

United Nations Model Strategies

and Practical Measures on the Elimination of



VIOLENCE AGAINST CHILDREN

in the Field of
crime prevention
and **criminal** justice

POCKET GUIDE

What are the "Model Strategies on Violence against Children" ?

The United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice ("Model Strategies") are a new set of international standards and norms adopted by the United Nations General Assembly on 18 December 2014 with resolution A/RES/69/194.

The **"Model Strategies"** were developed by an intergovernmental expert group during a meeting held in Bangkok in February 2014, with the substantive support of UNODC, the Special Representative of the UN Secretary General on Violence against Children, UNICEF, OHCHR and several NGOs. The "Model Strategies" are grounded on the Convention on the Rights of the Child and other international human rights instruments, as well as on several United Nations standards and norms in the field of crime prevention and criminal justice.

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The adoption of the “Model Strategies” by the UN General Assembly sent a strong and unequivocal political message that **we, the international community, do not tolerate any form of violence against children, that we believe in change**, and that we are ready to engage to make the world a better place for our children.

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- Her Royal Highness Princess Bajrakitiyabha
Mahidol of Thailand -

Why are the “Model Strategies” needed?

Violence against children is a cross-cultural and cross-social class phenomenon that affects millions of children in every region of the world. Children are susceptible to violence in a wide range of settings, including when they come in contact with the justice system. All too often, violence against children remains invisible, unprosecuted and unpunished, and sometimes it is even socially condoned and not legally sanctioned. Undeniably its consequences are damaging to both victims and society as a whole.

Much more needs to be done to protect children from violence globally. The “Model Strategies” provide an integrated, comprehensive and practical framework for action to address this challenge.



Who do the “Model Strategies” aim to protect?

The “Model Strategies” aim to protect every child subject to any form of violence without discrimination of any kind, while taking into account the specific needs of those children who are in particularly vulnerable situations.

What are the goals of the "Model Strategies"?

The “Model Strategies” aim not only to improve the effectiveness of the criminal justice system in preventing and responding to violence against children, but also to protect children against any violence that may result from their contact with that system. In doing so, they wish to achieve that children in contact with the justice system either as victims, witnesses, or offenders are treated in a child-sensitive manner, and that their best interest is taken into primary consideration at all stages of the justice process.

What areas do the “Model Strategies” cover?

The “**Model Strategies**” comprise of 17 strategies broken down into 47 practical measures grouped into three broad categories.

“Model Strategies”

Part I: General prevention strategies

Part II: Strategies to improve the ability of the criminal justice system to respond to violence against children

Part III: Strategies to prevent and respond to violence against children within the justice system



How can we prevent violence against children (VAC) more effectively?

Strategy 1: Ensuring the prohibition by law of all forms of violence against children

The cornerstone of VAC prevention is a sound legal framework that bans all forms of VAC, corporal punishments, harmful traditional practices and any kind of sexual activity involving children, as well as any provision that justifies or condones such acts.

Strategy 2: Implementing comprehensive prevention programmes

States are encouraged to develop both general and context-specific interdisciplinary measures to address the root causes, risk factors and cultural acceptance of VAC, with the involvement of children, families, schools and communities. Public awareness campaigns are crucial: civil society, the media and the private sector can greatly contribute to their implementation.

Strategy 3: Promoting research and data collection, analysis and dissemination

This strategy recommends adopting a knowledge-based approach to policy making. Policy development should be informed by sound data on VAC gathered through an institutional multilevel system of monitoring and reporting, population-based surveys, program evaluation and criminal justice performance indicators.

¹ Unofficial abridge version.





How can we enhance the capacity of the criminal justice system to respond to violence against children ?

Strategy 4: Establishing effective detection and reporting mechanisms

Children and their representatives should be able to easily access safe, confidential and child-sensitive reporting mechanisms. Professionals who routinely come into contact with children should be instructed to recognize indicators of VAC and be legally required to notify any suspected incident. Cooperation with the private sector can greatly improve detection of child abuses in the Internet.

Strategy 5: Offering effective protection to child victims of violence

Child victims of violence should benefit from immediate, child-sensitive measures that ensure their safety, privacy, dignity, physical and psychological recovery, reparation and social reintegration. Special protection should be offered to child victims compelled to testify.

Strategy 6: Ensuring effective investigation and prosecution of incidents of violence against children

Criminal justice professionals have the responsibility to implement the applicable laws with due diligence and to take into account the needs and views of child victims throughout the investigation and prosecution process, in order to avoid any further harm to the child.

Strategy 7: Enhancing cooperation among various sectors

Establishing specialized units and stronger operational links between the criminal justice system, child protection agencies, health, education and social services sectors, and informal justice systems can greatly contribute to create a protective environment for children.



Strategy 8: Improving criminal proceedings in matters involving child victims of violence

The child's right to safety, privacy, dignity, participation, information and legal assistance must be respected at all stages of the criminal justice process. The use of child-friendly and age-appropriate practices and facilities can greatly contribute to avoid secondary victimization.

Strategy 9: Ensuring that sentencing reflects the serious nature of violence against children

States are urged to adopt laws allowing courts to apply penalties that take into account the severity of VAC, aggravating factors, the impact of violence on the victims and the safety risk victims face. Sentences must aim to deter VAC, promote the rehabilitation of perpetrators and provide reparation to the victims.

Strategy 10: Strengthening capacity and training of criminal justice professionals

Building specialized units and expert capacity within criminal justice institutions is a key step forward in creating more effective and child-sensitive justice systems. This can be achieved through regular training on the rights of the child, methods to deal with children, conducting safety assessments and effective investigations, and compliance with international standards.



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Violence against children is never justified and all violence against children can be effectively prevented. With strong political will, wide mobilization and steady action, it can be **brought to an end.**

”

- Marta Santos Pais
Special Representative of the UN
Secretary-General on Violence against Children -



How can we prevent and respond to violence against children within the criminal justice system?

Strategy 11: Reducing the number of children in contact with the justice system

Avoiding the unnecessary criminalization of children is crucial to prevent stigmatization and victimization. At this end, States should set the minimum age of criminal responsibility at the age of at least 12 years, avoid the penalization of “status offences” and make a broad use of diversion measures, restorative justice and educational social reintegration programs.

Strategy 12: Preventing violence associated with law enforcement and prosecution activities

This strategy recommends several practical measures to promote a child rights-based investigation process, to avoid unlawful arrests and detention, and to ensure that any form of arbitrary use of force, violence and abuse of power by security forces is prevented and duly reported, investigated and punished.

Strategy 13: Ensuring that deprivation of liberty is used only as a measure of last resort and for the shortest appropriate period of time

In addition to the principle that States should limit the use of detention as a sentence for children, this strategy reiterates that children in conflict with the law should be provided with access to legal aid, the right to appeal a sentence, the possibility of early release and social reintegration programs

Strategy 14: Prohibiting torture and other cruel, inhuman or degrading treatment or punishment

No child should be subjected to such treatments. National laws should prohibit sentences involving corporal and capital punishments, and life imprisonment without the possibility of release for offences committed by children.



Strategy 15: Preventing and responding to violence against children in places of detention

This strategy suggests a wide array of measures to minimize the risk of VAC in detention, ranging from the use of procedures and facilities that meet the special needs of children, to strict policies banning the use of some repressive practices while allowing for effective monitoring of staffs' conducts.

Strategy 16: Detecting, assisting and protecting children who are victims of violence as a result of their involvement with the justice system as alleged or sentenced offenders

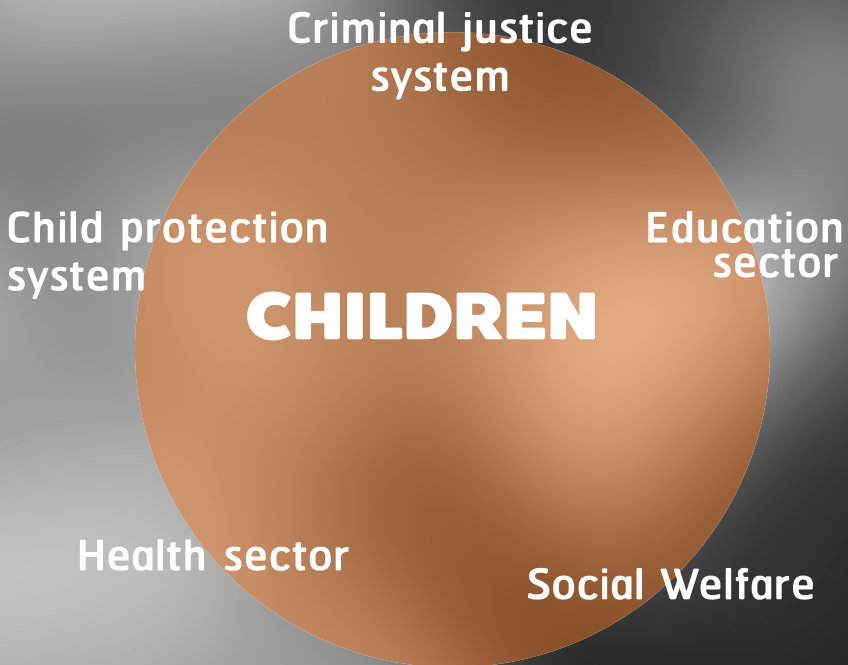
Children who are victims of violence within the justice system need immediate protection, counseling, redress and compensation. To effectively detect and punish such incidents, it is important to establish safe complaint mechanisms for the victims, reporting requirements for staffs, independent investigations, and protection measures for reporting persons and witnesses.

Strategy 17: Strengthening accountability and oversight mechanisms

To combat tolerance of acts of VAC within the justice system, it is crucial to promote integrity, transparency and sound accountability mechanisms at all levels of justice institutions, including independent oversight, investigation and prosecution. Perpetrators must be held accountable through appropriate sanctions.



Who are the key actors addressed by the “Model Strategies”?



The “**Model Strategies**” acknowledge the complementary roles and responsibilities of the criminal justice system, and the child protection, social welfare education and health sectors in creating a protective environment for children. They also identify ways in which the civil society, academia, media and private sector can contribute to this endeavor.



How can we use the “Model Strategies”?

By unanimously adopting the “**Model Strategies**” during the 69th Session of the UN General Assembly, 193 Member States committed to make the world a safer place for children. This major achievement represents the point of departure of a process of change. Each of us, within his respective mandate, can be an agent for change with the “Model Strategies” guiding us in this process:



They can be used by States as guidelines to develop and implement the necessary legal, policy and institutional frameworks to protect children from violence.



They can serve as a benchmark to review the current system and procedures, identify gaps and set priorities to address these gaps.



They can help you to identify areas of work in which interagency cooperation and regular monitoring is required to achieve better results.

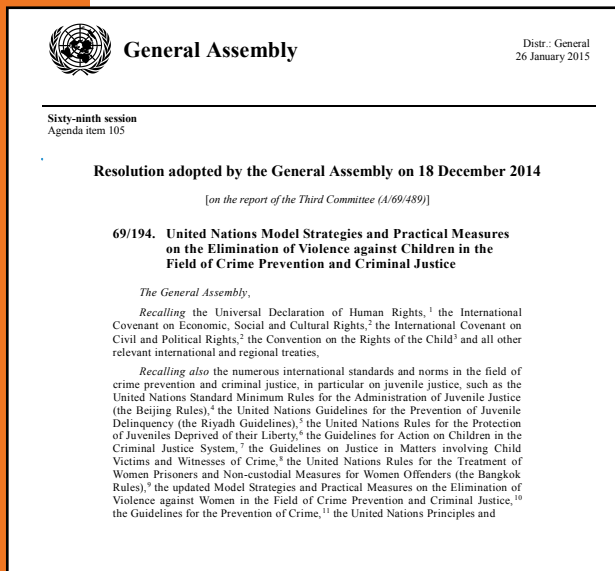


They suggest best practices that can inspire reforms in your criminal justice and child protection systems.



They can remind you about the specific rights of the child that must be respected at the different stages of the justice process and suggest you ways to place the best interest of the child at the core of your work.

Where can we find relevant resources?

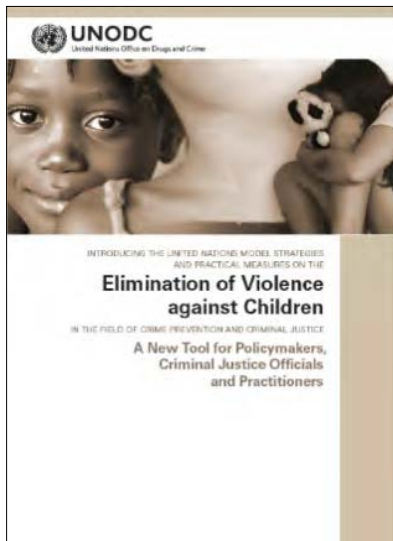


General Assembly resolution entitled United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice can be found at:

http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/69/194

Available in: English, Arabic, Chinese, French, Russian and Spanish.

Technical assistance tools developed by UNODC in Partnership with the Thailand Institute of Justice



The Booklet entitled “Introducing the Model Strategies – A New Tool for Policymakers, Criminal Justice Officials and Practitioners” suggests ways on how to systematically review the current policy, legislative and institutional frameworks in place, to identify gaps in existing systems and procedures, as well as to plan for the implementation of measures to address these gaps.

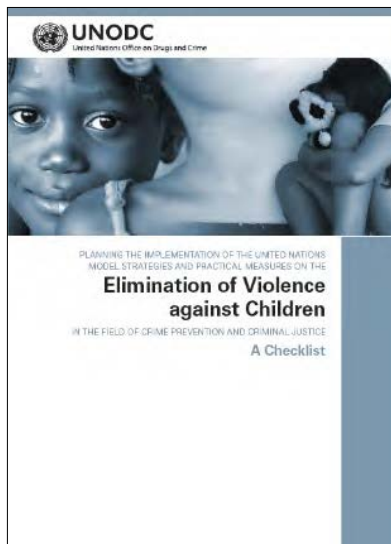
The “Checklist” is an instrument designed for national self-assessment aimed to assist the institutions responsible for the implementation of the “Model Strategies” in reviewing their current capacity to prevent and respond to violence against children and in planning for the implementation of the relevant strategies.

Both tools can be found at:

www.unodc.org and

www.tijthailand.org

Available in: English.



“ For rights to have meaning, effective remedies must be available to redress violations. ”

- UN Committee on the Rights of the Child-



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