# Child Societal Abuse in the Arab Region



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#### Introduction

Social and economic factors play an important role in determining child well-being and survival (Shawky, 2001)<sup>i</sup>. Education has an effect on the health of children, in terms of physical, psychological, social, emotional, developmental and environmental well-being (Arab Regional Conference, 2004)ii. The family's economical situation is an important measure of the economy's strength, in addition to GDP per capita and level of poverty (Bildirici et al., 2009)iii.

Although most Middle Eastern and North African countries have endorsed the CRC, which represents the basis of their national commitment in favor of childhood; however, only some of them included in their country reports replies to the comments made by the UN regarding the rights of the

child. Also, effective mechanisms of input from children are almost absent from replies with few exceptions, reflecting the absence of children's participation in defining problems or possible solutions). Furthermore, although the participation of civil society organizations is mentioned in almost all reports, vet implication of civil society remains minimal in many reports, especially when the critical voice of NGOs is represented in discussing the impact of protective measures for children. A review of the available studies clearly shows that there is are similarities between countries of the Middle East and North Africa region concerning the causes behind violence against children in the different areas, including its most common forms. Discrepancies between countries exist regarding:

- Certain types of violence, such as FGM (Female Genital Mutilation), in North and sub-Saharan Africa, camel jockeys in the gulf region or "intra familial killing for the purpose of honor" (FHK) in most of the middle-east countries, well described in Jordan, Lebanon, Palestine.
- Certain settings increasing violence, such as children exposed to armed conflicts and child trafficking: countries currently exposed to armed conflicts and civil riots eventually see their children exposed to displacement, issues related to refugees conditions, child trafficking, CSAE, etc.;
- ...and the size of other types of VAC also varies, such as street children and child labor, also linked to poverty, displacement and armed conflict, especially in the worst

forms of child labor.

#### In Care System

Unknown numbers of children in institutions are victims of sexual abuse, usually by guards and teachers, or by older children. Children may also be transferred with adult criminals who in turn inflict violence or sexual abuse on

The definition of a child varies from one country to another, with subsequent variation in the definition of the age of criminal responsibility. In many countries that age is very young, and is therefore not compatible with CRC (e.g. 7 years in Lebanon...to be increased to 10; Libya, Qatar, Saudi Arabia, Emirates, Yemen and Egypt). Subsequently a child that young could be convicted. In some countries, clear age of adulthood id not identified; in such countries, children may receive death penalty, life imprisonment or flogging (especially in Qatar, Saudi Arabia and Emirates). Ages of penal responsibility vary between Arab countries, from 7 to 14 years, increasing under the pressure of incompatibility of low ranges of age with the CRC. Maltreatment of juveniles and their detention in difficult circumstances expose them to violence from guards and deprivation of their right to contact families: Lebanon, Libya, Morocco, Syria and Tunisia. In some countries such as Syria and Egypt beggars and street children are treated like criminals. Weaknesses in enforcement of legal provisions included in the CRC, as well as some discrepancies within national legislations, are congruent problems. There are still, however, important efforts produced towards child friendly laws. This issue is particularly important in Juvenile Justice and concerns children at risk. Alternative measures for juveniles in conflict with law are increasingly on tracks, with compensation, reintegration and restoring justice. Legislation and capacity building also appear as critical requirements for street children in the Arab world. In many countries of the MENA region, an important number of children are still in institutional care, sometimes mixed with adults. Given the predicted difficulties that children encounter in such settings, only hazy figures are available about the extent and nature of their condition. Also, the situation of children in institutions is hardly described in the absence of evaluative and disclosure procedures, requiring:

- 1. Training for professionals working with children on the identification and reporting of cases

amount of children in care facilities: such initiatives have been successful and were cited by UNICEF. Some experiences deserve however replication (SOS children's village case study) as some institutions help families to care for children at home, with micro credit strategies, partial institutionalization, local networking as well as support and thorough social follow-up. Such support may provide possibilities for self-reliability for woman-headed, multi-children families, with eventually absent or incapacitated fathers.

#### In Detention

In custody and detention, most children who are in conflict with law and placed for institutional rehabilitation are in child environments. In some countries, their number is high, and in others, very little is known about their situation. In such situations, children have many needs: judicial assistance, educational and job learning programs, as well as leisure possibilities, outdoor activities and playtime: those child friendly environments are rarely available. Such needs are often fulfilled outside the detention facility, through the involvement of universities and youth organizations.

The issue of violence in care and justice institutions has been the center of many debates, with Arab professionals and other resources; some of the responses to the situation of children in detention include: 1. Modification of relevant laws, to make their provisions

- more child-friendly and to offer better protection to the minors in conflict with law and threatened children who need protection.
- 2. Alternative measures to imprisonment of children in conflict with law, towards rehabilitation and reparation procedures in communities.

Lately, there has been an emerging movement to increase the age of penal responsibility. Main concern is aggravated exposure of the child to conflict with law, leading some countries to discuss an incremental increase of the age of penal responsibility. (e.g.: honor crimes)

More efforts are developed in order to reduce the rates of children in institutions and give priority to keeping families together and promote community-based alternatives. Growing awareness within Arab States stress the importance of overriding the policy of institutionalization as the only solution to address the issues of children in difficult situations, including children in conflict with law. 2. Alternative care of child in foster family to reduce the Some countries developed special programs to create

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mechanisms and specialized human resources in order to promote the priority of family survival in all the measures taken, either through mediation and support to families, or through alternative families and foster care system. Other countries implemented programs and activities to raise awareness about the role of family in all actions concerning children. Arab countries are heading towards special laws to protect those groups of children, and to give priority to re-education and social inclusion, with family involvement in all steps and measures taken, in the frame of special programs for legal assistance and guidance, and support mechanisms for mediation and problem-solving.

#### In the Workplace

Several studies show that children work in difficult circumstances, and extend their work for long hours [more than 10 hours daily in many countries], where they are subject to violence by the employer or other workers, often older than him; such manifestations of violence are diverse: verbal or physical or both. The number of children working in hazardous areas is also unknown, including those who work in the worst forms of hazardous labor; these working children are deprived of health care and are included in actions that threaten their health and impede their development.

Because of poverty and ignorance, but also overt exploitation networks, working early may be considered as working good and in a sustained way, where children contribute to the family expenditures.

In most countries it is difficult to specify the size of the phenomenon since children usually work in the informal sector and in small workshop and take up marginal jobs. Available research on child labor in different countries indicates that children work under extremely difficult circumstances and may be subject to violence, either verbal or physical, mostly in the form of beating. Also, they are deprived of health care, health and injuries protection, and cost therefore even less to the workplace than adults; also, many of them work in dangerous jobs that threaten their health and distort their growth and development. In most countries, there are laws for the protection of children, either through specific child acts or child protection items within the general law; however, the problem seems more in the inadequate implementation of such laws, as in Sudan. In the agricultural sector and in family institutions, extremely young girls are involved in domestic labor and exposed to violence and cruel working conditions.

Countries in the Gulf council cooperation face the ICRC with the issue of children Jockeys used in camel races. Governments launched a campaign against smuggling of children, banned the use of children in such dangerous jobs and prohibited the employment of children. Such races are characteristic of the Gulf region and are not popular in other MENA countries where camels are present and where child trafficking and child labor are more common. Such commercial abuse boosts the street children problem, and mixes in some countries with the problem of refugees. In home settings, the working girl issue is predominant, whereas boys may dominate in rural areas, in the streets and factories.

In order to reduce the abuse of children, countries are entitled to comply with optional protocols to confront and reduce child labor, with incremental procedures and stop the worst forms of child exploitation. The project of child protection in the streets is a huge enterprise, too big for one country alone; the Arab council for childhood and development proposes an articulated program, including field studies, training sessions, review of relevant laws, organize local networks, enhance cooperation with Arab experiences, promote family oriented programs and stimulate coordination between formal and informal sectors.

Other directions need also to be explored, such as work on a MENA platform to control street children phenomenon and improve with ILO the Law referential on child labor and street children.

Measures have been taken to implement labor laws, with legal provisions related to primary education and prevention of child labor, raising the age of access to the labor market to 15, 16 or 18 years; measures depend on the country and include: prevention of dangerous labor and work that threatens physical and mental health, limitation of working hours for children between 15 and 18 years, and imposition of fines. Children run plants on their own in some countries, while others only report child labor. Also, some countries have established inspection units, sometimes ineffective. Others mention a national strategy to reduce child labor or national committees to prevent and combat child labor.

Few Arab States withdraw children from work and process reintegration. Most do not have permanent programs, but some activities that aim to withdraw children from work and return to school, with vocational training assistance to families that rely on children for a living,

in order to enable those children to return to school. In addition. NGOs appear to be very effective in following up complaints, out information carrying campaigns about the risks of child labor, raising awareness, developing educational programs and improving the economic conditions of families. Private sector, trade unions and civil society are also actively involved in prevention programs and the fight against child labor, although there is clear evidence of weakness, in some of available responses, showing the need to work on this level. Some Arab countries, such as Jordan, Algeria. Egypt, Lebanon and Yemen, have national programs to reduce child labor.



#### In the Community

Children are subject to violence on the street as a result of disputes, car accidents or dangerous games played by children on the street. The most vulnerable are "street children", prevalent in many countries in the Middle East and North Africa; those children also travel within networks and are exposed to many types of violence and abuse. Available research concerning this category of children reveals different types of exposure to violence, ranging from physical harm, sexual abuse, as well as risk of addiction, crime and murder.

Few data are available on strategies for the prevention of violence. Algeria, Bahrain, Egypt, Iraq, Qatar and Yemen are among the countries that report national strategies, including violence against children.

Some countries adopted plans to reduce social and economic inequalities, in addition to initiatives, policies and action plans: family protection plans, special social funds and financed projects to fight poverty, housing programs, support to income-generating projects, support to NGOs for the implementation of local development projects and poverty alleviation. In some countries, social policies aim at raising the living standards of citizens as a strategic objective for development, induce a policy of financial reform and reduce the social burden poverty.

Within this frame, Lebanon launched two projects aiming at promoting local development and poverty reduction in overcrowded and poor areas.

Although there is progress in the identification of the dynamics and the nature of violence against children, most countries need focus responses at the level of field workers, thus including training courses for security services in child rights.

Efforts are also made at local levels to coordinate and track services for children victims of violence; relevant information is however poor in most countries. Some countries report the existence of cells, structures and centers to ensure coordination between services to children victims of violence, while others rely on CBOs for those services. In fact, a national framework to protect the family is needed in Arab countries, in order to determine roles and responsibilities, and then improve powers and relations within the family, with attention to education of children and support to intellectual and scientific talents.

#### Violence in Armed Conflicts

In areas of armed conflict, crimes add to different forms

of violence; women and children are immediate targets. • In Juvenile justice: The definition of a child is a concern: for example, in OPTs, definition is applied according to the CRC on Israeli children, while Palestinian children are subject to military laws. Such definitional issues are also a concern in Sudan and Darfur. The humanitarian conditions inside the camps and slumps affect important numbers of children, exposed to community violence, customs and discrimination that may even be irrelevant with legislation Qualitatively, the situation of children is also highly concerning. Some reports bring information about the condition of children in such housings and social settings, where commercial and sexual exploitation is current, adding violence over poverty, clan violence, discrimination and religious confrontations. The situation of children also addresses the insufficiency of the international community in carrying out Article 1 obligation to "ensure respect" for the Geneva Conventions and the protection of civilians during armed conflicts throughout the Arab region, ... to pass a resolution denouncing the deteriorating respect for international humanitarian law in the Arab region, including Iraq, Syria, the OPTs, Darfur and Yemen. In such settings, Optional protocol and measures for implementation need to be thoroughly explored.

### Role of Civil Society in Combating Violence Against Children

There are different degrees of participation of civil society organizations in actively addressing violence against children. In some countries of the MENAG region like in Lebanon and an increasing number of others, civil society plays a major role in designing policies, outreaching the community in term of compliance to law, and changing societies' understanding of child protection. NGOs seem however to lack skills in data collection, documentation and reporting. The majority of NGO activities focus on training and awareness raising as well as carrying out studies and research. In this perspective, most training seminars need to be multidisciplinary and include professionals working with children as well as front liners from NGOs delivering services to children.

#### Conclusions

The Cairo declaration clearly requested to ban all forms of violence against children, Child protection from all forms of violence:

- to complete the development of an effective and efficient juvenile justice system which ensures the full implementation of the CRC in particular articles 37 and 40, and other relevant international standards and taking into account the Committee on the Rights of the Child's General Comment No. 10. In that regard, special attention should be paid to the establishment and progressive raising of the minimum age for criminal responsibility.
- to take necessary measures to respond to children in conflict with the law without resorting to judicial proceedings providing that human rights and legal safeguards are fully respected, including community service, restorative justice, (Lima, 2009, Declaration on Restorative Juvenile Justice)
- to take measures to ensure that all children in conflict with the law are provided with free legal or other appropriate assistance and that deprivation of liberty, including pre-trial detention, is only used as a measure of last resort and for the shortest possible period of time, by fully implementing recommendations of the CRC Committee made in Gen. Comment No. 10 regarding the use of pre-trial detention and by introducing and effectively using suspended sentencing and early release
- To take legislative measures to abolish capital punishment on persons who committed a crime when under the age of 18, and suspend the execution of any pending capital punishment. Furthermore, it is recommended to abolish all forms of life imprisonment for crimes committed before the age of 18.
- to take legislative measures to ensure that children deprived of their liberty have access to education, adequate health care and to sports and other leisure opportunities, can maintain regular contact with their parents and other family members and are fully protected against all forms of violence, including inhuman and degrading treatment or punishment.
- To safeguard the rights of child victims and witnesses involved with judicial proceedings and take into consideration relevant UN standards and guidelines.

#### **Future Perspective**

Despite many obstacles, the perspective of child protection is strongly developing within national systems and regional networks, in the presence of increasing levels

of common values and universal understanding of child rights. In reality, child dedicated structures are grass rooting initiatives; they rely on political decisions, local and national human resources, regional expertise and international cooperation; they seek to upgrade strategies at countries levels in order to implant efficient child protection systems, and recently expanded the network of professionals in order to learn from experiences in other Arab countries:

Different events gathered international expertise and regional professional resources to share results of research and successful experiences: Amman, 2005: "Breaking the silence"; Sana'a, 2007: "Towards a strategy for child protection"; Riyadh, 2009: "Working together towards safer childhood". Next conference will "outreach the child". Furthermore, the Arab network became the "Arab Society for the prevention of Violence against children". Arab initiatives within the UNVAC presented a settingbased framework for the description of child abuse in countries and the efforts developed to stop violence. International organizations [ISPCAN, SCS, World Vision, CHI, War child, etc.] contribute, through different mechanisms, to support the implementation of the UNVAC recommendations.

Arab countries live in uneven situations; some of them are exposed to identity crisis and armed conflicts. They are challenged, however, to plan systems, set priorities and provide a basis for political and social debate on the present and the future condition of children; in such contexts, free childcare, universal health screening and universal access to free medical care become even more critical, as is, in general, the universal access to free health care for all citizens.

Special attention must be given to the needs and possibilities of developing, insecure and ill-resourced countries. Potential challenges and impacts of the CRC should also be explored for future landmarks of societal development, mainly in terms of support to child and age-friendly communities: child-friendly media, schools, municipalities, cities, villages, etc.

The human and social situation of refugees and displaced children is still dramatic; children are exposed - and sometimes participate to - armed conflicts.

Countries in the Arab region are urged to launch, set and sustain CRC compliant and socially accepted child protection systems, in a dynamic and proactive way. The regional consultation in 2006 and the OIC recommendations in 2009 are performing landmarks that highlight the

nurturing care of Arab states for their children.

In different - and sometimes conflicting - contexts of security and safety, Arab efforts integrate children's rights within global human rights matrix, as well as child health and well-being requirements. For that purpose, Arab States need to build strong social links and hold national stands regarding child protection. Child helplines, child defenders and child observatories are the pivots of knowledge base. data collection and training, rehabilitation and prevention. global child rights and local childhood requisites.

In each step, professionals can demonstrate their efficiency in promoting children's globally recognized rights within their live places. Such initiatives work best when social stability, common vision, effective interaction between formal and informal sector, and child efficient participation...are available.

Indeed, such initiatives towards child protection are most needed when those conditions are not yet available. Most challenging options are in most difficult environments! Where the most vulnerable is the youth and the child... and not the slowest to change!

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diseases UNICEF: United nations Fund for chidden UNODC: United Nations Office for Drugs and Crimes UNVAC: the united Nations Secretary General Study on Violence against children *VAC:* Violence against childre

#### Resources

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