



# Child Protection Working Group<sup>1</sup> Statement

2013 High Level Round Table Meeting

November 19th, Vientiane

## Background

Protecting children involves putting in place appropriate legal, administrative, social and educational measures and structures to prevent and respond to abuse, neglect, exploitation and violence affecting children. With almost half of the population under the age of 18, prevention and response to protection issues, including physical and sexual abuse, commercial sexual exploitation, human trafficking, child labour and harmful traditional practices such as child marriage, are critical in ensuring that national development goals are met across the Lao PDR.

As outlined in the UN Convention on the Rights of the Child (UNCRC), ratified by the Lao Government in 1991, children have fundamental rights, including the right to be protected from physical and psychological violence, economic exploitation and harmful work, from all forms of sexual exploitation and abuse, and they also have the right to live in a safe family environment. These protection rights are further supported by two Optional Protocols on the sale of children, child prostitution and child pornography and one on the involvement of children in armed conflict (also ratified by the Lao PDR).

All children require adequate protection which requires a comprehensive system of response capable of addressing the problems faced and needs expressed by children. Protection risks in the Lao PDR are increasing within a rapidly changing society and there are limited protection and response mechanisms in place to protect children. Highly marginalized groups including girls, ethnic minority children, children with a disability, children affected by HIV and AIDS, street children, working children and migrant children are at a greater risk of violence and abuse. For example, children with disabilities have an increased exposure to risks as well as an impaired capacity to resist or avoid abuse. Their communication difficulties may make it challenging to tell others what is happening.

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<sup>1</sup> The Child Protection Working Group is an informal group of INGOs, NPAs, UN Agencies and other organisations, operating under the INGO Network's umbrella, with a stake in child protection in the Lao PDR.

## Child Protection Challenges in the Lao PDR

Key protection issues facing children in the Lao PDR include violence and abuse (physical, emotional and sexual), unsafe migration and human trafficking, child labour, children living without appropriate family-based care and the limited capacity and availability of local child protection mechanisms and services.

Specifically, a number of child protection priorities have been identified:

### *Protecting Children Against Violence*

In the Lao PDR, up to 76 per cent of all Lao children aged between 2 and 14 are subject to at least one form of psychological aggression or physical punishment from an adult in their household (Lao Social Indicator Survey, 2012) and in 15 of the 17 provinces of the country, 60 per cent of all children surveyed said that they had experienced violent behaviour (Lao Social Indicator Survey, 2012). Corporal punishment is a common practice in families and schools that breaches children's fundamental rights.

### *Protecting Children Against Child Labour*

In the Lao PDR, an estimated 178,000 children are considered to be engaged in child labour (The Labour Force Survey and Child Labour Survey 2010 of Lao PDR). For example, at any given time there are an estimated 150 children working in Vientiane Capital alone, including children without familial care, as well as children attempting to provide income for their family (FI, 2013). This work may be dangerous, may result in abuse or exploitation by both local and foreign adult offenders and it can increase the risk of incarceration. Importantly, child labour prevents children from accessing education critical to their future wellbeing.

### *Protecting Children Against Human Trafficking and Sexual Exploitation*

Increasing numbers of Lao women and children are becoming victims of sexual trafficking and prostitution, with 60 per cent of females trafficked from the Lao PDR aged between 12 and 18. In addition to those being trafficked over borders, 63 per cent of girls rescued from bars are under the age of 18, with some as young as 13 (AFESIP, 2013). In addition, the combination of increased tourist arrivals, poverty and a low level of law enforcement is also increasing the incidence of sexual abuse of children.

In addition to these key challenges, broader issues also threaten the protection of children in the Lao PDR. Many child protection challenges are arising from increasing rural to urban migration (internally and externally), both as children go in search of work (including seasonal begging and scavenging) and as parents leave their children in search of work. Poverty, rapid socio-economic development, drug abuse, poor knowledge of laws and poor coordination among sectors and services responsible for child protection are also identified as additional factors increasing protection risks for children in the Lao PDR.

## Key Recommendations

Addressing these risks and structural challenges is not an easy task. However, there are key steps and principles that will ensure all children are adequately protected:

### *Strengthened Systems for Child Protection at All Levels and Improved Sector Coordination*

Child Protection is the responsibility of everyone, from policy makers to communities and requires comprehensive, multi-sectoral initiatives to strengthen child protection systems. A comprehensive national child protection system requires a sound legal framework; a National level coordinating body; preventative and responsive interventions and services that meet the needs of all children (at local, national and international levels); a child-friendly justice system; awareness and support from the public (including awareness raising and training opportunities); the participation of children in the services and systems which involve them; and a committed workforce trained to identify violence and exploitation, refer cases of abuse and ensure care . adequate financial resources, set standards and regulations, monitoring and data collection of risks and services being provided to children must be secured to fully implement the system while Clarity around roles and responsibilities and a commitment across sectors, both within and outside of government, to coordinate and cooperate is essential to the success of the system.

### *Open Dialogue at All Levels on Key Risks Affecting Children*

Child protection is a specialist sector dealing with issues that are sensitive and often hidden or socially accepted. Prevention and response interventions can only be addressed with an open dialogue which challenges cultural norms and practices which condone protection violations against children and seeks alternative solutions to the practices. Open dialogue on risks facing specific marginalized groups, including discussion on the gaps in technical capacity and service provisions for children is also required.

### *Strong Civil Society Engagement and Community Participation*

Child protection requires the involvement and capacity building of different stakeholders including communities, parents, teachers, families, and children. Evidence suggests the best Child Protection initiatives are those at the community level as they are closest to where children are.

Civil Society Organisations, including INGOs and NPAs, can provide technical expertise and services on the ground to compliment government services, implement best practice models and to fill immediate gaps in the protection of children. Developing strong civil society partnerships will support the government to ensure that all children in Laos are protected and an annual coordination meeting co-chaired by CSOs and government focusing on child protection would be a useful tool in developing partnerships and improving cooperation.

### *Children's Participation*

Child protection services should be designed to promote children's wellbeing and protection. Children must be treated as individuals and receive a comprehensive range of services based on their best interests. Children and youth ask that they are given the opportunity to have their voices heard, opinions respected and can participate in decisions affecting their lives, as well as in defining what it is those decisions need to be, as is defined in the UNCRC.

It is critical that child protection mechanisms are developed and implemented to provide opportunities for meaningful participation at the local, national and global level to ensure that development is inclusive of children, young people and the most vulnerable. These voices must be heard to ensure a move towards more equitable development.

### *Rule of Law*

Child Protection interventions require comprehensive information on the priority risks affecting Lao children in order to develop appropriate solutions. Lao Laws are in place that provide protection for children, however, their dissemination and understanding is limited. This is a fundamental challenge underpinning child protection risks in the Lao PDR.

## **Conclusion**

The members of the Child Protection Working Group are ready to play an increasing role in supporting the Government to ensure implementation of the above recommendations and firmly appreciate the opportunity to provide input to the 2013 High Level Round Table.