## HEMISPHERIC STUDY ON **PREVENTION, ERADICATION, AND PUNISHMENT OF ABUSE AND ALL FORMS OF VIOLENCE** AGAINST CHILDREN AND ADOLESCENTS

COMPLEMENT TO AND FURTHER INSIGHTS ON THE 2021 REGIONAL STUDY ON VIOLENCE



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#### 1. PRELIMINARY CONSIDERATIONS

The General Assembly of the Organization of American States (OAS), in its resolution AG/RES. 2961 (L-O/20) of 2020, requested that a hemispheric analysis be conducted, with the aim , among other things, of generating information that would contribute to the OAS consideration of the "necessity and importance of crafting a specific inter-American instrument on the subject" (OAS General Assembly 2020, 160). This mandate was addressed through the development and presentation of the "Regional Study on Violence",<sup>1</sup> by the Inter-American Children's Institute (IIN-OAS), in 2021, which contained the requested analysis addressing different aspects relating to this problem and presenting a set of conclusions. Consequently, in November 2021, the General Assembly of the Organization of American States (OAS), in its Resolution AG/RES. 2976 (LI-O/21), pronounced itself on the need for an analysis, which, based on the national assessment that the States make of the different inputs, including the IIN-OAS study, would, among other features, enable consideration of the need to adopt further measures, which could include a possible inter-American instrument relating to this matter (OAS General Assembly 2021, 163).

Accordingly, this Complementary Study aims to move in this direction, providing further analysis of three of the most significant elements that emerged from the previous Study/analysis: the compilation and systematization of information; awareness-raising and training in the field; and regional regulatory harmonization; and, therefore, proposing possible initiatives and opportunities to be developed within the Inter-American System. These three variables are in line with the recommendations made by the Committee on the Rights of the Child in response to national reports of States in the region, in which they frequently highlight the need to improve in these three areas.<sup>2</sup> In order to achieve the aim mentioned above, this first chapter provides a technical review of the information derived from the Regional Study on Violence (2021), with a special focus on these topics.



<sup>&</sup>lt;sup>1</sup> Available at: http://www.iin.oea.org/pdf-

iin/publicaciones/2021/violencias/EN% 20Estudio% 20Regional% 20de% 20Violencia% 20IIN% 20OEA% 202021. pdf

<sup>&</sup>lt;sup>2</sup> The CRC's recommendations in response to National Reports: https://bit.ly/3IRVejd

The IIN-OAS Regional Study on Violence, submitted in 2021, contains a meticulous investigation of the region's status in relation to violence against children. The information detailed therein was obtained from an open survey among adolescents in the Americas, a Member State consultation, and a review of the available literature. The study provides a description of violence and the different types that prevail in the region; it highlights the various relevant instruments (international and regional), as well as national regulatory frameworks; it reviews some of the regional challenges and opportunities; and, finally, it provides a number of conclusions. The report begins with a broad definition of violence,<sup>3</sup> and then emphasizes the complex and multifaceted reality of the phenomenon, in its link to social, cultural, and economic contexts, and its intersectionality with other factors such as age, ethnicity, gender, sexual orientation, and poverty (IIN-OAS 2021, 6). The open survey among adolescents made it possible to identify their perceptions regarding the violence they confront. Results showed the "[worrying fact] that violence is present in their closest settings (family and school), perpetuated by the people who should constitute their principal intergenerational bonds of protection (and love) (fathers and mothers) and their peers; these persons resort mainly to physical [...] violence" (IIN-OAS 2021, 7). Likewise, the study underscores the fact that the prevalence of violence in the private sphere leads to the idea that violence serves as a tool for conflict resolution, and, consequently, can pave the way for a "spiral of violence" (IIN-OAS 2021, 6).

In considering the international and regional instruments in the field, the earlier study gave a detailed description of those that achieved the most substantial contributions in the region. Thus, the countries of the region<sup>4</sup> have incorporated the Convention on the Rights of the Child and its Optional Protocols into their regulatory framework. The 2030 Agenda for Sustainable Development also provides additional international aspirations. In the Inter-American System, the region has, inter alia, the American Convention on Human Rights, the Inter-American Convention on the Prevention, Punishment and Eradication of Violence



<sup>&</sup>lt;sup>3</sup> According to the World Health Organization, "Any behaviour (action or omission), be it physical, verbal, psychological or an exercise of power, committed against oneself, or by another person or group, which threatens or results in any form of injury, or physical, mental/emotional or patrimonial abuse, deprivation or any form of exploitation" (cited by IIN-OAS, 2021).

<sup>&</sup>lt;sup>4</sup> The United States is not a party to the Convention on the Rights of the Child.

against Women, the Inter-American Commission on Human Rights, the OAS General Assembly Declaration on Violence against and Exploitation of Children. There are also a number of bodies at the regional level, such as the Inter-American Court of Human Rights, the Pan American Child Congress, the Pan American Child Forum, and the IIN-OAS, which, due to its position as a Specialized Organization of the OAS on childhood and adolescence, plays a fundamental role in this field.

In this regard, the instrument that probably marked a paradigmatic change is the Convention on the Rights of the Child (CRC), which constitutes an approximation to the principle of respect for the best interest of the child, to comprehensive protection, and a first step in regulatory harmonization in this area. This is due to the realization of a regulatory framework that States parties must internalize in their legislation. Based on this objective, Children's Codes were created, establishing provisions that safeguard children's status as holders of rights and their comprehensive protection. However, despite its heightened position in this area, several implementation gaps have given rise to the question of whether it could be appropriate to devise a regional instrument. In fact, there are limitations that have arisen regarding the requirement to update the Convention to bring into line with the American reality, as well as the need to include new topics and challenges. It is because of this that the Committee on the Rights of the Child has recommended strengthening or diversifying legislation in order to cover all aspects in the region, and to harmonize the Inter-American System (IIN-OAS 2021, 17).

At the regional level, the Inter-American Commission on Human Rights has become a driving force, generating recommendations for individual countries, providing a system for submitting complaints, and publishing annual reports, promoting knowledge among children and adolescents themselves and raising society's awareness of the particular challenges they face. Secondly, it should be noted that the Inter-American Court of Human Rights has indicated that, despite the fact that a specialized regional document on the eradication of violence against children is lacking, the CRC has been incorporated as corpus juris. In this regard, the synergy between the IACHR and the IIN-OAS is significant and means that the latter body supports and offers technical assistance to the States, with a view to addressing the suggestions or postulates of the Court in specific cases.



In addition, the Cartagena Declaration on Violence against Children and Adolescents of the Americas, of the Third Pan American Child Forum (2019), emphasizes the States' obligation to raise awareness within children's environments; implementing public policies for the home and families, and educating professionals for a coexistence free of violence. It also underscores the need to create programmes for the integration, protection, and promotion of children's rights. Finally, the IIN-OAS Directing Council has also become a tool to promote the rights of children and adolescents, supporting the actions of the member States that seek to ensure the eradication of violence through collaboration and technical support, the analysis and dissemination of good practices, support for public programmes, and their relationship with civil society.

The 2021 study also systematized information related to the various public initiatives for the eradication of violence against children, which revealed a certain amount of progress achieved in national systems.

Nonetheless, it also provided a glimpse of a number of areas that provide opportunities for improvement. First, the report promotes the optimization of programmatic strategies, implementing comprehensive protection for children and adolescents, with a special focus on vulnerable groups. It also emphasizes "the importance not only of providing for actions aimed at the child and adolescent population, but also of seeking to mainstream the Convention and its mandates at other levels of social intervention, involving the family, school and citizens" (IIN-OAS 2021, 26). In addition, the study highlights the gaps in mechanisms for the survey, systematization and monitoring of data, as well as in the awareness-raising of the population in relation to comprehensive protection and reiterates the recommendations of the Committee on the Rights of the Child, the Commission and the Inter-American Court of Human Rights regarding the need to empower the public to carry out monitoring and transparent actions. The Open Consultation also sheds light on the need to disseminate information to adolescents. In addition, the consultation with the States reveals the demand for training, for the improvement of care protocols in cases of violations of rights, and for better local coordination.



Finally, drawing on the extensive information available from the various consultations and reports contained in the Regional Study on Violence (2021), it reiterates the importance of collecting and systematizing information in order to be able to analyse and review more effectively the issues faced by Member States. Likewise, the study highlights the need to raise the awareness of families who are directly in contact with children and adolescents, as well as the need to train professional practitioners. Lastly, it also repeatedly emphasizes the importance of regional regulatory harmonization in order to improve coordination and cooperation in the region. In line with the study and the consultations, the various challenges pose the need to consider the creation of an inter-American regulatory body, or other legislation, as an instrument that could pave the way for legal standardization, coordinated programmatic protection with greater levels of investment, survey mechanisms, monitoring of cases and restitution of rights, as well as accountability and systematization of national data (IIN-OAS 2021, p. 32).



## 2. THE CURRENT STATE OF VIOLENCE IN THE REGION. SYSTEMATIZATION AND ANALYSIS OF KEY VARIABLES

The purpose of this chapter is to provide a summary of the current situation in the region in relation to violence against children, with an overarching view of the status quo from a gender-based perspective and considering the impact of the pandemic. Second, it seeks to showcase the relevance of the three themes noted above; the collection and systematization of information in the region, awareness-raising and training on the issue, and regional regulatory harmonization; which enable the complementary strengthening of the Regional Study on Violence (2021).

# 2.a- Summary of the current state of Violence against Children in the Americas

Studies show that in 16 countries in Latin America and the Caribbean, between 31.3% and 71.4% of boys and male adolescents aged between 1 and 14 have experienced some type of physical punishment. In the case of girls and female adolescents, these figures range from 18.3% to 65.2% (...) In addition, the incidence of psychological aggression, which encompasses different types of behaviour such as screaming, humiliating acts, etc., is estimated at about 54% for children and adolescents (UNICEF 2021, p. 7 and 8).

The same study highlights an average prevalence of 14% for sexual violence against children and adolescents (UNICEF 2021, p. 7). However, there is emphasis on the fact that access to data is limited in this subject, both in the case of national data and of surveys, and there are indications that figures are, in fact, probably higher. In this regard, the gender-related dimensions of violence should be highlighted; while girls and women are more likely to suffer some form of sexual violence or exploitation, boys and men, in contrast, are more likely to be victims of homicide. Another type of violence measured in the region is the violence that takes place in schools. Two out of five students are estimated to be victims of some type of bullying, of whom one out of eight has been injured as a result of a beating (Chávez et al. 2021, p. 7). Similarly, out of every ten students, one fears his/her peers, and in



twelve reports receiving threats. The incidence of bullying appears to be slightly higher among male children, although some countries show atypical outcomes<sup>5</sup> (Chávez et al. 2021, 7). In recent times, the Pan American Health Organization (PAHO) has encouraged raising awareness about neglect as a source of violence in the region, when it named neglect in its 2020 report and noted that, despite the limited number of reports available, its incidence is considered to be above 50% (PAHO 2020, p.11).

However, over the course of the social impacts caused by the COVID-19 pandemic, and its various variants, various aspects of violence against children and adolescents have been identified. Although it was inevitable that the various types of violence should be affected by the global pandemic, changes in the available data are not necessarily explicitly reflected. This is due to the slowdown or weakening effect that the pandemic has had on the operation of administrative systems and the decrease in reports that are usually submitted by people in contact with child and adolescent victims, owing to isolation (leading to underregistration). For this reason, the precise consequences of the pandemic are still unknown. However, several elements can be pointed out as having altered the situation, and, in addition, we can speculate about certain others, despite the fact that data are not yet available.

The Open Consultation among American adolescents carried out as a component of the hemispheric analysis conducted by the IIN-OAS reveals a high number of teenagers who responded that they had experienced different forms of physical, psychological, sexual, and emotional violence (IIN-OAS June 2021, p. 4). In the same way, it sheds light on the disproportionate prevalence of violence that takes place in the home (IIN-OAS June 2021, p. 4). In contrast, and not surprisingly, there has been a reduction of institutional violence, although that has been matched by an increase in virtual violence, including cyberbullying, and sexual violence by digital means (ECLAC 2021, p.3, 7 and 8). For its part, domestic violence in which children and adolescents are spectators is another source of violence that is estimated to have risen over the course of the pandemic. Despite not having specific figures



<sup>&</sup>lt;sup>5</sup> Research conducted by Chávez et al. shows that in Uruguay, Argentina, Honduras, Panama and Brazil, figures for peer-executed bullying are very slightly higher for girls and female teenagers than for boys and male teenagers (Chávez 2021, 18).

available, the study conducted by the United Nations Development Programme (UNDP) shows that in all Latin American countries (with the exception of Guatemala) reports of domestic partner violence have become more acute during the pandemic (UNDP 2020), supporting the plausible indications given by children and adolescents regarding their homes.

#### 2.b- VARIABLE: Compilation and systematization of data and information

There is one specific concern that appears in the conclusions of the Regional Study on Violence (2021, point 6): "Among the persons consulted, concern was expressed at the lack of monitoring and systematic, comparable information that would allow for a differential analysis of population groups and geographical areas. This constitutes an obstacle to the monitoring and evaluation of the policies implemented and their eventual revision on the basis of evidence" (IIN-OAS 2021, p. 34) It should be noted that this is not a new observation; the lack of information produced and available has been a long-standing concern. This is highlighted as a fundamental concern in the influential report by Paulo Sérgio Pinheiro: The World Report on Violence against Children (2009). Thus, "data consolidation and research" has been repeatedly recommended by different United Nations bodies, such as in the 2016 annual report of the previous Special Representative of the Secretary-General on Violence against Children (Marta Santos Pais 2016, p.23). Considering the ultimate goal of eradicating violence against children and adolescents, a relevant requirement is to have the capacity to assess the data of each State in a detailed and inclusive manner. Only through ongoing and careful evaluation that results in reliable figures, can we observe and understand the full situation and its different nuances, discern the real impact of public policies, and effectively review them, as well as promote inter-State comparisons and exchange good practices.

Consequently, the significance of data gathering and systematization has not gone unnoticed and was included in recommendations reiterated by various bodies, such as the Pan American Child Forum in the Cartagena Declaration of 2019 (Pan American Child Forum 2019, p.1). Similarly, the Committee on the Rights of the Child highlights the promotion of the systematization of detailed and reliable data that ensure the "systematic monitoring and



evaluation of systems, services, programmes and results, based on indicators aligned with universal standards and adjusted and oriented in line with objectives established at the local level" as one of its main actions (IIN-OAS 2018, 3). As a result, it has also recommended that a large part of the States of the region should "implement registration mechanisms and determine numbers of cases and that these include disaggregated data on cases of violence against children. These mechanisms must follow up and investigate complaints, in addition to taking all the necessary measures to prosecute those responsible, respecting the privacy of the victim" (IIN-OAS, December 2020, 17). The IIN-OAS has also emphasized the costeffectiveness of the collection and systematization of information at various times, for example, in the publication of Child Rights Monitoring Systems (2012).

States, intergovernmental organizations, NGOs, and civil society quantify a variety of types of violence against children and adolescents in the region. There has been a positive expansion in the last two decades of data published and analysed by these stakeholders. Starting with the publication of data by States, it emerges that possibly the most reliable information related to violence against children and adolescents is homicide. This is due to the fact that it is highly probable that murders are reported to the police directly or via hospital reports, and, therefore, they are included in the State's regular annual statistics. However, it is helpful to differentiate between the different categories of homicide, such as femicide or murder as part of armed conflict. In second place is maltreatment or abuse, which constitutes another annual statistic, quite frequently being increasingly compiled and published on behalf of the State, both by independent bodies under a ministry, or directly by a ministry. These data rely heavily on reports made by individuals, and therefore, it is likely that a percentage of such incidents may be overlooked. Here, too, it is useful to distinguish between types of abuse, such as psychological violence, school violence, workplace violence, etc., and between types of victims and types of abusers, which contributes valuable information.

Finally, another area that is relatively well-assessed by the States is sexual abuse. As occurs in the matter of other types of abuse, figures are usually based on individual complaints and, therefore, do not reflect the total number of cases. Likewise, as in the case of homicide and other abuse, it would be useful to provide specific information when



collecting data; for example, where the sexual abuse occurred and the social context of the child or adolescent. It is worth mentioning here that, although the least studied type of violence is sexual violence against children, recent years have seen progressive improvement in initiatives such as "Victims against Violence" in Argentina (since 2006) of the Ministry of Justice, or INAU's SIPIAV, of the Ministry of Social Development (since 2019) in Uruguay, two bodies that have published disaggregated data.

When it comes to inter-State or non-governmental bodies, there are different organizations that carry out indispensable work in collecting information in the region. Of great value is the work of, among others, UNICEF, PAHO, Save the Children, or ECLAC, which have a presence in nearly all American countries, and where in most of them they make (almost) annual reports that include a wide range of types of violence, and a number of details about children and adolescents. Data are derived from research and surveys carried out by the organizations themselves and from the data-gathering of national sources to create a joint overview of the region, or from surveys carried out by other entities. Recently, specialized reports have also been published, such as those on violence in the home, at school, or genderbased, enabling the study of various types of more specific violence against children and adolescents. One example is the case of school bullying, on which data is collected sporadically, and regarding which information is mostly from the last 15 years, published in, for example, the report "School-Related Violence in Latin America and the Caribbean: Building an Evidence Base for Stronger Schools" (Chávez et al. 2021) or also in individual investigations (Román and Murillo 2011). Similarly, sporadic studies have been published in several American countries on virtual violence; for example, the Global Kids Online study, which has carried out one or two studies in four Latin American countries. Finally, in terms of regional systematization, the IIN-OAS plays a key role. In different areas (such as national standards, the recommendations of the Committee on the Rights of the Child at the specific level of each Member State, etc.), it collects and systematizes the data of individual countries to provide a particular set of views, as well as the regional views of the Member States.

Surveys are possibly one of the most reliable data gathering tools. Although there are a large number of bodies that produce surveys in the region, we are here only focusing on those surveys that are applied with some regularity, and that occur at a regional level. First,



there is the Global School-based Student Health Survey, a World Health Organization initiative carried out in the region by the Pan American Health Organization. The survey asks general questions on health, with brief questions on injuries suffered, is carried out every six years (usually), and in most Latin American countries it has been conducted two or three times.<sup>6</sup> The Demographic and Health Surveys – the DHS Program – (and reproductive health, RHS) constitute another form of measurement<sup>7</sup> and is funded by USAID. These are surveys that are frequently completed over five years, and which, among other questions, specifically ask about domestic violence and child health. However, the tool is not used in every country, nor is it used regularly, and its use has, in addition, decreased over the last fifteen years. Other valuable surveys are the Four Regional Comparative and Explanatory Studies (of 1997, 2006, 2013. and 2019).<sup>8</sup> Although they are applied infrequently and are a didactic evaluation project, they do request some information about family life and measure the strengthening of educational capacity, which is an effective tool to combat violence.

Likewise, there is a survey to directly measure violence against children and adolescents, called the Violence Against Children and Youth Surveys (VACS).<sup>9</sup> Conducted by the "Together for Girls" alliance, it is a survey at the 13-24 level and seeks to identify specific information on physical, emotional, sexual, and domestic violence during childhood, adolescence, and early adulthood. It also focuses on the identification of risk factors, protective factors, and the consequences of violence. Although it has the potential for becoming a valuable instrument for the quantification of violence against children and adolescents, so far only four American countries are collaborating with the initiative (Colombia, El Salvador, Haiti, Honduras), and there has been only a single report. Finally, the Multiple Indicator Cluster Surveys (MICS)<sup>10</sup> are an indispensable tool to systematize violence against children and adolescents; specifically, the survey applied to children aged 5 to 17 years. Through this study it is possible to measure information on child labour and psychological and physical violence as a form of punishment. Participating countries have



<sup>&</sup>lt;sup>6</sup>For further information: https://www.who.int/teams/noncommunicable-diseases/surveillance/data <sup>7</sup>For further information: <u>https://dhsprogram.com/Countries/Country-List.cfm</u>

<sup>&</sup>lt;sup>8</sup>For further information: https://es.unesco.org/fieldoffice/santiago/projects/llece

<sup>&</sup>lt;sup>9</sup>For further information: https://www.cdc.gov/violenceprevention/childabuseandneglect/vacs/index.html <sup>10</sup>For further information: https://mics.unicef.org/surveys

concluded between one and four research studies. Although many States were included in these surveys, several did not participate.<sup>11</sup>

While we recognize the progress made by the States in gathering and systematizing data, as well as the increasing availability of information published by other agencies, we can still indicate some fields that offer opportunities to increase effectiveness in the prevalence and reliability of data. On several occasions, the IIN has noted a number of these opportunities, alluding to the benefits of: collecting disaggregated data (at State and departmental levels, urban and rural, or disaggregated by ethnicity, age and gender); more precise quantification of sexual violence, early childhood, and virtual violence; causal research; research on protection factors and good practices; consideration of the intersectionality of violence in the studies carried out; having children and adolescents participate in data collection programmes, as is their right.

Along these lines, over the course of recent years we have observed positive progress in certain countries in terms of data gathering. In this regard, we should mention the work of Colombia, El Salvador, Haiti and Honduras in the VACS survey, which allows gathering disaggregated information, specifically addressing the issue of violence against children and adolescents. We should acknowledge the progress made by those States that incorporate greater detail in their annual reports on allegations of abuse or homicide, which allows for a more complete picture of events. Finally, we should also record progress in the identification of new focal points for violence, such as virtual violence. Various organizations are engaged in the study of these issues, leading to valuable contributions to the available data.

#### 2.c- VARIABLE: Awareness-raising and training

One of the conclusions of the Regional Study on Violence (2021) is presented in point eight, which notes: "Among the measures proposed, the following stand out: the need for awareness-raising and training for all those who work with children and adolescents in their different roles, as well as for caregiving adults and children and adolescents themselves; thus 14



<sup>&</sup>lt;sup>11</sup>Chile, Brazil, Ecuador, to mention a few examples.

reaching all community and territorial levels. There was also an emphasis on improving national routes, protocols and/or mechanisms for dealing with cases" (2021, 35). Awareness-raising among families, practitioners, teachers, State agents or territorial operators provides increased perception and tools for combating disinformation on persistent obsolete and harmful practices arising from cultural customs and habits. Training and awareness-raising, furthermore, help society to promote and adopt actions that are based on reliable and up-to-date data and information, as well as breaking away from the tutelary outlook, and delivering more constructive and respectful alternatives. Similarly, providing training to professional practitioners provides a method for caring for children and adolescents as holders of rights from the perspective of comprehensive protection. Finally, awareness-raising and training also make it possible for ways to report abuse, or to seek help, should be better known, both among adults close to children and adolescents, and among children themselves.

The importance of training and awareness-raising is often recognized and recommended by different institutions. Thus, in its Annual Report (2017), the Inter-American Commission on Human Rights (IACHR) recognizes the need to promote social and cultural transformations, for which it is essential to raise the awareness of society about the particular challenges faced and the effects of the various forms of violence (IACHR 2017, p. 196). As the IACHR emphasizes, in order to change the panorama of violence, it is necessary to generate a change in culture, in people's perceptions regarding the violence committed against children and adolescents. Likewise, training and raising awareness among society's various stakeholders about the needs of children can generate empathy and provide tools for family members. Also as regards this variable, the Committee on the Rights of the Child has repeatedly expressed its opinion, which appears in its recommendations to the reports of the States of the region (IIN-OAS 2020, 11, 18, 20).

In relation to awareness-raising and training programmes on violence against children, it is possible to distinguish between projects at different scales, such as national and municipal programmes, programmes organized by NGOs, or, recently, courses aimed at the regional level.



Starting with the latter type of course, there are few but innovative initiatives at the hemispheric level that the expansion of virtual opportunities has made possible. Here we should mention the IIN-OAS's Inter-American Training Programme (IATP), which, since 2015, has provided multiple virtual or blended courses related to these specialized issues on children and adolescents in the region. Among the ten courses offered, the subject is covered from different perspectives, such as in the course on "Violence and Child Rights... Building Peaceful Environments".<sup>12</sup> This course consists of eight weeks of online classes at a first stage, followed by a second stage to be determined by each State in agreement with the IIN-OAS. The course is aimed at practitioners who are in contact with children and undergoes evaluations and systematization at the end of it, showing the positive perceptions of its participants. Since the start of the IATP courses, 721 people have participated in this training, from Argentina, Belgium, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Spain, United States, Venezuela and Uruguay. In addition, since 2018, courses have been offered in both face-to-face and virtual modes. Lastly, the courses undergo continuous evaluation and have concluded positively. As a regional course, it stands out from other types of training that focus more on the national or local levels, and thus offers new opportunities, such as sharing positive experiences and harmonization in the region.

Secondly, multiple training or awareness-raising programmes have been generated at the initiative of Governments in the region. Most of these courses were organized through an agency specializing in children and adolescents, with seminars, courses, or other types of training. Although there is no regular schedule for seminars, courses are usually annual or continuously open to registration. Thus, Bolivia offers a number of virtual two-week courses, through "The Plurinational School of Public Management", which deals with issues involving children and adolescents.<sup>13</sup> In addition, a five to six hour self-study course for professionals was started in Uruguay through SIPIAV (the comprehensive child protection system), focusing on the basic themes of violence against children and adolescents, as well as on the



<sup>&</sup>lt;sup>12</sup> A course that benefits from the cooperation of SOS Children's Villages.

<sup>&</sup>lt;sup>13</sup>For further information: https://www.unicef.org/bolivia/cursos-de-capacitaci%C3%B3n-en-derechos-de-lani%C3%B1ez-y-adolescencia

dissemination of awareness regarding reporting mechanisms.<sup>14</sup> Likewise, SENAF in Argentina planned five courses on violence against children and adolescents, four to six weeks long, each course comprising between three and five classes.<sup>15</sup> Each course focuses on a specific issue, such as the prevention of violence, the prevention of sexual violence, or child labour. The target population in most of the courses are the organizations devoted to these issues, but at least two of the courses are open to all interested parties (and it is possible that, upon enquiry, more courses might be open to all). Interestingly, there are also initiatives put forward by some of the States that train more specific groups. For example, Ecuador offers an annual course through its National Directorate of Police Specialized in Children and Adolescents (Dinapen) to the National Police of Ecuador on the subject of comprehensive protection, taking into account their frequent contact with situations involving violence.<sup>16</sup> While the programmes listed may have been evaluated, these evaluations are not accessible, and, therefore, their effectiveness in training or raising awareness among the population cannot be inferred.

Here we should also mention the inter-institutional, interdisciplinary and crossgeneration work that MINEDUCA, CNII, CHILD FUND and the IIN-OAS have been carrying out in Ecuador in educational centres, for the purpose of promoting and protecting the rights of children and adolescents, aiming to work on violence against them, both in virtual environments and in the daily real-life environment of educational communities. This networking involves teachers, local technicians, mothers, fathers, and students in proposals that empower children and adolescents, promoting effective cross-generational dialogues, taking action in cases of violence. We understand that public policy interventions that address violence against children and adolescents develop inter-institutionally and require the participation of children and adolescents.

It is also interesting to note here the development of government training programmes at the subnational level, whether at the departmental, local or even community or neighbourhood level. There is an opportunity for these projects to be more in keeping with



<sup>&</sup>lt;sup>14</sup>For further information: <u>https://www.anep.edu.uy/15-d-noticias-ddhh/curso-line-sobre-violencia-hacia-ni-os-</u> ni-y-adolescentes

<sup>&</sup>lt;sup>15</sup>For further information: https://www.argentina.gob.ar/desarrollosocial/senafcampus/cursos

<sup>&</sup>lt;sup>16</sup>For further information: https://www.policia.gob.ec/dinapen-inicio-xvii-curso-nacional-y-i-curso-internacional

the context and needs of a specific population. An example of this are the different workshops, courses or seminars organized by the municipality of La Reina, in Santiago, Chile.<sup>17</sup> The municipality has a training programme and workshop for family members or caregivers, professional practitioners and the community; as well as offering a training course for children and adolescents themselves, which focuses on different forms of violence. All courses last between 45 and 60 minutes and are conducted on the Zoom digital platform. Likewise, the province of Entre Ríos in Argentina provides various training programmes.<sup>18</sup> The courses are organized by the Provincial Council for Children, Adolescents and the Family and are delivered virtually for two hours a week over two months. The target audience are people who interact with children professionally.

A key role in training is played by the different organizations involved in issues related to violence against children. Without wishing to detract from the work of any of these agencies, only those organizations that carry out a variety of different long-term programmes are listed here. UNICEF conducts a considerable campaign involving training and awarenessraising programmes, which it has further strengthened with its Communication for Development (C4D) programmes, pursuing lasting transformations through communication, training, and civil society participation,<sup>19</sup> implemented in all United Nations organizations. Among these programmes, for example, we identify the campaign in Honduras that specifically addresses sexual violence by training children and adolescents in 35 municipalities (UNICEF 2018, p. 50). In one way or another, there are programmes in all of the American countries (except the Bahamas) pursuing the eradication and prevention of violence against children and adolescents, such as in Colombia, Brazil, Guatemala, El Salvador, and Mexico (UNICEF, 2018). Training is aimed both at children, adolescents, and their families, as well as at professionals in contact with children and adolescents, almost always at the family or municipal level, and even at social network users (Brazil) (2017, p. 62). These are long-term programmes and are subject to evaluations that show that the projects are highly effective.



<sup>&</sup>lt;sup>17</sup> For further information: <u>https://www.lareina.cl/talleres-oficina-proteccion-de-derechos-de-infancia-y-</u> adolescencia/

<sup>&</sup>lt;sup>18</sup> For further information: <u>https://www.entrerios.gov.ar/copnaf/capacitaciones/</u>

<sup>&</sup>lt;sup>19</sup>Its full definition, as provided by UNICEF is "an evidence-based process that is an integral part of programmes and utilizes a mix of communication tools, channels and approaches to facilitate dialogue, participation and engagement with children, families, communities, networks for positive social and behaviour change in both development and humanitarian contexts" (Report on Communication for Development [C4D] 2018).

Similarly, other organizations, such as Save the Children, are doing relevant work in organizing training and awareness-raising programmes and projects. In particular, we should mention the Civil Society Strengthening Programme (PASC, for its acronym in Spanish), which, through the strengthening of civil society organizations and different networks (such as REDLAMYC), aims to contribute to the fulfilment of the rights of children. PASC has programmes only in Latin America and the Caribbean. Among these is the work conducted in Peru, where through the technical training of government actors it is hoped to strengthen National Comprehensive Protection Systems and address physical and humiliating punishment. There are also long-lasting projects that are delivered when evaluations that show positive results.

Similarly, there is a significant number of organizations and initiatives on a more limited scale that carry out programmes, projects, seminars, or training workshops. Compared to the previous category, these organizations may focus on a single programme, which does not always take place in the long term, or consistently. However, all of the projects together add significant value to the training and awareness-raising of children and adolescents, family members, caregivers, or professional practitioners. It is difficult to list some of the general features of these initiatives because there are great differences between them, so for the sake of clarity we provide some examples below.

Several universities have organized workshops on various topics involving violence against children, such as the Bolivian Catholic University, which organized a workshop for its students.<sup>20</sup> Similarly, there are different organizations that have carried out projects specifically aimed at the family; the Kallpa association in Peru, for example, which conducted eight workshops in educational institutions for the families of schoolchildren, with a view to preventing all types of violence.<sup>21</sup> In addition, there are increasing numbers of awarenessraising initiatives aimed directly at children and adolescents; for example, the Colombian organization, LIMPAL, holds workshops for women and girls, seeking to empower them



<sup>&</sup>lt;sup>20</sup>For further information: https://iicc.ucb.edu.bo/courses/violencia-infantil-capacitacion-estudiantil/ <sup>21</sup>For further information: https://www.kallpa.org.pe/noticia/talleres-de-capacitacion-contra-la-violencia-paramadres-y-padres

against gender violence.<sup>22</sup> Finally, there is also an increasing number of virtual courses open to all interested parties, as well as handbooks written by international organizations that offer a possible way to put together workshops to combat violence against children and adolescents (MOOC, Save the Children 2012, INSPIRE 2018). In this broad range of workshops, seminars, courses or programmes organized by NGOs, we may conclude that the quality of training or awareness-raising is subordinate to the organization and, therefore, the activities differ greatly from one another.

Considering the variety provided by the region in the issue of training and awareness of violence against children, we identify the following opportunities which can optimize future development. Mainly, this research has emphasized the wide prevalence of courses available at all levels, which are open to the public actively seeking a programme, possibly aimed at the effective training of motivated practitioners. Next, it would also be useful to incorporate family members and children and adolescents to a greater extent; such persons are less likely to be aware of the availability of courses. Their incorporation could pave the way for increased participation and awareness-raising and provide the tools they need to support growth on the basis of comprehensive protection. Another field that has generated increasing opportunities as a result of the growing number of virtual tools is regional training, which can play a key role in harmonizing the American approach.

It would also be useful to establish or expand training programmes for governments, especially at the departmental or municipal level. In the same vein, focusing training projects on specific groups, such as educators, the police, and the judiciary; or specializing the subject matter into more restricted issues, such as migrant children and adolescents, children deprived of liberty, or with disabilities, would be a valuable contribution. These nuances encourage the development of the most effective strategy for each group, including projects originating with a focus on the participation of children and adolescents, which provide a unique tool in awareness-raising opportunities. Ultimately, one final element that helps to perfect and correct programmes is evaluation. While this information may facilitate the creation of other similar programmes, evaluations are not usually published.



<sup>&</sup>lt;sup>22</sup>For further information: <u>https://www.limpalcolombia.org/es/derechos-de-las-mujeres-y-las-ninas</u>

Nonetheless, a number of positive developments and initiatives in different areas have taken place recently. First, we have identified the development of various networks of local NGOs, creating regional structures, promoting communication, harmonizing strategies, and sharing good experiences, thus giving rise to specialized systems in the field. In addition, we have noted the meticulous work of different States (often with the support of NGOs) in the design of State training programmes, such as in Bolivia, where a report on Training Strategy proposes a detailed curriculum for the creation of complementary programmes and workshops.<sup>23</sup> Finally, we should also mention the increase of virtual tools open to a wide public, which has facilitated the accessibility of information for many interested people.

#### **2.d VARIABLE: Regional legislation and possible harmonization**

The IIN's Regional Study on Violence (2021) repeatedly emphasizes the importance of having laws that expressly prohibit violence against children. It has led to ongoing deliberations on the possible creation of a regional instrument, similar to the Belém do Pará Convention, or the Inter-American Convention on the Protection of the Human Rights of Older Persons, to specifically address violence against children and adolescents. Although it is understood that the region is already part of the Convention on the Rights of the Child (CRC), drafting a regional instrument would provide an opportunity for a supplementary legal body that would endorse and strengthen national commitments to build equitable relations, and links to protect and promote the rights of children and adolescents.

Regardless, having common laws on the subject in the various States of the region would provide an additional mechanism to further the implementation of strategies supporting comprehensive protection at the national level. In this line, when consulted, member States (2021) expressed a shared principle in terms of the eradication of violence against children and adolescents being a responsibility of the States as a whole, the fulfilment of which is facilitated by having integrated systems in the region. In addition, such an instrument could contribute to a specific or diversified definition of commitments, to the



<sup>&</sup>lt;sup>23</sup> For further information:

https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/BOL/INT\_CRC\_ADR\_BOL\_44029\_S.pdf

visualization of regional demands and to encouraging cooperation that can encompass the eradication of violence comprehensively. Finally, adhering to common legislation in the region would allow different commitments to be made to regional bodies such as the IACHR, the Inter-American Court of Human Rights (I/A Court HR) or the IIN-OAS.

In this regard, the IIN-OAS reiterates the importance of regulatory standardization on different issues in the region, such as the minimum age for admission to employment, and calls for action in the harmonization of civil, family, criminal codes, etc., with the laws for the protection of children and adolescents and with the CRC, in order to reach an accord on the issue of violence. Considering the impact that the Convention has had in the region, the IIN-OAS emphasizes the importance of achieving the comprehensive harmonization of legislation.

When we observe the current regulatory discrepancies in the region, we suggest that there are several dimensions that should be considered. We should note that the CRC serves as a regulatory base, since it is an instrument ratified by all the countries of the region (except the United States). However, we should emphasize that several countries have yet to adopt a Code, Statute or Laws on children and adolescents (IIN-OAS October 2021, p. 17 and 18). We should also note that the different bodies of law include different interpretations of how to incorporate the Convention into national legislation, as is the case when it comes to laws on violence against children and adolescents. We must therefore underscore the fact that States prohibit violence with a different scope, ranging from a narrow definition of what violence implies to a broad, explicit definition.

Likewise, several countries have chosen to include the prohibition of violence against children and adolescents in their legislation in different ways, either through impediments in their specific legislation for childhood and adolescence, or through additional laws that deal with some types of specific violence. Several countries have included a simple but clear article, which explicitly prohibits violence, for example, the case of Brazil, which includes in its article 5: "No child or adolescent shall be subjected to any form of neglect, discrimination, exploitation, violence, cruelty and oppression, and any violation of his or her fundamental rights, by action or omission, shall be punished in accordance with the law" (1990, p. 1). However, it is striking that there is no mention of sexual violence; in the case of Brazil, sexual



violence is addressed by additional laws. Other countries have chosen to include broader articles without drafting supplementary laws, such as in the case of Ecuador, which in its Childhood and Adolescence Code includes Title IV on Protection from Child Abuse, Sexual Exploitation, Smuggling and Loss, which gives a more detailed description of the different dimensions of violence.

In addition to laws on children and adolescents implemented under the mainstreaming effects of the CRC, many countries have enacted laws that deal with a particular type of violence against children and adolescents. Of these specific laws, the most frequent involve the prohibition of trafficking in children. First of all, seventeen of the States in the region have ratified or acceded to the Inter-American Convention on International Traffic in Minors. In addition to this treaty, these States (together with other States that did not ratify or accede to the convention) drafted national laws on the eradication of trafficking. Secondly, we have also noted that supplementary laws have been drafted to prohibit sexual abuse, which is also subject to a range of interpretations, from a basic definition to a broad and clear definition that includes (virtual) sexual abuse, sex tourism, and an explanation of consent. Additional legislation was also drafted to prevent or regulate child labour and domestic violence. Among the latter, a distinction is made between laws prohibiting violence against children and adolescents, and laws that, in addition to this impediment, also take into consideration children and adolescents who witness domestic violence as a source of violence in itself. Finally, there are some countries that have enacted novel, but less common regulations, such as Law 21013 of 2017 in Chile, which aims to increase the protection of people in special protection situations, including children and adolescents, modifies the Chilean Criminal Code by establishing the new crime of abuse and establishing new penalties and rules of procedure.

Another key element to be taken into consideration is the existence of means for reporting violence against children. Some States have created procedural mechanisms in their Children's Codes to address reports on abuse. Bolivia, for example, includes in its Child and Adolescent Code the duty to report to the Children's Ombudsman Office, or other relevant authority for children and the family (2014). However, the specific punishment for the offence is not mentioned in the Code. Other States, such as Honduras, set out in their Child and



Adolescent Code both the procedure for reporting as well as the punishment. Thus, it mentions the penalties for exposing children to sexual content, for selling weapons to children, and for abuse. However, there are also other countries, such as Brazil, where neither the reporting mechanism nor the penalties are explicitly stated in their legislation on childhood and adolescence. Finally, national laws also reflect differences in terms of mentioning the duty to report abuse; a number of States created an obligation to report ill-treatment, such as Bolivia, Ecuador, and Guatemala, but other States do not make reporting compulsory. Here, however, it is obvious that the need for a duty to report goes hand in hand with changes to the Criminal Code – which have not yet taken place in some countries – if it is not to become a purely symbolic change.

Also, in the field of laws on children and adolescents, we have noted several striking advances. However, it is also possible to identify a number of areas of opportunity for the optimization of legislation. Hence, it would be a valuable contribution if laws were to explicitly mention the impediment of physical punishment as constituting violent discipline. Currently, twelve of the OAS member States have legislation that expressly prohibits corporal punishment: Argentina (2014), Bolivia (2014), Brazil (2014), Colombia<sup>24</sup> (2021), Costa Rica (2008), Honduras (2013), Mexico<sup>25</sup> (2021), Nicaragua (2015), Paraguay (2016), Peru (2015), Uruguay (2007) and Venezuela (2007) (IIN-OAS, July 2021, p.19).<sup>26</sup> In addition, this study also seeks to promote specific legislation that outlaws sexual violence in its fullest dimensions, with the drafting of laws that deal with new forms of violence, such as virtual violence, or virtual sexual violence. Finally, a valuable contribution would also be to mention and clarify the reporting mechanism and corresponding penalties.





<sup>&</sup>lt;sup>24</sup> Modification by the author of the original text, due to the adoption of Law 2089 "By means of which the use of physical punishment, cruel, humiliating or degrading treatment and any type of violence as a method of correction against children and adolescents are prohibited and other provisions are issued".

<sup>&</sup>lt;sup>25</sup> Amendment of the original text due to the decree of 11 January 2021 amending the General Act on the Rights of Children and Adolescents and the Federal Civil Code prohibiting corporal and humiliating punishment.

<sup>&</sup>lt;sup>26</sup> The case of Chile and Panama should be mentioned here. Chile has a recently enacted Children's Code, which refers to the prohibition of child or adolescent abuse, but does not explicitly mention corporal punishment. Likewise, Panama's new Comprehensive Protection Regime for Children and Adolescents includes in its explanatory memorandum the intention to eradicate corporal punishment. Consequently, in its articles it expressly prohibits corporal punishment as a disciplinary tool by educators; however, it makes no reference to corporal punishment in the home. These two legislative wordings have created uncertainty as to the extent of the impediment in the prohibition of corporal punishment.

However, we should not underestimate the progress that many of the States have made in terms of legislation regarding violence against children and adolescents in recent years. To begin with, we must draw attention to Chile's recently promulgated Law 21.430, on Guarantees and Comprehensive Protection of the Rights of Children and Adolescents. This law is in line with the CRC's international references and can provide a basic framework for the different laws that were drafted in Chile due to the absence of a common regulatory framework for children and adolescents. It includes the act of abuse, including the duty to report, and a general description of the reporting mechanism; only the relevant penalty is not expressly mentioned. Similarly, we should note Panama's key contribution with the enactment of its Comprehensive Protection of Children and Adolescents Act (2021), which harmonizes its national legislation with the CRC. It also contains a comprehensive definition of abuse, reiterates the duty to report, as well as the ways in which the report can be made in general terms, and mentions the willingness to prohibit corporal punishment also at home. Likewise, we commend the initiative of seven States in the region that committed to the INSPIRE strategies to prevent and eradicate violence against children and adolescents. The INSPIRE strategy will strengthen the implementation of their legislation. Finally, we recognize that progress has been made with other new laws protecting children and adolescents against violence, such as Colombia's Law No. 2,089, which prohibits corporal punishment.



### **3. FIELD STUDIES**. EMPIRICAL RESEARCH IN THE REGION

#### **3.a- Consulting the States**

As a primary component of this regional study, a questionnaire (Appendix 1) was circulated among the member States of the region through the bodies accredited to the Directing Council of the IIN and to the Missions of the Permanent Council. In this consultation, we asked about the three previously identified indicators, which are:

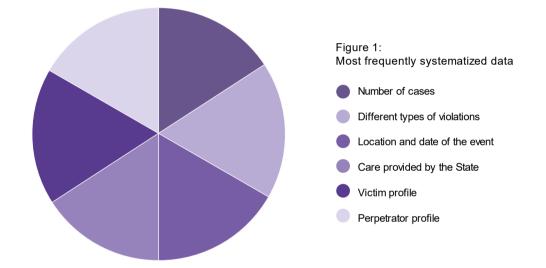
- 1. Gathering, systematizing and analysing data related to violence against children.
- 2. Training and awareness-raising with different audiences on issues related to violence against children.
- 3. Generating or perfecting general and specific laws for the eradication of violence.

This questionnaire consisted of twenty-four questions, both main and secondary. The first six questions, which included four secondary questions, dealt with the subject of data collection and systematization; the following six questions, with two secondary questions, dealt with the subject of training and awareness-raising; and the last five, with a single secondary question, related to the States' laws on violence against children. Of these twenty-four questions, fourteen were closed, although most States provided detailed responses. The other ten were open-ended questions, some of which were answered in detail and others, very briefly. It should be noted that the systematization of the results was carried out taking into account all of the individual responses and resulted in the compilation of open-ended questions was that some States may appear more prominently in the chapter, owing to the fact that they offered more detailed reflections.

The questionnaire was sent to thirty-four member States of the Organization of American States, and the following fourteen States replied: Argentina, Brazil, Canada, Colombia, Costa Rica, Ecuador, Guatemala, Guyana, Jamaica, Mexico, Paraguay, Peru, Saint Vincent and the Grenadines and Uruguay. The answers provided by these States have been systematized and condensed, and the responses obtained as a whole will be summarized in the next chapter.



Regarding the data collection and systematization focal point, all of the States gave an affirmative answer to the question on whether statistics on violence against children and adolescents were generated. Among the systematized data they listed, the most frequently mentioned were: number of cases; different types of violations; location and date of the events; the care provided by the State; profiles of the victims; profiles of the perpetrators. Among the least systematized variables were: the methods used by families to correct children; the number of pregnancies in girls between 9 and 14 years of age; rescues effected of vulnerable children, etc. There were also countries that mentioned collecting unique data, as in the case of Ecuador that collects detailed information regarding sexual violence in school environments, or Canada, which collects data on poisoning.

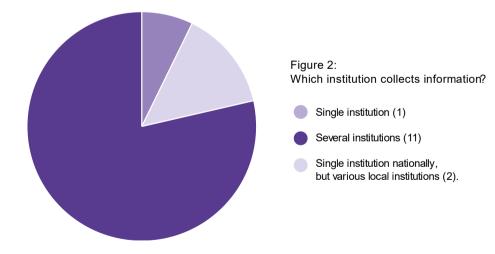


In the same line, thirteen of the fourteen States confirmed that they collected data to provide an understanding of the current status of the eradication of Violence against Children in their country. We should mention here that the only State that responded negatively, Canada, specifically referred to the collection of national data on the effectiveness of violence eradication programmes, in contrast to other States that referred to data indicating the status of violence without necessarily mentioning national programmes. Frequent responses included: the number of reports; the type of violence committed (psychological, physical, sexual, between peers); the location of the events; the profile of the victim (age, sex, residence); the profile of the aggressor; and the specific notion of gender-based or sexual violence. Less frequent responses included actions taken by the State or specific injuries to the victim. Finally, some unique responses included, for example, the number of parents or



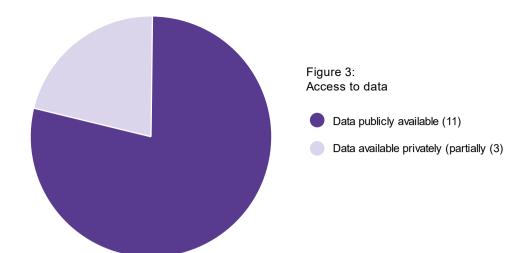
primary caregivers reached by programmes addressing child-rearing and child protection practices in Saint Vincent and the Grenadines.

Next, we asked whether information was gathered by different institutions according to their remit, or whether there was a single system. Thirteen of the fourteen States confirmed that they have separate institutions for data collection.<sup>27</sup> The only country with a single institution is Guyana. Argentina and Canada explained in their response that, although they have a single institution at the national level, other institutions at the local or provincial levels are responsible for the collection of data in their localities, and that, consequently, they communicate with the national institute. The other States reported that they have different institutions that collect data at State level. Thus, frequently listed were the bodies that are specifically dedicated to gender policies and that provide some data in the field, such as the National Institute of Women (INMUJERES) in Mexico, or the Ministry of Women and Vulnerable Populations (MIMP) through the Aurora Programme in Peru. Also, a number of States mentioned the police or the agency that specializes in children's issues as the body that collects information. To the question about whether the systematized data are publicly available, eleven of the fourteen States replied in the affirmative, that the information collected is publicly available. Brazil, Ecuador, and Saint Vincent responded that the information was private, partially private, or that access is only possible if the information is requested.



<sup>&</sup>lt;sup>27</sup> Costa Rica stated that it has a computer tool, the Quickscore System, a national means of recording, monitoring and advancing towards a culture with a gender-based perspective, which offers follow-up to the progress projected for gender policy and action plans. However, it also mentions that other bodies publish some data.



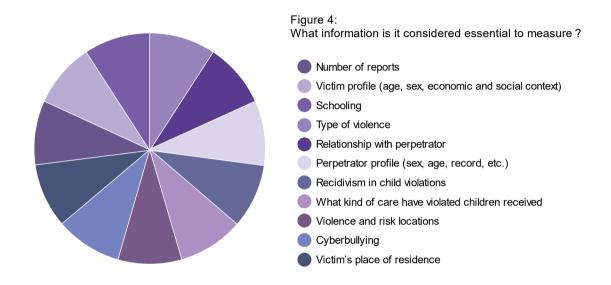


Of the countries that have various institutions for data collection, the answers to the question on whether they unify them differ. Saint Vincent mentioned that all information generated was required to be submitted to the national Child Development Division. Guatemala specified that the institutions share useful information within the framework of their jurisdiction, as in the case of the Secretariat against Sexual Violence, Exploitation and Trafficking in Persons, which requests information from different institutions. Uruguay mentioned that INAU data recorded by the SIPI software is shared with SIPIAV's records. Jamaica stated that there is a national plan of action for an integrated response to children and violence, which monitors and evaluates different data, as well as having two databases that combine information on the subject: JamStats and the Child Protection Database. Colombia disclosed that it has an Integrated Information System on Gender Violence that facilitates the interoperability of different sources of information in the country regarding sex and gender-based violence, as well as the "SUIN" system, which consolidates information from most agencies to monitor compliance with the rights of children and adolescents. Similarly, Ecuador collects data on different types of specific violence in different ways; for example, the "MIRA Matrix" collects information on the care provided by the Comprehensive Protection Services to direct victims of femicide and gender-based violence. Paraguay and Mexico explained that they are currently developing a unified system.

The latest consultation on the topic of data collection and systematization aims to shed light on what information is considered essential to provide an overview of the situation of violence against children and adolescents. Among the most frequent responses cited are: number of reports; age; sex or gender; level of schooling; type of violence; relationship with



the aggressor; general and specific information about the aggressors (sex, age, background, etc.); recidivism in the infringement of the child's rights; number of children and adolescents who have been victims and what type of care and services they have received; locations of violence and risk; cyberbullying; place of residence (urban or rural environment) of the child; and the economic, social and cultural context of the child. However, some also refer uniquely to certain data, such as in the case of Colombia, which mentioned data on physical and mental health, or Mexico, which listed data on forced sterilizations of girls and female adolescents with disabilities and indigenous people, or on missing children and adolescents.

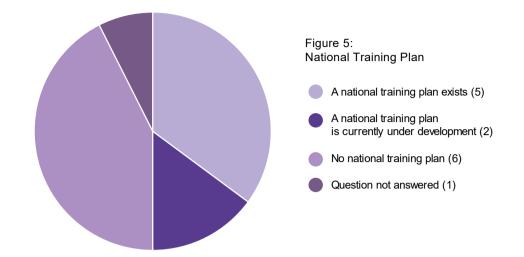


Similarly, different questions were posed regarding awareness-raising and training on the subject of violence against children. The first inquiry carried out was related to whether States have a national training plan in place. Brazil, Ecuador, Jamaica, Paraguay, and Uruguay responded in the affirmative and confirmed the prevalence of a training plan at the national level. For their part, Guyana indicated that it is currently considering its need, and Mexico mentioned the 2019-2024 Action Plan in the Global Partnership to End Violence against Children, which includes different lines that focus on the design of a training and awarenessraising programme. Here we should note that although the other countries do not have a national training plan, they listed other valuable State initiatives. Costa Rica, Guatemala and Saint Vincent and the Grenadines described their programmes and explained that they are



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aimed at a wide audience of technicians, judicial officials, teachers, families and children and adolescents.

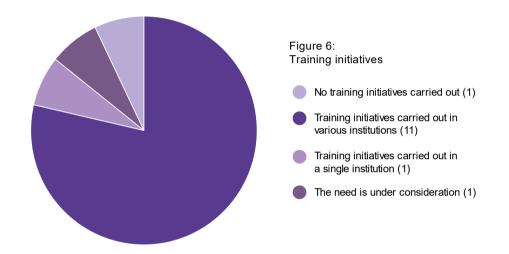


Of the countries that do have a national training plan, Brazil, Ecuador, Jamaica, Paraguay, and Uruguay, all (except Jamaica) confirmed on the form that the plan includes the eradication of violence in general and violence against children and adolescents. Likewise, the 2019-2024 Action Plan in the Global Alliance to End Violence against Children of Mexico also includes training on violence against children. Of these five countries, Brazil and Jamaica confirmed that training is aimed at technicians, teachers, families and children, and Brazil clarified that it is also open to the general public. Uruguay and Ecuador indicated that it is aimed at technicians, and judicial officials, although Ecuador also included teachers. Mexico stated that its plan focuses on technical attendees, such as emergency services, police, psychological help lines, as well as judicial officials.

When asked whether they offered regular training initiatives with innovative content to train professional practitioners, twelve of the fourteen States replied that they did. Of these twelve States, eleven noted that training was implemented in different institutions according to their interests. Argentina explained that initiatives were centralized in SENAF, and Uruguay noted that, although almost all of the initiatives were centralized in SIPIAV, within each territory, awareness-raising and training at the local level was also carried out, according to local demand and organized by the different local committees. The States were also consulted on whether they carried out activities to share experiences and successful practices, within the country and beyond, in relation to the eradication of violence against



children. Eleven of the States answered that they did, while Peru responded that it is coordinating with the Global Partnership to End Violence against Children, and Guyana indicated that they are currently considering the need for these activities. Uruguay stated that during 2020 and to date there have been no experience-sharing events, mainly due to the conditions imposed by the health emergency. In previous years, sharing activities were carried out outside the country. We also asked whether children and adolescents were informed about channels for reporting violence. All States replied that they were informed and added that the most common means of disseminating information on reporting channels were through workshops, national campaigns, social networks, televised information and the websites of government institutions.



Finally, there was a question regarding successful practices in the eradication of violence against children, some of which are briefly mentioned below. Mexico referred to activities organized to promote positive upbringing free of violence, and the prohibition of corporal punishment. Likewise, Canada mentioned a programme known as It's Time: Canada's Strategy to Prevent and Address Gender-Based Violence, which, among other actions, encourages parental support projects to prevent abuse. Guatemala reported on the valuable contributions of the Comprehensive Care Model for Children and Adolescents, while Saint Vincent and the Grenadines responded by confirming the creation of child-friendly spaces within communities during disasters. Colombia mentioned various positive experiences, such as the initiative to consolidate the National Alliance against Violence

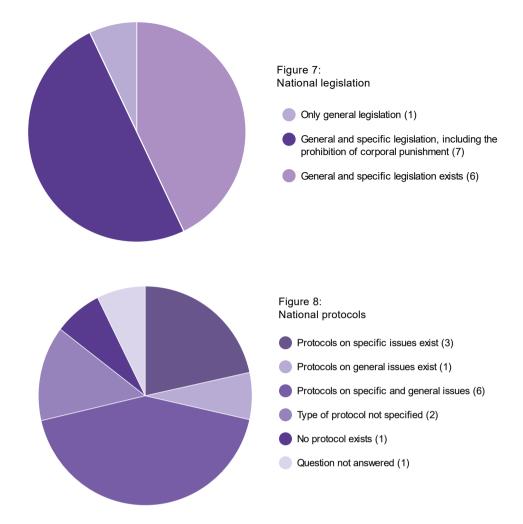


against Children and Adolescents, or the BINAS strategy to address gender-based violence, with an emphasis on sexual violence.

For its part, Costa Rica referred to the creation of Local Networks for the Prevention of Violence against Women and Domestic Violence, which operate at the cantonal level and are operational bodies constituted by local representatives of public institutions integrated into the National System for the Care and Prevention of Domestic Violence and by civil society organizations. Ecuador mentioned the Participatory Journey methodology to develop awareness-raising, aimed at preventing and addressing gender-based violence, through actions involving information, education, and communication. Brazil presented its PLANEVCA plan, which consists of an orderly set of integration strategies including all powers and spheres of government, with actions to combat violence against children and adolescents, and which involves multidisciplinary, intersectoral and regional elements as the basis for its organization. Finally, Paraguay, Guyana and Jamaica mentioned positive experiences that facilitate or promote reporting.

The last topic on which the States were consulted was related to national laws regarding violence against children. To the question on whether the States have laws that address the problem of violence against children and adolescents, 100% of the States answered in the affirmative. Focusing only on national law and excluding international standards, we may conclude that all fourteen countries have one or more national laws that address the problem of violence against children and adolescents. We should note that at the very least, the States have a code, statute or law on children and adolescents that complies with the international standards of the Convention on the Rights of the Child. These laws apply to general issues on a broad scale. However, all of the countries, except Saint Vincent and the Grenadines, referred to other laws dealing with more specific issues. Thus, seven of the fourteen countries include the prohibition of corporal punishment. Other specific laws that are relatively common among the countries are laws that prohibit: domestic or intrafamily violence, trafficking in persons, sexual exploitation, cybercrime or grooming, and gender-based violence. Less frequent specific laws include the protection of victims, or the promotion of the protection of early childhood.





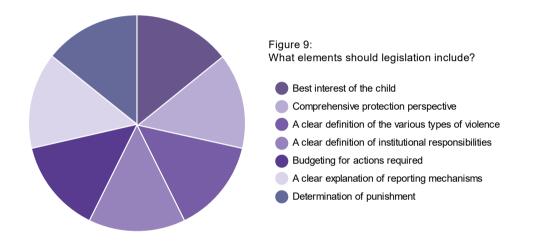
Secondly, to the question on whether they had protocols for actions aimed at the prevention, eradication, and punishment of violence against children, twelve of the fourteen States confirmed that they did. Of these, six countries have protocols that deal with both violence in general and specific issues, three countries have protocols for only specific issues, one country has a general protocol, and two countries did not specify what their protocols addressed. The protocols dealing with specific issues that were mentioned by the various States most frequently address issues of sexual or gender-based violence, illicit trafficking, or domestic violence, but there are also protocols dealing with homelessness (Costa Rica), or protocols on searching for children and adolescents (Mexico). Among the more general protocols, the most frequent were those dealing with victims of violence, protocols to prevent violence, or protocols for the care of children or adolescents whose rights have been violated or threatened.

The States were also asked to briefly list the elements that in their view had to be included in laws that address the problem of violence against children, in order to be



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considered efficient. Among the most frequent were: the best interest of the child; a perspective that adheres to comprehensive protection; a clear definition of the different types of violence; a clear definition of the responsibilities of the institutions; a budget for the actions required; a clear explanation of reporting mechanisms; and a definition of punishments. In addition, several countries identified unique elements, such as Guatemala, which named the monitoring of compliance with sanctions; Argentina, which emphasized the duty of listening to children as the central focus; and Ecuador, which referred to the value of having measures that guarantee the education of both the victim and the perpetrator. Uruguay did not answer the question.

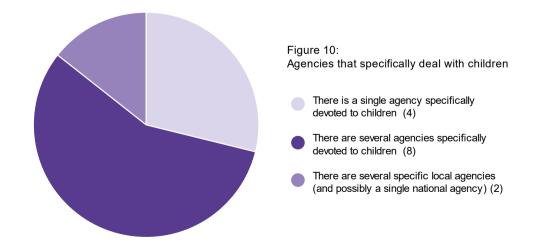


Another question dealt with specific procedures in the country for reporting and punishing violence against children, and the bodies that carried out the investigation and possible punishment. Most States confirmed that they have at least two different agencies to address reports. One of which is usually the Public Prosecutor's Office which, together with the police, carries out the investigation of the report. The result of which is subsequently referred to the relevant judicial authority. At least three States confirmed the existence of a specialized court for cases of reports involving children. Some of the other institutions include bodies that specialize in children's issues, prosecutors' offices, but also at least two States (Mexico and Peru) allude to medical services that assist children and adolescents. While the first group of institutions is more concerned with the investigation and referral to the judicial power, the second group of institutions is more suited to aiding children and adolescents.



The States confirmed that the report can be made verbally or in writing before a number of institutions, such as: the police, the (criminal) prosecutor's office, the Public Prosecutor's Office, care services, family courts and telephone lines. In addition, at least two countries (Guyana and Mexico) replied to the question by referring explicitly to the obligation to report suspected violence against a child or adolescent in their country. Guyana also mentioned penalties when someone fails to comply with their duty to report, or when someone obstructs the person who has a duty to report. No country provided further details regarding the punishment of the issue reported, beyond the fact that it is in the hands of the judiciary.

Finally, the States were consulted on whether they have a specific body to carry out the policy of eradicating violence against children. Twelve of the fourteen States replied that they had one or more specific bodies dedicated to the policy of eradicating violence against children. Virtually all States mentioned different agencies that together confront the eradication of violence. Therefore, a distinction can be made here between States that include the issue within bodies that also address other matters, such as ministries; and bodies that are dedicated solely to the eradication of violence against children, as is the case in Mexico, with its Commission to end all forms of Violence against Children (COMPREVNNA). Canada and Argentina explained that they do not have a specific agency at the national level because the responsibility to protect children and adolescents is shared by federal, provincial and territorial governments; but they clarified that each locality is duty bound to create an agency that is responsible for the protection of children and adolescents.





# 3.b- Consulting children and adolescents

Together with the States' Consultation, a survey was concluded among children and adolescents of the Americas (Appendix 2), members of advisory councils, organized groups and/or networks for child and youth participation. In this consultation, we asked about the same three previously identified indicators, namely:

- 1. Gathering, systematizing and analysing data related to violence against children.
- 2. Training and awareness-raising with different audiences on issues related to violence against children.
- 3. Generating or perfecting general and specific laws for the eradication of violence.

This consultation among children and youth in the Americas included two stages. Initially, they were asked to complete an online form composed of simple and multiple-choice questions, which made it possible to systematize the variables appearing in the study. In the second stage, children and adolescents were asked to take part in a virtual discussion event, during which further analysis was conducted on the work done on the form. Taking part were children and adolescents between 10 and 17 years of age, who were living in the various countries of the Americas, and were members of advisory councils, organized groups and/or networks for child and youth participation. For the first stage of the consultation, each country shared the online form with up to twenty-five children and adolescents, who were required to submit their answers by 23 May 2022. The virtual meetings corresponding to the second stage of the process were held on 1 June, for children and adolescents in Latin America (Spanish speaking) and on 7 June for North America and the Caribbean (English speaking).<sup>28</sup> The next chapter provides a summary of the results of the first stage questionnaire, followed by the most significant observations arising from the second stage virtual encounters.



<sup>&</sup>lt;sup>28</sup> Twelve children and adolescents participated in the Spanish-speaking dialogue, while six adolescents participated in the English-speaking dialogue.

### **3 b.1 Questionnaire Results**

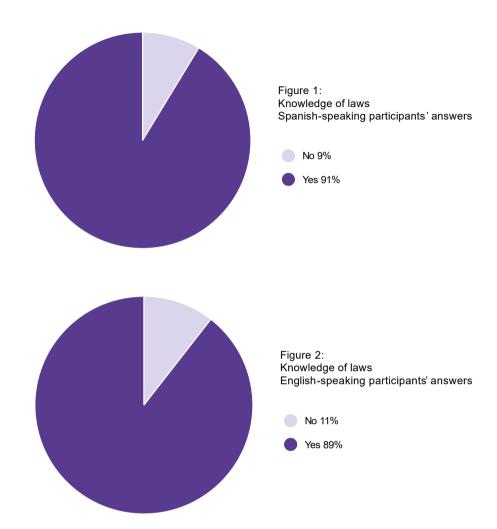
With regard to sociodemographic data, we should note that a total of 563 children between 10 and 17 years of age, from 15 countries, participated in the Spanish-speaking consultation. Of the total number of questionnaires received, there were 278 answers. Of these, 165 were answered by females, 108 by males, 4 by non-binary children and 1 preferred not to say. Another feature is that 69% resided in urban areas and 31% in rural areas. The English-speaking consultation involved 35 children between 10 and 17 years of age, from 6 countries, of whom 23 were female and 12, male. Likewise, 25 resided in urban areas and 9, in rural areas.

Spanish-Speaking Countries	Answers	English-Speaking Countries	Answers
Argentina	5	Canadá	1
Brasil	20	Guyana	8
Chile	2	Jamaica	6
Colombia	25	Saint Vincent and the Granadines	1
Costa Rica	25	Trinidad and Tobago	18
Ecuador	25	EE.UU.	1
El Salvador	25		
Guatemala	25		
México	25		
Panamá	25		
Paraguay	25		
Perú	22		
República Dominicana	19		
Uruguay	9		
Venezuela	1		
Total general	278	Total general	35

In relation to the questions that children and adolescents were asked through the virtual questionnaire, it should be noted that 99% of Spanish-speaking children and adolescents indicated that it is important to consult them on the design, implementation, evaluation and monitoring of plans, programmes, activities, etc., that seek to protect children and adolescents against any form of violence. In the case of the English-speaking survey, the figure was 100%. Regarding their knowledge of laws that protect against any form of violence, 91% of the Spanish-speaking participants answered that they were familiar with the laws of their countries that protect against any form of violence, while 9% replied that they were not.

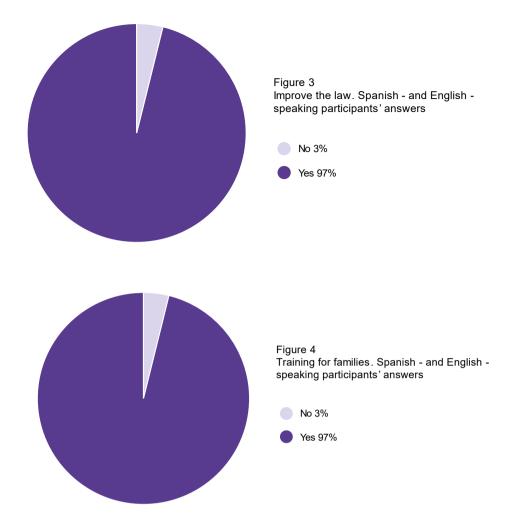


In the case of the English-speaking participants, 89% answered in the affirmative, while 11% answered that they were not familiar with these laws.



Likewise, children were asked whether it is necessary to improve the laws that protect against any form of violence; 97% of both Spanish and English-speaking participants answered in the affirmative: these laws do need to be improved, while 3% responded that it is not necessary. Further, to the question on whether family members should be trained in the prevention, eradication, and punishment of all forms of violence against children and adolescents, 97% of the children and adolescents consulted in both languages replied that they should be, while 3% replied that they need not be. In addition, 99% of Spanish-speaking participants said that the educational community should be trained in the prevention, eradication, and punishment of all forms of violence against children, while 97% of Englishspeaking participants agreed that this training should be carried out.





Another inquiry that was made involved a hypothetical case in which a friend suffers violence inflicted by an adult. When asked if they would tell anyone, 97% of both groups answered that they would, while 3% said they would not tell anyone. Of the 97% of Spanish speakers who would tell someone about the situation, 46% would tell a trusted relative; 24% would tell the authorities; 11%, someone at school; 3.5%, a friend; 1%, the authorities, and 15%, others, such as, notably, the police, members of their church, children's organizations and hotlines set up to handle complaints. On the other hand, of the 97% of the Englishspeaking participants who would tell someone about the situation, 34% would tell a trusted relative; 31% would tell a trusted adult; 8%, the authorities; 17%, a school member; 2.8%; a member of their church, and 7%, others, such as children's organizations, counsellors, etc. Interestingly, we have noted that in both groups, the first person they would choose to tell is a family member, which underscores the need for training in this setting, so that family members have sufficient tools to provide support in any situation.



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Finally, in the Spanish-language group, in relation to the request for recommendations that they considered useful, aiming at the prevention, eradication and punishment of all types of violence against children and adolescents, as a priority, 51% mentioned the dissemination of the rights of children and adolescents to the entire population (children and adolescents and adults in general); 42% indicated the training of adults who are in direct contact with children and adolescents; 5% prioritized consultations with children and adolescents in the design, implementation, evaluation and monitoring of plans, programmes, activities, etc., that seek to protect children and adolescents against any form of violence; 1% chose the development and/or strengthening of specific laws or regulations that protect children and adolescents against children and adolescents in the adolescents against any form of violence; and 1% opted for the availability of reliable, accessible and updated information on violence against children and adolescents in the Americas.

In the case of English speakers and regarding the request for recommendations that they considered would contribute to the prevention, eradication and punishment of all types of violence against children and adolescents, 62% mentioned the training of adults who are in direct contact with children and adolescents; 29% indicated the dissemination of the rights of children and adolescents to the entire population (children, adolescents and adults in general); and 9% indicated consultations with children and adolescents on the design, implementation, evaluation and monitoring of plans, programmes, activities, etc., that seek to protect children and adolescents against any form of violence.

Finally, space was provided in the questionnaire for responders to share comments or questions, and where several participants indicated the importance of assistance, cooperation and contribution by children and adolescents. Along these lines, they said: *"I think it is very important to get to know the views and opinions of children and adolescents regarding violence against them."* As another participant said: *"Who better to comment on rights violations against children than the children themselves?"* Similarly, they also emphasized on different occasions the need for follow-up and fulfilment of laws or promises, mentioning, *"I think it is very important that the law should be followed when sexual abuse occurs against children"*. As also voiced by the participant who said, *"it would be very good if* 



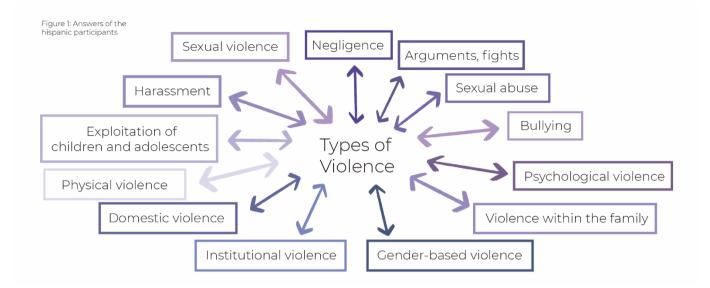
everything said and chosen above becomes a reality and that our requests are fulfilled, also that a little more account is taken of young people in society".

### **3 b.2 Comments arising from the Dialogue Groups**

In these discussion groups, a methodology was used based on open and semistructured questions that aimed to delve more deeply into the contributions of the first stage of the consultation carried out through the form. Digital tools were used during and after the dialogue group process to facilitate systematization (Menti, Kahoot, Atlas.ti). Discussions lasted two hours and were coordinated by the Promotion and Protection of Rights Area team with the support of the Legal Area of the IIN-OAS. The first consultation was held with a group of eleven Spanish-speaking children from the following countries: (1) Costa Rica, (1) Brazil, (1) Panama, (1) Paraguay, (3) Peru, (1) Mexico, (1) El Salvador, (2) Dominican Republic. The second meeting took place with six children and adolescents from Canada (1), Guyana (1), Jamaica (1) and Trinidad and Tobago (3).

The first open question that the children addressed was whether they wanted to elaborate on the state of violence in their countries. In their account, children and adolescents from Spanish-speaking countries described the different types of violence they observed within their countries, as depicted in Figure 1 below. Types of violence mentioned several times by participants were, for example, physical violence or domestic violence. It was also indicated that violence is normalized in different contexts, such as in the case of corporal punishment by parents. One comment that stood out in this regard was made by a teenager, who said, "...because here it is seen as normal for a mother to hit her child. (...) When in fact, it is anything but normal" (Adolescent, dialogue group, 1 June). Regarding the participants from the English-speaking countries, they alluded to the invisibility and low awareness of the violence faced by children and adolescents. One teenager said that despite the existence of positive strategies such as the helplines that students can call anonymously to file a report, or the training of teachers to identify which students are at risk, the situation remains precarious due to the persistence of violence and the limited availability of information and visibility (Adolescent, dialogue group, 7 June).





In the same vein, to the question on whether they perceived that violence had increased due to the pandemic, children and adolescents in Spanish-speaking countries unanimously answered that it had. The reasons for this increase are summarized in Figure 2. Likewise, a teenager from the English-speaking dialogue group highlighted the fact that she perceived that the pandemic had increased the use of social networks, which eventually had a negative impact because they began recording and publishing fights in schools, as well as showing teenagers carrying knives to their schools (Adolescent, dialogue group, 7 June). Another English-speaking adolescent mentioned that because of the pandemic many parents lost their jobs, leading to high levels of frustration, stress and anger. As one participant put it, "Also because they did not know how to handle these situations and what they did was to vent all that stress on the children" (Adolescent, dialogue group, 1 June). Another teenager noted that some of the cases where parents began to abuse their children even culminated in suicide (Adolescent, dialogue group, 7 June). In addition, in the Spanish-speaking dialogue group they highlighted that "... such a long lockdown not only caused more stress, but there were even illnesses that had psychological causes..." (Adolescent, dialogue group, 1 June). They also mentioned the negative effects that the pandemic has had on many children and adolescents who experienced domestic violence, and who were unable to escape to school as a safe place, which led to a peak in sexual abuse (Adolescent, dialogue group, 7 June). Finally, they indicated that the confinement and the fact that these events could not be discussed at school had a serious impact on mental health (Adolescent, dialogue group, 7 June).



# During the pandemic, why did violence increase?

Dominican Republic

(4:3) Situation 1

I think it increased because of the amount of time, the tension, the stress, the stress of the adults because they lost their jobs, some went through difficult situations financially and in other parts of life.

(4:5) Situation 2

Also because children used to always be at school, but then they had to be at home all the time, and the school was often an escape from the place in which the child was being attacked.

Peru

(4:2) Situation 1

Well, I think that what increased violence in times of the pandemic was that before couples worked and did not know each other's likes and dislikes, and through the pandemic they had to meet, talk and live locked up in the house with the likes of every one, and that's where the problems began.

It was something that came out of nowhere and took everyone off guard, it made the violence a lot worse, because of us being confined inside the

house. Both sexual abuse and; the word escaped my mind; physical violence and psychological violence, all of this was aggravated because the

abusers were inside of the house.

Brazil

I think that during the pandemic this violence got a lot

worse, mainly because

it was already a very precarious situation.

(4:11) Situation 1

(4:12) Situation 2

Mexico (4:6) Situation 1

> Well, in my opinion, as my colleague from the Dominican Republic mentioned, she is absolutely right since often times the children use the school as an escape, a way to get out of everything, from the world of violence.

(4:7) Situation 2

And now, since children spent all day at home, violence was encouraged even more, and after in some cases homework was given to be done at home, many times the parents became desperate trying to help their children, which caused even more violence.

#### El Salvador

(4:9) Situation 1

So much time locked up not only caused more stress, but even illnesses that were caused by psychological issues, so the child tried to get the attention of his parents and, unfortunately, that did not work.

(4:8) Situation 3

#### (4:10) Situation 2

Because in El Salvador, in the pandemic there were more cases of physical violence and more cases of sexual violence, I'm not saying it's okay because of the stress, there was no justification for having done that to a child, they didn't have to do that.

For example, the father had already been fired, the child went through their changes at school, and all that tension caused by the pandemic was filling up like a sandbag until violence finally broke out, the beatings began, physical and verbal violence, especially for the children that stayed at home.





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The last question regarding the regional status quo in terms of violence was whether they could evaluate by means of traffic light colours the situation in the Americas; red referring to a serious, dangerous and/or worrying situation of violence against children and adolescents; yellow to a possible danger or concern regarding violence; and green to a positive situation where children and adolescents are being cared for and where there are tools for the prevention of violence against children and adolescents. In the Spanish-speaking dialogue group, of the ten participants, eight voted for the red option, while two voted for yellow. In the English-speaking dialogue group, two participants selected the red option, and four, the yellow. These figures indicate the urgency with which children endow the issue of violence in their countries. In one of the reflections in the English-speaking dialogue group, they also highlighted the generational dynamics of violence, showing that if one generation is affected by abuse, it leads to something like a never-ending cycle (Adolescent, dialogue group, 7 June).

The children were also asked a number of questions with regard to training and awareness-raising. In both of the consultations, they indicated that the adults that should be trained were: teachers, public servants, social workers, police, guardians, professionals, mothers, siblings, and significant family members. However, they also referred several times to a wider audience, such as children themselves, other adults, or society as a whole. In one of the comments this broad definition was explained as developing a tool against violence in general, also among children (Adolescent, dialogue group, 7 June). In the Spanish-speaking group, they explained that "...there are times when they tell adults, but adults don't believe them, and say that they just want attention; so they can get help themselves, there are phone numbers for getting help, but the children here in this country... nobody knows how to get help" (Adolescent, dialogue group, 1 June). On the other hand, they also argued that "... the type [of violence] that has most impact is when it happens from adults to children, so I would say that it would be important to train adults about the rights that children have and how they cannot be treated in that way. That they have many rights too that must be respected and not just because one is older, that is, feels a little superior to a child, these events must not occur" (Adolescent, dialogue group, 1 June).



Likewise, children and adolescents were consulted on what issues should be included in the provision of training. The answers were collected through the Menti virtual tool and may be seen in Figure 3 (Spanish) and Figure 4 (English). From the answers that were given and the topics that were discussed in the forum, it emerged that issues for training provision should be education, child safety, prevention and protection, children's rights, new forms of parenting, and different types of violence, such as domestic violence and abuse. The dialogues also highlighted the importance of training to provide knowledge about means of reporting, and how to recognize children and adolescents who are at risk.

Figure 3: Answers of the hispanic participants

What themes should be taught?

child safety new ways of parenting duties children's rights rights abuse is bad know your rights domestic violence prevention and protection psychological protection children's rights abuse education how to unlearn habits prevention of violence

Figure 4: Answers of the english participants

# What themes should be taught?

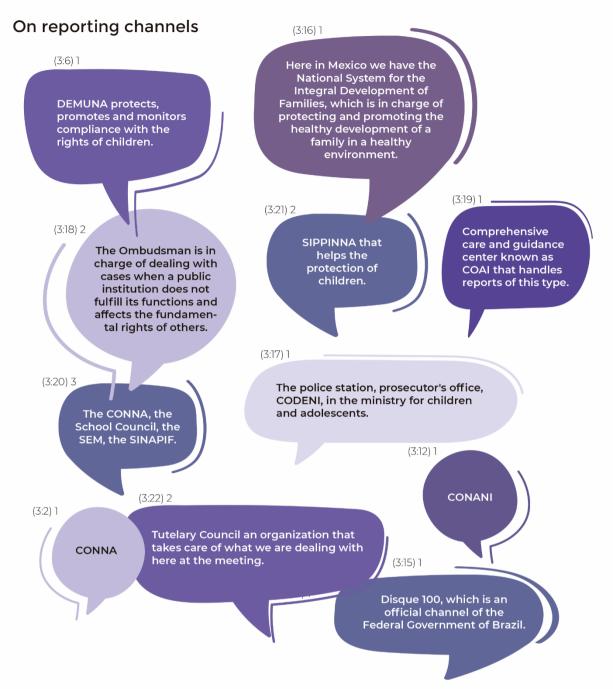
Mental health conditions of victims of abuse		
Mental health awarness		
They should be trained in anger management issues and on te mental health of youth, these topics so that they understand how to control their emotions and see the effect violence or abuse has on youth or children.		
Signs of abuse, how to discipline their kids, the importance of reporting abuse, counselling parents: who have been abused, teach the laws to everyone.		
Spotting signs of abuse, how to deal with vulnerable children, conflicto resolution, how to deal with anger and hurt, healthy relationships.		
Child Protection Unit in the Trinidad and Tobago Police, Chlidren´s Autority, ChildLine.		



There were also questions about the different channels for reporting any violation of rights. Children and adolescents from Spanish-speaking countries mentioned different occasions when they would report, which are summarized in Figure 5. One observation that is reflected in these responses is that participants are well aware of the channels of reporting available through specialized agencies in the field of children and adolescents, such as the National Council for Children and Adolescents (CONNA) in El Salvador, or the National Council for Children and Adolescents (CONANI) in the Dominican Republic. Also mentioned as reporting channel alternatives were telephone lines and police stations.

In both dialogue groups it also came to light that although there are different ways in which reports may be made, in their settings they do not always feel free to make a report, owing to having little confidence in the effectiveness of reporting, in addition to the fact that it can aggravate violence. They said, for example, "here it is difficult to report because when you report, nothing is done about the aggressor, so then you have already reported and you remain with the aggressor and abuse increases" (Adolescent, dialogue group, 1 June). There was also a question on the institutions that the children were aware of that dealt with violations of the rights of children, which showed an overlap with these other institutions. In the case of the English-speaking countries, the group also noted the existence of different institutions specializing in the field of children and adolescents. They also stated that anonymous reports can be made before several of these institutions, which mitigates some of the fears that those who report may suffer. They also reported that in some cases, their schools had told them about the helplines. On the other hand, one of the teenagers indicated that the institutions in her country were not commonly known (dialogue group, 7 June).





Similarly, several questions were asked about the subject of national legislation. Such as, what they would add to their countries' laws or regulations for the prevention and eradication of violence against children and adolescents. The answers of the English-speaking dialogue group appear in Figure 6. Both the Spanish- and English-speaking groups of children and adolescents listed the laws in their countries and indicated several elements that they would add to them, such as laws to authorize State advertising on issues of awareness and protection of the rights, duties and guarantees for children and adolescents in all the media.



They also mentioned the need for better implementation of laws, such as monitoring in the short and medium term, stating, for example, that, "it is not so much about adding laws, because there are already many, but making sure that the authorities do their duty" (Adolescent, dialogue group, 1 June). They also pointed to the need for laws that promote sports in all of its forms for children and adolescents in schools, harsher sentences for aggressors, and increased security on social networks. Likewise, they referred to the urgency of drafting laws to prevent violence, as well as more projects providing support for cases of violence, and increased psychological, physical and family analysis for children and adolescents whose rights have been violated. Finally, they also suggested increasing the number of social worker visits in order to bolster the detection of children and adolescents who fail to report, but are experiencing violence. They also emphasized the importance of registering sexual abusers and making such registries publicly available.

Figura 6: Answers of the english participants

# What would you add to your's country laws for the prevention and erradication of violence against children?

The right of indigenous students to have proper equipment in schools.

Have a Sex offenders and child abusers directory available to public Change parts of legislatura, combat systems of corruption that ultimately affect children.

Codified regulations for children's homes social services that do regular home checks and reports, amend the fines and rise them.

If the authorities after investing realized that persons knew that the child was being abused. For example, neighbours of the child. They should be charged for not reporting issue.

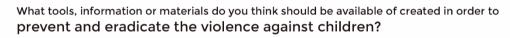
Add more sanctions for those violating children, add the country´s Budget money to help those get out of the violent environment, involve youth in the decisión making concerning their rights, and more sensitization campaigns.

The next question was whether they were able to indicate what tool, information or materials they believed should exist for the prevention and eradication of violence against children and adolescents. The answers of Spanish-speaking children to this question are summarized in Figure 7. One of the answers that stands out, as it was reiterated a number of times is the need for training in and awareness of the issue, as explained by one of the participants "that they should teach us from a very young age a way to live together healthily and fully, so that when we grow up and the following generations come along, violence



gradually decreases over the years" (Adolescent, dialogue group, 1 June). They also mentioned the need for campaigns and spots that increase awareness on the subject. The children and adolescents of the English-speaking dialogue group also referred to the importance of training and mentioned the importance of education and talks at school, where they could give voice to their thoughts and learn about their rights, and that education in rural areas should be promoted.







Finally, they were asked about the participation of children in the prevention and eradication of violence against children. The answers given by children and adolescents from



Spanish-speaking countries, which appear in Figure 8 on the next page, also show the importance they assign to training when they observed that "...children and adolescents should be made aware of their rights and obligations so that they can assert them" (Adolescent, dialogue group, 1 June); as well as to the creation of more places in which they can participate, such as forums or projects. Children and adolescents in the English-speaking dialogue group recommended that they should participate in judicial proceedings, in the design of laws and regulations, as well as in the promotion and awareness-raising of their rights and the violence they experience, through talks, workshops, as well as intergenerational work for the eradication of any form of violence.

Figure 8: Answers of the hispanic participants





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# 4. FINAL CONCLUSIONS AND RECOMMENDATIONS OF THE DIAGNOSTIC STUDY

Based on accumulated experience, in the IIN-OAS latest Action Plan, the Institute's lines of action were organized into Inter-American Programmes. Accordingly, the Inter-American Programme for the Eradication of All Forms of Violence (Target 16.2 of the UN SDGs), maintains that "Violence is an omnipresent component in situations involving the violation of rights in the region. It is manifested in different ways in various social areas, but is always based on a single element: a disregard of children as persons. There is a synergistic relationship between low visibility violence occurring within families and institutions and systematic violence invading community and social areas, and each type reinforces the other. This conviction, emerging from an analysis of the reality of life in the region, has led us to include among our priority lines of work, our contribution to the achievement of SDG Target 16.2 as defined by the United Nations, which calls for an end to all forms of violence and exploitation against children" (IIN, 2019, p.11).

With the aforementioned objective in mind, in this Study (complementing and strengthening the Regional Study on Violence submitted by the IIN in 2021) it was intended, based on complementary systematized information, to carry out an in-depth analysis of three technical variables, which, as we have discussed, have shown themselves to be particularly effective in eradicating violence against children and adolescents. In addition, the information provided by fourteen States in the region in the consultation analysed above, and especially, the surveys and sharing meetings with children and adolescents in the region have served as a basis and guide for our recommendations.

In the same vein, and from the point of view of child and youth participation, the Cartagena Declaration on Violence against Children and Adolescents of the Americas (2019) was also taken into consideration. It was adopted at the Third Pan American Child Forum and includes various recommendations made by children and adolescents regarding the eradication of violence against them and, in this regard, some of the suggestions it contains are:



"That the State, as guarantor of our rights, should raise awareness and educate families in violence-free coexistence, through internal agreements, within a 2-year period (Point 1). We recommend that States should include family violence control in their national legislation, and foster awareness-raising by implementing public policies for homes and creating a specialized group to monitor compliance (Point 3).

Draft or strengthen State laws to protect all of our rights (Point 4).

We recommend that institutions responsible for safeguarding the rights of children and adolescents should have sufficient and suitable professional practitioners to provide support and follow-up to children and adolescents who have been victims of some type of violence (Point 6).

That policies designed by the OAS, the UN and the State should focus primarily on the prevention of violence, providing clear and concise information, with alternatives for changing social paradigms based on violence (Point 9).

We recommend that all private and public institutions, organizations, groups, etc. should conduct talks or workshops to raise awareness among all children and adolescents and families on violence against children and adolescents, and on the different ways to resolve problems without resorting to violence (Point 10)."

According to these premises, and taking as a technical basis the information and evidence provided in this Study, certain suggestions and recommendations related to the variables we studied will be made below:

- 1. Gathering, systematizing, and analysing reliable data related to violence against children.
- 2. Training and awareness-raising with different audiences on issues related to violence against children.
- 3. Generating or perfecting general and specific laws for the eradication relating to and managing the eradication of violence.



Recommendations: Inter-American Observatory for the Eradication of Violence against Children

Based on all of the data collected and examined, we suggest the creation, within the framework of the Inter-American Programme for the eradication of all forms of violence (Target 16.2, UN SDGs), of an "Inter-American Observatory for the eradication of violence against children and adolescents", which will host the management of the three indicators analysed.

In this respect, we refer to a Social Observatory as "(...) a structure whose activity consists of the collection of information about a social sector, the diagnosis of its situation, the forecasting of its evolution and the production of reports that serve to support decision-making in response to the demands of that social sector" (INAP, National Public Administration Institute, 2014, p. 15).

Under this parameter, "According to the United Nations Development Programme (2004), the work of an Observatory, in general terms, is related to the following areas of work:

- Data collection and development of databases.
- Methodologies for coding, classifying, and categorizing data.
- Connections between people/organizations working in similar areas.
- Specific applications of the new technical tools, and
- Analysis of trends/publications" (INAP, National Public Administration Institute, 2014, p. 15).

With this in mind, we understand that such a platform for coordination and cooperation would provide an opportunity for the analysis of regional data, under the same methodology and grouped in a single space, and could also work in an interdisciplinary, horizontal, coordinated and cooperative manner with the different offices or institutional units of the countries of the region, as well as with the various secretariats/dependencies or entities of the OAS, with a view to basing actions on information of previously systematized quality, sharing experiences, discussing innovative practices or regulatory issues, as well as



analysing phenomena on the relative aspects and components of all forms of violence against children and adolescents.

We should also highlight the importance of the contributions and collaboration of the children in the region in this aim. This will be included in the proposals that follow this study detailing the structure of the observatory and the incorporation of the participation of children and adolescents and, consequently, their impact on results. In the same vein, it is envisaged and contemplated that the proposed Observatory should generate user-friendly information and analysis, ensuring access to this tool for children and adolescents.

We agree that "In the case of observatories, 'observing' requires, similarly, a series of instruments and methodologies that intertwine quantitative and qualitative elements. At present, it can be said that for an observatory to meet its objectives, it must be supported by efficient information systems and must integrate different kinds of knowledge and professions. In order to consider the outcome of the observations to be reliable, the resulting data must be checked and verified by means of principles, techniques and other theoretical or research elements with an interdisciplinary approach, thus achieving a better position to understand the social reality" (INAP, National Public Administration Institute, 2014, p. 16).

Some of the general objectives proposed for the Observatory include:

- "Knowledge building: Producing knowledge is the first objective of observatories insofar as the insufficiency of data or their limited organization often hinders decisionmaking. Such knowledge should facilitate better correspondence between social needs and social supply. Knowledge of reality is often partial, limited and poorly quantified. Through appropriate methods, an observatory can provide more precise and well-developed information, as well as sharing it with the sectors involved.
- Delimiting social complexity: It often happens that managers and professionals in the social field do not know where the functions of each begin or end. Collective representation of the reality of the social sector is therefore indispensable. A lack of precise knowledge of the sector and who is responsible for carrying out each action



leads to the loss of social action effectiveness. Delimiting social complexity is the task of an observatory, it is a reflection prior to intervention in a very at-risk sector.

- Centralizing data: Data centralization makes it possible to shed light on complementary aspects and redundancies, thereby achieving consistent information, and reducing complexity. Relevant data are available to each participant in a social observatory according to their organizational objectives and responsibilities.
- Diagnosis: Prior to political or social commitment, it is advisable to make a diagnosis
  of the current situation. For example, to verify the excess of means in one sector or
  territory compared to an insufficiency in another. Here, the role of the observatory is
  not only to take a picture of the situation, but also to try to explain its reasons.
- Foresight: This is the prospective function of a social observatory. It consists of trying
  to foresee future events, anticipating the consequences that will emerge from a given
  situation, which will allow those responsible to forestall the circumstances and
  prevent the situations from actually occurring.

An observatory's prospective use is that, based on the information compiled, it becomes possible to identify trends in certain areas and thus to imagine scenarios and adopt consequent measures." (Enjuto, N, cited in INAP, National Public Administration Institute, 2014, p.17-19).

# Specific Observatory Objectives

With regard to the specific objectives of the Observatory, we can mention obtaining a more complete overview of the obstacles and facilitators relating to the eradication of violence against children and adolescents, which would enable the following components or programmes, with their respective guidelines:

# 1- Area: data collection, systematization, and analysis:

 Identify the impact and range of the survey of certain indicators related to violence against children and adolescents in order to design efficient public policies and face the challenges of the new times based on evidence. 56



- Promote the generation of comparable statistics in the region to measure various phenomena.
- Detect, systematize, and communicate good practices and actions of statistical value, as well as notice improvements in the region.
- Strengthen scientific research and innovation in the region.
- Facilitate the sharing of data and information collected between different countries.
- Encourage evidence-based, action-oriented decision-making, using information and communication technologies (ICTs) to strengthen access to information and to swap knowledge.

This is based on the fact that within the framework of the development of "'effective procedures' as mentioned in article 19" of the CRC, "to ensure their enforcement, quality, relevance, accessibility, impact and efficiency," it is necessary, in the opinion of the Committee on the Rights of the Child, "to develop measurable objectives and indicators in relation to policies, processes and outcomes for children and families." [...] "It must be ensured that States parties, national and local agencies and organizations, and relevant civil society stakeholders proactively and cooperatively establish and apply standards, indicators, tools, and systems of monitoring, measurement, and evaluation to fulfil their obligations and commitments to protect children from violence. The Committee has consistently expressed its support for systems of accountability, including in particular through data collection and analysis, indicator construction, monitoring, and evaluation as well as support for independent human rights institutions" (CRC, 2011, GC N° 13:72). In this context, this General Comment indicates that it is also necessary to invest in certain technical resources at the international level, to support and assist States parties in fulfilling their obligations under the applicable international instruments, particularly article 19 of the CRC. These resources are:

• "evidence-based indicators, systems, models (including model legislation), tools, guidelines, protocols, and practice standards for use by communities and professionals, with guidance on their adaptation to different contexts.

- A platform for systematic sharing and accessing of information (knowledge and practice).
- Universally established clarity and transparency in budgeting for child rights and child protection, as well as in outcome monitoring of child protection during up and down cycles



of economies and challenging circumstances (technical assistance should be established over time, through information, models, and related training)" (CRC, 2011, GC N°13 75). (Pautassi and Royo, 2012, p. 31)

# 2- Area: violence awareness-raising and training:

- Promote knowledge, training and sharing good practices in parenting for families.
- Promote the need to carry out training and raise awareness in this area among operators of Systems for the Promotion and Comprehensive Protection of the Rights of Children and Adolescents (SIPINNA), various public and private institutions, as well as civil society.
- Develop opportunities for sharing innovative actions in the eradication of violence against children within the States of the region.
- Discern emerging phenomena or issues in relation to the situations generated within the training.
- Analyse training gaps in the region to promote quality workshops.
- Eliminate any exclusion, disparity, and inequality in access, participation, and effectiveness in the public or private sphere, as well as in respect of anyone who wishes to be trained in the eradication of violence against children in any context.
- Generate operational and innovative content and design cross-cutting, flexible training that provides skills, competencies, and knowledge in a constant and sustained manner over time.

The above is based on "Supporting families, parents, and other caregivers to learn positive parenting practices (i.e., practices that reinforce appropriate behaviours in a positive manner without resorting to physical punishment) can prevent the separation of children from their families, the risk of child abuse in the home or witnessing domestic partner violence against the mother or stepmother, and violent behaviour in children and adolescents. Evaluations of these programmes also indicate that this type of prevention is less costly than the price to be paid for the consequences of violence against children. This strategy contributes to, and is supported by, efforts to achieve SDG targets 1.3, 3.2 and 4.2: 1.3 Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable. • By 2030, end preventable



deaths of newborns and children under 5 years of age, with all countries aiming to reduce neonatal mortality to at least 12 per 1000 live births, and under-5 mortality to at least 25 per 1000 live births. • By 2030, ensure that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education" (PAHO, 2017, p. 49).

In this regard, the "possible effects of the support provided to fathers, mothers and caregivers on the reduction of violence against children are: • Decrease in proven cases of child abuse and referrals to child protection services; • Decrease in abusive, negative or harsh parenting practices, especially in terms of discipline; • Decrease in cases of intimidation or bullying (either as a perpetrator or as a victim); • Decrease in physical, emotional or sexual violence exercised by a partner or peers; • Decrease in assaults and crimes during adolescence; • Increase in positive parent-child interactions; and • Increased parental vigilance over the safety of children in their care" (PAHO, 2017, p. 49).

For its part, the training and education of public professionals and practitioners results in endless benefits in the short, medium, and long term.

### 3- Area: Regulatory standards in the region:

- Contribute to identifying the strengths and weaknesses of national legislation, with a view to obtaining regional consensus on legislation related to violence against children.
- Collaborate with Member States in the development and improvement of their general and specific national regulatory frameworks related to the eradication of violence against children, ensuring that they indicate verbatim the prohibition of any form of violence against children, establish clear mechanisms to provide care for cases and the restitution of rights, as well as cooperate in the regional review of the legislation drafted, verifying the cross-cutting and comprehensive nature of the various approaches.
- Support, advise and provide technical guidance to various States upon their request with a view to proposing regional regulatory harmonization.
- Advise and participate in the development of a Model Law on the subject, to determine a minimum level of concepts, actions, and components; this being an



operational opportunity to harmonize the region in regulatory terms, without the complexity that the drafting of an inter-American instrument on the subject, such as a convention, would entail, without ruling out the possibility of producing such a treaty when considered timely and feasible.

• Prioritize access to justice and complaint and redress mechanisms.

The above is based on: "The development and strengthening of legal protections and policies for the child and youth population, together with the means to enforce these protections, constitute a prudent step towards the prevention of violence against children. Laws that prohibit behaviour such as violent punishment and sexual abuse of boys and girls are useful in a number of ways. Firstly, they show society that violent behaviour is not acceptable and can therefore help eradicate the prevailing norms that tolerate it. Secondly, they hold perpetrators accountable for their actions. Thirdly, laws and policies can also be useful in reducing exposure to various key risk factors for violence against children by reducing alcohol abuse and limiting young people's access to firearms and other weapons.

This strategy contributes to and is supported by activities under SDG targets 3.5, 5.c and 16.3:

• 3.5 Strengthen the prevention and treatment of substance abuse, including narcotic drug abuse and harmful use of alcohol.

• Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels.

• 16.3 Promote the rule of law at the national and international levels and ensure equal access to justice for all" (PAHO, 2017, p. 31).

In this regard, "possible effects of the implementation and monitoring of compliance with the laws on the reduction of violence against children and adolescents are: • Decrease in physical violence against children by parents, caregivers and other figures of authority; • decrease in sexual abuse suffered by children, including forced or under pressure sexual intercourse, attempted unwanted sexual intercourse or unwanted physical contact; • decrease in sexual exploitation including trafficking in persons for various purposes; • decrease in excessive alcohol consumption and compulsive consumption of alcoholic beverages; • decrease in the



number of deaths and non-fatal injuries related to firearms; • increase in social norms and attitudes that protect children from violent punishment; • increase in social norms and attitudes that protect children from sexual abuse and exploitation; and • increase in social norms and attitudes that support gender equality" (PAHO, 2017, p. 31).

Finally, considering the challenges posed by national regulations, together with the willingness of States to generate progress, this last paragraph provides some recommendations to consider in the possible drafting of future legislation.

The following suggestions make it possible both to optimize the effectiveness of national standards, providing greater weight against violence against children, as well as to facilitate regulatory harmonization, promoting communication, sharing good experiences, and collaboration among the States of the region. In addition, they could provide a tool against the legislative dispersal which currently affects many States. Therefore, we should note that the presence of all or many of the following elements in national legislation is recommended:

- Prohibit all acts of violence against children and adolescents, regardless of the relationship between the perpetrator of violence and the child or adolescent, explicitly naming the forms of violence that are prohibited.
- Reporting or complaint mechanisms should be made available to children and adolescents, and they should be provided with safeguards: immediacy, confidentiality, effectiveness.
- Immediate protection measures should be contemplated for the victim once the act of violence is known.
- 4. Procedures should be provided for the investigation and punishment of the situations reported, and such mechanisms should provide guarantees of impartiality.
- 5. Provision should exist for the implementation of public policy aimed at positive forms of parenting that modify the forms of relationship between adults and children, eradicating the use of violence regardless of its intensity.

In conclusion, the IIN will continue to collect and analyse key information that will allow us to continue generating tools, promoting training and resources that provide and support systems for the promotion and protection of States, based on evidence and relevant

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territorially, with a view to preventing, addressing, and eradicating violence against children and adolescents. Key to these objectives is the full participation of children and adolescents in the region, whose words will form a valuable indicator that will guide future actions. We are grateful for the collaboration of the participating States and children in the development of this hemispheric diagnosis.

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