## Care and recovery of child victims - Call for submissions

<http://www.ohchr.org/EN/Issues/Children/Pages/CareAndRecovery.aspx>

The Special Rapporteur will study assistance, rehabilitation and reintegration programmes for child victims of sale and exploitation, including sexual exploitation, with the aim of proposing comprehensive care and recovery systems.

The Special Rapporteur on the sale of children, child prostitution and child pornography, Maud de Boer Buquicchio, is currently preparing a study to be presented at the 70th session of the General Assembly, in October 2015, on care and recovery of children victim of sale and exploitation, including sexual exploitation.

**Please only respond to the questions which are relevant to our context.**

***1. Provide information on guidelines and protocols that govern the establishment and management of care and recovery services provided by your organization for child victims of sale and exploitation, including sexual exploitation.***

Terre des Hommes Netherlands - India

In general, the guidelines and protocols while dealing with child victims of sale and exploitation are as follows:

* The rescued children will be produced before Child Welfare Committee
* Statement of the victim child will be recorded under Sec 164 Cr. PC
* The committee refers for medical examination in case of sexual abuse.
* The committee will direct concerned police officers to book a case under JJ Act, 2000 as well as POCSO Act, 2012 against the perpetrators.
* In alignment with the Government of India’s legislation “The Immoral Traffic (Prevention) Act”, Partners engaged in rescuing child victims of trafficking, with the support of other networking organizations, will place the victims in short stay homes or shelter homes for counseling and rehabilitation services include basic needs, skill trainings and education for deserved candidates.
* Statement of the victim will be recorded during counseling for finding any missed information during CWC statement recording under Sec 164 Cr. PC
* The CWC will directs either DCPU or DPOs of Dept of Juvenile Welfare for Social investigation for confirmation of the details given by victim child during statement recording and to assess the safety of child at her/his home after reintegration with family.
* Facilitates application for immediate relief and rehabilitation support services through GO.Ms No 1 & GO.Ms No 28 by the Dept of Women and Child Development, Govt. of Andhra Pradesh.
* Follow up of the case through police for conviction of the perpetrators or traffickers
* Reintegration of victim child on receipt of CWC directions only

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* South East Asia Guidelines for the Protection of Trafficked Children
* Philippine Guidelines to Protect the Rights of Trafficked Children
* Cambodia Guidelines for the Protection of Trafficked Children are the guidelines developed, lobbyed and supported by Terre des Hommes Netherlands and its partners that are officially adopted. The Cambodia Guidelines was a major reference for the development of the minimum standards for care of trafficked vicitms funded by Asia Foundation.
* There is also the Indonesia Guidelines, but it was not officially adopted by the government. However salient provisions of these guidelines were lobbyed and are included in the standard operational procedure in the integrated service delivery in Indonesia like in Semarang Province.

All these guidelines include salient provisions on care and recovery.

Philippines Against Child Trafficking, Terre des Hommes Netherlands main partner, has developed more specific standards for protective measures which include specific indicators on service delivery. This had undergone series of consultations with both government. NGOs and INGOs to finalize and had recently get the endorsement from the national Inter-Agency Council Against Trafficking.

***2. Based on your experience, what elements are necessary for a comprehensive and rights-based care and recovery system of child victims of sale and exploitation, including sexual exploitation?***

Terre des Hommes Netherlands - India

* Need for proper mechanisms to provide victims with psycho-social and legal support throughout the investigation i.e. from the time the statement is recorded till the hearing in the court.
* Counselling services for victims of abuse.
* Support system for the parents and family of the victim.
* Strengthening the mainstream child protection system is the key primary element for the comprehensive and right-based care as this is mandatory for the system to provide proper care and protection for child victims of sale through advocacy and networking initiative.
* Families and communities must be aware of the issue and prepared to reintegrate the child victims of sale and exploitation into the families and communities.
* Civil society organizations must take a role as facilitators to mediate between the government services and the victims to ensure the rights of child victims are realized.
* Recording of statement of victim child under Sec 164 Cr PC to find comprehensive case details from the child victim.
* Refer the child victim for Age verification and Medical examination and get the report
* Age proof of the victim child for facilitation of support services by the state and to assist in legal procedure
* Providing constant trauma counseling services till getting a change in his/her mind-set
* Providing life skill training is very important so as to cope-up with challenges in future life.
* Imparting skill/vocational trainings based on the interest of the child to ensure self-confidence and dignity of life after reunification with family or social reintegration. But, these skill training shall be given keeping in view of market viability and demand. If the child interested in education beyond skill trainings, then it would better to provide both in terms of facilitating alternative livelihood options in future.
* Preparation of individual care plan is very important for providing effective rehabilitation and reintegration services.
* Providing Psycho-social support keeping in view of the case history of the victim child
* Frequent observation of physical/psychological changes among victim and appropriate medical referrals in necessary
* Conducting Social Investigation to know the detailed family background of the child and to ensure safety at her/his family after reintegration with family.
* Collection of proper evidence/photos/documents (ration card, voter ID, Aadhar or any proof issued by state government) from parents/caregivers/relatives of the victim child.\

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* Knowledge and understanding of the caregiver/social worker/case manager on child rights and how these should be concretised in all the stages of case management
* Caregivers therefore should have the capacity/skills to do this
* The involvement of the parents, family or guardians, including the community should also be considered to ensure care and support to the survivor
* The proper child-friendly infrastructure should also be in place
* The system should also be holistic that involves multi-agencies/multi-disciplinary team
* Principles of child rights must be observed
* The guidelines that were adopted should be implemented and monitored

***3. Provide examples of good practices and successful initiatives of assistance and rehabilitation programmes which facilitate the recovery and reintegration of child victims of sale and exploitation, including sexual exploitation.***

* Involvement of children in planning for durable solution and taking into account the best interest of the child
* Referral of cases to provide holistic services to the survivor
* Group counseling and family counseling as part of the healing process
* Use of art therapy, theater, peer support and other approaches that help children express themselves

***4. Describe the challenges that your organization has identified in the establishment and management of assistance and rehabilitation programmes for child victims of sale and exploitation, including sexual exploitation.***

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* Non-cooperation from police due to lack of legal awareness and threat from perpetrators network.
* The perpetrators are not convicted under the appropriate Acts. In most cases, the cases at the destination areas are booked, but due to lack of evidences the cases do not stand in the courts results in set-free of the offenders from Law.
* Due to the pendency of cases at Children’s Court, the case comes up for hearing in the court after many years. During these years that the case is pending in court, it’s hard for the child victims to recover and to get on with their life.
* Sometimes improper handling of the case at the police station lead to victims changing their statements or dropping the case.
* In rescuing operations high risks are involved for ngo staff due to retaliation and threats of traffickers, agents or perpetrators of exploitation.
* Non-availability of immediate support from government system, which makes delay in processing the procedures.
* Financial resources to provide immediate care and protection.
* Acceptance of families and communities to re-integrate the child victims due to social stigma.
* Recovery and resilience building of child victims – it’s a long process to bring them back to normal life as they have been engaged in many anti-social behaviour and negative coping mechanism such as drug abuse, prostitution etc. Besides, often victims are not ready to come out of exploitative situation due to fear factors, and they are not ready to spell on the exploitation being faced by them.

Specifically on trafficking:

* There are no linkages between source area NGOs and destination area NGOs. The reason for this is that in some areas no NGO is working on trafficking issues
* Likewise, the coordination among WD&CW Department, Juvenile Welfare Department and Law enforcement agencies is not encouraging.
* No coordination between child protection mechanisms such as CWCs, DCPU, SJPU, CHILDLINE 1098 and local PRIs as well.
* No proper awareness and command to police officials over recent legislations for child protection like POCSO Act, 2012.
* No awareness to the school going children leads to abuse and exploitation
* No proper coordination between PRIs, school teachers, law enforcement agencies and CWCs as well.
* There is no efficient mechanism in place to conduct home investigations. The girls rescued are to be produced before the CWC by the police. But the police, in majority cases, do not produce the victims before the CWC. Therefore, the home investigations are not done.
* There are no victim/witness protection services. The victims, therefore, are threatened / blackmailed by the perpetrators and are re-trafficked.

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* Lack of professionals; both in numbers and capacity to attend to cases based on the minimum standards which make referral of cases specially in Mekong areas difficult
* Aftercare services/alternative care in places of origin are also lacking which is also cause by lack of budget prioritization from government
* Especially for other groups of children on the move, protective services are not yet in place which also has something to do with the gaps on existing legislations, thus, the reason for campaign on children on the move

***5. How do you ensure that the views and needs of children are duly taken into account in the design and provision of care and recovery services?***

* When there is a case of abuse that has taken place, the individual care plan for the child is always made based on the needs of the child after taking into account the wishes and desires of the child and keeping in mind the best interest of the child.
* Right to be heard (Article 12 of UNCRC) need to be considered by listening to children about their experiences of difficulties and vulnerabilities and their views and ideas on recovery from the vulnerable situation – it gives us clear idea to design the program based on their views and concern.
* Children in exploitation are consulted through person-to-person discussion and in small group discussion on the type of help/services that they would need to come out of exploitative situation.
* Engage government personnel to listen to the children voices and responsive to their issues.
* Survivors should be involved in all the phases of case management, especially in designing durable solution

***6. How do you ensure access of child victims to support services?***

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* Multi-faceted **campaigns** and awareness raising programmes involving different stakeholders targeting children, parents, community members, has resulted in numerous cases being reported to partners, Police and Childline (1098). Through different types of IEC materials, we attempt to provide contact details of support services for child victims as well as all the children in need of care and protection. These IEC materials are put in public places such as shacks, buses, in the community, etc.
* **Child participation programmes** through children clubs & adolescent clubs, right based awareness sessions in schools and other event help children in identifying different types of support services.
* Our partners publish a **Directory of Support Services for Children,** a document providing information about different services including Police, Health, Government mechanisms on child protection, children’s homes, counselling services, etc. This publication is available with children’s homes, NGOs, Police etc.
* Child victims are well informed about the type of available services during first interaction with the project partner itself
* Continuous Counselling services for child victims to make use of the available support services.
* Hand holding support for the victims to get support services.

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Through referrals; but these still has to establish/strengthen or make functional in most of the areas/countries in the region; which is again dependent on a lot of factors.

***7. How do you adopt and implement a gender perspective in the establishment and management of the assistance and rehabilitation programmes? Do the programmes provide gender-specific measures for the care and recovery of boys and girls?***

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* Gender specific measures adopted are in keeping with Protection of Children from Sexual Offences Act (POCSO) and Protocols for assisting child victims:
* Insist on the presence of a lady police when a girl child’s statement is being recorded or during any other procedure such as escorting the girl child for any other purpose.
* Insist that a lady doctor conduct the forensic examination of the girl child.
* Provide services based on the vulnerability and needs of child victims to ensure equal opportunity for all the victims in respect of gender.
* Project parners assess our services with gender check list to ensure gender equality.

***8. Provide information on prevention programmes developed by your organization with a specific focus on children at risk or in vulnerable situations (e.g. children working and/or living on the street, children placed in institutions, unaccompanied migrant children).***

Terre des Hommes Netherlands - Ethiopia

The prevention strategies used in the programme that targets children at risk of (unsafe) migration/ child trafficking include:

* Awareness creation that targets children at risk, their parents and communities on the dangers faced by children on the move. Terre des Hommes partners implementing this project work very closely with community groups in creating this awareness as well as through child rights clubs which help to reach a great number of children at risk.
* Economic empowerment of families of children at risk is another prevention strategy that the organization uses
* Supporting children to access education or vocational training is also a key strategy as children who are not attending school are usually more vulnerable than those attending school. The community structures that our partners work with are key in identifying the vulnerable children for educational support as well as the families that become beneficiaries of economic empowerment.

Terre des Hommes Netherlands - India

* **Child Empowerment Programme:** Children Activity Centres in the vulnerable areas with the objective of keeping children safe who are vulnerable to abuse
* **Safety Education Programme:** Partners conduct sessions in schools on the prevention of abuse
* **Promotion of Children’s Committees in the institutions as mandated under the Juvenile Justice Act**: we have initiated the process of Children’s Committee at the Government run children’s home in Goa
* **Child Protection Policy:** We are lobbying with the government to introduce the Child Protection Policy to ensure children’s safety in the children’s institution
* Conducting orientation or capacity building trainings on all the above child protection issues to the Anganwadi workers who always work closely with children and adults of vulnerable families in both rural and urban backgrounds.
* Publication and dissemination of IEC material on abuse (physical, psychological and sexual abuse), exploitation and child trafficking issues. Ensure these posters, pamphlets and handouts etc., shall be placed in all police stations, concerned line department offices and public places etc.,
* Creating awareness among law enforcement agency such as police on recent legislations such as POCSO Act, 2012 and Nirbhaya Act and so on including amendments in tradition IPC.
* Mass awareness campaign on child trafficking and child labour
* Organize District level gathering to discuss on child protection issues
* Establishing and strengthening of community based child protection systems
* Formation of children and youth groups and sensitize them on the issues and enhance their ability to involve in their own protection
* Networking and alliance building for advocacy initiative
* Ensuring the enrolment and retention of children at risk or in vulnerable situations to schools till they complete 18 years.
* Employable vocational skills for the children at risk or in vulnerable situations.
* Economic support for self-employment of vocational skill trainees and for the economic development of the families to which children belongs.
* Life coping skills to protect themselves from exploitation for the children at risk or in vulnerable situations.
* Formation of groups of adolescent girls/child rights clubs for peer support to prevent the exploitation.
* Trainings for the groups of adolescent girls/child rights clubs, community and VLCRPC-Village Level Child Rights Protection Committees on child rights and criminal laws.
* Networking efforts with police, law and other interested people to punish the offenders.

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Prevention under the anti-trafficking programme already come a long way. Some of the practices in fact were already institutionalized and replicated by partners. Among these are the community educations; public information campaign/December 12 campaign that raise awareness of the community and relevant stakeholders at various levels which become sources of concrete/suspected cases; this strategy spin off to the development of guidelines, referral systems, amendment of laws, development and lobbying for regulations in terms of comprehensive services, budget allocation etc.

Good practice on the prevention programme on anti-child trafficking has been documented and links/copies could be provided if needed.

The campaign on children on the move is linked to the field projects that TDH support, to ensure alignment and complementation.

In all of the prevention programme, child participation is a cross cutting strategy.

More infos can be shared on these of needed.