionally Hong Kong has been adopting a legalistic approach in handling the sexual abuse. In the same way, there is an active enforcement of the law in combating any type of criminal activity that infringes children's rights and interests. For many years now, public security organs at all levels have attached great importance to combating criminal activity that violates children's legitimate rights and interests. The fight against child trafficking is viewed with extreme importance and all official resources are mobilized to contribute. This information has been obtained from the alternative reports which may be consulted in: http://www.crin.org/resources/find_altrep.asp.

5 The Suppression of Violence against Women and Children Act, 2000 addresses all forms of violence against children. This law included the provision of harsh penalties for trafficking, rape, abduction and sexual abuse.

6 Indian Penal Code and Juvenile Justice (Care and Protection) Act protects children from all forms of violence.

7 According to the report, the Indian Penal Code deals with such issues. Notwithstanding, the document does not mention any specific legislation on this regard.

8 All kinds of violence are punishable under the Children's Act but this act alone is not enough to regulated and punish all forms of violence against children. In this situation, provisions under the CRC are applied according to the Nepal Treaty Act 1990. The amendment act to the Children's Act is in progress.

9 Criminal law protects all persons including children from different forms of violence. A specialized approach to children emerged in 1995 with the amendment to the Penal Code, which focused on different forms of sexual abuse.

10 Prohibition of Ragging and other forms of violence in Educational Institutions Act, No. 20 of 1998 was enacted to 'eliminate ragging and other forms of violence and cruel, inhuman and degrading treatment from Educational Institutions'. "Ragging" is defined in Article 17 (k) as 'any act which causes or is likely to cause physical or psychological injury of mental pain or fear'.

11 In relation to this issue, Article 89 of the Pakistan Penal Code (PPC) 1860 (No XLV) empowers parents, teachers and other guardians to use corporal punishment as a means to correct the behaviour of children under 12 years of age. However, such punishment must be moderate. In the event the punishment inflicts serious injuries, the adult can be booked under sections 323 and 325 of the PPC and penalized and imprisoned. According to the 2003 CRC Concluding Observations related to Pakistan, the Committee is particularly concerned at the absence of legislation clearly prohibiting child sexual abuse and sexual exploitation and the lack of a clear definition of the term in the States Party, as well as the lack of legislation that clearly defines sexual consent.

12 There is no official response given by Cambodia to the United Nations for the Global Study on Violence against Children. However, according to the information contained in the official report sent by Cambodia under Article 44 of the CRC (http://tb.ohchr.org/default.aspx), Article 46 of the Constitution of the Kingdom of Cambodia states that the commerce of human beings, exploitation by prostitution and obscenity which affect the reputation of women shall be prohibited. Moreover, Article 48 of the Constitution provides that the State shall guarantee the protection of rights set forth in conventions relating to children, in particular, the right to life, education, protection in wartime and protection from economic or sexual exploitation. Additionally, Article 3 of the Law on the Suppression of Kidnapping, Trafficking and Exploitation of Human Persons punishes any person who lures a human person, minor or adults in order to kidnap him/her for trafficking, sale or for prostitution.

13 Penal Code, Law on Children Protection and Law No. 23 of 2004 on the Elimination of Domestic Violence.

14 Penal Code and Law on Children Protection.

15 Penal Code.

16 There is no official response given by Laos to the United Nations for the Global Study on Violence against Children. However, according to the Report of the Special Reporter on the sale of children, child prostitution and child pornography (http://daccessdds.un.org/doc/UNDOC/GEN/G99/104/44/PDF/G9910444.pdf? OpenElement), Ms. Ofelia Calcetas-Santos, Article 20 of the Constitution provides for policy implementation on mother and child issues. Also, the Family Law came into effect by Presidential Decree No. 97/PO of 25 December 1990; it stipulates the responsibilities and commitments of parents towards children. The law also provides specific punishments for acts of sexual abuse of children, and metes out 5 to 10 years imprisonment to those found trafficking or abducting any person. There has been set up a National Commission of Mothers and Children (now supplemented by provincial and district level Commissions for Mothers and Children), charged with the protection, care and education of children in Laos. Its main tasks are to assist the Government in determining and implementing policies to promote the protection and care of mothers and children and help provinces coordinate their activities in child issues. It has been also established a National Plan of Action (NPA) for children and follows up, evaluates and reports on the progress in implementing the NPA.

17 Violence against children, such as physical, sexual, mental and emotional violence as well as abandonment and neglect are addressed in the Child Act 2001.

18 The protection of children from all forms of violence is provided for under the Children and Young Persons Act. The Act criminalises the ill-treatment, sexual exploitation and trafficking of a child or young person and institutes punishment on perpetrators of violence against children. This piece of legislation also confers on the Director of Social Welfare the role of protector of the child, as well as the statutory power to remove a child or young person to a place of safety for his or her protection and welfare.

19 Bullying, hazing and sexual harassment are not in themselves criminalised, but they inevitably comprise other criminal offences. For example, sexual harassment often includes the offences of threatening to injure a person's reputation, or outraging of modesty of a woman, which are offences under the Penal Code.

20 The Children and Young Persons Act, Penal Code and Women's Charter all provide legislative protection for sexual violence in the home, at school and alternative care settings. The most recent amendments to the Children and Young Persons Act in 2001 provide greater protection and enhance the well-being of children and young persons who are neglected, abused or destitute and those who are placed in residential institutions. Recognising the importance of parents' role in the protection of child victims, the courts can ask parents to receive psychological assessment and counselling.

21 The Penal Code and the Child Protection Act of 2003 have provisions address all forms of violence against children covering all places.

22 Child Protection Act of 2003, under Chapter 7 – Behaviour Promotion of Pupils and Students, Section 63, aims to control bullying and hazing among students.

23 Section 18 of the Constitution of Timor Leste. Additionally, articles of the Indonesian Penal Code are still in force until a National Penal Code will be promulgated (information up to 2005).

24 The 2004 Law on Child Protection, Care and Education strictly bans all forms of violence against children. The 1999 Penal Code provides punishments for crimes of sexual abuses against children.

25 The term "bullying" is not used in the Vietnamese legislation. However, these behaviours are prohibited if are harmful to the dignity, honour and body of children. Article 88 of the 2005 Education Law explicitly prohibits students form offending the dignity and honour of other students, and prohibits students from committing corporal abuse.

26 According to the NGO's Report on the Rights of the Child in Egypt (http://www.crin.org/docs/resources/treaties/CRC.26/egypt_ngo_report.pdf), the law regards violence in general as a criminal act if it leads to a wound that requires treatment for a given period of time or if it results in a deformity. However, this penalization needs a clearer definition and a definite stipulation of all violent practices and inhuman treatment even if done within the household, with the necessity of finding a legal mechanism that would aid the victim of violence to sue the attacker and protect the victim.

27 Amended Penal Law of Ethiopia (2004).

28 The Penal Code of Eritrea (article 276d of the draft Penal Code and article 594a of the Transitional Penal Code) states that severe punishment should be carried out to anyone who sexually abuses a child.

29 Article 594-599 of the Transitional Penal Code and Article 279 of the Draft penal Code. Article 279 of the Draft Penal Code and Article 621 of the transitional civil Code of Eritrea also state that those who have committed incest with an infant or young person should be punished by imprisonment not exceeding 10 years. The official response to the global study also states that no research has been carried out into sexual abuse within the home in Eritrea.

30 Article 594-599 of the Transitional Penal Code and Article 279 of the Draft penal Code. The Penal Code also states that where the victim of sexual abuse is an apprentice, school boarder or domestic servant of the offender or in anyway directly dependent upon or subordinate to the offender (including children entrusted to their case study or case) punishment is more sever. The official response claimed that there were very few incidents where Teachers in school sexually abuse their students, but also stated there was no research on this matter. In line with the signature of the Optional Protocol y, Eritrea has designed a national plan of action to combat commercial sexual exploitation of children, which incorporates preventive and rehabilitation measures. The preventative measures aim to combat sexual abuse and violence in schools through student and teacher code of conduct, systems for monitoring and counselling children, and systems of administrative and penal sanctions.

31 The key statutes dealing with matters relating to violence against children include The Children Act which is currently the most comprehensive piece of legislation in terms of dealing with children's rights and covering issues relating to violence against children. Moreover, the Penal Code and the Criminal Law Amendment Act protect children from sexual offences that are classified under the Penal Code as offences against morality.

32 There is no specific legislation against bullying. There are only administrative actions against bullying in some schools. For instance a student found bullying another may be suspended or expelled from school. No punitive or penal action may be taken unless there is proof of harm in which event it will be treated as assault under the Penal Code.

33 There is no official response given by Sudan to the United Nations for the Global Study on Violence against Children. However, according to the information contained in the official report sent by Sudan under the Article 44 of the CRC (http://tb.ohchr.org/default.aspx), the 2005 Transitional Constitution of Southern Sudan defines in Article 21 children's rights not to be exploited or abused; not to be pressed into military service; not to be subjected to dangerous or harmful practices that jeopardize their educational prospects, health or well-being; and not to be subjected to negative or harmful cultural practices that undermine their health, welfare or dignity. Article 149 prohibits rape, and states that the act shall be deemed not to have been consensual if the perpetrator is a guardian of or person with power over the victim. Additionally, Article 156 states prohibits the hiring out of a person for the purposes of engaging in the offences of fornication, sodomy, prostitution or acts of depravity or indecency. If the victim is a minor the penalty is more serious. Moreover, the use of children in pornography is generally prohibited by the Children's Act of 2004 (Article 32). Finally, the Code of Criminal Procedures prohibits incest in Article 150 (illicit intercourse, sodomy or rape with an ascendant, a descendant or their spouse, or with his brother, sister or their children, or his paternal or maternal uncle or aunt shall be deemed to have committed the offence) and acts of depravity in Article 151 (indecent acts or sexual conduct not constituting illicit intercourse or sodomy).

34 The Sexual Offences (Special Provision) Act 1998 was enacted with the aim of protecting the dignity and integrity of women in matters pertaining to rape, defilement, sodomy, sexual harassment, incest, female genital mutilation, child abuse and child trafficking.

35 Protection of children from all forms of violence – including sexual violence – is addressed through the Constitution, the Penal Code Act and the Children's Act.

36 Section 23 of the Constitution adopted in 1994 provides for the protection of children from any form of abuse. Additionally, there are sections of the Penal Code which address violence against children. In this regard, it is important to note that provisions in Sections 137 and 138 of the Penal Code are silent on similar offences committed against the boy-child; this means that the Penal Code fails to protect boys who are sexually abused.

37 The Criminal Code and The Child Protection Act 1994 protects children from all forms of sexual abuse.

38 The Child Protection Act 1994, Constitution, and Civil Code protect children from sexual abuse at home.

39 The Child Protection Act 1994 and regulations made by the Minister under Session 21 of the Child Protection Act protect children from sexual abuse at school.

40 The Child Protection Act 1994 and Child Protection Foster Regulations 2002 protect children from sexual abuse in alternative care settings.

41 The Penal Code, Decree 417/71 and the Law Regulating Access of Children to Public Venues of Night Entertainment both protect children from sexual exploitation.

42 Penal Code sections 130, 135, 136 protect children from sexual abuse. The government is introducing new provisions under section 152(i) to legislate against child pornography.

43 The Domestic Violence Act 1998 protects children from the physical, sexual, psychological and economic nature of abuse. The Child Care Amendment Act 1999 amends the 1983 Child Care Act to protect children against commercial sexual exploitation. The proposed Children's Bill and Sexual Offences Bill both contain provisions that address the commercial sexual exploitation and trafficking of women and children.

44 Bullying and hazing are specifically addressed by the South African Schools Act, 1994 which prohibits it. Sexual Harassment has also been outlawed in various pieces of Labour legislation an example of which is the Basic Conditions of Employment Act. The Safe Schools Policy and the Policy to address Sexual Violence in Schools both deal with matters of bullying, hazing and sexual harassment. The Departments of Education, Safety and Security, Health, Justice and the National Prosecution Authority collaborate inter-sectorally on the Safe Schools project and the programme aimed at eliminating Sexual Violence in schools.

45 Swaziland did not until recently have a written constitution and there is a real lack of legislation relating to violence against children. The only legislation which can be seen as referring to violence against children is the Child Care Service Order #30 1977, which states that one of the roles of the service is "to protect children from the abuse or ill-treatment." It does not refer to violence against children but abuse and ill-treatment. The Girls' and Women's Protection Act # 39 of 1920 seeks to protect girls and women from sexual abuse. A Children's Bill and a Sexual Offences and Domestic Violence Bill are currently being discussed in the State party. According to the 2006 CRC concluding observations the 'committee remains concerned at the lack of a systematic and comprehensive legislative review regarding compatibility of domestic legislation, policy and practice with the Convention.'

46 There is no official response given by Zambia to the United Nations for the Global Study on Violence against Children. However, according to the information contained in the official report sent by Zambia under the Article 44 of the CRC (http://tb.ohchr.org/default.aspx), protection of children from sexual abuse and exploitation is provided by 24 separate pieces of statutory legislation. The Constitution prohibits abuse and neglect of children, and the Juveniles Act (Sections 46 and 48), the Adoption Act, and the Penal Code (Chapter 87) contain provisions to protect children from abuse. In the same way, the Constitution in Article 125 establishes the Human Rights Commission, whose functions include investigation of human rights abuses against children. Although Zambian legislation prohibits all forms of physical and mental violence, corporal punishment still exists in the Statutes. Further complicating the situation is the presence of a dual system of law, e.g. statutory and customary laws. Customary law allows parents or guardians to obtain financial compensation from the perpetrator through payment of a fine.

47 There is no official response given by Zimbabwe to the United Nations for the Global Study on Violence against Children. However, according to the information contained in the official report sent by Zimbabwe under the Article 44 of the CRC (http://tb.ohchr.org/default.aspx),The Children's Protection and Adoption Act covers corruption of children, such as causing or coercing children to engage in sexual acts, prostitution and pornographic performances, but this remains weakly implemented. Chapter 33 also protects children from any form of neglect, exploitation, abuse, torture, cruelty, degrading treatment or punishment. Chapter 37 of the Marriage Act prohibits solemnizing a minor's marriage without the written consent of the minor's legal guardian. Additionally, under the Criminal Law Amendment Act, it is an offence to have sexual intercourse with a girl under the age of 16.

48 Act No. 2002-07 of 24 August 2004 containing the Persons and Family Code. Additionally, Law 004 of 3 March 2003 on reproductive health, and the Law 2003-04 of the same day on the repression of the practices of genital mutilation. Finally, the Penal Code prohibits proxenetism

(pimping), and the Inter-Ministerial order No. 16/MEPS/METFP/CAB/DC/SGM/SA of 1 October 2003 establishes sanctions for perpetrators of sexual abuse in public or private, general, technical or vocational secondary schools or educational establishments.

49 Article 2.2 of the Constitution prohibits damage and bad treatment of the child. The Penal Code in Articles 380 to 382 prohibits the mutilation of the genitals; Articles 410 to 417 prohibit sexual exploitation and abuse against children; Articles 422 to 426 prohibits youth corruption and prostitution; and Article 376 prohibits forced marriage. Additionally, even if the Penal Code does not mention hazing and sexual harassment, threats, etc., these are prohibited by Law 43-96-ADP of 13 November 1996.

50 According to the report, it is possible that bullying persists in military schools because it is considered to be like a survival test.

51 The Penal Code prohibits rape (Article 296), violence against children (350), violence against a child in school (298), offences against a minor between 16 and 21 and against a minor of 16 (346), forced marriage (356 and 357), proxenetism (pimping) (294), and exposing a child to moral damage. The Act on Education Guidelines (Act 98/004) of 14 April 1992 also prohibits physical violence in school.

52 Violence against children, such as neglect, sexual abuse and exploitation, pornography, infanticide, incest and assault are addressed in the Chapter XV of the Criminal Code Act Cap 10 Vol. III laws of the Gambia 1990, Tourism Offences Act, 2003, Chapter IV of The Constitution of the Republic of the Gambia 1997, Anti-Terrorism Act No. 6 of 2003 and Children and Young Persons Act Cap 45 Vol. V Laws of The Gambia. The CRC Committee in it's 2001 concluding observations report voiced concern that legislation relevant to the rights of children is fragmented in a number of different laws.

53 The Criminal Code (Consolidated) 1960, Act 29 provides for the protection of children from harm including physical and sexual assault.

54 Although there is no specific law on prevention of violence against the child, the Penal Code prohibits, in a general way, the violence against children. It is also possible to establish an administrative sanction in the cases of violence in the school. Sexual commerce is also prohibited by law, and genital mutilation is forbidden by Law L/2000/010/AN of 10 July 2000 on reproductive health.

55 Articles 32, 37, 38 and 39 of the Constitution prohibit violence against children. Additionally, the Penal Code prohibits sexual abuse (article 134), violence against children (articles 133), sexual exploitation (article 136), and physical violence (article 114 to 119). Although there is not an express regulation regarding genital mutilation, it is possible to punish it by means of applying Article 115 of the Penal Code, relating to aggravated physical damage.

56 Although there is no specific regulation on bullying, it is possible to apply Article 123 of the Penal Code.

57 There is no official response given by Liberia to the United Nations for the Global Study on Violence against Children. However, according to the information contained in the official report sent by Liberia under the Article 44 of the CRC (http://tb.ohchr.org/default.aspx), Liberian law protects children against all forms of abuse; however, the law allows for corporal punishment as a corrective measure 'in the best interest of a child'. Even though punishment is permitted under the law, the degree and timing are guided by the law. The New Penal Code of Liberia protects children below the age of 16 years against sexual exploitation and sexual abuse. The law states in part that a male who has sexual intercourse with a female who is not his wife has committed rape if the female is less than 16 years of age, provided the male is 16 years or older. Sexual inducement of children is a crime under the law. Sexual coercion of children is a crime in that an adult male brings undue pressure on a minor child. The Penal Code of Liberia (chaps. 14.76, 14.27, 14.78) speaks about sexual abuse of wards, sexual assault, rape and sexual crimes against children. The Penal Code (Article 18.3) also makes provision for prostitution as a felony or misdemeanour depending on the nature of the case. There are also administrative measures to deal with situations of child abuse.

58 Penal Code (Law 01-79 of 20 August 2001) punishes the following acts: actions against the modesty of children (Article 225), rape of children (226), usual sexual intercourse (227), paedophilia (228) and proxenetism (pimping) (229). Additionally, the Child Code (Decree No. 02-062/P-RM of 5 June 2002) establishes in its Article 50 that sexual exploitation and sexual abuse, defined in the following articles, are attempts against health of the child. The Child Code also establishes that child workers under 18 have protection against harassment on the part of his employer. Finally, an internal disposition prohibits genital mutilation in health centres.

59 The Constitution establishes those public entities that have the obligation to protect the physical, psychological and moral health of the mother and the child. The Penal Code also prohibits the rape of children (Article 284), female genital mutilations (232-2), acts against modesty (278), proxenetism (pimping) and youth sexual corruption (292 and 293). Finally, Decree 99 of 4 May 1999 on jurisdiction over minors establishes in Article 10 and 19, that in the case of the health, security or morals of a child being in danger, the judge for minors can institute special measures for the protection of the child.

60 There is no official response given by Senegal to the United Nations for the Global Study on Violence against Children. However, according to the Concluding Observations of the Committee on the Rights of the Child for Senegal's Second Periodic Report (CRC/C/SEN/2, 20 October 2006), Law No. 99-05 of 1999 prohibits excision, sexual harassment, paedophilia, sexual assault and all forms of sexual mutilation, sexual violence and corruption of minors.

61 Prevention of Cruelty on Children Cap 31 of Laws of Sierra Leone 1960.

62 Prevention of Cruelty on Children Cap 44 of the Laws of Sierra Leone makes specific provision for the protection of children in the family and home.

63 Although there is no specific regulation for children, the Penal Code prohibits physical violence (Articles 46 to 49), rape, sexual abuse and acts against modesty (85 to 87), and sexual exploitation (94.1), and establishes more serious penalties in cases where the victim is under 15. Additionally, although there is no law on sexual harassment, a Law of 16 May 1984 relating to the protection of young women prohibits sexual relations between professors and students. Finally, Law 98/016 prohibits female genital mutilation.

64 The offences provided for and punished by Law No. 27/2001 – related to Rights and protection of the Child against Violence (28 April 2001) – are related to an attempt on a child's life, sexual violence and exploitation against a child. Also, the Rwandan Penal Code includes provisions that specifically protect children again sexual violence.

65 Under section 39 of the Criminal Code a parent has the authority to correct or discipline a child and to delegate that authority to a schoolmaster or person acting as such. However, the force must be reasonable in degree, regard being had to the age and physical and mental condition of the child, and the child must be of age and maturity which makes him capable of understanding the purpose for which it is inflicted.

66 Law 2023 (29 October 1999), related to Protection of Victims from Sexual Assaults, establishes specific provisions for children.

67 Articles 4 and 6 of the Law 1674, Law against Domestic Violence. The information may be consulted in: http://www.scslat.org/poniendofin/legislacion.

68 Article 5 of the Statute of the Child and the Adolescent. Additionally, the Criminal Law Code devotes Chapter II, Title VI (Crimes against the Common Good) to the crimes of seduction and corruption of minors.

69 Article 129 of the Criminal Law Code establishes a special type of crime called "Domestic Violence".

70 Article 8 of the Child's Code. The information may be consulted in: http://www.scslat.org/poniendofin/legislacion.

71 Legal provisions contained on Law 294, Law against Family Violence (1996), and Law 575, which modifies it. Also in the Law 882, form 2 June 2004, which provides more severe punishment if the violence occurs against children. Article 229 of the Penal Code establishes a penalty of one to three years of prison in the case of violence against any member of the family.

72 Article 67 of the Child's Code. The information may be consulted in: http://www.scslat.org/poniendofin/legislacion.

73 Articles 112 and 113 of the Child's Code. The information may be consulted in: http://www.scslat.org/poniendofin/legislacion.

74 Articles 40 and 41 of the Child's Code. The information may be consulted in: http://www.scslat.org/poniendofin/legislacion.

75 Article 346 of the Family Code includes general protection for the child, including their biological, physical, physiological and moral aspects. The Penal Code includes sexual crimes against children.

76 There is a law against Family Violence; however there are no specific provisions in relation to sexual violence in such context.

77 There is not, in the current Penal Code, any regulation regarding multiple forms of violence against children, such as sexual exploitation or sexual tourism. However, there is, in the Parliament, a proposal to modify the Penal Code in order to qualify specifically such conduct as crimes. Notwithstanding, the Law for Integral Protection of Child and Youth regulates in its Article 53 the right of the children to be protected against any kind of abuse.

78 Articles 1 and 3 of the Law to Prevent, Punish and Eradicate Domestic Violence.

79 Article 43 of the Law of Integral Protection of the Child and Youth.

80 Domestic Violence Act.

81 Child and Youth Code and the Penal Code.

82 Article 162 of the Child and Youth Code.

83 Ibid.

84 The Penal Code regulates all the crimes related to sexual violence: rape, dishonest abuses, corruption, among others.

85 Child and Youth Code, Law 228 and 230.

86 Child and Youth Code, and Internal Regulations of the Education, Culture and Sports Ministry.

87 Article 80 of the Chile and Youth Code.

88 Articles 128 and 135 of the Penal Code, which prohibits sexual abuse and sexual coercion against children.

89 The Law 1600/00 against Domestic Violence includes protection against sexual abuses.

90 Articles 170 to 178-A of the Penal Code.

91 Articles 75 and 77 of the Child and Youth Code. Additionally, the Law against Domestic Violence No. 26260 and its modifications (Laws Nos. 27007, 27016 and 27306).

92 Article 14 of the Child and Youth Code.

93 The education Act 11 of 1997 (section 49) address corporal punishment in public schools, assisted private schools and private schools. It states that degrading or injurious punishment shall not be administered. However, corporal punishment may be administered where no other punishment is considered suitable or effective, and only by the Principal, Deputy Principal or any teacher appointed in writing by the principal for that purpose.

94 Article 396 of the Law 136-03, Código para el Sistema de Protección y de los Derechos Fundamentales de los Niños, Niñas y Adolescentes.

95 Article 397 of the Law 136-03, Código para el Sistema de Protección y de los Derechos Fundamentales de los Niños, Niñas y Adolescentes.

96 Article 328 of the Protection of Child and Youth Code. The information may be consulted in: http://www.scslat.org/poniendofin/legislacion.

97 Ibid.

98 The Child Protection Act and Domestic Violence Act provide children with protection from sexual violence at home.

99 The Child Protection Act, with specific reference to Children's Homes.

100 Haiti has domestic laws which punish violence, torture and other forms of abuse and exploitation. These laws are reinforced by the provisions of international treaties ratified by the Government, but they are rarely applied either in the case of violence by state officials or teachers, or in cases of domestic violence against children and adolescents. Notwithstanding, it must pointed out that Article 279 of the Penal Code prohibits rape and acts against decency. In this case, the penalty is most serious if the victim is a child (http://www.oas.org/juridico/mla/fr/hti/fr_hti_penal.html).

101 All cases of sexual abuse of children are prosecuted under the Criminal Code chapter 150, with amendments made in 2004 to strengthen the definitions of sexual abuse (including oral sex and sexual connection). The official response to the survey states that "while these amendments (to the Criminal Code in 2004) are commendable, the legislation still falls short in not recognizing a child as a person under the age of eighteen years, thereby placing persons between the ages of sixteen to eighteen in a general category and a more vulnerable state. This situation must be addressed with urgency so as to be compliant with the provisions in the CRC which recognizes a child as a person under eighteen years of age."

102 Except for Article 22 of Law no. 8733, of 24 January 2001, "On Several Additions and Amendments to Law no. 7895, dated 27 January 1995, 'The Criminal Code of the Republic of Albania'," prescribing the measures of punishment relating to sexual violence inflicted on minors by blood-relations (i.e. sexual violence perpetrated in the family), the rest of the articles of the other laws on sexual violence do not deal with sexual violence perpetrated in specific settings.

103 Neither the official response given by Australia to the United Nations for the Global Study on Violence against Children nor the Non-Government Report on the Implementation of the CRC mention any specific legislation regarding sexual violence and/or bullying against children (http://www.crin.org/docs/resources/treaties/crc.40/Australia_ngo_report.pdf). However, the Criminal Code in 2005 prohibits, inter alia, trafficking in persons and child pornography. Amendments to the Criminal Code Act 1995, which came into force on 21 September 1999, also modernize Australia's slavery laws and address the growing international trade in persons for the purpose of sexual exploitation. The amendments, contained in the Criminal Code Amendment (Slavery and Sexual Servitude) Act 1999, created new offences relating, among others, to sexual servitude and deceptive recruiting, where the punishment would be more serious if the victim is under 18 years of age. Legislation in all states and territories, except Western Australia, has combined to prohibit genital mutilation. In New South Wales, since 1997 FGM has been included in child protection procedures as a form of child abuse and as grounds for concern about risk of harm which must be reported to the Department of Community Services. In Queensland, legislation has been enacted (Education (Accreditation of Non-State Schools) Act 2001) to establish a regime for the accreditation of non-state schools, including requirements that they have policies to deal with issues of child sexual abuse. In New South Wales, the Child Protection (Offenders Registration) Act 2000 commenced operation in September 2001. The Act requires persons sentenced in respect of sexual and other specified offences against children to keep local police informed of their name, address, employment and motor vehicle details for a period of time after their release into the community. Other than those previously indicated, the law of all states and territories in Australia permit the physical punishment of children by parents or carers, subject only to the degree of force used to administer that punishment being reasonable.

104 Although there is no specific legislation about bullying, there are government initiatives aimed at preventing and combating bullying in schools. These initiatives evolved into the development of a National Safe Schools Framework (NSSF), consisting of a set of nationally agreed principles designed to promote a safe and supportive school environment; the Bullying. No Way! website project (http://www.bullyingnoway.com.au); and an A$500,000 contribution toward a project to analyze the ongoing effectiveness of prevention strategies used in Australia.

105 According to the Concluding Observations of the Committee on the Rights of the Child: Belgium (CRC/C/15/Add. 178, 13 June 2006), the Committee notes with satisfaction the numerous initiatives taken in the area of child abuse, including sexual abuse, such as the Law on the Criminal Protection of Minors (of 28 November 2000), amendments to the Criminal Code and the adoption of Article 22 of the Constitution concerning the protection of the child's moral, physical and sexual integrity.

106 Violence against children is addressed mainly through provisions of the Criminal Code of Canada, which is a federal statute that sets out the substantive elements of criminal offences. Child-specific sexual offences are also contained in the Criminal Code. Offences pertaining to violence set out in the Criminal Code apply to all forms of violence, including violence against children, that occur on Canadian soil, regardless of whether they occur within the home, school, military school, medical institution, correctional facility, detention centre, workplace or sporting facility.

107 The Danish Criminal Code, order no. 814 of 30 September 2003 (Straffeloven) applies irrespective of the environment in which the punishable act is committed.

108 There is no specific legislation concerning bullying/hazing and sexual harassment of children. In these cases, the Criminal Code will apply.

109 The Penal Code includes numerous provisions that aim to protect children from violence. Chapter 20 of the Finnish Penal Code includes provisions on sexual crimes against children.

110 There are no special provisions on bullying. General provisions on assault may apply.

111The Penal Code includes a separate paragraph on sexual abuse of minors under the age of 18 if the perpetrator has abused his/her authority in a school/ institution.

112 There is no official response given by France to the United Nations for the Global Study on Violence against Children. However, according to the Concluding Observations of the Committee on the Rights of the Child for France's Second Periodic Report (CRC/C/65/Add.26, 30 June 2004), the Act of 17 June 1998 on the prevention and suppression of sex offences and the protection of minors provides with a comprehensive protection of the child against sex offenders. According to the Ministry of Education website (www.education.gouv.fr), since 1997, but particularly in the last three years, there has been an inter-ministerial and inter-law enforcement agency policy commitment to deal with illegal acts of violence (widely defined – includes 'serious insults and threats'), racism and anti-semitism in schools rapidly and effectively - i.e. the laws pertain to everyone in the society at all times, but 'safe schools' mean that schools are not outside this purview and indeed require special attention. There is careful monitoring and annual reporting of all incidences of violence in secondary schools; there are policies for dealing with perpetrators and victims of violence; the curriculum is intended to promote non-violence through promoting social equality, 'living together', health and citizenship, and educational success.

113 Criminal law contains a large number of provisions that comprehensively protect children against all forms of violence.

114 Bullying or hazing and sexual harassment are not explicitly mentioned in the Criminal Code. Behaviours of this kind can however meet the requirements of the general penal provisions. It is therefore conceivable that bullying or hazing could be classed as intimidation (Article 240 Criminal Code) and sexual harassment as harassment (Article 185 Criminal Code) or as an offence against sexual self-determination (Articles 174 Criminal Code).

115 In the case of the criminal offences, the environment in which they were committed (family, school, hospital, detention facilities, etc.) is usually irrelevant. But Article 225 of the Criminal Code (Abuse of Charges) and Article 174 (Sexual Abuse of Charges) are specifically tailored to criminal offences within the family and in certain relationships of dependency (e.g. at school).

116 Ibid.

117 There is no official response given by Ireland to the United Nations for the Global Study on Violence against Children. However, according to the Concluding Observations of the Committee on the Rights of the Child for Ireland's Second Periodic Report (CRC/C/IRL/2, 29 September 2006), the Sex Offenders Act of 2001 provides with a comprehensive protection of the public against sex offenders.

118 The Revised Child Abuse Prevention Law (2004).

119 There is no legislative provision on bullying. Incidentally, to address bullying, the Ministry of Education, Culture, Sports, Science and Technology has been directing through boards of education to instruct each student to recognize thoroughly that bullying is absolutely not allowed; for schools to respond kindly with a posture of firmly protecting the bullied child; to promote close cooperation with families and the local community; in cases of serious bullying, to cooperate with other relevant authorities and to take measures such as suspending the culprit from school, if necessary.

120 The Child Welfare Act is the main legal framework addressing child abuse and covers physical, mental and sexual violence against children. The Act on Punishment of Sexual Violence and Protection of Victims, and the Penal Code (Criminal Act) also have provisions, both general and specific that applies to violence against children.

121 The Special Act on Punishment of Domestic Violence and the Act on Prevention of Domestic Violence and Victim Protection.

122 Bullying and indecent acts are explicitly termed as forms of violence and addressed accordingly by the Act on Prevention of School Violence and its regulations.

123 Children are protected by law. In principle, no one may ever use force against them. A whole range of legislation, contained in the Criminal Code, the Civil Code and Acts of Parliament, protects children against sexual abuse, prostitution, pornography, physical abuse and neglect.

124 However, safety at school and preventing bullying are important government priorities. The government wants every child to have a good education in safe, clean and congenial surroundings, free from the fear of bullying.

125 The provisions of the Penal Code concerning violence against children extend to all such incidents regardless of where they happen, whether at home, at school or in connection with sport. The fact that there is no specific provision relating to – for example – violence at school does not mean that such incidents are not criminalized or punished.

126 In November 2002 a number of provisions in the Education Act were amended, including those relating to the psychosocial environment. The new provisions apply to the pupils' learning environment: all primary and secondary schools are to have a physical and psychosocial environment that promotes pupils' health, well-being and learning. The amendments came into force in April 2003.

127 Applicable legislation is found in the 1995 revision of the Penal Code which delineates the type of prohibited behaviours, including distinct manifestations of violence against children, including crimes against sexual freedom, prostitution, human trafficking, child pornography and the protection of abused victims.

128 Legislative provisions to protect children from all forms of violence – including sexual – are found in the Social Services Act and in the Care of Young Persons (Special Provisions) Act. In these acts provisions for the reintegration and rehabilitation of the child victims are also to be found.

129 There is no specific legislation concerning bullying on children, but there are a number of crimes in the Swedish Penal Code that may be applicable in those situations, for example: assault, unlawful deprivation of liberty, unlawful coercion, unlawful threat, molestation, defamation, insulting behavior, sexual molestation. However, the negative consequences of this lack of specifically protection have been emphasized in the "Save the Children Sweden's Third Report to the UN Committee on the Rights of the Child" (http://www.crin.org/docs/resources/treaties/crc.38/Sweden_ngo_report_Save.pdf).

130 Swiss Penal Code protects in a general manner both children and adults against sexual infractions.

131 The Sexual Offences Act 2003 which came into force on 1 May 2004 sets out a clear new legal framework to provide greater protection for all children from sexual abuse and exploitation.

132 Bullying/hazing is not explicitly addressed by general legislation. However, for the purposes of the Protection from Harassment Act 1997, the term "harassment" extends to any course of conduct which causes another alarm or distress. As such, bullying/hazing and sexual harassment are all capable of constituting an offence under that Act.

133 The Sexual Offences Act 2003.

134 The Sexual Offences Act 2003.

135 The Care Standards Act 2000.

136 Bullying, including sexual harassment, is explicitly addressed in legislation pertaining to children's homes. All children's homes are required to meet the Children's Homes National Minimum Standards published in 2002 by the Secretary of State for Health under Section 23(1) of the Care Standards Act 2000.

137 The key federal legislation addressing child abuse and neglect is the Child Abuse Prevention and Treatment Act (CAPTA), originally enacted in 1974 (P.L. 93-247). This Act was amended several times and was most recently amended and reauthorized on 25 June 2003, by the Keeping Children and Families Safe Act of 2003 (P.L. 108-36). CAPTA provides resources to assist States in addressing the physical, sexual, and psychological abuse and neglect of children. Moreover, sexual abuse of children and adults is typically prosecuted under state law. However, when a child is sexually abused on federal lands, such as military bases or Indian lands, the offence can also be prosecuted under federal laws found in Chapter 109A of Title 18 of the United States Code.

138 Current legislation addressing bullying, hazing and sexual harassment is primarily found at the state level. Please find description of state-by-state legislation in Annex # 1 of the United States of America Response to United Nations Secretary-General's Study on Violence against Children Questionnaire to Governments, which may be consulted in: http://www.ohchr.org/english/bodies/CRC/docs/study/responses/USA.pdf.

139 The Keeping Children and Families Safe Act of 2003 (P.L. 108-36) addresses a wide range of maltreatment and violence against children by family members and other caregivers with reauthorization of the Child Abuse Prevention and Treatment Act. This legislation, however, does not address violence against children by non-caregivers or in settings other than the family home.

140 Date of signature. The United States of America has not ratified the CRC.

141 The general penal provisions addressing the prevention of, protection from, punishment of violence etc. also apply to children. There is, however a number of specific penal provisions addressing violence against children in particular: Section 92 of the Penal Code ("Cruelty towards or neglecting of persons under the age of 18 or of helpless persons"); and Sections 206 and 207 of the Penal Code ("Sexual abuse of persons under the age of 14"). The exercise of violence is not a prerequisite. If the perpetrator uses force to sexually abuse a child under the age of 14 s/he commits the offence of rape. Concerning sexual abuse there are a number of other provisions aiming particularly at the protection of minors, for example Sec. 207b -Sexual abuse of juveniles- or Sec. 215a of the Penal Code – Promotion of prostitution and pornographic performances of minors.

142 Bullying/hazing may be a criminal offence according to Section 93 of the Penal Code if it amounts to "overstraining"/"overexerting" a person under 18 years old (or a convalescent person/a person in need of careful treatment).

143 The Criminal Codes of Bosnia and Herzegovina determine the following as criminal offences: rape, sexual intercourse with a child; sexual coercion; sexual violence against children, sexual intercourse by Abuse of Position; Incest; acts of indecency, sexual misconduct; the satisfaction of sexual desires in front of another person; the satisfaction of lust before a child or a juvenile; the use of children and juveniles for pornography; the production and displaying of child pornography; domestic violence.

144 The Criminal Codes of Bosnia and Herzegovina states that if 'a teacher, educator, guardian, adoptive parent, step-father or any other person who by the abuse of his status commits sexual intercourse or another sexual act with a juvenile who has been entrusted to him for the purpose of instructing, educating, custody or care, shall be punished by imprisonment term ranging between six months and five years.'

145 Although bullying is not directly referred to in the survey response, 'forms of violence, such as verbal arguments, insults, pushing, slapping, in case of public institutions, such as schools, children homes, and other forms of collective accommodation are resolved through lawful legal acts of institutions, such as the statues and codes of schools, institutions, that is, rulebooks on house rules, which regulate the disciplinary measures towards those persons that express unacceptable behaviour.

Within the framework of the Statute and the Book of Rules the school provides for the issue of dealing with bullies, and decides on the protection measures towards them. These legal documents provide for disciplinary responsibility towards the official duties or exhibits some form of violent behaviour over under-age persons. The application of these measures does not exclude the possibility of adequate court proceedings with the aim to establish responsibilities or some of the legal forms of compensation, or damages.'

146 In response to the survey question whether bulling/hazing and sexual harassment were dealt with in legislation the Bulgarian state pointed towards the Anti-Discrimination Act 2003, whereby all forms of discrimination are prohibited. Art. 4, para 1 thereof provides: "Any form of direct or indirect discrimination based on sex, race, nationality, ethnicity, citizenship, origin, religion or belief, education, convictions, political affiliations, personal or social status, disability, age, sexual orientation, family status, financial situation or any other indicators provided for by law or an international agreement to which the Republic of Bulgaria is a party, shall be prohibited".

147 The National Education Act states that a teacher: 'must protect the life and health of students and children during the teaching and school education processes and other activities organised by him or her, the school or kindergarten; and may not violate the rights of children and students, degrade their personal dignity, or apply any forms of physical or mental violence against them.

148 The Penal Code, cap 153 criminalizes all forms of violence against any person. Special provision is made for the protection of children from sexual violence in Sections 153, 154 and 174.

149 Violence (psychological, physical and sexual violence) against children inflicted by a family member is addressed specifically in the Violence in the Family (Prevention and Protection of Victims) Law of 2000. Violence according to this Law is considered any act, omission or behaviour, which results in the direct infliction of physical, sexual or psychological injury to any member of the family by another family member. Also, any act or behaviour constituting violence when committed in the presence of the child is considered as violence against a child.

150 The Child Protection Act defends a child from economic, physical, as well as mental exploitation. A separate section provides protection against sexual abuse. A child shall be protected from all forms of sexual exploitation; inter alia it is prohibited for an adult to induce a child into sexual activities, to use a child as a prostitute, to use a child for pornographic purposes.

151 The Basic Schools and Upper Secondary Schools Act obligates the school to guarantee for a student during the time of his or her staying at school the mental and physical security and the protection of his or her health. The school shall take measures for the prevention of mental and physical violence in co-operation with parents (guardians, curators), the owner of the school and as necessary with the police, as well as with other authorities and experts. The procedure of reporting of cases endangering the mental and physical security of the students and the employees of the school shall be established in the rules of procedure of the school.

152 The Protection of the Rights of the Child law and chapter XVI of the criminal law protect children from sexual violence.

153 Amendments to the Protection of the Rights of the Child law have been proposed that give a new definition of emotional violence by including bullying/ hazing: 'Emotional violence is the injuring of child's pride or psychological influence by bullying, blaming, humiliating or in any other way harming his or her emotional development including development of relevant capacities in a certain age.'

154 The Law on the Rights of the Child (art 6) and the Family Code (art.62) forbid the insulting (hazing) of a minor; however legislation against intimidation and bullying are not explicitly provided for in Moldovan Law, neither when committed against adults or children.

155 The Law on the Rights of Children protects children from sexual violence; however the Law of Education only protects children from physical and psychological violence not including sexual violence.

156 Law no.272/2004- Section Five protects children against sexual exploitation and sexual violence.

157 "At present, the problems related to bullying are not addressed by law. The society has entrusted the task of addressing undesirable consequences of the bullying of children by their older schoolmates to the teaching staff and parents. Consultancy regarding the problems of bullying and their prevention is also provided by trained specialists in educational and psychological prevention centres." Official response to the UN study on violence against children in reference to legislation against bullying/hazing.

158 Although the Fiji Constitution and Penal code offers protection to children from sexual exploitation and sexual abuse the official response to the UN study highlighted that: 'The penal code has major gaps in the protections provided children in relation to the restrictive definition of 'rape' being limited to vaginal/penile penetration, thus not prohibiting the rape of a boy through explicit statutory provisions other than reference to offences against morality under the penal code.' The official response also highlighted that: "the laws regulating cyberspace and online exploitation and abuse of children need to be improved and enforced for the effective protection of children from this form of abuse.'

159 Legislative provisions on the prevention of all forms of physical, sexual and mental violence, injury or abuse, neglect or negligent treatment, sexual abuse and the protection of children from all forms of violence, are provided in the Children, Young Persons, and Their Families Act 1989, the Domestic Violence Act 1995, the Crimes Act 1961, the Summary Offences Act 1981, the Guardianship Act 1968, the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

160 There is no specific mention of bullying/hazing in New Zealand legislation relating to children, however action area four of the Agenda for Children, which is a government strategy aimed at improving the lives of children, aims to "Address violence in children's lives with a particular focus on reducing bullying". This work builds on initiatives already underway that aim to reduce crime and violence in families and in children's lives that is taking place through the Care and Protection Blueprint 2003 and Te Rito New Zealand Family Violence Prevention Strategy.

161 Legislative provisions addressing all forms of violence against children which take place in the family/home are provided in the Children, Young Persons, and Their Families Act 1989, the Domestic Violence Act 1995, the Domestic Violence Programmes (Regulations) 1996, the Guardianship Act 1968, the Crimes Act 1961 and the Summary Offences Act 1981.

162 Legislative provisions addressing all forms of violence against children which take place in schools and pre-school care and education are provided in the Education Act 1989, the Children, Young Persons, and Their Families Act 1989 and the Crimes Act 1961. Military schools for children and young people under 18 years do not exist in New Zealand, but would fall under the jurisdiction of the Education Act 1989.

163 With regard to bullying and hazing, the Education Act 1989 refers to the National Education Guidelines (Annex 65), which require schools to provide a safe physical and emotional environment for students. By definition this would include one that is free from bullying or hazing. These practices are not, however, explicitly mentioned in the legislation.

164 Legislative provisions addressing all forms of violence against children which take place in institutions including care, residential, health and mental health are provided in the Children, Young Persons, and Their Families Act 1989, the Children, Young Persons, and Their Families (Residential Care) Regulations 1996, the Summary Offences Act 1981, the Health and Disability Services Act 2001, the Health and Disability Commissioner Act 1994 and the Health and Disability Commissioner (Code of

Health and Disability Services Consumers' Rights) Regulations 1996. Legislative provisions addressing all forms of violence against children which take place in the context of law and public order enforcement including in detention facilities or prisons are provided in the Children, Young Persons, and Their Families Act 1989, the Children, Young Persons, and Their Families (Residential Care) Regulations 1996, the Crimes Act 1961, the Penal Institutions Act 1954 and the Penal Institutions Regulations 2000.

165 Children are protected from sexual violence in Papa New Guinea under amendments made to the Criminal Code (Sexual Offences and Crime Against Children) Act 2002.

166 The official response to the UN study notes that 'there are presently no comprehensive legislative provisions for mental violence (e.g. harassment, psychological abuse), compensation for victims, reintegration or rehabilitation of child victims and child offenders.'

167 In the official response to the UN study the Tongan Government admits that: "Tonga does not have sufficient laws regarding violence against children." Under Tongan legislation indent assault and 'carnal knowledge' of children relates only to girls.

168 Prevention of all forms of physical, sexual and mental abuse and neglect of children are covered by – Penal Code {CAP 135].

Annex 2: International commitments relevant to school violence[49]

I. Universal documents and treaties

- **Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment** (entered into force on 4 January 1969, 173 States Parties): According to Article 1, "torture" means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed. It is possible to consider physical abuse committed by a teacher as an act protected under this convention. Moreover, Article 16 sets up the obligation to prevent other acts of cruel, inhuman or degrading treatment or punishment which do not amount to torture, when such acts are committed by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.

- **International Covenant on Civil and Political Rights** (entered into force on 23 March 1976, 160 States Parties): Article 24 points out that every child shall have, without any discrimination, the right to such measures of protection as are required by his status as a minor, on the part of his family, society and the state.

- **UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)** (entered into force on 3 September 1981, 185 States Parties): Article 1 sets up a wide definition of discrimination. In this way, it is possible to consider school violence against women, committed on the basis of sex, as a kind of discrimination. Moreover, with regards educational matters, Article 10 points out the right of women to access the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality; and the obligation to the elimination of any stereotyped concept of the roles of men and women at all levels.

- **International Convention on the Elimination of All Forms of Racial Discrimination** (entered into force on 26 June 1987, 145 States Parties): States Parties shall adopt measures to prohibit and to eliminate racial discrimination in all its forms, notably in the enjoyment of the right to security of person and protection by the state against violence or bodily harm, whether inflicted by government officials or by any individual group or institution.

- **UN Convention on the Rights of the Child** (entered into force on 2 September 1990, 193 States Parties): Article 2 establishes the obligation to take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment. Article 19 also establishes the obligation to take all appropriate 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. Finally, Article 28.2 ensures that school discipline is administered "in a manner consistent with the child's human dignity and in conformity with the Convention".

- **ILO Convention 182. Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour** (entered into force on 19 November 2000, 165 States Parties): The convention states the obligation to take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour, such as the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances.

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[49] All relevant international agreements and conventions are arranged first thematically, and within each theme, chronologically.

- **Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography** (entered into force on 18 January 2002, 124 States Parties): The Protocol prohibits the sale of children, child prostitution and child pornography and sets up some measures that states shall implement in their territories.

- **International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families** (entered into force on 1 July 2003, 37 States Parties): Article 16 states that migrant workers and members of their families shall be entitled to effective protection by the state against violence, physical injury, threats and intimidation, whether by public officials or by private individuals, groups or institutions. Article 30 sets up that each child of a migrant worker shall have the basic right of access to education on the basis of equality of treatment with nationals of the state concerned. Access to public pre-school educational institutions or schools shall not be refused or limited by reason of the irregular situation with respect to stay or employment of either parent or by reason of the irregularity of the child's stay in the state.

- **Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime, Palermo Protocol** (entered into force on 25 December 2003, 117 States Parties up to December 2006): One of the purposes of this Protocol is to prevent and combat trafficking in persons, paying particular attention to women and children, that includes the recruitment, transportation, transfer, harbouring or receipt of persons, for the purpose, among others of the prostitution of others or other forms of sexual exploitation.

- **General Comment No. 8 (2006). The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment (arts. 19; 28, paragraph 2; and 37, inter alia)** (adopted on 2 March 2007): In this General Comment the Committee emphasizes that eliminating violent and humiliating punishment of children, through law reform and other necessary measures, is an immediate and unqualified obligation of States Parties.

II. Regional documents and treaties

American system

- **American Convention on Human Rights** (entered into force on 18 July 1978, 24 States Parties): Article 19 states that every minor child has the right to the measures of protection required by his condition as a minor on the part of his family, society, and the state.

- **Inter-American Convention to Prevent and Punish Torture** (entered into force on 2 August 1987, 17 States Parties): According to article 2, "torture" means any act intentionally performed whereby physical or mental pain or suffering is inflicted on a person for purposes of criminal investigation, as a means of intimidation, as personal punishment, as a preventive measure, as a penalty, or for any other purpose. In this way, it is possible to consider physical abuse committed by a teachers as an act protected under this convention.

- **Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women, Convention of Belem do Para** (entered into force on 14 September 2001, 15 States Parties): Article 7 condemns all forms of violence against women and sets up the obligation to pursue, by all appropriate means and without delay, policies to prevent, punish and eradicate such violence. Article 9 also establishes that States Parties shall take special account of the vulnerability of women to violence by reason of, among others, minor age.

- **Inter-American Convention on the Elimination of All Forms of Discrimination Against Persons With Disabilities** (entered into force on 14 September 2001, 17 States Parties): Article

III entrust states to adopt the legislative, social, educational, labour-related, or any other measures needed to eliminate discrimination against persons with disabilities and to promote their full integration into society.

- **I/A Court H.R., Juridical Condition and Human Rights of the Child. Advisory Opinion OC-17/02** (adopted on 28 August 2002): In this Advisory Opinion the Court holds that the States Parties to the American Convention on Human Rights are under the obligation to adopt all positive measures required to ensure protection of children against mistreatment, whether in their relations with public authorities, or in relations among individuals or with non-governmental entities.

European system

- **European Union Council Framework Decision 2004/68/JHA of 22 December 2003 on Combating the Sexual Exploitation of Children and Child Pornography:** The decision obliges each Member State to take the necessary measures to ensure that the coercing a child into prostitution or into participating in pornographic performances, the recruiting a child into prostitution or into participating in pornographic performances; and the engaging in sexual activities with a child, are considered punishable.

- **Council of Europe Convention on "Cybercrime"** (entered into force on 1 July 2004, 20 States Parties): The Convention states the obligation to adopt such legislative and other measures as may be necessary to establish as criminal offences under its domestic law, the following conducts: producing of child pornography for the purpose of its distribution through a computer system; offering or making available child pornography through a computer system; distributing or transmitting child pornography through a computer system; procuring child pornography through a computer system for oneself or for another person; and possessing child pornography in a computer system or on a computer-data storage medium.

- **Council of Europe Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse** (adopted on 25 October 2007, not yet in force): It proposes tools that can prevent exploitation and abuse such as training and awareness-raising for people working with children, and class work for children in primary and secondary schools so they can learn how to protect themselves. It proposes that each country set up an internet helpline and make sure there are services to victims to help them to recover. It also sets out ways that abusers can get help. Most importantly, it sets out detailed measures for countries to provide legal safeguards against all the different forms of sexual exploitation and abuse ranging from criminalizing all sexual abuse to stopping child prostitution and child pornography.

- **Council of Europe Convention on Action against Trafficking in Human Beings** (shall enter into force on 1 February 2008, 10 ratifications): The general purpose of this Convention is to prevent and combat trafficking in human beings. According to this treaty, trafficking in human beings shall mean the recruitment, transportation, transfer, etc., by means of the threat or use of force or other forms of coercion, for the purpose of exploitation. Exploitation shall include, among others, the prostitution of others or other forms of sexual exploitation. In addition, the convention states that the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in human beings" even if this does not involve any of the means set forth before.

African system

- **African Charter on Human and Peoples' Rights** (entered into force 21 October 1986, 53 States Parties): Article 18 ensures the protection of the rights of the woman and the child as stipulated in international declarations and conventions.

- **Protocol to the African charter on Human and Peoples' Rights on the Rights of Women in Africa** (Entered into force on 25 November 2005, 21 States Parties): The treaty defines violence against women as all acts perpetrated against women which cause or could cause them physical, sexual, psychological, and economic harm, including the threat to take such acts, and establishes that States Parties shall adopt and implement appropriate measures to ensure the protection of every woman's right to respect for her dignity and protection of women from all forms of violence, particularly sexual and verbal violence.

III. International goals and programmes

- **Education for All:** In April 2000, the World Education Forum in Dakar, Senegal, adopted the Dakar Framework for Action to achieve six Education for All (EFA) goals.

- **Millennium Declaration and Development Goals:** In September 2000, the Millennium Declaration established two of the EFA goals as being two of the eight Millennium Development Goals. Goal 2 states that, by 2015, all children should have access to free and compulsory primary education of good quality. Goal 3 is to, by 2005, achieve gender equality in primary and secondary education and, by 2015, achieve gender equality in all levels of education. These two goals constitute a specific timetable for achieving "the right of the child to education … progressively and on the basis of equal opportunity" required by the CRC.

- **The United Nations Girls' Education Initiative (UNGEI) role in promoting girls' participation:** In 2000, UN Secretary-General Kofi Annan showed his strong commitment to girls' education by launching the United Nations Girls' Education Initiative (UNGEI), a partnership for girls' education and gender equality. It is emerging as an effective strategy for the prevention of violence against girls. In countries where UNGEI is established, partners work together to strengthen interventions that promote girls' access to quality education Interventions which include those that accelerate and encourage the participation of girls and boys in their own empowerment.

- **The Yokohama Global Commitment 2001:** Adopted at the 2nd World Congress against Commercial Sexual Exploitation of Children that took place in Yokohama, Japan, and that brought together representatives from governments, intergovernmental organizations, nongovernmental organizations, the private sector, and members of civil society from around the world. The Commitment reaffirmed the protection and promotion of the interests and rights of the child to be protected from all forms of sexual exploitation, such as child prostitution, child pornography and trafficking of children for sexual purposes.

- **A World Fit for Children:** The Special Session of the UN General Assembly on Children took place from 8 to 10 May 2002 culminating in the official adoption, by some 180 nations, of its outcome document, 'A World Fit for Children'. This document includes 21 specific goals and targets for the next decade. In particular, the document states the obligation to ensure that education programmes and materials fully reflect the promotion and protection of human rights and the values of peace, tolerance and gender equality. The agenda also protect children from all forms of sexual exploitation, including paedophilia, trafficking and abduction.

- **Building a Europe For and With Children Program:** This is a three-year Council of Europe programme seeking to ensure respect for children's rights throughout all countries in Europe. Its objective is the promotion of children's rights and their protection against all forms of violence. It is based on the four Ps: protection of children, prevention of violence, prosecution of criminals, and participation of children. The programme pays special attention to particularly vulnerable children: children with disabilities, children living in poverty, and children being raised without parental care.

- **The Stockholm Declaration and Agenda for Action:** This is a global partnership against the commercial sexual exploitation of children. The Agenda for Action aims to identify priorities for action and to assist in the implementation of relevant international instruments. It calls for action from states, all sectors of society, and national, regional, and international organisations, against the commercial sexual exploitation of children.

- **Inter-Parliamentary Union-UNICEF publication "Child Protection: A Handbook for Parliamentarians":** This publication provides examples of parliamentarians' responses to the challenges of child protection and addressing 10 specific protection issues. In particular, Chapters 8 to 11 (Sexual exploitation of children, trafficking and sale of children, harmful traditional practices and violence and neglect) are relevant.

Annex 3: Key informant interviews conducted

AFRICA:

COUNTRY	NAME	INSTITUTION	ROLE
Angola	Viktoria Perschler	Department for Social Welfare	Policy Advisor
Benin	Patrick Sottin	Initiative pour la Recherche et les Actions pour le Developpement Mondial (IRADM)	Programme Officer
Ethiopia	Lamrot Fikre	Forum for Street Children	Programme Officer
Ethiopia	Richard Mabala	UNICEF	Head of Youth and Child Protection
Ghana	Yvette (Nana) Owosu	Student	MPhil Guidance and Counselling Researcher
Niger	Sidi Abbagayi	L'Ecole Normale Mali Bero de Dosso (Teacher Training College)	Sociology Lecturer
Swaziland	Barnabus Kunene	Swaziland Women's Action Group Against Abuse (SWAGAA)	Programme Head
Zambia	Lawrence Mulenga	Ministry for Women and Children	Team leader
Zambia	Jones Fulano	Zambia Civic Education Association (ZCEA)	Former Employee

ASIA:

COUNTRY	NAME	INSTITUTION	ROLE
India	Madhuri Mukherjee	Christian Children's Foundation India	Manager, Programme Support
Vietnam	Nguyen Thi An	Plan Vietnam	National Child Protection Coordinator

LATIN AMERICA:

COUNTRY	NAME	INSTITUTION	ROLE
Brazil	Nara Menezes	Save the Children, Brazil	Programme Officer
Colombia	Isabel Christina Lopez	Ministry of Education	Director of Institutional Management
Peru	Maria Teresa Ramos	DITOE (Teacher Capacity Building Unit), Ministry of Education	National Director of DITOE