



## **EXPERT CONSULTATION ON ARMED VIOLENCE IN THE COMMUNITY AND ITS IMPACT ON CHILDREN'S RIGHT TO FREEDOM FROM VIOLENCE**

### ***Building peaceful and inclusive communities for children***

**Tegucigalpa, Honduras**

**6 and 7 July, 2015**

#### **Concept note**

##### **1. Background**

The Special Representative of the United Nations Secretary General on Violence against Children in collaboration with the Government of Honduras, UNICEF are co-organizing an Expert Consultation on armed violence in the community and its impact on children's right to freedom from violence.<sup>1</sup>

The UN Study on Violence against Children stressed that "no community is free of violence. However, the risk of encountering violence, both against as well as by children, is much higher in some communities than in others. In some settings, especially those where weapons are in wide circulation, violence has today assumed frightening proportions".<sup>2</sup> The Study made visible the multiple contributory and interconnected factors which have the effect of heightening risk of violence against children in the community. Likewise, the Study emphasized that prevention based on a holistic and child rights approach is at the core of all violence related interventions.

There are a number of contributing factors to violence against children connected with armed violence in the community associated with organized crime, including lack of a comprehensive prevention strategy that ensures support to families and communities, lack of a clear legislative framework to prohibit violence in all its forms, and to deal with use of arms and prevent organized criminal activities, including relevant cybercrime activities, lack of priority in policy terms, lack of properly qualified professionals, lack of cooperation between country relevant sectors. As emphasized by the UN Study on Violence against Children there are significant steps that must

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<sup>1</sup> A/64/228, para 11 "the concept of armed violence encompasses the spectrum of conflict, post-conflict, crime-related, and interpersonal, including gender-based forms of violence. It has a wider scope than conflict prevention, and includes peacebuilding, development, public health and criminal justice strategies and approaches"

<sup>2</sup> Paulo Sérgio Pinheiro, Independent Expert for the United Nations Secretary General's Study on Violence against Children, World Report on Violence against Children, Geneva, 2006, page 285

be necessary to narrow the governance gap between international human rights standards and practices in the sphere of prevention of and protection of children from violence associated with organized crime.

In the seven years following the UN Study, the Global Survey Report, *Toward a World Free from Violence* conducted by the Special Representative of the UN Secretary General on Violence against Children pinpoints that “the involvement of children in organized criminal activities is a growing concern, not least because they risk double victimization, both within these criminal structures and beyond, particularly at the hands of law enforcement officials.”<sup>3</sup> Besides, armed violence in the community associated with organized crime are one of the main challenges for consolidation of peaceful societies, rule of law, good governance, sustainable development and the protection of the rights of children.

As highlighted by the Special Representative in her 2013 Report to the General Assembly:

“55. Incidents of violence in the community, violence associated with criminal activities and violence occurring in the privacy of the home often become deeply interconnected. They cause fear, insecurity and harm to families, communities and society in general. Children are hard hit, both as victims and as witnesses.

56. Adolescent boys are at high risk of homicide as a result of participation in violence-prone activities, such as street fighting, street crime, gang membership and possession of weapons. For girls, the incidence of inter-partner violence is particularly high, and in many nations, family-related homicide is the major cause of female deaths.

57. Violence associated with gang violence, including extortion, physical violence, homicides and disappearances, dramatically hamper childhood and adolescent development. It compromises access to education and health services, recreation and social support, and is associated with lower levels of school enrolment and retention, and higher levels of poverty. In turn, deprivation aggravates the risk of increased levels of domestic violence and children’s vulnerability.

58. Those belonging to the poorest sectors or coming from regions where gang activity is prevalent end up being stigmatized and perceived as delinquents, with enhanced risk of criminalization, and limited options for protection and genuine reintegration.

59. This situation is at times aggravated by the impact of migration. As highlighted during the Special Representative’s visit to El Salvador, in June 2013, 40 per cent of Salvadoran children live with only one or even without any parent, as a result of migration or abandonment by their family. In many cases, deprivation is the norm at home, with one in every two children living in poverty, and with limited access to social services of quality to prevent and respond to violence.

60. Children from disadvantaged communities are attractive targets for organized criminal activities. Through coercion, social pressure or the promise

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<sup>3</sup> Office of the Special Representative of the Secretary General on Violence against Children, *Toward a World free from Violence, Global Survey on Violence against Children*, New York, 2013, page 17.

of financial reward, they are at risk of being recruited or manipulated to hold or deliver drugs or weapons, to carry out petty crime, to beg on the streets or to become involved in other exploitative activities.

61. Public fear of gang violence and youth crime has generated social pressure for the criminalization of children and adolescents, lower minimum ages of criminal responsibility and longer sentences of imprisonment. This has been accompanied by media stigmatization of children from disadvantaged groups and a culture of tolerance of violence against them. In this process, poor rule of law and weak law enforcement performance, together with public fear of retaliation, lead to sporadic convictions and a deep sense of impunity.<sup>4</sup>

Framed by the mandate of the SRSG on Violence against Children and her work in the follow up to the UN Study on Violence against Children, and in order to advance progress in the prevention of, and responses to violence against children who are affected by armed violence in the community associated with organized crime, the Special Representative of the UN Secretary-General on Violence against Children in cooperation with UNICEF and partners will convene during the second semester of 2014, an **Expert Consultation on armed violence in the community and its impact on children's right to freedom from violence.**<sup>5</sup>

## 2. Objectives of the expert consultation

The Expert Consultation is designed to:

Make visible the interconnections between children's protection from armed violence in the community associated with organized crime, and sustainable development

Highlight States' responsibilities; as well as the role of international development agencies, regional organizations, the corporate sector, civil society actors, and the need to integrate efforts at all levels and with all stakeholders.

Provide an overview of positive developments, promising practices, case/country studies, as well as challenges in addressing armed violence and organized crime, in the light of existing and needed responses, including laws, policies, programmes; information, education and social mobilization initiatives, data and research.

Formulate practical recommendations to accelerate progress in the adoption of effective measures to prevent and protect children from violence within the context of armed violence in the community associated with organized crime.

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<sup>4</sup> A/68/274

<sup>5</sup> The term "armed and community violence associated with organized crime" in this Terms of Reference refers to the analysis of the impact of criminal organized activities in the protection of children's rights, including children involved in organized criminal groups, children witness of armed community violence associated with organized crime and children who live in communities affected by organized criminal activities.

In this framework, the Expert Consultation will address the following thematic areas:

**The phenomenon of armed violence in the community** associated with organized crime and its impact on the protection from violence of children of all ages

The magnitude of the problem, root causes, global and comparative regional trends in armed violence in the community associated with organized crime, including relevant organized cybercrime activities, and its impact on development, good governance and rule of law and children's rights.

The proliferation of small arms and weapons.

**Direct impact of armed violence and organized crime on children's rights:**

The experience of being victims and witness to armed violence in the community and its consequences (forced migration and other violations of children's rights)

The experience of growing up and living in contexts of armed violence and organized crime.

The involvement of children in gang activities.

**Measures to prevent children's engagement and manipulation** in armed violence associated with organized crime, including:

a focus on good parenting programmes to support families and communities to protect children from armed violence in the community associated with organized crime; and

violence prevention and children's protection from violence within the system of juvenile justice, including the promotion of restorative justice programs for children in the light of SRSG VAC relevant reports.<sup>6</sup>

### 3. Participants profile

The Expert Consultation will have approximately 30 participants in addition to the organizers' representatives. Five groups of participants will be invited:

a) International experts; b) High level representatives of the governments of member States and associates from regional organizations, c) United Nations representatives such as UN CASA partners and the Committee on the Rights of the Child, d) academics e) civil society actors

### 4. Venue and date

The Consultation will be hosted by the Government of Honduras in Tegucigalpa. It is a two day consultation that will take place on the 6<sup>th</sup> and 7<sup>th</sup> of July 2015.

<sup>6</sup> A/HRC/21/25 Joint Report of the High Commissioner for Human Rights, the United Nations Office on Drugs and Crime and the Special Representative of the UN Secretary-General on Violence against Children on prevention of and responses to violence against children within the juvenile justice system; [http://srsg.violenceagainstchildren.org/sites/default/files/documents/docs/A-HRC-21\\_25\\_EN.pdf](http://srsg.violenceagainstchildren.org/sites/default/files/documents/docs/A-HRC-21_25_EN.pdf) and "Promoting Restorative Justice for Children" [http://srsg.violenceagainstchildren.org/sites/default/files/publications\\_final/srsgvac\\_restorative\\_justice\\_for\\_children\\_report.pdf](http://srsg.violenceagainstchildren.org/sites/default/files/publications_final/srsgvac_restorative_justice_for_children_report.pdf)

## 5. **Languages:** Spanish and English