



GOOD PRACTICES: ELIMINATING VIOLENCE AGAINST WOMEN AND CHILDREN (EVAWC)

**DOCUMENTATION OF GOOD
PRACTICES IN ASEAN
MEMBER STATES ON THE
ELIMINATION OF VIOLENCE
AGAINST WOMEN AND
CHILDREN (EVAWC)**

**A Project by the Ministry of Women, Family
and Community Development, Malaysia**

**Supported by the ASEAN Commission on the Promotion and
Protection of the Rights of Women and Children (ACWC)**



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**DOCUMENTATION OF GOOD PRACTICES IN ASEAN MEMBER
STATES ON THE ELIMINATION OF VIOLENCE AGAINST
WOMEN AND CHILDREN (EVAWC)**



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FOREWORD

by the Minister of Women, Family and Community Development, Malaysia



Violence against women and children is among the most destructive experiences afflicting women and children. The prevalence of such violence takes an enormous toll on the lives of individual victims as well as the society, through innumerable behavioral, health, psychological, and economic consequences.

Violence against women and children is an important issue that needs the strong commitment of governments. I am pleased to note that ASEAN stands united in its stand of rejecting all forms of violence against women and children. It is evident that ASEAN countries are combating violence against women and children by taking concrete measures such as the enactment of relevant legislation, organisation of programmes to create awareness on violence against women and children as well as setting up of service centres for victims.

Developed as part of a project by the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC), this book aims to provide information on the initiatives taken in ASEAN to address the issue of violence against women and children. It is the culmination of efforts by all ASEAN countries to share best practices on combating violence against women and children. This book serves as a valuable reference material for anyone seeking initiatives on ending violence against women and children in ASEAN.

As with other ASEAN countries, Malaysia remains strongly committed to prevent and eliminate all forms of violence against women and children. We have taken the necessary action to protect the rights of women and children and to ensure their wellbeing through constant improvement of policy framework, legislation, institutional framework and programmes.

Let us all look forward to a brighter future in ASEAN without any form of violence against women and children.

Dato' Sri Rohani Abdul Karim

Minister of Women, Family and Community Development, Malaysia

MESSAGE

from the Secretary General
Ministry of Women, Family and Community Development, Malaysia
and Malaysia's ACWC Representative for Women's Rights



We live in a modern world and yet violence against women and children is still prevalent in many parts of the world, ASEAN included. Violence has long term consequences for women and children as well as social and economic costs for all countries. Children are often at a greater risk of being exposed to and encounter various forms of discrimination and violence, which continue to hinder their full and effective enjoyment of human rights. Measures to combat violence against women and children differ from country to country, and therefore there is much one country can learn from another.

The idea to document the best practices of ASEAN member states on violence against women and children was first mooted at the 4th ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) meeting in Lao PDR in February 2012. The aim was to get each ASEAN country to share best practices on measures to prevent violence against women and children. This publication is the result of the hard work by ACWC Representatives who have gone to great lengths to collect and share information on measures undertaken to combat violence against women and children. Malaysia is proud to have coordinated the publication of this book.

It is my sincere hope that this publication will help policy makers in ASEAN member countries to draw up or fine tune their existing laws and policies or enhance programmes to prevent violence against women and children. The book also serves to pave the way for possible collaboration among ASEAN member states to provide better protection for women and children with regard to the issue of violence against these two vulnerable groups in society.

The effort each ASEAN nation has put into sharing their best practices is a reflection of the willingness to share and learn from one another. I hope ASEAN member states can collaborate on projects such as this one in future.

I wish to thank all my ACWC colleagues who have generously shared their respective countries' approaches and experiences in protecting the rights of women and children. My special thanks go to:

Datin Paduka Hajah Intan bte Haji Mohd Kassim and
Dayang Hajah Mordiah bte Haji Jackia (Brunei Darussalam);

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Mrs. Cao Thi Thanh Thuy and Mr. Dang Hoa Nam (Viet Nam).

Finally, I wish to express my appreciation to Datuk Dr. Chiam Heng Keng, the ACWC Representative for Child Rights (Malaysia) for setting aside her valuable time to edit this compilation.

Dato' Sri Dr. Noorul Ainur Mohd. Nur

Secretary General

Ministry of Women, Family and Community Development, Malaysia
and Malaysia's ACWC Representative for Women's Rights

MESSAGE

from the Secretary General of ASEAN



Seen as obstacles to the achievement of gender equality, development and peace, violence against women and violence against children have been a great concern of the international community, including ASEAN Member States. Such violence impairs the human rights of women and children, limits their access to and control of resources, and impedes the full development of their potentials. I am encouraged that ASEAN Member States, individually and collectively, continue to take all necessary measures to eliminate violence against women and violence against children and to enable women and children to protect themselves, allowing them to reach their highest potentials.

I applaud the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) for initiating the compilation and publication of best practices of ASEAN Member States in eliminating violence against women and violence against children. Showcasing these best practices allows stakeholders to learn from each other effective ways to provide services to fulfill the needs of survivors, to formulate and take appropriate responses to offenders and perpetrators, to understand the nature and causes of violence against women and violence against children, and to change societal attitudes and behaviour.

This publication is a concrete realisation of one of the priority projects under the ACWC's Work Plan 2012-2016. It is the fulfillment of one of the ACWC's purposes to promote the well-being, development, empowerment and participation of women and children in the ASEAN Community building process.

I wish to extend our sincere appreciation to the Ministry of Women, Family and Community Development of Malaysia, as well as to Dato' Sri Dr. Noorul Ainur Mohd. Nur, Malaysia's Representative to the ACWC for women's rights, and Datuk Dr. Chiam Heng Keng, Malaysia's Representative to the ACWC for children's rights, for taking the lead in producing this compilation. Special thanks go to the ACWC Representatives and all those involved in writing comprehensive best practices from their respective countries.

I hope this publication will be a useful reference for policy makers, programme developers, service providers and anyone interested in the efforts of ASEAN Member States for the women and children of our Community.

Le Luong Minh
Secretary General of ASEAN





INTRODUCTION

Along with other ASEAN countries, Brunei Darussalam is committed to preventing Violence Against Women (VAW) and Violence Against Children (VAC).

The Government initiatives are also supported by a number of charitable and welfare non-governmental organisations (NGOs).

In the area of prevention, annual awareness campaigns are initiated to educate and raise the public's awareness on VAW and VAC. Awareness campaigns and training for personnel, in particular front line personnel involved in domestic violence issues, are constantly conducted by government agencies and NGOs. These include medical officers, law enforcement officers, teachers and social workers. Road shows and talks on domestic violence and child abuse are also carried out by relevant agencies throughout the year and also as annual programmes.

Protection for victims is provided through shelter homes run by the Department of Community Development and in recent years NGOs have established these types of services. Government agencies and NGOs provide support services for victims and counselling services for victims as well as for perpetrators.

GOOD PRACTICES

1. Welfare Helpline

Brunei Darussalam places great emphasis on support services to provide for the needs of victims of violence. These include emergency assistance which is considered the most important stage in the victims' requests for help. Emergency assistance must therefore be accessible not only to victims but also to the public in general as the victims may not seek assistance themselves but assistance might begin with the initiative of the caring members of society.

Brunei Darussalam launched a six digit helpline number in 1989 to assist victims of VAW and VAC. This is a free line intended to assist the victims of violence and, at the same time, encourage members of the public to report any acts of violence. The six-digit number was found to be difficult to memorise. In 2006, a simpler new number, which is 141, was introduced. Initially the line was opened from 7.45 am to 4.30 pm from Mondays to Thursdays and on Saturdays. The coverage is nationwide.

In December 2010, the hotline extended its service to 24 hours. The line caters for both VAW and VAC and is operated by the Community Development Department, Ministry of Culture, Youth and Sports. Calls to this number are handled by 20 experienced officers and staff of the Community Development Department who are familiar with the required services. They respond to calls and inquiries from the public on a rotation basis.

The setting up of the *141 Welfare Helpline* provides an avenue for reporting, lodging complaints, airing of grievances and counselling over the telephone.

Since the establishment of the new number, there has been an increase in usage by the public. In 2007, 1,098 calls were recorded but it increased to 1,364 in 2012.

2. Laws and Legislation

Brunei Darussalam has various legislations, including the Penal Code (Cap. 22), the Women and Girls Protection Act (Cap. 120), Islamic Family Law Order 2000, the Married Women Act (Cap. 190) and the Children and Young Persons Order 2006, which criminalise domestic violence.

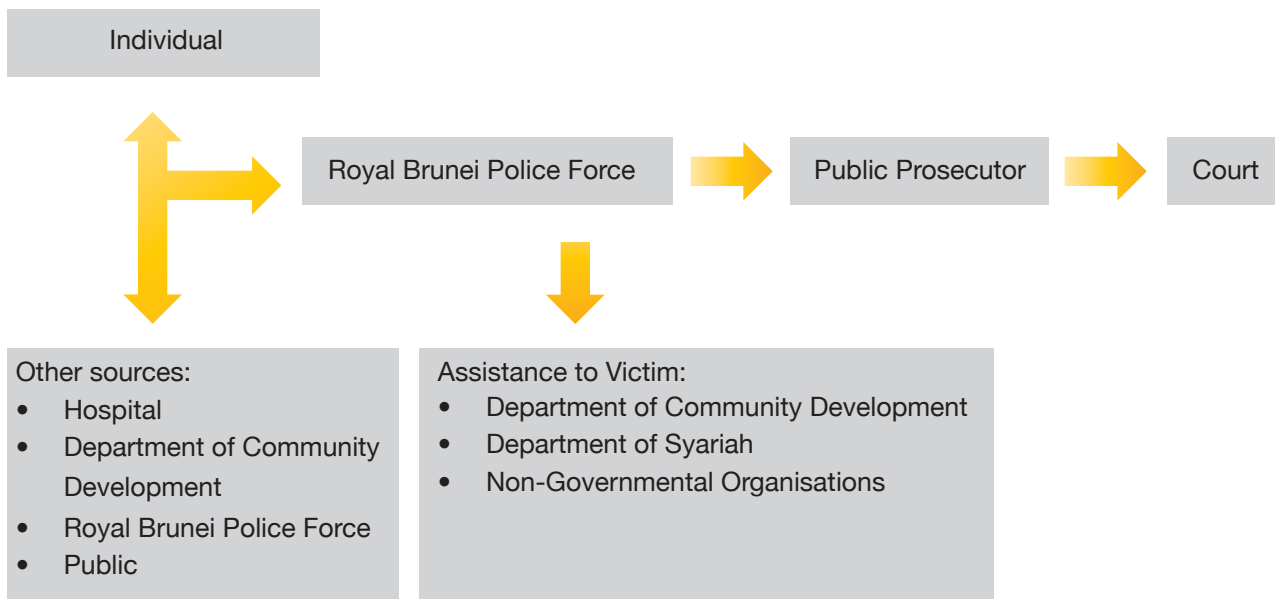
The Islamic Family Law Order 2000 and the Married Women Act (Cap. 190) were amended in 2010 to include provisions on domestic violence. Any woman who is the target of any violence may apply to the Syariah Court for protection order or expedited order against *dharar syarie* or domestic violence.

In Brunei Darussalam, the term *dharar syarie* or domestic violence is defined under the Islamic Family Law Order 2000 and the Married Women Act (Cap 190) as the commission of any of the following acts:

- i. Wilfully or knowingly causing, or attempting to cause a family member to be in fear of hurt;
- ii. Causing hurt to a family member by such act which is known or ought to have been known would result in hurt;
- iii. Compelling the family member by force or threat to engage in any conduct or act from which he has a right to abstain;
- iv. Wrongfully confining or restraining a family member against his will;
- v. Continual harassment with intent to cause distress, annoyance or humiliation, or knowing that it is likely to cause distress, annoyance or humiliation, to a family member; or
- vi. Causing destruction, damage or loss of property to a family member or causing financial loss to a family member.

3. Co-ordinated Efforts by Government Agencies

In order to ensure women and children are protected, government agencies have cooperated in intervening and handling of domestic violence cases. The relevant agencies include the Royal Brunei Police Force, the Department of Community Development, the Ministry of Health, the Ministry of Religious Affairs (Department of Syariah) and the Public Prosecutor's Office. Complaints of domestic violence can be made through any hospital (or at any health centre), police stations or at the Women and Child Abuse Investigation Unit of the Royal Brunei Police Force, the Department of Community Development (*Helpline 141*, walk-in, call to the office or through e-mail). Below is an example of the chain of reporting/action:



The co-ordinated approach allows victims to choose the avenue they are comfortable with, whilst receiving assistance.





INTRODUCTION

Violence Against Women (VAW) takes place within a complex web of attitudes and values about gender roles and social relations and has a serious impact not only on women and girls who experience it, but also on the country's overall social and economic situation.

The Royal Government of Cambodia (RGC) has achieved considerable success in reducing VAW by promoting gender equality and the empowerment of women. Recognising that the causes and factors associated with the use of VAW are multiple, complex and interwoven, the RGC has chosen a multi-faceted strategy to tackle this problem from different perspectives.

To address the serious issue of VAW in Cambodia, the RGC has made reducing it a priority and to be tackled through a very comprehensive system of gender mainstreaming at institutional, policy and programme and project levels. Through the five-year strategic plans, the Ministry of Women's Affairs (MoWA), known as Neary Rattanak II (2004-2008) and Neary Rattanak III (2009-2013), the RGC has promoted cross-sectoral gender responsive national policies and legislation to eliminate VAW. These are also reflected in other national policy documents, including the National Strategic Development Plan (NSDP) (2006-2010) and the NSDP Update (2009-2013), as well as the strategic framework and the Organic Law on Decentralisation and Deconcentration.

Efforts have taken place to increase women's participation in decision-making at all levels to enhance their economic empowerment, to improve the health of women and girls including their nutritional and reproductive health to raise their understanding of HIV/AIDS transmission and means of prevention, and to increase the participation of girls in education, and the participation of adult women in literacy programmes. All these efforts play a role in enhancing women's status and selfworth and therefore reducing the likelihood of them being subjected to acts of violence.

This multi-sectoral strategy of the RGC for the reduction of VAW has resulted in some progress. According to two subsequent Cambodian Demographic and Health Surveys in the years 2000 and 2005, the figure of ever-married women who experienced violence by their husbands dropped slightly from 15.2 percent to 12.8 percent.

In 2005, the MoWA initiated a Baseline Survey on VAW to gather a broad spectrum of data on VAW. The key figures from the 2005 baseline survey were alarming: 64 percent of the Cambodian population knew a husband who physically abused his wife; 22.5 percent of the female respondents had already suffered violence by their husbands at least once in their lifetime; 30 percent of men and 26 percent of women in the same survey said that violent acts by husbands towards their wives - acts that can cause death such as throwing acid, stabbing or shooting - are "sometimes acceptable" and although most women do not agree that "a wife should tolerate beatings to keep the family together", 55 percent of women agreed with at least one reason which provided justification for a husband to beat his wife.

A follow-up study on “Violence against Women” was conducted by the MoWA in 2009 to assess progress in the eradication of violence. Compared with the data of the 2005 Baseline Study, it showed that violence had become less acceptable and less accepted than it had been five years ago. The percentage of Cambodian men who considered it justified to throw objects at women had dropped by 30 percent. The number of men who approved of beatings and the use of chains had dropped by 16 percent. The number of women who approved of such acts decreased by 29 percent. Knives tend to be used less and less as a means for resolving conflicts. Overall, violent behaviour is less and less accepted and less prevalent. This demonstrates a change in values which amongst other things can be attributed to the multi-faceted strategy approach of the RGC.

GOOD PRACTICES

1. Institutional Framework

At the national level, the Ministry of Women’s Affairs (MoWA) was established as a full ministry in 1998. It is the leading component of the National Women’s Machinery (NWM), and as such is authorised by the RGC to promote and protect the rights of women and to prevent VAW. MoWA is entrusted with promoting gender responsive policies and strategies, and supporting the development of related legislation and monitoring its enforcement. At the sub-national level, there are Provincial Departments of Women’s Affairs. MoWA also has officials at the district level.

“Gender Mainstreaming Action Groups” (GMAGs) have been formed in the line ministries of the RGC, replacing former Gender Focal Points. The priority tasks of the GMAGs are to develop Gender Mainstreaming Action Plans (GMAPs) to provide a mechanism for implementing and monitoring gender equality policy commitments made by the RGC like reducing VAW and harmonising the inputs of different donors and stakeholders. The development of GMAPs is one of three gender indicators in the National Strategic Development Plan 2006 - 2010, which stated that all line ministries/institutions should formulate their action plans by 2010. This goal has already been met and 15 ministries now implement their plans. The GMAGs are chaired by officials from decision-making levels (Under Secretaries of State, and Directors General) and include technical officers from each department (males and females). Gender Focal Points have been designated in provincial line departments. There is also a system for the empowerment and protection of women at the sub-national level.

Commune Council Women and Children Committees were established in the country’s 1,633 communes and *sangkats* (urban communes). Consultative Committees on Women and Children were established under the Provincial and District Councils which were created under the Organic Law on Decentralisation and Deconcentration after the elections in 2009.

At the national level, as part of the broader aid effectiveness agenda, a Technical Working Group on Gender (TWG-G) has been set up within the framework of the Cambodian Development Committee (CDC), which is the leading forum for dialogues on women’s development between the RGC and the development partners. The group brings together the government, donors and civil society stakeholders to advocate and monitor progress in gender equality and the empowerment of women, including the reduction of VAW. Gender Focal Points are appointed in several other key Technical Working Groups (TWGs). The TWG-G identifies annually a Joint Monitoring Indicator (JMI) on gender equality, endorsed by the CDC, to provide a powerful mechanism for moving the policy agenda forward.

The JMI on VAW identified by the TWG-G for 2012-13 is: “A follow-up National Action Plan to Prevent Violence Against Women (NAPVAW) has been developed”. This JMI will be multidimensional because it will formulate strategies and expected outcomes in the various forms of VAW (domestic or spousal violence, rape, sexual harassment and trafficking in persons) and various strategies to overcome them: Primary Prevention, Service Delivery to Victims, Legal Protection, Lawmaking as well as Data Collection and Monitoring of VAW.

2. Policies and Strategies

The political platform of the RGC is defined by "The Rectangular Strategy for Growth, Employment, Equity, and Efficiency in Cambodia", which was first formulated in the third legislature (2003-08) and recently reaffirmed, refined and extended in the fourth legislature (2008-13) as the “Rectangular Strategy Phase II”. The Rectangular Strategy makes specific mention of women and gender equality and the target for reducing VAW. The RGC has also expressed its commitment to the achievement of gender equality and the prevention of VAW through its endorsement of international declarations and conventions, which have in turn been mainstreamed into national legislation and policies. In 1992, Cambodia ratified the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and in 1995 the RGC became a signatory to the Beijing Declaration and Platform for Action (BPA) adopted at the Fourth World Conference on Women (FWCW) in Beijing, thus committing itself to taking action on the Critical Areas of Concern and hence also on VAW. In 2005, the RGC also ratified the Protocol Against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention Against Transnational Organized Crime.

In April 2004, the RGC tailored and expanded the Millennium Development Goals (MDGs) to reflect the country’s context. The Cambodian MDGs (CMDGs) include additional four indicators and targets on reducing VAW. They thus call for a significant reduction of every form of VAW and of VAC by 2015. Cambodia is among the first countries in the world to make reducing VAW an indicator in its national development plan. This reflects the country’s growing concern about domestic violence, trafficking in persons and other forms of gender-based violence. The CMDGs are also incorporated into the country’s National Strategic Development Plan (NSDP) for 2006-2010 and the NSDP Update 2009-2013. Reducing VAW is an important aspect of the NSDP. The government’s strategy to reduce VAW by promoting gender equality is set out in MoWA’s Five Year Strategic Plan, called the Neary Rattanak. MoWA has developed its new Five Year Strategic Plan, the Neary Rattanak III (2009-2013), which consists of Key Strategic Areas and a Gender Mainstreaming Programme. One of the strategic areas is the legal protection of women and girls, including combating VAW, domestic violence, gender-based violence, sexual exploitation, human-trafficking and labour exploitation.

In October 2009, MoWA launched the first National Action Plan to Prevent Violence on Women (NAPVW). The NAPVW was a three-year-plan (2009-2012). Its core objective was to promote the participation of relevant institutions, line ministries as well as to encourage the enforcement of laws to prevent and to reduce all forms of VAW.

The first NAPVW expired in early 2012. Facilitated by the MoWA, its achievements were jointly evaluated by representatives of the government and civil society. The high degree of awareness among the Cambodian population had been identified as a main success for the implementation of NAPVW. There is still a high need for the delivery of quality services to victims and survivors of VAW and for the coordination of services by the government.

Therefore, victims' assistance and legal protection will be a key focus of the follow-up of the NAPVAW that MoWA is going to formulate with the support of key development partners like UN Women and in consultation with a large number of state and civil society agencies. The NAPVW stressed the need for a standardised system of data collection from different sources to monitor the frequency and extent of VAW and VAC. In September 2011, a "Baseline Report on Data Collection and Monitoring of VAW was published. The work on developing a gender-responsive statistical system is the joint responsibility of the MoWA and the National Institute of Statistics (NIS). Sex-disaggregated statistics are collected in most areas, and capacity development efforts are underway to support gender-responsive survey and census questionnaires, and to reduce bias in planning, training, analysis and reporting on surveys and census. The Cambodian Socio-economic Household Survey questionnaire was revised in 2009 and it now includes data disaggregated by sex on domestic violence. The Commune Database annually collects key figures on development from all communes and *sangkats*. It also contains the number of complaints on domestic violence made to local authorities. Between 2006 and 2011, the number of such complaints dropped from 42,000 to 30,000. However, these routine administrative data cannot replace proper prevalence studies.

3. Legal Framework

The RGC has made progress towards establishing a system for the legal protection of women from violence in all fields, in particular in the legislation, the justice system and the law enforcement system. The Cambodian Constitution, which entered into force in 1993, is the supreme law of Cambodia. Article 31 of the Constitution recognises and respects human rights as stipulated in the United Nations Charter, the Universal Declaration of Human Rights, the Covenants and Conventions related to Human Rights, Women's Rights and Children's Rights. This commitment has been underlined once again in July 2007 when the Constitutional Council in Cambodia issued a ruling, which makes it clear that all international Conventions like CEDAW or CRC, along with all other international laws ratified by Cambodia, are directly applicable in Cambodian courts. Meanwhile, the Kingdom of Cambodia has adopted appropriate regulations and measures to prevent VAW which include:

- Law on Prevention of Domestic Violence and Protection of Victims, 2005;
- Penal Procedure Code, 2007;
- Civil Code, 2007;
- New Penal Code, 2009;
- Explanatory Notes to the Law on Prevention of Domestic Violence and Protection of Victims, 2007;
- Law on Suppression of Human Trafficking and Sexual Exploitation, 2008; and
- Explanatory Notes to Law on Suppression of Human Trafficking and Sexual Exploitation, 2010.

In this context, the Law on Prevention of Domestic Violence and Protection of Victims (DV Law) is of primary importance. The aim of the DV Law is primarily to prevent violence and to protect the victim through protection orders issued by the court or administrative decisions issued by local authorities in order to prohibit and prevent VAW. Explanatory Notes to the DV Law have been implemented. Training has been continuously conducted for the communes, the police and the military, judges, prosecutors and court clerks as well as other local authorities across the country. The DV Law has been integrated into the curriculum of the Royal Academy of National Police and the Royal Academy of the Judicial Professions of Cambodia.

Information about this law for the general public has been widely disseminated through printed documents, video spots, information campaigns, and public forums at national, provincial and district levels. Training for officials in the capital and in the provinces is ongoing as is provision of services for victims.

A new Penal Code has been promulgated which responds comprehensively to crimes of gender-based violence and includes provisions relating to deliberate violence, violence committed by a spouse or concubine, rape or sexual harassment. The reformed Civil Code allows for compensation of damages consistent with the DV Law and the new Penal Code and establishes the rule that a person can get compensation for infringement of personal rights like the right to life, the right to personal safety, the right to health, freedom etc. The compensation for damages shall cover economic as well as non-economic harm including aspects such as emotional distress.

4. Improvement of Victim Assistance and Legal Protection

Under the Law on Prevention of Domestic Violence, a new body to assist victims of VAW, the Judicial Police Officers (JPOs) of the MoWA, has been established. Currently there are more than 120 JPOs, four in each of the smallest provinces and six in each of the most populated provinces. These JPOs have obtained legal qualification and basic police training. They provide victims of violence paralegal assistance and support. They help victims to find professional legal aid and corresponding social services provided by civil society organisations. In two pilot provinces, Siem Reap and Kampong Thom, NGO services are funded by a national fund established and implemented by the MoWA with the support of a key development partner. In 2011, the MoWA initiated a study on the feasibility of One-Stop Service Centres for survivors of gender-based violence. Based on this study, the RGC has a long-term goal of establishing such centres in public hospitals. As a first necessary step in this direction, the study recommended the enhancement of a comprehensive community-based response to VAW starting at the communal level and comprising all kinds of legal, medical and social services provided by state and civil society agencies. The structure of the Committees on Women and Children on the communal, district and provincial levels shall play a coordinating role in promoting the One-Stop Service Centres.

5. Awareness-Raising Campaigns and Behavioural Change

Strengthening the political will, intensifying efforts towards achieving real gender equality and combating VAW are priorities of the RGC. In this context, a special emphasis has been placed on public awareness campaigns to bring about changes in attitudes. Pursuant to this, the MoWA in collaboration with women's organisations, social partners, research and academic institutions, and relevant Government ministries and departments, has conducted training courses and seminars. It has also launched campaigns, published leaflets, and created fora and conferences at national and sub-national levels.

For the promotion of gender equality, the MoWA developed the Young People's Toolkit (YPT), a training compendium targeting young people between 12 and 25 years of age. The YPT focuses on participatory methods and concepts around gender equality that can help young people to challenge harmful gender norms. MoWA disseminates the YPT by organising capacity development for youth facilitators, trainers and mentors from NGOs and other institutions. Moreover, examples of good practices taken from the YPT have been integrated into 125 lower-secondary schools in six provinces as part of the Life Skills Programme, which is led by the Ministry of Education, Youth and Sports. In addition, the MoWA contributed funds to carry out a gender-analysis of all teacher manuals for the Life Skills Programme.

Acknowledging that social attitudes can only be changed if young people, especially men, are engaged in the process, MoWA primarily targets men and adolescent boys through programmes and projects on gender issues and engages them as "change agents" in the prevention of VAW. In December 2011, MoWA, in cooperation with various NGOs, launched the "Good Men Campaign" in December 2011. The campaign is a nationwide communication initiative targeting 3.5 million men aged 15 to 49 years utilising TV and radio spots, posters, brochures and other materials. The campaign continues in 2013 with various activities for social mobilisation.

6. Further Research

The RGC will continue tracking key emerging trends of violence against women and violence against children. Focus will be on domestic and sexual violence such as rape, particularly of minors within the family and gang rape. The MoWA is committed to undertake research on these topics as a means of developing evidence-based responses. It is poised to lead in the development of a system of data collection and monitoring of gender-based violence and related database, that will combine information from prevalence studies and special surveys, routine administrative data from various line ministries and NGOs as well as from media reports.

In order to measure the achievement of the Cambodian Millennium Development Goal to reduce VAW, MoWA has requested the National Institute on Statistics to integrate a module on VAW into the Cambodian Demographic and Health Survey 2015. Moreover, MoWA supports the plan of key development partners to conduct more accurate studies on the prevalence of VAW by applying the method of the WHO household survey. In addition to that, MoWA cooperates with UNICEF in the implementation of a study on the prevalence of violence against children and young people.



INDONESIA



INTRODUCTION

“Violence” is defined as “all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation and sexual abuse”. Violence against children is one of the major problems in ASEAN. The situation of violence against children in Indonesia is no different from that of other ASEAN countries.

Based on the community information to the National Commission on Child Protection, there were 1,413 cases of violence against children in 2004-2005 while the Social Welfare Department reported 182,400 cases in 2006. To respond to the situation of violence against children in Indonesia, the Indonesian government has undertaken some improvement measures in legislation, administration, programmes and budgeting.

Under legislative measures, the Indonesian government signed the Act Number 23 in 2004 on the elimination of domestic violence. For children, the government ratified the ILO Convention on the Elimination of the Worst Forms of Child Labour through Law Number 1 in 2001, and signed the Act Number 23 in 2002 on child protection that also regulates the elimination of violence against children (VAC). To eliminate VAC in the area of child trafficking and pornography, the government also signed the Law Number 21 in 2007 to end human trafficking and Law Number 44 in 2008 on pornography. Those laws are not only for the prevention of violence against children but they also regulate the handling of cases of violence against children.

Under the administrative measures, the Indonesian government had formed task forces and institutions consisting of government and civil society representatives. The task forces or institutions act as the mandate for those laws. For instance, the Law on the Elimination of Domestic Violence orders the establishment of an institution to protect children and women from all forms of violence. Similarly the Law on End of Human Trafficking mandates of a task force on human trafficking especially of women and children. Generally, the institutions and task forces have functions to prevent children from becoming victims, protect the victims from social prejudice and also ensure justice for victims, rehabilitation and reintegration of victims and coordination among stakeholders.

On programmatic measures, the Indonesian government developed many comprehensive programmes to implement the laws and ensure the end to violence against children. The programme was first formed under the national plan of action either under the Children’s National Programme called PNBAI or National Sectoral Plan of Action such as the National Plan of Action on the Elimination of Human Trafficking and Sexual Exploitation Against Children. In 2010, under the Ministerial Decree Number 2, Indonesia signed the Plan of Action to prevent and handle violence against children. Some programmes on prevention, such as community education to prevent violence against children, training of law enforcers and service providers, child-friendly cities, child-friendly schools and others have begun. There are cases of complaints through child-friendly telephone hotlines, and the handling of cases of violence against children both by the government service provider and social organisations.



Training of peer education facilitators to end violence against children. Participants are child forum members.

Ensuring children participate meaningfully in all the processes of ending violence against children, the Indonesian government also works with children in establishing child forums at national, provincial, district, sub-district and village levels. Child forums consolidate children's viewpoints from all aspects to end violence against children.



Model of a child-friendly school in Sleman District, Yogyakarta.

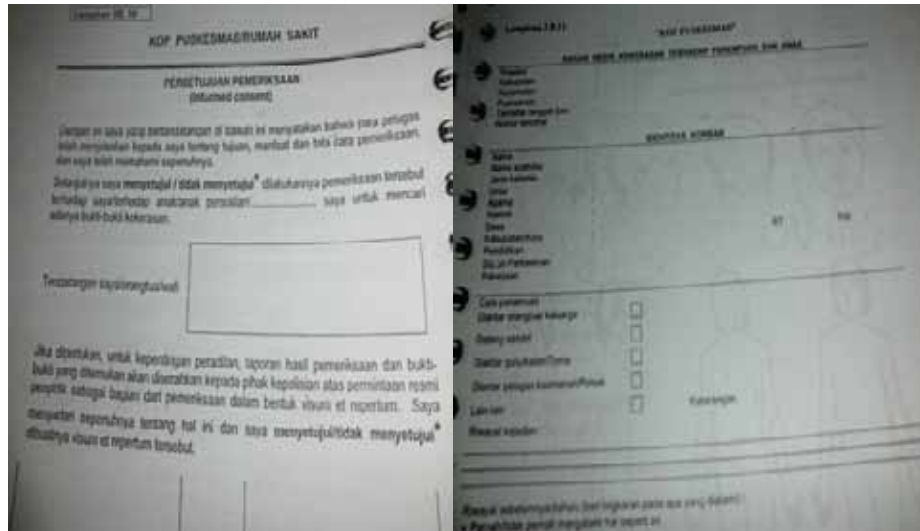
GOOD PRACTICES

1. Minimum Service Standard

Through the mandate of the Act on Elimination of Domestic Violence No. 23/2004, the Indonesian Government signed the minimum service standard for women and child victims of violence through the Ministry of Women's Empowerment and Child Protection Decree No. 1 in 2010. This standard is the measure of the minimum service standard to the victims of violence, especially in the areas of:

- i. Community report and information;
- ii. Health rehabilitation;
- iii. Judicial protection;
- iv. Social rehabilitation;
- v. Repatriation;
- vi. Social reintegration; and
- v. Monitoring and evaluation.

The minimum standard for health service to be provided to victims has been set. For instance, each public health centre or hospital that services a victim has to provide a special room for witnesses and victims. The special room should at least have resource persons such as a doctor, a physiologist and child care assistants. The hospital or public health service centre also has special medical records of the victims of violence against children.



A sample of medical record forms in a hospital for victims of violence against children and women.

2. Integrated Service Centre and Empowerment for Women and Children (P2TP2A)

The ministerial decree also mandates the establishment of Integrated Service Centres and Empowerment for Women and Children (P2TP2A) at provincial and district levels. This unit comprises both the government and civil society. The function of this unit is to promote the prevention of violence against women and children, service the victim from initial contact, judicial protection, health rehabilitation, repatriation and social reintegration as well as to develop the network among stakeholders and act as a referral system.

A P2TP2A at the provincial level has a coordination and capacity building function with all P2TP2As at district levels. The provincial P2TP2A also handles violence cases at cross-districts. P2TP2As at district levels have the function of preventing violence against children and handles cases of violence by coordinating with other service providers at the district level. In practice, a P2TP2A works with the Integrated Service Centre (PPT) at the hospital and the police department in prevention programmes.

A P2TP2A consists of government officers and civil society organisation members who are concerned with issues of children or women. This institution is set up under the Governor Decree or Head of District Decree. The Governor or the Head of District is also the Head Advisor of P2TP2A. A P2TP2A has at least the following structure:

- i. Head Advisor;
- ii. Members of Advisory (consists of heads of government departments/units);
- iii. Chairperson;
- iv. Secretary; and
- v. Service Division, Judicial Protection Division, Networking Division.

However, P2TP2A either at the provincial or at the district level can establish other divisions based on the priority of a province or district. At present, Indonesia already has P2TP2As in all provinces and in 70 percent of all districts.

3. Standard Operational Procedure for Services Rendered to Victims of Violence Against Children and Women

The minimum service standard becomes the basis for the government to develop Standard Operational Procedure (SOP) to serve victims of violence. The SOP provides standard measures that have to be taken to provide service for victims of violence against children and women. It regulates the code of conduct to serve victims and the roles and responsibilities of service providers. The general principles for SOP are based on the principles of human rights, gender equality and the best interest of the child. These three generic principles are elaborated through 12 service principles:

- i. Gender responsive;
- ii. Non-discriminatory;
- iii. Equal relation and respect;
- iv. Privacy;
- v. Safety;
- vi. Respect for individual differences;
- vii. Non-judgment;
- viii. Respect for victim's choice and decision;
- ix. Sensitive to background and situation of victim;
- x. Fast and simple;
- xi. Empathy; and
- xii. Fulfillment of child rights.

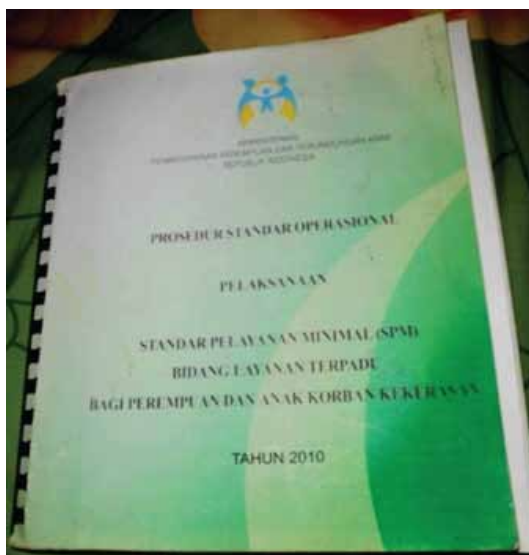
The SOP also regulates the information standard for the victims and their families. For instance, victims and their families should have information related to:

- i. Measures that are able to be taken to address the case;
- ii. Victims' rights; and
- iii. Service providers and places for victims of violence.

The SOP covers the guidelines and the Code of Conduct for:

- i. Complaints and community report;
- ii. Health rehabilitation;
- iii. Social rehabilitation;
- iv. Judicial protection, including prosecution of perpetrator; and
- v. Repatriation and reintegration

In practice, the SOP is used by Integrated Service Centre (PPT), P2TP2A, Integrated Crisis Centre, Women and Children Service Unit (under the Police Department), Children's Social Protection Home (RPSA) and others.



Standard Operational Procedure on handling victims of violence against children and women.

Chart: Handling victims of violence against children

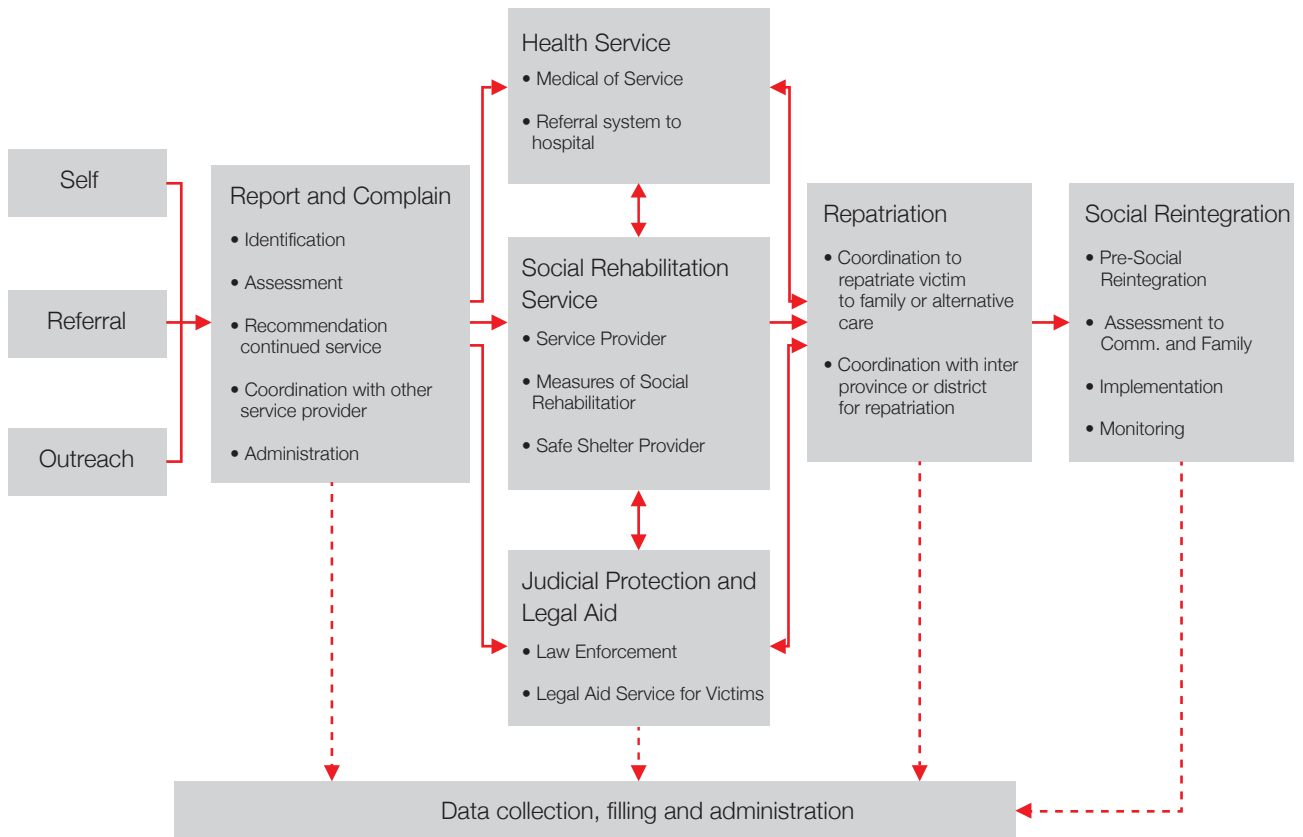
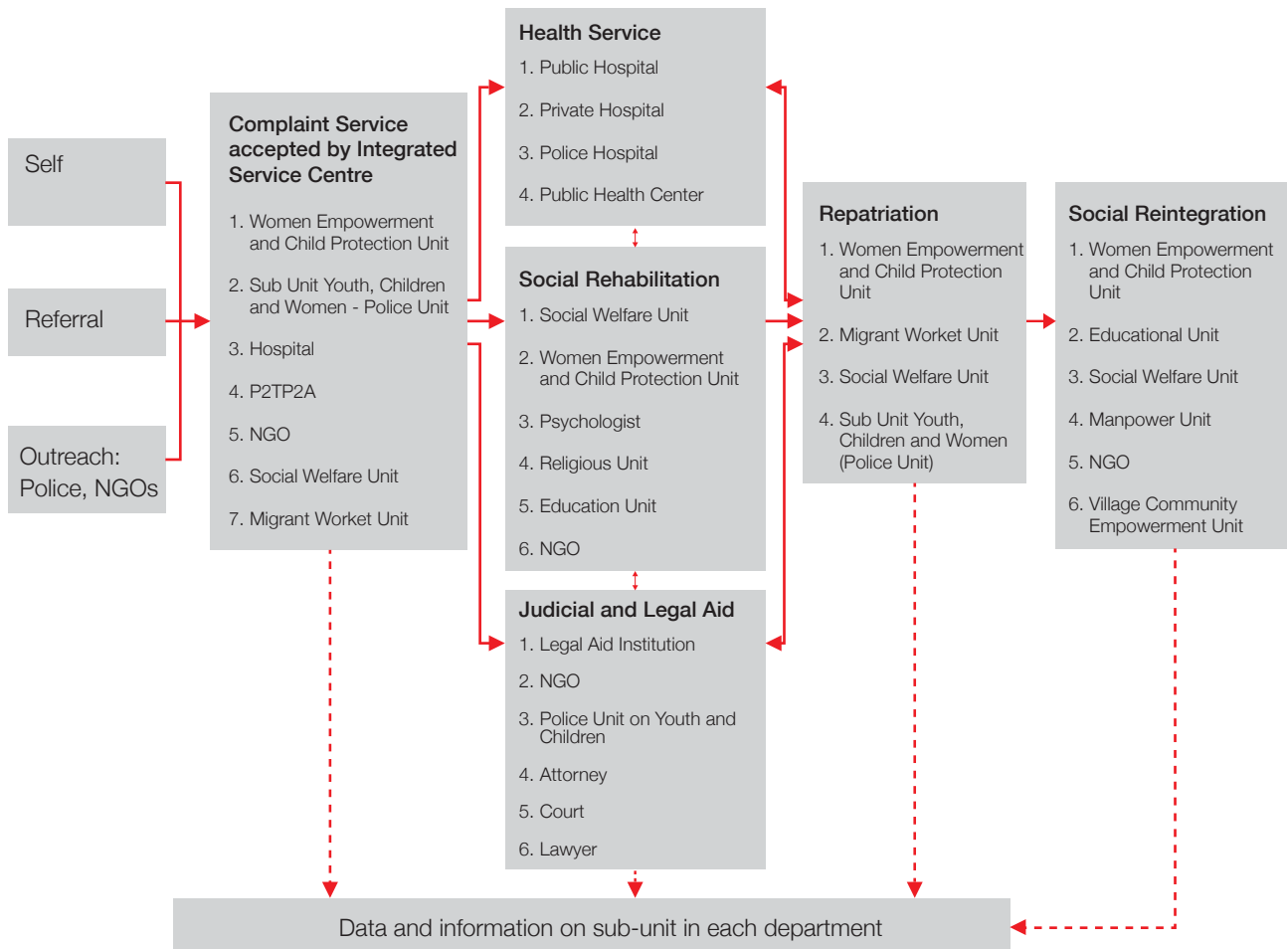


Chart: Duty bearer in each step of service for violence against children



4. National Mechanism and Community-Based Services

Violence against women has been going on long enough and is a serious problem faced by the people and the Government of Indonesia. Generally, violence against women as recorded by various service provider institutions and documented by the National Commission on Violence Against Women is increasing every year.

A study in 2006 by the Centre for Statistics and the Ministry of Women's Empowerment identified 2.27 million women who had experienced violence (even with limitations in the methodology). The highest category was psychological abuse at 65.3 percent and followed by physical abuse at 23.3 percent.

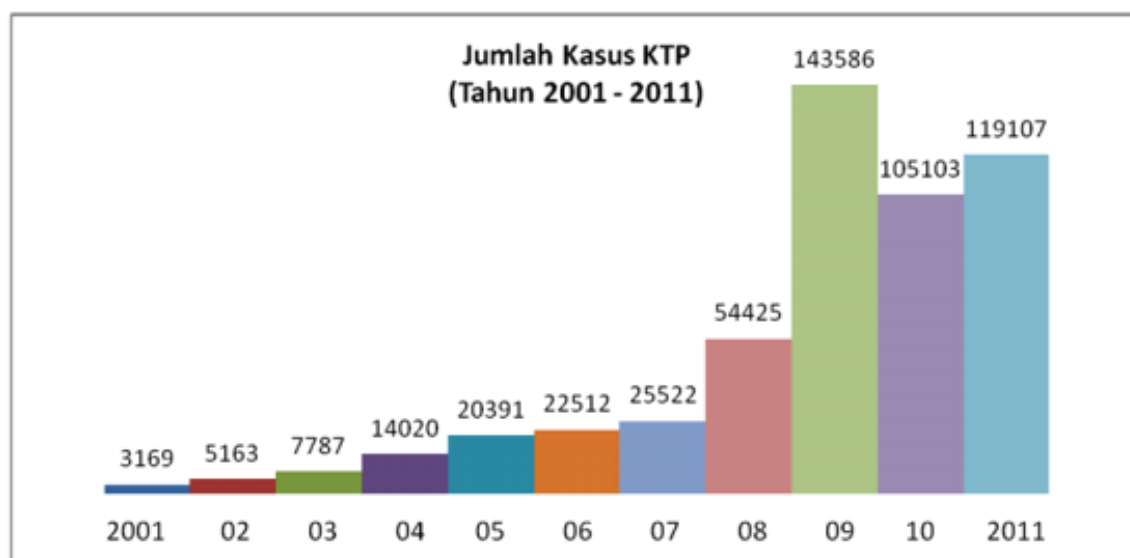
The Annual Report 2011 of the National Commission on Violence against Women [Komnas Perempuan] noted that 119,107 cases of violence against women were handled by service provider agencies. Cases of domestic violence are mostly dealt with by service provider agencies (113,878 cases or 95.61 percent). This implies that, on an average, 311 cases of violence were committed every day. Domestic violence often included women being beaten, tortured, abducted, neglected or abused to the point of death. A total of 5,187 cases (4.35 percent) occurred in the public domain and the remaining 42 cases (0.03 percent) occurred in the domain of the state.

Women between the ages of 25 to 40 years are the most vulnerable to violence, although the data collected showed the ages of the victims to range from 13 to 40 years. It should be emphasised that this number only shows the tip of the iceberg of the problem of violence against women because many women victims are reluctant or cannot report their cases. The number of cases handled in Central Java province was 25,628, followed by East Java (24,555), West Java (17,720) and Jakarta (11,286). These data indicate the quantity and capacity of services available in these areas.

Sexual violence has increased sharply since 2011, particularly in the domestic and the public domain. Of the 113,878 cases in the domestic domain, more than 97 percent (110,468 cases) was violence against wives and 1,405 cases were dating violence. It has been identified that, in the domestic domain, psychological violence (103,691) was the most widely experienced and it was followed by economic neglect (3,222), physical violence (2,790) and sexual violence (1,398). The types of violence against women in the state domain include violence perpetrated by the authorities (31 cases), land acquisition officers (6), public service officers related to citizenship (2), detention (2) and shooting (1).

In the community/public domain, sexual violence was the most prevalent (2,937 cases or 57 percent). There were 1,408 cases of physical violence and 267 cases of psychological violence.

It was also noted that there were about 289 cases of trafficking, 105 cases of violence experienced by migrant workers and 43 at workplaces which were related to employment issues. Sexual violence occurring in the community included obscenity, rape, attempted rape, sexual harassment, abortion, sexual exploitation, prostitution and pornography.



This figure shows the annual number of VAW cases reported by service provider agencies to Komnas Perempuan from 2001-2011.

5. Legal and Policy Framework

Major Indonesian laws and regulations which are available to provide legal protection and prevention of violence against women are as follows:

- i. Law regarding Criminal Code (Penal Code);
- ii. Law No. 7 of Year 1984 regarding Ratification of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW Ratification Law);
- iii. Law No. 39 of Year 1999 regarding human rights (Human Rights Law);
- iv. Law No. 23 of Year 2002 regarding child protection (Child Protection Law);
- v. Law No. 23 of Year 2004 regarding elimination of domestic violence (Domestic Violence Law);
- vi. Law No. 21 of Year 2007 regarding eradication of crime against human trafficking (Human Trafficking Law); and
- vii. Government Regulation No. 4 of Year 2006 regarding Implementation and Cooperation for Recovery of Victims of Domestic Violence.

Indonesia National Plan of Action on the Elimination of VAW 2001-2005 developed by stakeholders.

The Ministry of Women's Empowerment Regulation No. 1 of Year 2007 regarding the Coordination Forum for Cooperation for the Prevention and Recovery of Victims of Domestic Violence. It aims at cooperation between Special Service Units (now called the Women and Children Service Unit) in police stations and Integrated Crisis Units in hospitals. The Ministry has facilitated the establishment of an Integrated Service Centre for the Empowerment of Women and Children (P2TP2A) in provinces and districts. By July 2009, about 17 provincial centres and 12 regional/municipality centres were established.

The Department of Social Affairs developed Safe House and Trauma Centres (RPTC) to help victims of violence in psycho-social recovery. By 2009, this institution had been set up in 22 provinces.

The Department of Social Affairs also established 9 Child Social Protection Homes (RPSA) in early 2009.

The Department of Health's Directorate of Medical Services Management and Directorate of Public Health Management recorded that 75 out of the 342 hospitals (Class A, B and C) had received technical training, 100 out of 1,000 community clinics had received training on procedures for handling cases of violence against children and 480 community clinics received training on prevention and handling of cases of violence against women (50 percent). All the institutions were working together and were able to help each other.

The Chief of Police Regulation No. 10 of 2007 regarding the Organisation and Mechanism for Special Service Units for Women and Children named PPA Unit at police stations. By the end of 2008, about 305 PPA Unit had been established in 32 provinces with staff comprising 115 senior officers and 982 police officers. In providing the services, the PPA Units work together with the local government and women's organisations, as well as with hospitals. PPA Unit staff are specially trained to be gender-sensitive.

The Health Minister Advisory No. 659 mandates the establishment of the Integrated Service Centres at hospitals and victim service centres in Puskesmas. By December 2008, about 20 integrated service centres, known as *Pusat Krisis Terpadu*, had been established in regional public hospitals and 43 centres named *Pusat Pelayanan Terpadu* in regional police hospitals in many provinces in Indonesia.

Regulation of the Minister of Women's Empowerment and Child Protection No. 1 of 2010 on Minimum Service Standard (MSS) for integrated services for women and child victims of violence.

6. Services to Victims and Survivors

Current attempts to bring services to women victims of violence are being carried out in various places in Indonesia - both in large cities and in districts. The idea to provide services to women who had experienced violence began with the gathering of women activists from various women's organisations and observers of women from several universities in Jakarta, Sumatra, Kalimantan and Papua in 1991. These women were representatives of universities based in Jakarta, Sumatra, Kalimantan and Papua. Their roles were as observers of the meeting. A meeting was facilitated by Yayasan Kalyanamitra which then invited all parties concerned with the issue of violence against women to act to help those who were victims. It was an effort to bring the issue of violence against women to the attention of many parties in Indonesia, such as the government, law enforcement officials, civil society, professionals, the private sector, universities etc. Those institutions or parties were targeted to support services for the victims and survivors of violence.

In 1992-1995, services provided by the society to victims of violence began to appear in major cities, namely in Jakarta by Kalyanamitra Foundation (established in 1990) and Mitra Perempuan Women's Crisis Centre (established in 1995) and in Yogyakarta by Rifka Annisa Women's Crisis Center (established in 1993). In the course of time, though the number of women's organisations working to provide services to women victims of violence has increased, there are still many people who do not realise the importance of these services. The reality of violence against women struck many people only when the national tragedy of the sexual assaults and rapes occurred during the riots of May 1998.

The Women's Crisis Centre (WCC) and community services provide shelter and hotlines for women and children. They offer a place to receive complaints and serve the needs of the victims such as counselling, access to medical assistance for recovery, legal aid and reporting to the police. The role of the volunteer is to assist victims. The WCC was legally established under the Domestic Violence Law (2004).

The National Commission for Women's Annual Record 2011 noted information obtained from the 393 service provider agencies for abused women located in 30 provinces including 12 WCC and 45 community organisations. This data could be a record number of services in Indonesia.



An activity of Mitra Perempuan WCC and a publication of service providers.

The Annual Record is an indicator that women victims and survivors in the various provinces or districts require adequate support and assistance. These figures also show that these are the women victims who dared to report and tried to gain support from agencies that provide services to them in their respective areas.

This is merely the tip of the iceberg. There are still many women victims who cannot afford or do not dare to reveal their experience even once, let alone access service provider agencies. Thus, the accessibility of the service provider agencies is a determining factor for women victims to make a report or to seek help.

Service provider agencies too face a number of obstacles such as human resources, funds, support from the local community and the support of the government (local and central). In 2011, a number of service provider agencies went out of business because it was no longer easy to get financial support. Services provided to victims are not profitable and they are often voluntary service rendered free of charge. Central and local governments have also eliminated or reduced funding to service agencies.

In addition, funds that had been allocated to service agencies for women victims of violence were reduced or diverted to other agencies. Women victims of violence (in the home or elsewhere) are still regarded by the community as the guilty party or as 'tempting' perpetrators of the violence through their clothes and so on.

The capacity of service provider agencies to handle cases of violence is viewed from the aspect of availability of human resources, facilities, as well as other supporting facilities.

With regard to the availability of personnel in dealing with cases of violence, Komnas Perempuan reported in 2011 that several institutions have partnered with service providers to provide trained counselors (260), judges or prosecutors who are gender sensitive (499), specialised personnel to handle data record and database at each institution (147). In particular, the High Courts, State Courts and religious institutions have provided specialised personnel to update the data every month. They provide access to information/data through websites that the state courts have developed. Supporting facilities, such as fax machines, phone lines, computers and printers are also made available. Some agencies provide information about the availability of transport and the allocation of funds for the handling of cases of violence.

In addition, the service provider's partner institutions such as Komnas Perempuan and civil society organisations (CSOs) have developed a referral system and institutional cooperation, through a covenant or a Memorandum of Understanding (MoU). Formal cooperation is needed for most CSOs to be able to access facilities in institutions, in particular hospitals, the police and the courts. The MoU clarifies the roles and coordination functions of each government institution such as Integrated Service Centre in public hospitals and victim service centres in Community Health Service or Puskesmas (in central, provinces, city or district levels), trauma centres and safe house under the Social Affairs Department, Special Unit PPA at police stations, court and the Attorney General's Office and Integrated Service Center for the Empowerment of Women and Children (P2TP2A) at provincial and district levels. Therefore, the victims, assisted by CSOs such as the Legal Aid Institution or Women's Crisis Center can use the MoU as a guideline to ask for their rights from service provider institutions. An example that is often quoted is that CSOs can use female victims of violence to obtain the autopsy report from the hospital and depending on the severity of the case, it can be forwarded for further investigation by the police.

However, not all service provider agencies have a MoU and even if there is, there are complaints that the MoU has not been properly implemented. Therefore, CSOs consider it necessary to sign MoU with various parties separately. It is possible for a CSO in certain areas to have MoUs with two or more institutions. In areas where integrated services have not been implemented, the WCC or legal aid institution developed networking to provide referral services to the victims of violence. For the purposes of handling cases of violence against women, many agencies also develop service provider partners for referral that includes advocacy, hearings, network partnerships, coordination, referral institutions handling cases of VAW and shelter/safe house for victims.

7. National Commission on Violence Against Women

The Indonesian National Commission on Violence against Women, known as *Komnas Perempuan*, is an independent national institution that promotes women's human rights in Indonesia. The Commission was established by the Presidential Decree No. 181 of 1998 on 15 October 1998. In response to the organisational development within the *Komnas Perempuan*, the Presidential Decree No. 65 and 66 were signed in 2005, which superseded the former decree. The *Komnas Perempuan* was established in response to the demands of the civil society (especially women) for the State to take the responsibility of handling cases of violence against women. This demand was subsequent to the mass rape and other forms of sexual attacks against Chinese women during the May 1998 riots occurring in Jakarta and several other large cities in Indonesia.

The *Komnas Perempuan*'s framework was developed based on the 1945 Constitution of the Republic of Indonesia, Law No 7/1984 on the Ratification of the International Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Law No 5/1998 on the Ratification of the International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the International Declaration on the Elimination of Violence against Women and other human rights policies.

Based on the Presidential Decree No. 65/2005, the aims of *Komnas Perempuan* are:

- i. to build a conducive environment for the elimination of all forms of violence against women and the fulfillment of women's rights in indonesia; and
- ii. to increase efforts to prevent all forms of violence against women and to increase the protection of women's rights.

The mandates of *Komnas Perempuan* are:

- i. to increase awareness of all forms of violence against women, the elimination of all forms of violence against women and prevention efforts;
- ii. to conduct research on all rules, laws and international instruments relevant to the protection of women's rights;

- iii. to monitor (including fact finding and documentation of violence against women and violation of women’s rights), disseminate the results of the monitoring activities to the general public and take action for the accountability and handling of cases of violence against women;
- iv. to provide recommendations to the government, legislative and judicial bodies, and civil organisations to support laws and policies that strengthen the prevention and elimination of all forms of violence against women, and the protection of women’s rights; and
- v. to build regional and international partnerships in order to increase prevention efforts, the elimination of all forms of violence against women and the protection and fulfillment of women’s rights.

Its mandate enables the *Komnas Perempuan* to play the role of observer and rapporteur for gender-based violations of human rights and for the fulfillment of women’s human rights; resource centre for women’s human rights; initiator of policy formulation and reforms; negotiator and mediator between the government, victims and women’s human rights defenders and highlighting the interests of the victims; facilitator for the development of local, national and international networks to prevent violence against women and to build their capacity in eliminating all forms of violence against women.

The beneficiaries of the *Komnas Perempuan*’s activities include women victims of violence, women who are vulnerable to violence, women human rights defenders, Women’s Crisis Centres and the State, through the availability of input for strategic steps to carry out its responsibility to fulfill human rights as mandated by the Constitution and its commitment to the international community.

8. Principal Achievements

Komnas Perempuan has initiated the building of a knowledge base on VAW through:

- i. publications including “Peta Kekerasan Terhadap Perempuan” (A Map of VAW) and “Kita Bersikap: Empat Dasawarsa Kekerasan Terhadap Perempuan di Indonesia” (Our Stand: Four Decades of VAW in Indonesia);
- ii. monitoring reports of the state regarding the fulfillment of human rights for survivors of violence against women and other gender-based human rights violations within various contexts such as the May 1998 Tragedy, Aceh, Poso; the 1965 Tragedy, Buyat, Manggarai; the detention of migrant workers; attacks on the *Ahmadiyah* religious minority; and policies based on morality and religiosity; and
- iii. publication of key documents of the state, documents from international human rights mechanisms, and the Annual Notes on VAW.

The merging of “Integrated Services” with “Community-based Services” for survivors of violence against women within the implementation of the State’s responsibility for the rights of survivors.

The concept conceived through collaboration with community-based service groups has contributed to the establishment of various policies for better handling of VAW and institutional set-ups, both local and national, including the Protection of Women and Children Unit within the Police Force, the Integrated Crisis Centres in many hospitals, and the coordination centres for handling cases of violence against women and children.

The availability of legal frameworks for the fulfillment of survivors' rights, including the Elimination of Domestic Violence Act, the Witness Protection Act, the Act Against Human Trafficking and the inclusion of efforts to address discriminatory regulations in the National Middle Term Development Plan of 2010-2014.

The availability of recommendations and consideration for the executive, legislature, judiciary and general public from the perspective of gender justice and the fulfillment of citizen's constitutional rights on the prevention and handling of VAW cases. In addition to monitoring reports, the recommendations are submitted in the form of policy input for laws such as the Aceh Government Act, the Disaster Management Act, the Truth and Reconciliation Commission Act, and the *Komnas Perempuan's* proposals to the Judicial Review of the Anti-Pornography and Religious Defamation Acts. *Komnas Perempuan* encourages the development of a theological basis for justice for woman survivors of violence. This initiative is supported by four religious institutions, namely *Muhammadiyah*, *Nadhatul Ulama*, *Persekutuan Gereja Indonesia* and *Konferensi Wali Gereja Indonesia*.

Komnas Perempuan makes tools available to widen public understanding and encourage public participation in the fight to eliminate VAW. Instruments for monitoring gender-based human rights violations; training modules on human rights with gender justice perspectives and gender-based crimes against humanity; methods for handling cases of domestic violence by religious courts; the fulfillment of constitutional rights for women citizens and other references developed by *Komnas Perempuan* have been often used by other institutions to develop their own capacity.

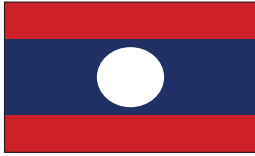
Komnas Perempuan has initiated the *Pundi Perempuan* as an initiative to promote the sustainability of public funds to support existing groups which provide services to victims of VAW.

Komnas Perempuan has achieved national and international recognition as a human rights mechanism. This recognition was conveyed by many including President Susilo Bambang Yudhoyono on 30 November 2009 during the tenth anniversary of *Komnas Perempuan*, the UN Special Rapporteur on Torture, the UN Special Representative for Human Right Defenders, and in the findings of independent evaluators. *Komnas Perempuan* is referred to by other countries such as Nepal in developing special national mechanisms for the fulfillment of women's human rights. In responding to *Komnas Perempuan's* report on the condition of women survivors of sexual assaults during the May 1998 Tragedy, 10 years after the incident, a Chinese woman said, "Thanks to *Komnas Perempuan* for continually carrying the voice of the survivors of the May 1998 Tragedy. So far, we ethnic Chinese women have been largely silenced."

Today we have found that Komnas Perempuan is our home, where we can fight for justice for women survivors of violence.” (A human rights defender from Maluku during *Komnas Perempuan’s* National Consultative Forum, 2009).

STOP VIOLENCE AGAINST WOMEN





INTRODUCTION

Violence Against Women (VAW) and Violence Against Children (VAC), which occurs within a family, is a social problem. It has occurred in human society for centuries and continues to occur. VAW can happen at any time, at any place or in any social stratum.

Acts of violence have negative consequences on individuals, families, the society and the country as a whole. Unfortunately, the majority of people do not accept VAW as a problem. They seem to perceive VAW as an ordinary matter. Even women believe that VAW is a personal matter which should not be revealed in public.

VAW and VAC is a violation of human rights, particularly the rights of women and children. As with many countries of the world, the Government of Lao PDR recognises and pays special attention to the 1948 Declaration of Human Rights which ensures fundamental freedom and human rights including economic, social, cultural, civil and political rights. At present, Lao PDR is a party to seven core International Human Rights Treaties which are the International Covenant on the Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (which was signed on 17 July 1980 and ratified on 14 August 1981), the Convention Against Torture and Other Cruel or Degrading Treatment, the Convention on the Rights of People with Disabilities, the International Convention on the Elimination of All Form of Racial Discrimination. All these treaties contain significant provisions that promote and protect the rights of women and children to prevent them from being victims of violence.

The Government of Lao PDR has always attached importance to the role of women and children by promoting the cause of Lao women of all ethnicities. Protection of the rights and moral interests of women and children, as well as freedom from violence and exploitation, is reflected in the policies, constitution and laws of Lao PDR.

The Government of Lao PDR organises a national campaign every year in conjunction with the International Day for the Elimination of Violence Against Women, with the aim of promoting public awareness on the prevention of violence against women and children, the provision of assistance to victims and the prosecution of those who commit violence against women and children.

The Government also urges organisations, mass media organisations, state enterprises and the private business community, both domestic and foreign, and the people of Lao to address stereotypes and misperceptions of gender roles and discrimination against women. Its aim is to ensure capacity building among officials and civil servants in the areas related to the prevention and response to violence against women at central and local levels.

GOOD PRACTICES

1. Legal Framework

The Constitution of Lao PDR states that “citizens of both genders enjoy equal rights in the political, economic, cultural and social fields and in family affairs”. Gender equality is also emphasised in other national laws, such as the Family Law, the Labor Law, the Law on Education, the Penal Law, the Land Law and the Law on the Development and Protection of Women. The Law on the Development and Protection of Women clearly stipulates that women and men have equal rights in every aspect. Combating violence against women and children in the family has also been included in Chapter IV of this Law.

The Law on the Development and Protection of Women was enacted by the National Assembly on 22 October 2004 and promulgated by the Presidential Decree on 15 November 2004. Its implementing decree was issued by the Prime Minister on 6 February 2006. In Chapter 2, Part IV, Articles 29-38 of the Law on the Development and Protection of Women and Chapter 5, Articles 38-48 of the promulgating decree, VAW and VAC in the family have been defined as “an act or an omission committed by someone in the family which causes direct or indirect damage to physical integrity, mentality or properties of women and children in the family.”

2. Institutional Framework

The Government of Lao PDR has assigned the Lao Women's Union (LWU), the National Commission for the Advancement of Women (NCAW) and the Women Parliamentarian's Caucus, to be responsible for the promotion and protection of the rights of women and children. LWU is a mass organisation. LWU pays special attention to its roles of mobilising and uniting Lao women to be actively involved in the national protection and development process as well as in protecting the rights and interests of the Lao multi-ethnic women and children. Providing protection to women and children from domestic violence and giving assistance to them are among its significant roles.

3. Assistance and Rehabilitation for Victims

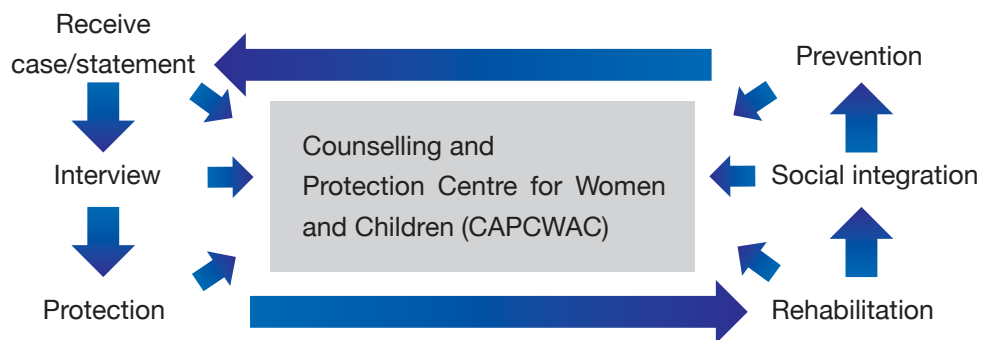
From 1997 to 2002, LWU set up the Counseling Office for women and children who had problems in their families. The number of women and children, including victims of domestic violence, human trafficking and rape, who seek counselling services, has been increasing significantly. Many of them who faced serious problems and could not live with their families any more also sought safe shelters. However, at that time only counselling services were available.

Due to this urgent need, on 12 January 2006, the LWU decided to officially establish the first ever Counselling and Protection Centre for Women and Children (CAPCWAC) which could additionally provide temporary shelter for those who needed it. Its main roles include:

- i. Providing assistance on legal, psychological and health counselling for women and child victims of domestic and public violence through face-to-face communication or via telephone by providing a hotline number, 1362;

- ii. Receiving reports of cases, statements, complaints of women and children who encountered/experienced problems such as human trafficking, domestic violence or rape;
- iii. Mediating problems related to the rights and benefits of women and children;
- iv. Assisting/representing women and children who are victims or have their rights violated in the judicial process without charge;
- v. Providing 5 fundamental types of assistance to victims:
 - Safe shelter assistance;
 - Legal assistance;
 - Medical assistance;
 - Vocational training and educational assistance; and
 - Repatriation assistance.
- vi. Coordinating with related organisations to collect information and solve victims' problems according to their roles and responsibilities; and
- vii. Providing useful evidence for case procedures.

4. Victim Assistance Procedures



Objectives

- i. To rehabilitate victims psychologically and provide legal assistance as well as vocational training for women and child victims who have problems and vulnerable women (risk groups) before sending them back to their families and the society; and
- ii. To provide assistance to women and children who have problems accessing the comprehensive services.

Target Groups

- i. Women and children whose rights have been violated; and
- ii. Women and child victims of domestic violence, human trafficking and rape.

Multidisciplinary team and victim referral:

- i. The people's prosecutor;
- ii. The police;
- iii. The People's Court;
- iv. Justice systems (at central, provincial and district levels);
- v. Hospitals;
- vi. Central and local authorities;
- vii. Lao Women's Union (at central, provincial and district levels);
- viii. Parents or caregivers;
- ix. Schools;
- x. Labour and Social Welfare Ministry; and
- xi. Civil society organisations.

5. Statistics on Counselling and Protection Services Provided for Victims

i. Counselling services

Since its official opening, the Counselling and Protection Centre for Women and Children (CAPCWAC) has provided two types of counselling: face-to-face communication at the centre and through telephone. From January 2006 to February 2013, the Centre had counselled 40,840 people, of which 30,313 were women while 10,527 were men. Of those who sought counselling, 13,902 were below 18 years of age. The counselling sessions totalled 69,909, with 17,891 face-to-face sessions and 51,918 via telephone.

Some of the social problems include quarrels in the family (mainly between a husband and a wife and between parents and children), conflicts among youths, physical assault, child rape, child sexual harassment, human trafficking, love problems, conjugal property disputes, child custody, land ownership disputes, divorce cases, responsibilities after divorce, dropping out of school, distribution of pornographic material, sexual health, sexually transmitted diseases (STD), pre-marital sex, violation of engagement contract, marriage with foreigners, accidents and poverty.

ii. Victim protection

The CAPCWAC also provides safe shelters as well as rehabilitation of victims of domestic violence, human trafficking and child rape, which are all forms of VAWC. From May 2006 to February 2013, 271 victims came to the centre. Out of this, 254 were women and 183 were under 18 years of age. The 271 victims comprised 137 victims of domestic violence, 99 victims of human trafficking, 12 were below 18 years old. There were 15 victims of rape and all of them were girls under 18 years of age.

In order to protect the rights of women and children, particularly to protect women and children from violence, the LWU extends its counselling and protection networks to provinces, districts and villages. Presently, the counselling services and protection networks are available in 10 provinces, 50 districts and 47 villages and these are in Vientiane Capital, Oudomxai, Luang Prabang, Vientiane, Bolikhamxai, Khammoun, Savannaket, Champasak, Xiengkhoung and Borkeo Province. In addition, 1,599 multidisciplinary team/people, comprising 701 women and 898 men have been trained to provide protection and assistance for victims. In addition, 2,865 people, 1,441 women and 1,424 men were trained on provisions of the Law on the Development and Protection of Women, laws and the international convention related to the rights of women and children and benefits for women and children.

iii. Activities implemented

In order to take up its roles in protecting and preventing VAWC, the CAPCWAC also organises a number of awareness-raising activities. For instance, every year on International Women's Day on 25 November, awareness is created through the mass media, publications, mini marathon, role play, question-and-answer sessions for the youths on legal knowledge and international conventions related to the protection of the legitimate rights and benefits of women and children.

The CAPCWAC also conducts training programmes, workshops, lectures and technical meetings related to the protection of the rights of women, the Constitution, laws and international conventions related to women and children for government staff, law enforcement officers, LWU as well as Lao people in general at the central and local levels.

iv. Challenges

- The number of CAPCWAC personnel who have knowledge and skills in terms of victim protection and assistance is still limited;
- The number of centres that can provide rehabilitation and care for women and children who are victims of violence is limited. There is no place for long-term support or places to transfer victims to provide assistance in a comprehensive manner;
- Limited available budget for rehabilitating, conducting vocational training and supporting education;
- Limited work opportunities for rehabilitated victims;
- No funds to support victims to start a new life after re-integration into society and family;

- Available budget allocated for the counselling and protection of women and children is limited;
- Society's insufficient awareness of VAWC; and
- Coordination and cooperation among organisations in terms of providing assistance to victims is not good enough.

v. The way forward

- Continue implementation of the government's policies and enforcement of legislation related to the development and protection of the rights of women;
- Pay special attention to awareness-raising campaigns, and educating target groups about government policies, the Constitution and laws, particularly the Law on the Development and Protection of Women, disseminating information about international conventions regarding the promotion and protection of the rights of women and children as well as gender equality;
- Continue cooperation with international organisations and donors (technical and financial assistance) for the development and protection of victims of VAWC;
- Improve and expand counselling and protection networks to allow women and children access to the justice process and the assistance needed;
- Build the capacity of staff who provide assistance and protection for victims; and
- Improve coordination among organisations concerned with the protection of the legitimate rights of women and children.

vi. Contact details for further information

The Counselling and Protection Centre for Women and Children (CAPCWAC),
Nonsengchanh Village, Saythany District, Vientiane Capital

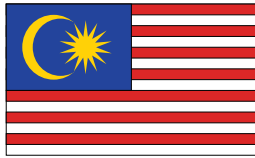
Tel/Fax: (856-21) 771302/771471

Hotline: 1362

E-mail: laocapcwac@yahoo.com; thoummaly2010@hotmail.com



STOP
women abuse!



INTRODUCTION

Malaysia is a multiracial country comprising 29.71 million people in 2013.

With the size of the female population increasing from 11.5 million in 2000 to 14.4 million or 48.6 percent of the population in 2013, the Government of Malaysia is committed to providing women with an enabling environment to fully develop their potential. Thus, efforts have been focused on increasing the well-being of women in order to facilitate their active participation in social and economic activities.

As the Government is cognisant of the fact that violence against women (VAW) is a global issue affecting women from all walks of life, the following measures have been taken:

- i. the accession to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) on 5 July 1995;
- ii. the enactment of the Anti-Trafficking in Persons Act 2007 (ATIP 2007) which came into force on 28 February 2008. In 2010, the Act was amended and it is now cited as Anti-Trafficking in Persons and Smuggling of Migrants Act (ATIPSOM) 2007 [Act 670]. A new component of smuggling of migrant offences has been added and the definition for trafficking in persons has been broadened to include labour exploitation;
- iii. the accession to the Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children on 28 March 2009;
- iv. the issuance of Guidelines in Handling Sexual Harassment in the Workplace in the Public Service in 2005;
- v. the amendment of the Employment Act 1955 with key improvements by introducing sexual harassment-specific criminal offences in the workplace, aiming for the protection of women. The amendments have been enforced with effect beginning 1 April 2012; and
- vi. the formulation of the National Policy on Women and the Plan of Action on the Advancement of Women in 1989 and 1997 respectively. In 2009, the policy and the plan of action were reviewed and approved by the Government.

In 2013, 33.3 percent of the Malaysian population or 9.9 million are children. To fulfil its obligation under the Convention on the Rights of the Child (CRC), Malaysia enacted the Child Act 2001. The Child Act 2001 provides care, protection and rehabilitation to children. Malaysia is also committed to safeguarding children through stable family institutions and support mechanisms as the advancement of the present generation will result in a more confident, responsible and caring future generation.

Therefore, Malaysia has embarked on a reform process to strengthen the family institution and facilitate early childhood development. Guiding this reform processes are the National Policy on Children and the National Policy on Child Protection as well as the National Family Policy and its plan of action.

GOOD PRACTICES

1. Prevention

The World Health Organisation (WHO) recommends that the prevention of violence against women and children be considered a high priority for national health, social and legal aspects of both industrialised and developing countries. The Government of Malaysia has pledged its full support to this recommendation by taking preventive measures against all types of violence against women and children (VAWC). These measures include:

i. Legal Literacy Seminars

The Department of Women Development, Ministry of Women, Family and Community Development organises legal literacy seminars throughout the country, coordinated by all of its 15 state offices. This seminar aims to provide knowledge and awareness to the community, especially women, on their rights in cases related to marital problems, divorce, alimony, sexual harassment, rape, exploitation by drug trafficking syndicates and fraud by job agencies.

ii. Violence Against Women Programmes / Seminars

Programmes and seminars to eradicate violence against women are conducted by the Department of Women Development, Ministry of Women, Family and Community Development at all 222 parliamentary constituencies in the country. These programmes / seminars are organised through smart partnerships with other government departments, private sector as well as NGOs in addressing all forms of violence against women.

iii. Emotion Management Programme

Emotion management programmes are organised by the Department of Women Development, Ministry of Women, Family and Community Development to address issues related to violence in the family. These programmes, employ family counselling approach to provide the humanistic aspect on basic counselling skills, family management psychology and effective emotion management techniques.

iv. Pre-marriage SMARTSTART Courses

The National Population and Family Development Board, Ministry of Women, Family and Community Development has developed the SMARTSTART module to provide newly-wed couples (less than five years of marriage) and those who intend to get married with knowledge and skills on various aspects of marriage and parenting in order to support them psychologically and prepare them for a harmonious marriage life.

v. Parenting@Work

The National Population and Family Development Board, Ministry of Women, Family and Community Development organises Parenting@Work courses in the workplace, designed to help dual career families cope with the multiple demands of work and family life. Through this course, participants are provided with knowledge, skills and tips in facing contemporary family challenges.

vi. Special Coach For Women

This initiative by the private sector namely KTM Berhad provides designated coach for female commuters. This will ensure a safe way of commuting for women to eradicate sexual harassment while commuting in a public transportation.

vii. The Communication and Multimedia Act 1998

Section 211 (Prohibition on provision of offensive content) and Section 233 (Improper use of network facilities or network services) of the Communication and Multimedia Act 1998 provide fine and imprisonment or both for the providers or users of online applications which are indecent, obscene, false, menacing or offensive with the intent to harass, and to threaten or harass any person. These sections also provide fine and imprisonment or both on procuring or offering of a person including children for the production of pornography or for pornographic performances.

2. National-Level Campaigns

Type of VAWC addressed

All forms of VAWC

Approach and major goals

In conjunction with the International Day to Fight Violence Against Women, a national campaign is held every year. The aim of this campaign is to raise awareness among Malaysians on the importance of rejecting all forms of VAW.

Activities undertaken/how the project works

The campaign acts as a platform to not only educate and raise the public's awareness on VAW, but to also encourage the participation of corporate bodies in the fight to end VAW. Making full use of the media attention, the campaign launches two initiatives each year to address pressing issues concerning VAW. In 2010, the Youth Orbit Club was launched with the aim of encouraging peer-to-peer approach among youths in Malaysia to spread a positive circle of influence in fighting VAW. In 2011, the Ministry of Women, Family and Community Development (MWFCD) launched the Special Taxi for Women to curb untoward incidents towards female taxi passengers.

These taxis are specially marked and driven by female drivers and positioned at strategic places around city centres. In 2012, a Campaign, “Walk the Talk from Perlis to Sabah, Stop Violence Against Women” was conducted in collaboration with an NGO, Soroptimist. Meanwhile in 2013, a nationwide campaign to stop violence against women was implemented from 10 October 2013 through 10 December 2013.

Geographic focus

Nationwide

Materials, products, outcomes

- The 2010 event was attended by 800 guests and resulted in the launch of Youth Orbit Club, Circle of Influence.
- The 2011 event was attended by 1,000 people and resulted in the launch of the Special Taxi Service.
- The 2012 event was attended by 500 people and the theme was “Sambutlah Tanganku.” The 2013 event was attended by 2,000 people.

Funding information

The Government of Malaysia forges smart partnerships with various corporate bodies.

Implementing organisation

Department of Women Development under the Ministry of Women, Family and Community Development, Malaysia

Contact details for further information

Department of Women Development
 Level 23-25, No. 55, Persiaran Perdana
 Precinct 4, 62100 Putrajaya
 Tel: +6(03) 8323 1523
 Fax: +6(03) 8323 2131
 E-mail: info@kpwkm.gov.my



Launch of the 2012 International Women's Day on VAW by the wife of the Prime Minister of Malaysia, Datin Paduka Seri Rosmah Mansor on 19 December 2012.



Officials of the Ministry of Women, Family and Community Development of Malaysia at the “Say NO to VAW Campaign” in 2012.



Attendees of the 2011 event pledged to join in the fight to end VAW.



“Stop VAW: From Perlis To Sabah” Campaign in 2012.



Launch of the special taxi service for women.

3. Protection and Assistance

Protection and assistance refer to the provision of support services to survivors of violence. Support services include emergency assistance for the victims and their children, as well as the more complex and long-term needs of victims and their families. These services include medical care, psycho-social support, housing, security, legal assistance, and financial support and employment. It is critical that all initiatives and services for victims of violence operate on the principle that protection measures should respect the victim’s rights, dignity and privacy.

Talian Nur 15999

Type of VAWC addressed

All forms of VAWC

Approach

Talian Nur 15999, a dedicated line established in 2007 acts as a platform to enable members of the public to report acts or suspicion of acts of domestic violence, human trafficking and child abuse to ensure immediate action can be taken.

Activities undertaken

Operating from a Kuala Lumpur-based office, calls to this number are handled by 29 fully-trained, multi-racial call agents. These agents are trained to answer various enquiries. The *Talian Nur* service is available 24 hours a day, 365 days a year.

Geographic focus

Nationwide

Materials, products, outcomes

From its launch on 5 December 2007 until 31 December 2013, a total of 363,887 calls were received by *Talian Nur* regarding welfare aid, complaints and general public enquiries. Calls are vetted and forwarded to the relevant agencies for further action.

Funding information

This programme is fully funded by the Ministry of Women, Family and Community Development, Malaysia.

Implementing organisation

Ministry of Women, Family and Community Development, Malaysia

Contact details for further information

Information Management Division

Ministry of Women, Family and Community Development

27 Floor, No. 55, Persiaran Perdana

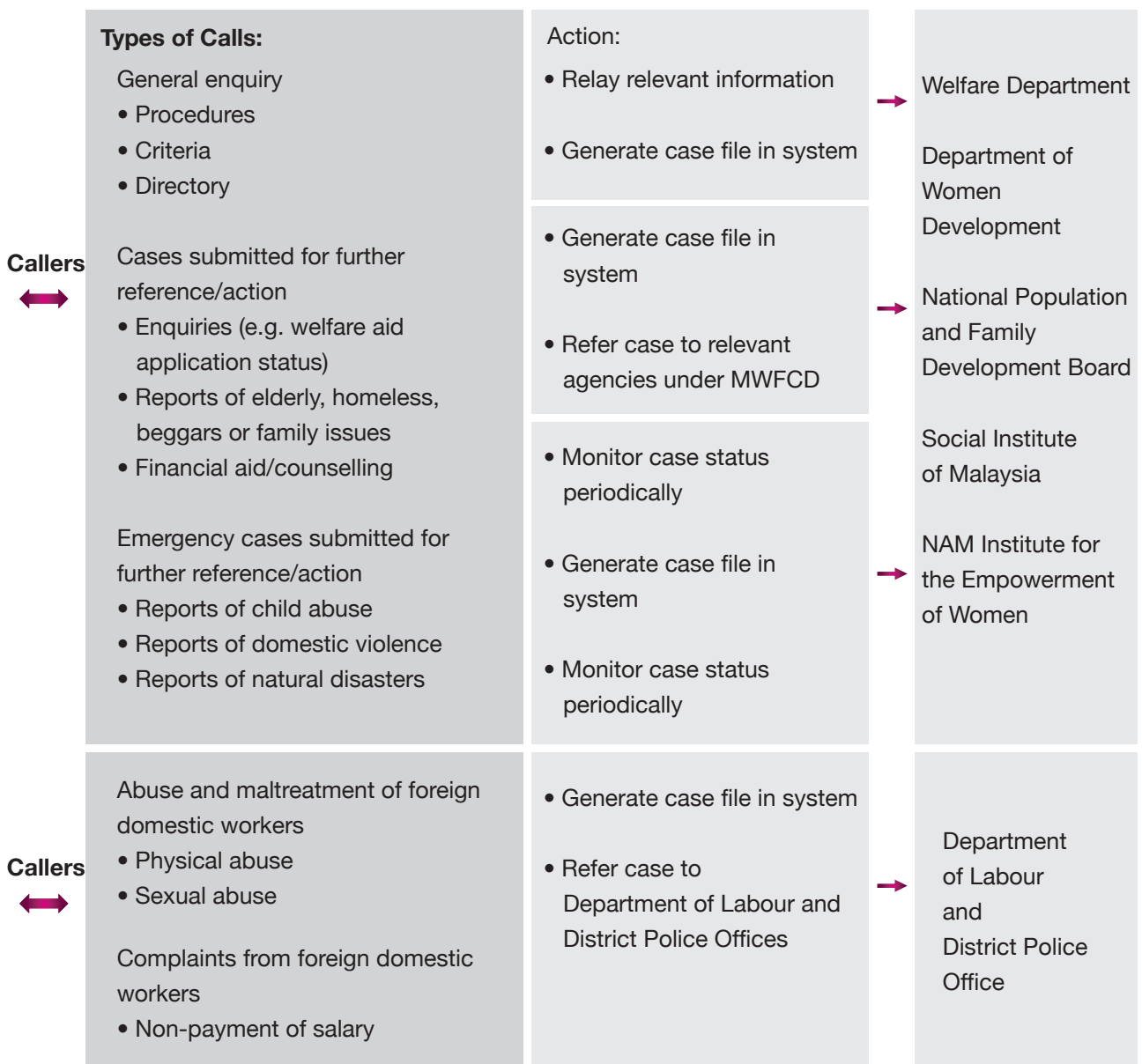
Precinct 4, 61200 Putrajaya

Tel.: +6 (03) 8323 1455

Fax: +6 (03) 8323 2028

E-mail: bpm@kpwkm.gov.my

Chart: *Talian Nur* Call Management



Childline 15999

Type of VAWC addressed

All forms of VAC

Approach and major goals

Childline 15999 is a non-profit public safety project established on 13 November 2010. This service is available 24 hours a day, 365 days a year for children below 18 years who are in need of information, care and protection. The Childline 15999's main goal is to establish a well-run, dependable, confidential and dedicated helpline for children. Malaysia's approach is to bring together non-governmental and private sector organisations to partner with government agencies such as the Ministry of Women, Family and Community Development (MWFCD) and the Department of Social Welfare (DSW) as well as with UNICEF Malaysia and Child Helpline International (CHI) by creating a multi-agency, multi-disciplinary (and multi-national where needed) effort at child protection.

Activities undertaken

i. 24 hours a day, 365 days a year Helpline for Children

Trained personnel answer calls from children in any situation and on any subject, from child abuse, bullying, homework stress to relationship problems. The helpline is both preventative and responsive - supporting a child before he or she reaches a crisis point, and also when a child requires immediate help. Childline 15999 is directly linked with the Social Welfare Department, in particular the Children's Division, and the gazetted Child Protectors, so that a child in need receives the most expedient response.

ii. Complementary Online Services

A website (www.childlinemalaysia.org) is provided particularly for children who are unable, unwilling or unsure about speaking to someone over the telephone. Children can browse through topics which they feel uncomfortable or embarrassed to speak to someone about.

iii. Partnerships for Dissemination of Childline Services and Children's Issues

Childline 15999 leverages on partnerships with children, the media, NGOs, the government, educational institutions and corporations to maximise their outreach to children and the public. These partnerships have enabled them to air public service announcements on child abuse, disseminate posters promoting on helpline and raise awareness on issues like internet safety.

Geographic focus

Nationwide

Materials, products, outcomes

i. Performance of "Childline 15999"

- From 13 November 2010 until 31 December 2013, a total of 12,890 calls were received from children and the top 3 reasons for calling were relating to psychosocial mental health issues, abuse and violence and request for information.

ii. Widening the national support network for children

- More than 250 organisations nationwide engaged as support network for children;
- Created an online service for child-related organisations and projects to connect and share; and
- Representation at national level governmental /NGOs' meetings on child protection issues.



Childline operates from the same office as Talian Nur with 15 dedicated call agents for Childline in addition to the 29 agents for Talian Nur.

Funding information

Operational cost is borne by the Ministry of Women, Family and Community Development, whereas all other activities are funded from donations and corporate sponsorship.

Implementing organisation

Malaysian Children's TV Programme Foundation

Contact details for further information

Childline Malaysia

Malaysian Children's TV Programme Foundation, Lot 842 & 846, Block A

Kelana Centre Point

No. 3, Jalan SS7/19

Kelana Jaya

47301 Petaling Jaya

Tel.: +6 (016) 333 4228 (Mrs. Wong P. H.)

E-mail: childline@mctf.com.my

4. Crisis Centres, Shelters and One-Stop Centres

One-Stop Crisis Centres (OSCC)

Type of VAWC addressed

All forms of VAWC

Approach and major goals

The One-Stop Crisis Centre (OSCC) is a coordinated first line emergency setup in hospitals that provide medical services for abused victims. The objective of the OSCC, established in 1996, is to enable survivors of violence to access comprehensive treatment and services at one centralised location. The scope of services at the OSCC includes medical examination, evidence management diagnosis, definitive care, appropriate referral, documentation and medical reporting.

Activities undertaken/ how the project works

An OSCC is characterised by an integrated and coordinated teamwork of multi-sectoral and inter-agency network for the management of domestic violence, rape, sexual abuse, and child abuse. The OSCC also provides therapeutic and medical intervention, multi-level crisis intervention, counselling and emotional support, temporary shelters as well as legal assistance. In some urban centres, NGOs provide active support to the OSCC by being “on-call” to provide counselling, emotional support and assistance where needed.

Geographic focus

Nationwide

Materials, products, outcomes

Currently there are 129 OSCCs at hospitals under the Ministry of Health. Until 2012, the centres have received a total of 11,186 cases.

Funding information

Ministry of Health, Malaysia

Implementing organisation

Ministry of Health, Malaysia
Blok E1, E3 , E6 , E7 & E10, Kompleks E
Pusat Pentadbiran Kerajaan Persekutuan
62590, Putrajaya
Tel : +6(03) 8883 3888
Fax : +6(03) 8888 6187
E-Mail : kkm@moh.gov.my

Shelter and Rehabilitation**Type of VAWC addressed**

All forms of VAC

Approach and major goals

The Family System Children’s Homes or *Rumah Tunas Harapan* were introduced in 1988 to provide proper care, protection and love within a family environment for children who are unable to stay with their natural families due to unavoidable circumstances such as untraceable family members. Thus, the children are given the opportunity to grow up in a normal family atmosphere within their own ethnic, cultural and religious practices. The home concept is intended to provide proper upbringing, care and education to the children in a family surrounding and ensuring love and guidance for them.

Activities undertaken/ how the project works

Among the services provided are counselling, schooling and religious classes. As of December 2012, there were 228 children under the care of the Department of Social Welfare and they were placed in 26 houses located in 9 *Rumah Tunas Harapan* throughout the country.

Geographic focus

Nationwide

Materials, products, outcomes

Pamphlets regarding services provided are distributed nationwide.

Funding information

The construction of the home is fully funded by the private sector and corporate bodies or individuals who wish to donate / contribute towards the cause. The operational aspects of the homes are under the supervision and administration of the Department of Social Welfare.

Among some of the corporate bodies/companies and individuals who have donated to this programme are:

1. Amway (Malaysia) Sdn. Bhd.;
2. Charity and Welfare Body of the Spouses of Cabinet Ministers and Deputy Ministers;
3. Jaya Jusco;
4. Danone;
5. FELDA; and
6. Unilever.

Implementing organisation

Children's Division, Department of Social Welfare.

Contact details for further information

Children's Division
Department of Social Welfare
12 Floor, No. 55, Persiaran Perdana, Precinct 4
61200 Putrajaya
Tel.: +6 (03) 8323 2277
Fax: +6 (03) 8323 2052
Email: arfan@jkm.gov.my

5. The Domestic Violence Act 1994 (Amendment 2011)/DVA

The Domestic Violence Act 1994 (DVA) was enacted to curb the use of violence as an instrument to settle domestic disputes and as a platform for the victims (spouse, former spouse, child, incapacitated adult or any member of the family) to seek protection and justice. In December 2011, the DVA was amended to widen the definition of "domestic violence" to include emotional, mental and psychological forms of domestic violence and the usage of drugs or intoxicating substance on the victim without his/her consent.

6. Specialised Divisions and Responses

Royal Malaysia Police D11 - Special Police Unit for Sexual Crimes and Child Victims

Type of VAWC addressed

All forms of VAWC

Approach and major goals

In 2007, the Royal Malaysia Police (RMP) established a special division named D11, to specifically handle criminal cases that involve children and sexual crimes.

Activities undertaken/how the project works

Placed under the Department of Criminal Investigation, D11 has special units to handle sexual cases, cases involving child victims, and investigation of domestic violence cases. D11 investigators are fully trained to handle cases that are sexual in nature and cases involving children. Investigations under D11 are carried out by investigation officers at district and state levels for the whole of Malaysia.

Geographic focus

Nationwide

Materials, products, outcomes

D11 recognised the need to establish two special centres to provide better care for child victims and victims of sexual crimes as well as to expedite the criminal justice process. Child Interview Centres (CIC) were established in December 2002 to facilitate police officers in obtaining statements from victims or child witnesses using video recording. The CICs are located nationwide.

Funding information

Royal Malaysia Police

Implementing organisation

Royal Malaysia Police

Contact details for further information

Polis Diraja Malaysia (PDRM) D11

Jabatan Siasatan Jenayah Bukit Aman

Jalan Bukit Aman, Tasik Perdana

50560, Kuala Lumpur

Tel.: +6 (03) 2266 6298

Fax: +6 (03) 2266 6299

Email: d11_ba@rmp.gov.my



The video recording equipment room.



VCC facility in Pulau Pinang to reduce trauma.





INTRODUCTION

Myanmar is a multi-cultural society made up of 135 national races with different cultural habits and norms. Buddhism, the major religion of Myanmar is practised by 89 percent of the population. Traditional views

surrounding women's sexuality, strong patriarchal hierarchy within families and villages, and the style of governance (both nationally and locally) influence the gender-based division of labour between men and women in Myanmar.

In this context, Myanmar has a rich cultural heritage which respects and acknowledges the differences between the sexes. An analysis of gender in Myanmar cannot take place without reference to the predominant gender roles which are heavily entrenched in all aspects of society, culture and religious beliefs.

GOOD PRACTICES

1. Prevention

The Government of the Republic of the Union of Myanmar has designated violence against women (VAW) as one of the key priority areas in its draft National Strategic Plan for the Advancement of Women 2012 – 2021 (NSPAW). In doing so, the Government has indicated its intention to develop and strengthen systems, structures, legislation, law enforcement and practices to eliminate all forms of violence against women and girls and also to respond to the needs of vulnerable and affected women and girls.

Statistics on gender-based violence in Myanmar is very limited as most cases are under-reported. There are, however, standard operational protocols for survivors of sexual abuse who generally end up at hospitals as police cases, rather than with a reproductive health care provider. Presumably, this is due to the reluctance to report violence to the authorities. A major point of concern is the legal handling of gender-based violence cases, when a victim reports to a clinic, the medical service provider is required to report the case to the police before treating the survivor. Due to the reluctance to lodge a report, most survivors are unable to get access to health care. This results in under-reporting as many women are afraid of being exposed, and, if reported, they settle the cases out of court.

Implementing Agencies

- i. Ministry of Social Welfare, Relief and Resettlement;
- ii. Myanmar National Committee on Women's Affairs (MNCWA);
- iii. Myanmar Women's Affairs Federation (MWAFF);
- iv. Gender Equality Network (GEN); and
- v. Women's Organizations Network.

2. Programmatic Measures

Prevention and Protection and Assistance

The Myanmar National Committee on Women's Affairs (MNCWA), which is a national body, has developed and implemented preventive measures to curb violence against women (VAW) and trafficking in persons, and these are included in its plan of action.

Public Awareness

- i. To disseminate information and raise awareness with regard to VAW and trafficking of women, especially its dangers, threats, and consequences. This has been carried out by the Myanmar Women's Affairs Federation (MWAFF) through its networks in different levels of the administration from state/region to districts, townships and village tract levels;
- ii. To raise awareness on existing laws protecting Myanmar women through educational talks and the media;
- iii. To organise a "Sixteen Days of Activism" campaign to eliminate violence against women from 25 November to 10 December annually; and
- iv. To create public awareness about the need to stop violence against women and girls and to stress on the importance of men's participation throughout the process. Such events were organised in Kan Daw Gyi Park and the Walk on 25 November 2012 by a group of local civil society members, women's networks and international NGOs to commemorate and celebrate International Day for the Elimination of Violence Against Women.

3. Protection and Assistance

- i. Counselling Centres are set up to help women discuss and solve problems related to violence upon consultation with the counselors;
- ii. Receive complaint letters concerning VAW (referral mechanism)
The current procedure for women to report and complain about discrimination and violence through MWAFF is functional and known to the public. The letters are referred to the departments concerned such as the police force, prosecutors and judges, defence department and government departments.

- iii. Organise “Whistle” campaign by the Akhayar women’s organisation
Whistles were distributed to women so that a woman can alert people around her by blowing a whistle to indicate that she is facing sexual harassment. Although this campaign was unsuccessful since most people are rather reluctant to be involved in this kind of situation, the campaign will be continued in future;
- iv. Capacity building training for service providers on violence against women in all states and regions;
- v. In 2006, the Department of Health, Myanmar in partnership with the World Health Organisation (WHO), trained staff on gender and health in 20 townships, 10 states and divisions;
- vi. Support legal aid to women in need; and
- vii. Conduct Researches and Surveys
The issue of violence is complex and difficult to be tackled. In order to ensure programmatic responses are effective, a multi-sectoral approach and more researches are required. Hence, a qualitative research on VAW is being carried out by the MWAF and the GEN (Gender Equality Network), and a quantitative survey on VAW in Myanmar is being conducted by the UNFPA. The general objective of these researches is to establish evidence-based, qualitative data about the situation of violence against women in Myanmar to enable suitable formulation of policies. The researches will seek to gather information on a wide range of manifestations of violence against women, including intimate partner violence, physical violence, marital rape, sexual harassment, sexual violence and abuse as well as harmful practices. This information will then be used to increase awareness among key stakeholders, design and implement strategies and mechanisms to provide services to women and girls affected by violence, and to reduce violence against them.

4. Human Trafficking

Trafficking of women and girls is a gender issue. In line with that, the Myanmar National Committee on Women's Affairs (MNCWA) has developed and implemented preventive measures for human trafficking and these are included in its plan of action. Dissemination of information and the raising of awareness with regard to trafficking of women, its dangers, threats, and consequences have been carried out by MAAF through its networks at different levels of the administration from state/region to district and township levels. MAAF works in collaboration with the UNIAP, UNICEF, IOM and other NGOs to combat human trafficking. The first ever national seminar on trafficking in persons was organised by the MAAF in 2003 in collaboration with the UNIAP, UNICEF and SC-UK. The topics discussed were conceptualising trafficking, global perspectives of trafficking in persons, a Myanmar perspective on trafficking in persons, and community-based initiatives for the prevention of trafficking in Myanmar.

The Central Supervisory Committee for Illegal Migration was formed in 2001 to handle the prevention and the enforcement of illegal migration. In 2001, MNCWA and UNIAP formed mobile teams to combat women and children trafficking and conducted training of trainers in the country. These mobile teams include personnel from the Myanmar Police Force, the Ministry of Immigration, the Attorney General's Office, the Ministry of Health, the Ministry of Education and the MNCWA.

"Handbook on Trafficking in Persons: Myanmar Initiatives", which was a joint effort between MNCWA and UNIAP, was published in 2002. The handbook is in both English and Myanmar languages and highlights an interactive participatory method of training to build the capacity of service providers for the prevention and reduction of trafficking.

Under a Memorandum of Understanding on A Regional Cooperation to Prevent People Trafficking Project signed between the Government of Myanmar and the Government of Australia, 40 police officers were trained and 18 anti-trafficking task forces were formed and assigned to cities.

An anti-trafficking law was enacted in 2005, followed by a national seminar organised by the MOHA and UNIAP in 2006. The objective of the seminar was to raise awareness of the public and relevant individuals/authorities regarding anti-trafficking laws and also to foster better cooperation between criminal justice sectors, government departments, NGOs and civil society organisations.

5. Conclusion

Under the new Constitution, the Government of Myanmar is now established as a democratic country with independent executive, legislative and judiciary powers. Old and archaic laws are being amended or replaced with new laws to be compatible with the new democratic nation of Myanmar. In spite of this, we acknowledge that there are areas we can still improve upon.

There is a constant need to sensitise frontline workers to the issues of domestic violence and the needs of victims and perpetrators. More public education is needed, especially in the area of psychological and emotional abuse. Even with legislation in place, many still view family violence as a 'private affair' that should be resolved within the family. Hence, there is a need to change this perception and mindset. A more systematic and sustainable approach is needed to evaluate the effectiveness of the domestic violence management system in Myanmar.



PHILIPPINES



GOOD PRACTICES

1. Policy Development and Advocacy

Republic Act 10398 or “An Act Declaring November 25 of Every Year as National Consciousness Day for the Elimination of Violence against Women and Children”

On 19 March 2013, President Benigno Aquino III signed into law Republic Act (RA) 10398 or “An Act Declaring November 25 of Every Year as National Consciousness Day for the Elimination of Violence against Women and Children (VAWC).” The law mandates the government, in partnership with the private sector, to conduct various activities aimed at raising public awareness on the elimination of all forms of VAWC.

Magna Carta of Women (RA 9710)

The Magna Carta of Women (MCW) is a comprehensive women's human rights law that seeks to eliminate discrimination through the recognition, protection, fulfillment, and promotion of the rights of Filipino women, especially those belonging to the marginalised sectors of society. It established the Philippine Government's pledge of commitment to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the UN Human Rights Council.



Anti-VAWC Act (RA 9262)

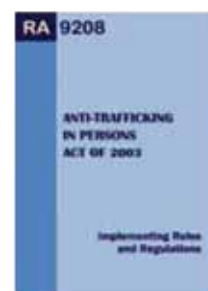
The RA 9262 or the Anti-VAWC Act of 2004 seeks to address the prevalence of VAWC in the context of intimate relationships. The law recognises the unequal relations of a man and a woman in an abusive relationship where it is usually the woman who is disadvantaged. It penalises all forms of abuse and violence within the family and intimate relationships. The Act was signed into law during “International Women's Day” celebrations on 8 March 2004. RA 9262 also mandates the creation of the Inter-Agency Council on Violence Against Women and their Children (IACVAWC).



Anti-Trafficking in Persons Act (RA 9208)

RA 9208 or the Anti-Trafficking in Persons (TIP) Act of 2003 criminalises the act of trafficking in persons, especially of women and children for prostitution, sexual exploitation and slavery. The law has the following salient features:

- i. it emphasises the vulnerability of victims, taking into account that trafficking can be committed with or without the consent of the trafficked persons, who are considered victims;
- ii. it imposes a penalty of 20 years of imprisonment and a fine for acts of trafficking and 15 years and a fine for acts that promote trafficking;



- iii. it penalises the person who buys or engages the services of a trafficked person;
- iv. trafficking is a public crime and any person who has personal knowledge of the crime may file a complaint;
- v. it provides for mandatory services for trafficked persons; and
- vi. it created the Inter-Agency Council Against Trafficking (IACAT).

Rape Victim Assistance and Protection Act (RA 8505)

The Rape Victim Assistance and Protection Act of 1998 establishes rape crisis centres in every province and municipality to provide counselling, free legal assistance, and ensure the privacy and safety of rape survivors. It also tasks the government to train law enforcement officers, public prosecutors, lawyers, medico-legal officers, social workers, and *barangay* officials on human rights and responsibilities, gender sensitivity and the legal management of rape cases.

Anti-Rape Law (RA 8353)

The Anti-Rape Law of 1997 redefines and expands the definition of rape from being a crime against chastity to being a crime against a person. It expands the definition to include not just penile penetration but also insertion of any object.

Anti-Sexual Harrassment Act (RA 7877)

RA 7877 addresses the issue of sexual harassment committed in the work, education, or training environment. Under the law, sexual harassment is committed by an employer, employee, manager, supervisor, agent of the employer, teacher, instructor, professor, coach, trainer, or any other person who, having authority, influence, or oral ascendancy over another in the work, training, or education environment, demands, requests, or otherwise seeks any sexual favour from the other, regardless of whether the demand or request of requirement for submission is accepted by the other party.



2. Public Information and Advocacy

18-Day Campaign to End Violence Against Women (November 25 to December 12)

Every year, women’s groups from different regions of the world observe the period from November 25 to December 10 as the 16 Days of Activism against Gender-Based Violence. The Philippines, through the Presidential Proclamation 1172, extended the nationwide campaign to 18 days to include December 12, the Anti-Human Trafficking Day. The Philippine Commission on Women (PCW), in coordination with IACAT and IACVAWC, is the lead agency for coordinating, monitoring, and evaluating this nationwide yearly observance of campaign to end violence against women (VAW).

The latest campaign of 2012 carried the theme, “VAW-Free Society in Times of Peace, Conflict and Calamity,” addressing gender-based violence during disasters, calamities, and armed conflict situations.



PCW Chairperson Remedios I. Rikken delivering Welcome Remarks.



Symbolic Lighting and Releasing of Sky Lanterns.



Singer-composer Noel Cabangon singing the MOVE theme song.

“Men Opposed to VAW Everywhere”

As a partner in the effort to curb gender-based violence in the Philippines, a pioneering group of principled men from different sectors of society including the government, private sector, academia, and non-government organisations called Men Opposed to VAW Everywhere (MOVE Philippines) was officially launched by the PCW in 2006.

MOVE specifically seeks to:

- i. speak out against VAW;
- ii. examine, propose, and formulate total male involvement and action in the elimination of VAW;
- iii. form partnerships and linkages with similar groups working on VAW, locally and internationally;
- iv. organise and conduct researches, studies and fora in recognition of the social effects of VAW for policy and programme development; and
- v. establish resource network on VAW.



Former Vice-President Noli “Kabayan” de Castro unveils the MOVE poster during the 18-day Campaign to End VAW.



4th Provincial Congress of Men Opposed to VAW Everywhere (MOVE) held in Aklan, Philippines in November 2012.

3. Research Projects and Tools Development

The development of the Performance Standards and Assessment Tools for Services Addressing VAW aims to set benchmarks in the quality and effectiveness of the services to victims-survivors provided by *barangay* officers, police officers, prosecutors, temporary shelter facilities, health workers, social workers, municipalities, and cities. The package consists of five sets of documents for each of the five service categories,



It is represented by the government agencies tasked primarily to render services such as: the Philippine National Police (PNP) for investigatory services or procedures; the Department of Health (DOH) for medical or hospital-based services; Department of Social Welfare and Development (DSWD) for psychosocial services; the Department of Justice (DOJ) for legal/prosecution services; the Department of the Interior and Local Government (DILG) and the Local Government Units (LGUs) for Anti-VAW services at the *barangay* (village), municipal, city and provincial levels. To date, these government agencies have been effectively using this tool to enhance service delivery in addressing VAW.

Guidelines for the Establishment and Management of a Referral System on VAWC at the LGU

The Guidelines for the Establishment and Management of a Referral System on VAWC at the Local Government Units (LGU) was developed by PCW and DSWD to complement the Guidelines on a Referral System on the Recovery and Reintegration of Trafficked Persons, as part of the agreement of the IACVAWC and IACAT to strengthen coordination and collaboration at the sub-national and local levels. These referral systems aim to have an integrated and coordinated community response to victims-survivors of VAW and provide a multidisciplinary and gender-sensitive response to ensure the safety of the victims and the accountability of the perpetrators.

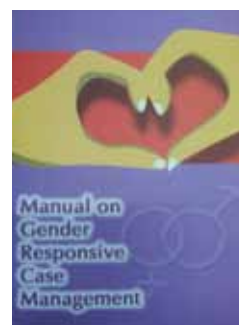


Guidelines for the Establishment of VAW Desk in Every Barangay

This was issued to provide the guidelines and procedures for “Establishing a VAW Desk in Every Barangay” to ensure that VAW cases are fully addressed in a gender-responsive manner. While the *barangay* is mainly responsible for addressing cases involving RA 9262, the guidelines also mandate VAW desk officers to assist trafficking victims who seek assistance and immediately refer them to the nearest police station or social welfare and development office for appropriate intervention programmes.

Manual on Gender-Responsive Case Management

The Manual on Gender-Responsive Case Management was established specifically for social workers to utilise a more comprehensive approach in managing cases of VAW. Gender-responsive case management is a process of coordinating and providing direct services to women and girl survivors that starts from the recognition of gender biases against women and girls in the home. It views the issue of violence against women and girls as a violation of their human rights.



4. Monitoring and Documentation of VAW Cases

National VAW Documentation System

The PCW developed the National VAW Documentation System (VAWDocS), a secure web-based documentation system that facilitates and integrates the collection and standardisation of information from concerned government agencies and service providers dealing with the problem of VAW. Developed from 2004 to 2009, the design of the VAWDocS underwent several consultations with key agencies and individuals. In 2009, the prototype of the system was piloted in 10 LGUs to test the forms, reporting flow, and user interface of the system. The system aims to:

- i. document data on the nature of VAW cases;
- ii. generate accurate reports on the magnitude of VAW cases by removing the double counting of data; and
- iii. track services given to VAW victims.

5. Protection Mechanisms On VAW

Women and Children Protection Centres

The PNP established the Women and Children Protection Centre (WCPC) as part of its response to cases involving VAW. As of January 2013, there are 3,731 desk officers and 1,913 women’s desks under the supervision and organisation of the WCPC.

Women and Children Protection Units in DOH-retained hospitals

In 1997, the DOH issued the “Establishment of a Women and Children Protection Unit (WCPU) in All DOH Hospitals” in response to the increasing number of women and children who were treated for violence, rape, incest, and other types of VAWC. There are 56 established WCPU in 38 hospitals and 18 LGUs situated in 35 cities and provinces nationwide.



Women-Friendly Spaces

Women-friendly spaces will serve as a safe ‘haven’ for women. It is open to all pregnant and nursing mothers, senior citizens, and persons with disabilities. This space is also the venue for the conduct of psycho-social services. The United Nations Population Fund (UNFPA) introduced the idea of opening the women-friendly space to the DSWD during the Typhoon Sendong’s devastation in Cagayan de Oro City



6. Best Practices on Anti-VAC Efforts

Title of Project

Cascading multi-level capacity building for local councils for the protection of children: Strengthening the Philippines child protection system.

In the Philippines, the main responsibility to create a caring and protective environment for children lies with the local governments through the Local Councils for the Protection of Children (LCPC). The Barangay Council for the Protection of Children (BCPC) is the primary body at the grassroots level that effectively addresses issues of abuse, violence, and exploitation against children – provided that these are properly trained, organised, funded, provided with technical support, and continuously monitored. The city, municipal and provincial councils for the protection of children (C/M/PCPC) constitute the second layer in the multi-level child protection system. They are the main sources of support – financial, material, human, and technical – to the BCPC.



The third layer and fourth (apex) layer in the multi-level child protection system are the Regional Committees for the Welfare of Children (RCWC) and the National Council for the Welfare of Children (CWC), respectively. Organised in all the regional geographic sub-divisions of the Philippines, the RCWC assists the city, municipal, and provincial councils in the protection of children in all advocacy and programming efforts on child protection. CWC, on the other hand, is the government body mandated by the law to coordinate and monitor implementation of all laws on children including the Convention on the Rights of the Child.

The following strategies were undertaken, resulting in planned and intended outputs:

i. Forging and Sustaining Partnerships

The implementation of the project was able to draw the active participation and involvement of various government and non-government entities and representatives at three levels of governance i.e. national, regional, and local;

ii. Role Clarification/Differentiation and Task Delineation

This strategy proved to be relevant to the project's intent of bringing together multi-level stakeholders, networks, and partners to work across their respective institutional and sectoral boundaries. This resulted in clearly defined, delineated, or shared tasks prior to, during, and after the conduct and management of the trainings;

iii. Knowledge and Skills Building

A total of four training sessions were conducted aimed at creating a pool of trainers at the national and regional levels knowledgeable and competent to serve the needs and demands of LGUs for training and technical assistance in strengthening L/BCPC;

iv. Pilot Testing/Dry Run

The training sessions were utilised as a pre-testing mechanism for the training modules in terms of content, process, and methodologies, resulting in enhanced training designs and modules; and

v. Joint Strategy Development/Innovation and Action Planning

Joint strategy development and innovation was undertaken as early as the preparatory stage as the team jointly defined common goals/objectives and committed to co-produce and co-own intended outputs and outcomes given specific time frames.

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Title of Project

Institutionalising Community-Based Responses to VAWC Through Family Watch Approach.

Type of VAWC addressed

VAWC, especially domestic violence against women and child abuse.

The information campaigns against domestic violence in the Philippines, undertaken by various sectors, have helped increase the knowledge of the public that VAWC is punishable by law. However, awareness of the issue alone is not a guarantee that the abuse of women and children will stop or be totally eliminated. It requires that families and their neighbours take the initiative to report VAWC and child abuse incidents to the mandated authorities.

Bantay Panimalay (family or community watch) organisations are composed of *barangay* officials, service providers, men and women, and volunteers, who take direct action to stop the ongoing violence or prevention of further violence and referral of cases to mandated authorities at the *barangay* and municipal levels.

The project aims to:

- i. promote multi-sectoral and community approach to domestic violence;
- ii. mainstream the issue of VAW and other gender issues into the programme of the government with corresponding budget, policy and logistical support; and
- iii. enable women to develop the capability to respond to their own problems and, in the process, develop their own strength as persons.

Geographic focus

The project was implemented in 25 PLAN-covered communities in five municipalities of East Samar, West Samar, and North Samar.

Materials, products, outcomes

As a result of these interventions, the following were achieved:

- i. Conducted *Bantay Panimalay* and VAWC seminar orientations to key municipal officials and *barangay* officials and service providers, people's organisations, community volunteers, and community residents;
- ii. Conducted the Gender Responsiveness Assessment of five LGUs using the tools designed by PCW and the Local Government Academy. In the assessment of the gender responsiveness of six pilot municipalities, the majority of the LGUs rated themselves as having early manifestations of gender responsiveness. Safety and protection-related facilities (e.g. separate toilets, street lighting) and services are available in less than 25 percent of the LGU-managed facilities;
- iii. Organised 25 Family Watch Groups trained on gender sensitivity, VAWC, laws of anti-VAWC, anti-child abuse, Magna Carta of Women and basic counselling, among others;
- iv. Established VAWC Desk in 25 communities with two VAWC desk officers in every *barangay*. The officers facilitate referral of cases needing Barangay Protection Orders and conduct intake recording;

- v. Awareness raising activities on VAW and child protection. The volunteers/members have conducted community campaigns to mothers and fathers in the community on the different forms of abuse, salient features of the Anti-VAWC law and installed messages on VAWC and where to report such cases; and
- vi. The BP Groups had assisted 41 cases (28 child abuse and 13 VAW) of abuses among women and children in their respective communities through referrals and counselling as of December 2012. Most of these cases are physical abuse, neglect and sexual abuse among children and physical/psychological abuse among women.

Funding information

The project was supported by the Plan International Philippines

Implementing organisations

- i. Plan International Inc. – Philippines.
- ii. Runggiyan Foundation – Leyte, Philippines

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Title of Project

Strengthening Civil Society in Eliminating VAC in the Philippines

Type of VAWC addressed

VAC, particularly corporal punishment

Approach and major goals

Grave abuses against children like corporal punishment and other forms of cruel and degrading punishment are among the hidden dimensions of VAC in the Philippines, which continue to persist due to social acceptance of violence as “discipline.” It is acceptable in the home but prohibited in public and private schools, in residential institutions and daycare centers. While RA 7610 or the Special Protection of Children Against Abuse, Exploitation and Discrimination Act broadly defines child abuse to include corporal punishment, there is no explicit law prohibiting corporal punishment in the home, schools, and other institutional settings, except for children in conflict with the law and children in detention.

Activities undertaken/how the project works

- i. Organisation and development of Community-Based Advocacy and Monitoring Groups (CBAMGs) and policy champions as a critical mass of CSOs and individuals, including children, for lobbying and advocacy. CBAMGs were organised from the existing grassroots organisations and members of the community. They went through a collective process of analysing the situation where corporal punishment prevails and determined the possible and appropriate course of actions. CBAMGs and policy champions were also given various thematic trainings to equip them with the right knowledge and to develop their skills and confidence in engaging legislators, local chief executives, teachers, women, indigenous people, children and youth, media practitioners, religious individuals, academia, and social development practitioners.
- ii. Research and documentation. A study on the nature and extent of corporal punishment in different settings in four select project sites provided empirical data to substantiate the campaign activities against it and in the advocacy of non-violent child discipline.
- iii. Development of information, education and communication (IEC) materials. A well-defined communication package was developed to further support the campaign.
- iv. Capacity development of national and local legislators and legislative staff. While the focus of the action is strengthening the capacity of the CSOs, legislators are the decision-makers in the enactment and implementation of laws and policies to prohibit corporal punishment. Thus, training for legislative staff was conducted to increase the knowledge and understanding on children’s rights and corporal punishment to analyse the policy issue and articulate appropriate and relevant solutions.

- v. Partnership and networking. To generate wide public support for policy reforms to prohibit corporal punishment, the project worked directly with like-minded CSOs and individuals, ensuring well-organised actions to eliminate corporal punishment even beyond the project term.
- vi. Building synergy with other initiatives in PLAN and other organisations or institutions that promote child rights and responsibility. At the national level, the project worked with the Child Rights Network (CRN) for the passage of a national law that will protect and fulfill the rights of Filipino children. The organised Family Development Sessions (FDS), under the DSWD Conditional Cash Transfer (CCT) programme, a social development strategy of the national government that provides conditional cash grants to extremely poor households to improve their health, nutrition and education particularly of children aged 0-14, were also maximised.

Geographic focus

Strengthening civil society in the elimination of VAC in the Philippines was implemented in four cities and four municipalities in Luzon, Visayas, and Mindanao.

Materials, products, outcomes

As a result of these interventions, the two-year project was able to achieve the following results:

- i. Organised 8 CBAMGs composed of 176 member organisations, 393 individuals (adult 56 percent and children 44 percent) trained on six thematic training i.e. child rights and responsibilities, laws and issuances on children, policy advocacy and paralegal, among others;
- ii. Generated the support of 113 policy champions for policy advocacy work at the national and local level;
- iii. Enacted three out of eight ordinances and one National Bill which were deliberated in the House of Representatives and preliminary discussions at the Senate Level. Before the end of the project in December 2012, two local ordinances were already at the final deliberations while one ordinance is for further deliberation by the local councils after being vetoed by the local chief executive;
- iv. Conducted 44 consultations on child protection issues and on the proposed ordinances on positive discipline which reached out to 258 sectoral organisations. A total of 29 national and local public and media events to gain public support for proposed national bill and 5 pending and 3 enacted local ordinances were conducted and received support from 132 national media organisations and 55 local media organisations, resulting in 41 published articles (in print or online) 21 television features, and 24 live interviews on local and national radio stations;

- iv. Launched the No Kidding Campaign (<https://www.change.org/ph/mga-petisyon/no-kidding-a-campaign-to-pass-the-anti-corporal-punishment-and-positive-discipline-bill>) that gathered 12,050 signatures calling for the immediate enactment of pending Anti-Corporal Punishment National Bill from eight project areas, national policy champions, and online through social media. The signatures were turned over to the offices of the senators leading the committees on Women and Children and Family Relations on 18 December 2012;
- v. Developed various IEC materials such as the manual *Strengthening Filipino Responses in the Home, School and Communities: A Trainer's Manual on Positive Approaches to Child Discipline* and the story book *Mantsa*. Two public service announcements (PSA), entitled *Obligasyon* (Obligation) and *Super Vase*, were developed and uploaded on YouTube for the general public's viewing and education.
Obligasyon:
<http://www.youtube.com/watch?v=J1i9xSc460E&feature=plcp>
Super Vase:
<http://www.youtube.com/watch?v=XgvhDnH4hmg&feature=plcp> ; and
- vi. Overall, the project directly benefited 1,500 children affected by domestic violence nationwide.

Funding information

The two-year action was supported by the European Union and Plan Germany.

Implementing organisations

- i. Plan International Inc. – Philippines;
- ii. Lihok Pilipina Foundation Inc;
- iii. Lunduyan sa Pagpapalaganap Pagtataguyod ng Karapatang Pambata (Centre for Promotion and Advocacy on Rights of Children);
- iv. Philippine Legislators' Committee on Population and Development Foundation; and
- v. Sentrong Alternatibong Lingap Panligal (Alternative Legal Assistance Center).

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Title of Project

Community Empowerment towards the Prevention and Reintegration of Trafficked Persons

Type of VAWC addressed

Child trafficking

Approach and major goals

Plan International-Philippines believes that every Filipino child has a right to be protected from the dangers of trafficking and the State has an obligation to protect, facilitate, and fulfill this basic right. Hence, in April 2005, Plan Philippines implemented the Rights-Based Approach in Protecting Victims and Organising Responsive Task Forces against Trafficking (RBA-PORT) in support of the Plan's child protection programme, which aims to protect children from abuse, neglect, and exploitation and to contribute to the national and international efforts to stop exploitation and trafficking in persons, particularly internal trafficking in the Philippines.

i. Awareness Raising and Advocacy

The Project developed and utilised the following IEC materials:

- Murals. "Stop Child Trafficking" murals containing information on trafficking, hotline numbers and whom to call when in need of help, or when there are suspected illegal recruiters;
- Posters with similar messages as that of the murals, which were posted in public places such as the *barangay* halls, along school paths, seaports, crisis centres, and help desks;
- Flyers, pamphlets and primers in local dialects distributed to the public;
- Flip charts. These are printed materials, measuring about 8x14 inches with about 7 pages or more providing information on RA 9208, the causes and effects of trafficking, and what one should do when confronted with the problem. These flipcharts are generally used for community education/orientation;
- Comics. The comics generally appeal to children as these were developed using the local dialects. They depict short stories on the modus operandi of traffickers and what happens to the children who are trafficked. These are distributed primarily to the children in schools and the communities;
- Bookmarks and button pins. These are popular with children and help in reminding them about trafficking. These are distributed to all public schools covered by the project;
- Stickers are found on public transport windshields, tricycles, etc. and at seaports, airports and bus terminals;

- Mugs and T-shirts. Visible and clear messages are printed on mugs (for partners and service providers) and T-shirts are used as uniforms for porters and partners at the sea ports;
- PowerPoint presentations and video documentaries. These are presented or discussed during basic awareness orientations, community and school campaigns, and local training programmes/conferences/seminars. CDs are also distributed to bus companies where passengers can watch the documentaries on trafficking; and
- Tri-media: Print, radio and TV programs. Infomercials, public service plugs, life stories/testimonies in radio and TV programs and newspaper articles have a wider reach. The Plan staff work in collaboration with LGUs, school authorities, and other local partners on the development of the IEC materials and their messages. They also identify target groups and the strategies to be used.

For the past four years of project implementation, the information drive against trafficking was conducted in 174 villages, 21 municipalities, 7 provinces and in 167 schools [with 62,004 participants (girls-11,229, boys-8,511, women-14,595, men-7,681, without sex disaggregation-19,988)].

ii. Capacity Building of Duty Bearers and Service Providers

A Training of Trainers was conducted to create a multiplier effect in the communities. The *barangay* chairperson and officials who attend the training in turn train the *barangay* tanods and other lower-ranking officials of the *barangay*.

Service providers such as the social workers, law enforcers, teachers and NGO/faith-based organisations (FBO) staff are trained on reporting, referral and case management systems to respond and provide assistance to child trafficking cases and children at risk.

iii. Community-Based Mechanism to Prevent Trafficking and Protect Trafficked Persons

Community-based mechanisms to prevent trafficking and protect trafficked persons, particularly women and children, are implemented in the form of policies such as ordinances at the provincial/municipal and *barangay* levels; community structures such as inter-agency committees/councils/task forces at all levels; and community and family systems such as surveillance, detection and monitoring; rescue and reporting; referral and case management systems for those at risk and trafficked persons. These mechanisms include the following:

- Surveillance, detection and monitoring system. TIP task forces are organised at the village level to detect and report suspected cases of trafficking;
- Reporting and rescue system. Hotlines of agencies/organisations/bodies involved in providing response to trafficking victims are provided IEC materials. A quick response team, composed of the local WCPU, the Municipal Social Welfare and Development Office (MSWDO), and the concerned *barangay*, is tasked to immediately verify, investigate, and, if necessary, rescue the alleged victim;
- Referral system. Appropriate action/interventions to ensure immediate and appropriate response to the report received or the rescued trafficked person is through a referral system where each agency's roles and responsibilities are clear and services are made available at any given time; and
- Case management system. The social worker is generally considered as the case manager, supported by the MSWDO, PNP, medical officer, social worker of the crisis centre or NGO/FBO, psychologist/psychiatrist, and a lawyer/prosecutor. The case management process starts at identification of the trafficked child until his/her recovery and reintegration with family and community.

iv. Recovery and Reintegration of Victims Survivors of Trafficking

The Sea Port Help Desks. The project's innovation is the establishment of help desks in seaports and terminal areas to detect and intercept suspected trafficked persons or rescue trafficked victims. All suspected trafficked victims are reported by the help desk staff to law enforcers, social workers and other service providers for interception and provision of protective services. Those identified as potential or rescued victims, are referred to the Crisis Centre; and

The Crisis Centres serve as residential facilities for victim-survivors until they have fully recovered. The centres are supported through the provision of training activities for the service providers, additional equipment and materials for the upgrading of the crisis centres, and honorarium to house parents and social workers.

The total accumulated reported and assisted trafficked victims since the start of the project is 2,688 persons (Crisis Centre-291, Help Desks-1,404, reported to authorities – 993).

In terms of legal assistance, the project continues to provide legal assistance to 20 trafficked victims-survivors with active/ongoing legal cases filed in court in collaboration with the Department of Justice and LGUs.

Geographic focus

Visayas and Luzon particularly in Samar Provinces, Southern Leyte, Camotes Island in Cebu, Masbate and Occidental Mindoro.

Funding information

The five-year (CEPRTP) project is funded by the People of Germany through Plan International Germany.

Implementing organisations

Plan International-Phil in collaboration with the Local Government Units and Phil. National Government Agencies.

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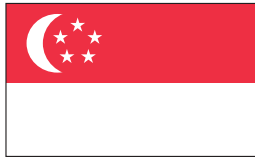
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SINGAPORE



INTRODUCTION

Violence Against Women And Children (VAWC) may occur in various forms and be manifested physically, sexually, psychologically and

economically. It includes violence in the family and community, including rape/sexual assault, sexual harassment and stalking, and violence in the transnational sphere.

The Singapore Government does not condone nor tolerate any form of VAWC. Singapore's strategy in tackling VAWC is through:

- i. A robust legislative framework;
- ii. A multi-stakeholder approach;
- iii. Training and professional competency;
- iv. Public education; and
- v. Effective programming.

We seek to foster a violence-free environment for women and children through multi-agency collaborations, whereby government agencies work closely with non-governmental agencies, and the community.

GOOD PRACTICES

National Family Violence Networking System (NFVNS)

Type of VAWC addressed

Violence in the Family



Approach and major goals

In Singapore, in line with the multi-stakeholder approach, a key platform at the policy level for the management of family violence known as the Family Violence Dialogue Group was established in 2001. The Dialogue Group is jointly headed by the Ministry of Social and Family Development (MSF)¹ and the Singapore Police Force, and comprises the courts, the prisons, the Ministry of Health, the Ministry of Education, Chairpersons of Regional Family Violence Working Groups, the National Council of Social Service², and social service agencies.

It is a strategic development and planning policy group established to enhance provisions and services for families affected by violence through facilitating work processes amongst the agencies, coordinating public education efforts and developing new areas for collaboration on family violence. At the operational level, the National Family Violence Networking System (NFVNS) was established in 1996 to put a close network of support and assistance in place.

Activities undertaken/how the project works

The island-wide NFVNS provides multiple access points for victims to obtain help. This system links the Singapore Police Force, prisons, hospitals, Family Service Centres³ (FSCs), courts and the MSF for closer collaboration and networking. For instance, the Singapore Police Force carries out investigations, refers families to FSCs for counselling and support, advises victims to seek medical attention and to consider applying for a Personal Protection Order. A Personal

¹Known as Ministry of Community Development and Sports prior to 1 Nov 2012.

²The National Council of Social Service is an umbrella body for social service agencies in Singapore.

³FSCs are community-based social service agencies.

Protection Order is an order issued by the Court which protects the victim against family violence. The FSCs provide victims and perpetrators with counselling and casework support, while the hospitals provide physical, psychological or psychiatric treatment for victims.

Since 2003, six Regional Family Violence Working Groups, led by non-governmental organisations (NGOs), have been set up to harness community energy to spearhead and plan joint regional activities to raise awareness on family violence, examine new trends at the local level, and seek new ways to help families affected by violence. The Working Groups include hospitals, the Singapore Police Force, crisis shelters, social service agencies, and FSCs. These Working Groups also serve as a channel for providing feedback to the Dialogue Group on gaps in the provision of services for families affected by violence. Since their formation, the Working Groups have enhanced efforts in raising awareness, providing inter-agency training and initiating projects to better serve their clients and the community.

MSF and SPF co-organise the National Family Violence Networking Symposium annually to strengthen partnerships between agencies and use the symposium platform to learn and share best practices in policy, practice and research dealing with family violence.

Geographic focus

Singapore

Materials, products, outcomes

Singapore believes that public education is the key element in preventing family violence. MSF, together with partners, conducts public education on family violence, which includes to a large extent, aspects of violence against women, including spousal abuse and date-related violence, child abuse and elder abuse.

The key messages disseminated are that violence is not acceptable and may continue to get worse without intervention and individuals should seek help early if they are or they know of someone in a violent relationship. The public is also educated on the signs of violence and the help channels which are readily available at their neighbourhood FSCs or social service agencies specialising in family violence work. In addition, efforts are also made to provide skills on conflict resolution and building healthy relationships, and strengthening families to better cope with stresses without resorting to violence to complement our messages whenever relevant and possible.

As part of the multi-stakeholder approach, facilitating the community to conduct public education is an integral part of our strategy. One example is the co-funding scheme in which NGOs can apply for funding for public education initiatives against family violence. Recent examples of initiatives funded include the following:

- i. Dating Violence Awareness Week organised by the Centre for Promoting Alternatives Against Violence (PAVE) and the Nanyang Technological University in 2009;
 - ii. Public Awareness Programme on Dating Violence from 2010-2011 – “Choose Love, Not Abuse” by PAVE;
 - iii. Family Violence Roadshow by the Care Corner Family Service Centre (Queenstown) in 2011;
- and

- iv. A 13-episode family violence drama in Tamil on Vasantham Channel, mooted by Indian social workers from Thye Hua Kwan Moral Society and supported by the MSF and the Media Development Authority in 2011.

In addition, agencies under the Family Violence Dialogue Group and the Regional Family Violence Working Groups conduct a public education drive on family violence annually with a different theme each year. The drive typically includes engaging the media to ensure a consistent presence of key messages at community events.

For instance, in 2011, the drive focused on child abuse. This included a roving interactive play, graphic novel competition and online games on a dedicated child abuse website, which had effectively reached out to children aged 7 to 12 years old. The interactive play was staged in almost 60 schools and community platforms from August to November 2011, together with the distribution of child-friendly collaterals with helplines for school children. The closing event saw over 10,000 people and the campaign website had over 90,000 hits over 6 months since the website launch on 1 September 2011.



Public education campaign on child abuse.



Sweet Dreams Family Fiesta.

MSF is currently refreshing the family violence public education materials such as posters, collaterals and pamphlets for dissemination to various touch points such as schools, hospitals, clinics, community centres and self-help groups. Community agencies can tap on our resources at no charge and distribute these materials at their premises and at their events. MSF has been actively cultivating partners to open up more channels for the public to obtain such information.

Beyond community initiatives, MSF also commissioned television dramas on family violence, talks on dating violence to institutes of higher learning, plays on child abuse and family violence to primary schools and talks to faith-based organisations on how they can help those of their own faith overcome family violence.

Manual on "Integrated Management of Family Violence Cases in Singapore"

To better protect victims of family violence, MSF developed a manual on the "Integrated Management of Family Violence Cases in Singapore" in 1999, which spells out the protocols of agencies involved in the management of family violence. The manual, which was last revised in October 2009, covers the legislation and general principles of managing family violence cases, including procedures and recommended timelines which service providers should take when victims of family violence approach an agency for assistance or information.

The manual contains information to enable service providers to:

- i. Obtain a sound understanding of the family situation;
- ii. Understand the roles and responsibilities of the various service providers;
- iii. Provide safety strategies for the victim;
- iv. Provide information to meet the needs of victims, such as legal provisions, shelter and other resources available in the community;
- v. Increase the perpetrator's awareness of his/her violent behaviour and help him/her cease his/her abusive behavior; and
- vi. Inform the perpetrator of the risk he/she is under, should he/she continue to be violent.

Funding information

Government of Singapore

Implementing organisation

Ministry of Social and Family Development, Singapore Police Force, NGOs

Contact details for further information

Ministry of Social and Family Development

www.msf.gov.sg



THAILAND



INTRODUCTION

The child population in Thailand has been showing a declining trend over the past ten years. Of the 64.07 million people in Thailand, 15.07 million (25 percent) are children below 18 years of age.

The ratio of boys to girls is almost equal (boys 7.74 million and girls 7.33 million) with another 200,000 children of migrant workers aged below 15 years born in Thailand and registered with the Committee of Alien Workers Management under the Ministry of Labour.

The family is the fundamental institution of the Thai society. However, the way in which the family structure has changed in Thailand over the years directly affects children. As of 2010, there were 18.3 million households in Thailand. Due to both internal and external factors, the family structure has been changing in many ways. The extended families of traditional society have been increasingly replaced by nuclear families of modern society. In 2010, nuclear families were 52.3 percent while extended families were 34.5 percent. Households with one single member were 12.6 percent and households in which members were not related were 0.6 percent. Of the nuclear families, only 29.7 percent were intact families, that is, families comprising husband, wife, and children; 15.0 percent were families with only husband and wife and 7.6 percent were single parent families.

Because of this, children are at the risk of being deprived, neglected, abused and exploited in one way or another. From 2004 to 2010, there was an increase in the number of abused children receiving assistance at One-Stop Crisis Centres (OSCCs) as shown in Table 1. In 2010, 13,190 of these children were identified to be victims of abuse and/or victims of neglect. Of these, 68.80 percent and 21.93 percent were identified to be victims of sexual abuse and physical abuse respectively. Parents, relatives, and persons close to the children are overwhelmingly the most likely perpetrators in the abuse of a child. There were 48.33 percent of children at the age of below one year old who were physically abused by parents (mothers 25 percent and fathers 23.33 percent). Twenty five (25) percent of children between the ages of 1 to 5 years old were sexually abused by their fathers.

Table 1: Number of women and child victims of abuse who received assistance at One-Stop Crisis Centres (OSCCs), by type of abuse and abuser, 2004-2010.

| Year | Victims | | Total | Average per day |
|------|----------|--------|--------|-----------------|
| | Children | Women | | |
| 2004 | 3,366 | 3,585 | 6,951 | 19 |
| 2005 | 5,886 | 5,656 | 11,542 | 32 |
| 2006 | 7,981 | 7,901 | 15,882 | 44 |
| 2007 | 9,598 | 9,469 | 19,067 | 52 |
| 2008 | 13,036 | 13,595 | 26,631 | 73 |
| 2009 | 12,359 | 11,140 | 23,499 | 64 |
| 2010 | 13,190 | 12,554 | 25,744 | 71 |

Source: One Stop Crisis Centre, Ministry of Public Health as of 10 September 2012

It was found that the incidences of violence in schools were due to corporal punishment by teachers and bullying amongst students. The survey conducted during 2005-2006 revealed that most teachers (60 percent) perceived corporal punishment as necessary and therefore applied strong disciplining measures such as physical and verbal abuse, or intentionally ignoring those students. Bullying is rampant, both in the presence of teachers and out of their sight. It is difficult to address this problem as children tended not to report the incidents whilst parents remained unaware of them.

There is also a problem of inter-school fighting. Efforts have been made to address this problem through the promotion of child and youth participation projects, guided by the Public Policy for the Prevention and Suppression of Violence in Schools of the Office of Thai Health Promotion Fund. Under this policy, the Office has implemented a violence-free school and expanded the project by encouraging children, families and communities to participate in social activities with the goal of promoting a peaceful approach to managing conflicts, thereby minimising violence in schools. Training has been organised for school administrators together with the production of educational materials and network building to raise awareness on this issue.

GOOD PRACTICES

1. Legal and Policy Framework

The Constitution (Section 52) provides for the rights of children, youth, women and family members to be protected against violence and unfair treatment and the right to receive remedy. Thailand's internal laws, both the Constitution and general laws, have been developed and improved in conformity with the situation. As a State Party to many human rights treaties, a number of laws concerning violence against children have been amended to comply with the Convention on the Rights of the Child. These are as follows:

- i. Child Protection Act of 2003 defines procedures for dealing with a child to enable him/her to be nurtured and developed to his/her the fullest potential. To protect the safety of a child, the law stipulates forbidden acts which include abandonment and negligence as well as intervention and assistance by the authorities in place of lawful guardians. The Act also stipulates other forbidden acts which carry imprisonment sentences, fines or both;
- ii. Domestic Violence Victim Protection Act of 2007. Under this Act, measures and procedures in dealing with domestic violence have been laid out. They provide the opportunity for rehabilitation of both the abused and the abusers with a view to facilitating reconciliation and resumption of the family relationship. A competent official is required to arrange for the victim to receive medical treatment. In the case where a complaint has been filed, the inquiring official must conduct an inquiry without delay and send the inquiry file within 48 hours after having the offender in custody to a public prosecutor in order to file the case with the Court. Interrogation of a domestic violence victim must in the presence of a multidisciplinary team. A competent official has the power to impose provisional remedial measures in favour of the victims. If the case is filed with the Court, the Court may exercise its power to impose provisional remedial measures with a view to maintain family status or may impose punishment (imprisonment for a term not exceeding six months or a fine of not exceeding 6,000 baht, or both) or any order as appropriate;

- iii. Anti-Trafficking in Persons Act of 2008. The Act aims to provide protection of children and women from sexual exploitation, slavery, coercion to become a beggar, forced labour or service, coerced removal of organs for the purpose of trade, or any other similar practices resulting in forced extortion. As human trafficking has become more complex and taken the form of transnational organised crime, the Act draws upon the UN Convention on Transnational Organized Crime and the Optional Protocol to prevent, suppress and punish trafficking in persons by imposing punitive measures upon offenders and provide appropriate assistance and protection to victims;
- iv. Penal Code on offences relating to sexuality. Sections 276-285 of the Penal Code Amendments (No. 19) and (No.20) of 2007 define explicit penalties for whoever commits a rape or indecent acts, or procures, seduces or takes away for an indecent act a woman, man or a child with or without consent in order to gratify the sexual desire of another person. These acts are liable to a punishment of imprisonment, a fine or both. The term of punishment varies according to the age of the victims. Offenders of victims under 13 years of age receive longer terms of punishment than offenders of victims over the age of 15. If the offences are committed against a descendant or person under care or guardianship, the punishment will increase by one-third of those prescribed for such offences. A draft law to amend this Act has been proposed to increase the punishment of imprisonment and fine to commensurate with the current situation; and
- v. The Juvenile and Family Court and Juvenile and Family Procedures Act of 2010 was enacted with the aim of protecting the rights and the best interests of children or youth. Under this Act, the detention or imprisonment of children or youth should be the last resort. Regarding pre-trial detention, Section 81 of this Act prohibits the detention of alleged children or juveniles with alleged adult offenders or defendants, or in a detention cell which is provided for alleged adult offenders or defendants. Section 36 (3) prescribes the obligations of the Observation Centres to coordinate with other agencies in assisting and rehabilitating children or juveniles during and after their detention.

2. Assistance and Rehabilitation Measures

Hotline. In terms of immediate assistance, the Ministry of Social Development and Human Security (MSDHS) has established a 24-hour hotline service known as the Prachabodi Centre. The hotline telephone number is 1300. Located in Bangkok, the hotline centres' principal function is to receive reports of cases of violence and then coordinate with the organizations/units concerned, notably the Department of Social Development and Welfare in Bangkok and the Provincial Office of Social Development and Human Security in other provinces. The agencies will coordinate in directing the witnesses/victims/survivors of violence to appropriate services i.e. medical treatment, legal services or other forms of assistance. Moreover, the service is available for all victims of all forms of violence regardless of their nationalities.

Multi-disciplinary team approach. Assistance to victims of violence is provided in the form of a multi-disciplinary team approach involving persons who are from various relevant fields i.e. an attorney, a police officer, a social worker, a psychologist, a doctor, a lawyer and representatives from the private sector and other professions. Such assistance is provided with the aim of fostering collaboration between concerned public and private agencies, including local and international NGOs as well as society.

A multi-disciplinary team takes part in the various stages of the mission, which includes investigation, fact finding, protection, legal assistance, recovery, social re-integration, follow up action and prevention.

The One-Stop Crisis Centre (OSCC) was established by the Ministry of Public Health in hospitals in several parts of the country to assist women and child victims of violence. Based in hospitals, at the tertiary and community levels, the centre is equipped not only with medical doctors and nurses, but also with representatives from the police department, the office of the Attorney General, GO/NGO emergency home, and social workers from the MSDHS. Thus, in case legal advice or provision of a place in a shelter home is needed, victims can get access to immediate services and assistance. An OSCC usually assumes multifunctional roles such as a call centre to receive reports of cases of violence against women and children; a coordinating centre with other units, such as a police station; the court or a government agency; and if needed, an information centre for violence against women and children and provides psychosocial support and advice together with physical treatment.

Shelters. The Department of Social Development and Welfare of the MSDHS has established free shelters called Emergency Home for Children and Family. The shelters are available in Bangkok and in every province. Target groups include women and children who are victims of violence, sexual harassment, negligence, exploitation, orphans and women with unwanted pregnancies.

Alternative care. In terms of long-term assistance, alternative forms of child care in Thailand are provided primarily to two groups of children:

- i. Children who have encountered family and care problems but who have not committed any criminal offence. There are 29 child care centres operated by the MSDHS for this group of children. The centres provide education, instill discipline and provide occupational training to children who are in need of protection in order to correct their behavior, and provide treatment and rehabilitation for their physical and mental condition;
- ii. Children who have been in conflict with the law. There are a total of 76 observation and protection centres, 34 reception centres and 17 training centres nationwide for children in conflict with the law. They will be physically and psychologically evaluated prior to their release. Several activities to reintegrate them into society are compulsory activities (i.e. orientation and training in various areas, such as life skills training, educational and occupational counselling, public activities, home visits and activities to promote moral support) while others are optional activities (i.e. excursions, permission to go to day school or work, permission to temporarily stay with the family prior to release, foster family, family camps, the provision of welfare after release, referrals and release on parole).

The Department of Social Development and Welfare of the MSDHS has allocated an annual budget for the rehabilitation/empowerment programmes for children who are victims of human trafficking at 9 main centres located nationwide. The centres provide welfare, protection, assistance and occupational development as well as a better quality of life for victims of human trafficking. Programmes include compulsory education and career training in various areas (culinary skills, hospitality services, and production of handicrafts). The training courses are regularly monitored and adapted according to market demands and trends.

3. National Research

Violence against children can occur at home, in schools or elsewhere in various forms, despite having laws and regulations explicitly prohibiting it. These traumatic experiences of children, their impact on their cognitive and personal development and the violation of their rights have raised serious concerns. The UN Committee on the Rights of the Child has continually attempted to categorise corporal punishment in schools and at home as illegal acts. Their most recent General Recommendation (GR) on Article 19 of the CRC is highly appreciated by all. Recommendations from the independent experts and Special Rapporteurs on Violence against Children are well known and accepted by those who work with and for children. In 2009, two sub-committees were established within the National Commission for Child and Youth Development Promotion to conduct national research on the VAC situation and formulate a national policy and plan on the prevention of violence against children and youth.

i. Definition of violence against children

A national research was conducted on three aspects of VAC: physical violence, verbal violence and sexual violence. Thailand has adopted the following definition of VAC stated in the GR of Article 19 and compiled from various sources, including WHO (2002) and reports from independent experts to the UN (2003 and 2006). It states that “violence is all forms of physical or mental violence, injury and abuse, neglect or negligent treatment, maltreatment or exploitation” including “the intentional use of physical force or power, threatened or actual, against a child, by an individual or group, that either results in or has a high likelihood of resulting in actual or potential harm to the child’s health, survival, development or dignity.” Violence against children can occur in one form or in multiple forms.

The research team, after documentary search and through a 6-month consultation with focus groups as well as with children themselves, came up with so-called “violent behavior” as the “operational definition” of VAC in the study.

ii. The “listing” of physical, verbal and sexual behaviors considered as “violence” used in the study

The questionnaire was given to over 50,000 respondents, the majority of whom were children aged 10 – 18 years of age but included some of their parents and teachers. The children were asked if they had been treated by their friends, parents and teachers in the manner described in the lists and whether they themselves have treated friends in a similar manner.

The physical abuses include being knocked or hit by hand on the head, being pulled sharply, slapped or hit on the arm or head, being slapped on the face or hit on the occipital bone, being knocked on the head with an object, being kicked, punched, having objects thrown at them, being trampled on by an individual or by a group of friends, being spitted at, putting dangerous or dirty objects in the bag or desk (e.g., dirty garbage, pencil dusts, or nail, etc.), throwing a child on the floor or into the water, being rejected by a group, being strangled until loss of breath occurred, forced to eat dirty or dangerous things which were not edible, scalded with hot food (e.g. noodles, porridge, etc.) or hot water, being burnt with hot object or hurt with an object (e.g. rod, broom, robe, hard paper roll, electrical cord, belt, etc.) until slightly injured, seriously hurt with a weapon or sharp object or dangerous chemical that required medical care, seriously hurt by a group of people, having dangerous chemicals thrown at them, or being forced to take dangerous chemicals (e.g. pesticide, bathroom cleaning agents, etc.).

Verbal abuse includes being teased to the point of embarrassment, being scolded using obscene words, being humiliated and condemned with words, being accused of wrong-doing, create bad incidents or rumour to discredit oneself, being name called and mocked, being intentionally ignored, use of contemptuous words, having one's parents or relatives referred to in a derogatory way or being cursed, having one's family background referred to in a hurtful way (e.g. "you orphan!" or "you, the maid's kid!," etc.), referred to, looked down upon, or threatened to hurt oneself according to one's race, religion, or culture, threatened to take away one's money or possessions, being threatened dangerous or accused of wrongful acts (e.g. to hurt someone, accused of stealing, etc.), and being threatened with death.

In addition, the items for parents' behaviors included the use of sarcastic words, being compared with others to hurt or to make one feel inferior, being cursed, being refused speech when angry, being threatened not to be loved anymore, threatened to be kicked out of the house, threatened to be abandoned, being threatened of severe punishment for disobedience and being threatened to be force to do things that may be dangerous work (such as selling drugs or selling things in the streets).

Sexual abuse includes using sexual innuendos, verbally harassed with obscene words implying sexual acts, being forced to view any type of pornographic material such as photographs, videos, or internet sites, being the victim of voyeurism whilst using the bathroom/toilet, being photographed or video-taped while posing naked or committing sexual acts against one's will, having his/her sexual organs exposed to you, having one's clothes stripped off, being forced to pose naked or commit immoral sexual acts while being photographed or video-taped, being forced to touch his/her sexual organs, bottom, or breasts, being offered money or objects in exchange for touching your sexual organs having one's sexual organs, bottom, or breasts touched or fondled, being offered money or object in exchange of sexual for intercourse, being the victim of attempted sexual intercourse (but not successful), being doped with drugs, alcohol or other substances in order to have sexual intercourse with someone, being lured or forced to have sexual intercourse with him/her, being the victim of rape, being photographed or video-taped while having sexual intercourse and broadcasting it to discredit someone or selling it for money, being photographed or video-taped while being forced to have sexual intercourse and blackmailed for money, possessions, or being forced to have intercourse, gang raped, lured or being forced into sexual service or business.

In addition, the items for teachers' behaviors towards children are offering someone good grades, money or objects in exchange for touching her sexual organs, bottom or breasts, being forced to have sexual intercourse, perform oral sex and being asked to do some work at the teacher's house to lure a child to have sexual intercourse or attempt to rape.

iii. Preliminary Findings

Even though the 3 afore-mentioned lists were the main features of the questionnaire, there were other aspects included such as the feelings of the children when being mistreated, whether they told someone about the incidents, their state of mental health such as whether they experienced anxiety, whether they thought of committing suicide or whether they have attempted to do so. The questions to the parents and the teachers also covered their own feelings about their own actions towards the children and whether they thought they needed any assistance in dealing with the so-called “disobedient” children.

In addition to the questionnaire, individual interviews were conducted on 1,800 subjects who were children and their parents to find out their perceptions of their inter-relationships. For example, what they did not like about one another’s verbal behaviors and the maltreatment and violent acts, what they wish for one another’s positive behaviors and their recommendation for improvement of the situation.

The first drafts of the reports are voluminous and the final edited reports both in Thai and English will be on the website of the Ministry of Social Development and Human Security in 2013. The summarised preliminary findings are:

- The children have admitted that they were physically, verbally and sexually abused by their friends, parents and teachers. Physical and verbal abuses were more prevalent than sexual abuse. The younger children were mistreated physically more while the older children were abused more sexually than physically. One of the surprising findings was that more male than female children were sexually abused;
- Most of the children thought that parents and teachers used physical and verbal violence as punishment for their disobedience and thought that this was acceptable and was a common practice;
- Most of the children refrained from reporting any abuse since they felt that people would not believe them, felt ashamed and/or had a fear of revenge from the accused. If they were to tell someone, they would tell their friends, followed by telling their mothers. Rare was the case where children would express their feelings to their fathers, teachers, counselors, police or any other authority;
- Many parents and teachers admitted to using physical and verbal violence on their children, but explained that they were just disciplining their children. Some mentioned that they were angry with their children. Some approved the use of corporal punishment in schools (which is now illegal) and at home. Some still believed in the old Thai saying “If you love your cows, you must tie them up; if you love your children, you must beat them up”; and
- In the interviews, both the children and their parents expressed their feelings and opinions about the types of language and behavior which should and should not be used toward one another by children and parents. The comprehensive list is given in the reports but it would merit to mention here that among the desirable behaviors that most of the children mentioned is “I wish my parents would hug me more”, and “the language used should be more positive and encouraging”.

4. National Policy and Strategic Plan of Actions

Thailand is now drafting the National Policy and Strategic Plan of Action to eradicate violence against children for 2013 – 2022, which is expected to be tabled to the Council of Ministers in 2013. The vision of the Plan is that “All children and youth in Thailand are protected from all forms of violence” which include prevention and protection of children, legal framework and mechanisms at the national and local levels while resourcing allocations and administering and managing the Plan.

5. Challenges

The Government has redoubled its efforts to address violence against children by establishing the child protection system at the national and local levels instead of offering services for children in a piecemeal fashion so that children will be protected in a more systematic and comprehensive manner. In 2013, the immediate actions (2012-2013) for addressing VAC are in the following areas:

- i. Dissemination of the results of the study along with the Convention on the Rights of the Child and GR on Article 19 to parents, teachers and the public at large with a view to modifying values and attitudes towards the better understanding and improvement of practices and treatment of children;
- ii. Capacity building and training for better child rearing by parents and caregivers and better treatment of children in schools through a better understanding of children’s development and the use of positive disciplining;
- iii. Establishment of psychosocial counselling services in schools and communities to assist those working with children and alleviate the problems of mental health as well as to provide children and their abusers a one-stop-service centre;
- iv. Improvement of legal framework and more effective enforcement of laws/regulations related to violence against children; and
- v. Involvement of all partners, both domestic and international, to provide resources and technical services and to continue to assist in seeking new and relevant knowledge/information to assist in alleviating problems related to VAC.

6. Current Situation and Existing Data

Violence against women continues to be a pressing concern in all societies and Thailand is no exception. Violence is manifested in many forms and in various places, even at home which is supposed to be a safe haven.

The exact prevalence rate of violence against women is difficult to obtain as the violence comes from different sources and typically goes unreported due to the nature of the problem.

A report from the Ministry of Public Health, where the one-stop crisis centre is located at each state and in community hospitals throughout the country, indicated that in 2010, there were around 27,500 women and children, who received treatment after being physically abused, that is, an average of 71 persons per day. Half of them were children aged 10 -15. Only 20 percent were abused by strangers while the remaining 80 percent were abused by family members or people known to them. For women over 18 years of age, most of the abuse came from their partners.

The Ministry of Social Development and Human Security reported in 2010 that the leading factors instigating violence against women were the consumption of alcohol, drug use, the physical and emotional state of the perpetrators, adultery, unemployment and pornography.

Another report from the Epidemiology Office of the Ministry of Public Health reported that women over 34 years of age were sexually abused in a greater number. The rate doubled from 8.89 percent in 2007 to 17 percent in 2009.

Human trafficking is another form of violence and, in most cases, women are the victims. In 2009 and 2010, about 1,000 trafficked women were sent back to Thailand.

7. Legislation

The State's responses to violence against women grew gradually out of the international obligations Thailand had acceded to as well as from the strong advocacy of NGOs.

Coalitions from among NGOs to fight violence against women have been formed since 1996. They have jointly worked in campaigns on all issues relating to violence against women, whether it is protesting against decisions made in judicial processes, organising seminars and meetings, conducting awareness raising activities as well as campaigning for legislative and attitude changes.

The first time that violence against women explicitly received national attention was in the 1997 Constitution where Article 53 stipulated that: “The State has to protect members of the family from violence ...”

Subsequent years saw a more intensified effort by the government in tackling gender-based violence. An indicative plan specifying measures to combat violence against women initiated by NGOs was approved by the Cabinet in 1999. The plan had served as a starting point for heightening awareness on the issue, covering a wide range of strategies and measures to assist women who encountered violence.

8. Current Legal and Policy Frameworks

- i. The Constitution of the Kingdom of Thailand B.E. 2550 (2007) has a few sections related to protection from violence, including support provision. Section 40 stipulates that every child, youth, woman, the aged and/or the disabled shall have the right to appropriate protection in the judicial process and the right to appropriate treatment in sexual offence cases;
- ii. The State is designated in Section 52 to protect children, youth, women and family members from violence and unfair treatment. They are entitled to medical treatment or rehabilitation upon the occurrence thereof. In addition, the State is required to act in compliance with the law and justice policies in providing support for the operation of private organisations rendering legal assistance to the public, especially the people who suffer from domestic violence;
- iii. With regard to specific policy on violence against women and children, the Cabinet, on May 16, 2000, approved the Policy and Plan in the Elimination of Violence against Women and Children with the Office of Women’s Affairs and Family Development of the Ministry of Social Development and Human Security designated as the core implementing agency;
- iv. The Women’s Development Plan within the 11th National Economic and Social Development Plan (2012-2016) also specifies the need to develop effective mechanisms at governmental and civil society levels, amendments and improvements of legislature for better protection and law enforcement to reduce the prevalence of violence against women. The Plan highlights the need to promote study and research related to violence reduction and protection of the rights of women and children from all kinds of abuses;

- v. Protection of Domestic Violence Victims Act of 2007 (to be referred to from now on as DV Act) has been the driving mechanism in creating heightened awareness and subsequent State responses.

The objectives of the Act are to address the human rights of the victim, prevent repeated violence by offenders as well as to protect the welfare of the family. Domestic violence is defined as ‘any action intended to inflict harm on a family member’s physical, mental or health condition and any use of coercion or unethical domination to compel a family member to commit, omit or accept any unlawful act, except for that committed through negligence’ that members of the family commit to all people in the household such as a spouse, former spouse, one who lived and co-habit or used to do so as a couple either with or without marriage registration, biological child, adopted child, family members and any dependent members who live in the same household;

Domestic violence is no longer treated as a private matter as anybody who sees or has information about a domestic violence situation can report the incident. The police or state officer has the right and jurisdiction to enter a site where domestic violence occurs. The police are required to investigate the complaint immediately and the public prosecutor is obliged to file the case before the court within 48 hrs;

The Act emphasises more on assistance rather than penalty measures by granting the court authority to assign rehabilitation, counselling, probation, public service, or parole to the offender in order to help maintain the status of family. The court can order the offender to pay compensation to the victim and/or prohibit the perpetrator from returning to the house or being in close contact with the victim;

In case of a settlement, withdrawal of a complaint or case withdrawal, the Act permits the court or police officer to issue a memorandum between the victim and the offender, to prevent the latter from repeating the violence. The Act also protects victims and their families from additional mental suffering by prohibiting any disclosure of pictures and other information to the public;

- vi. Another form of violence against women is human trafficking where women are the majority of those being trafficked. The Prevention and Suppression of Human Trafficking Act B.E. 2551 (2008) defines “exploitation” to cover sexual exploitation, pornography production/distribution, other forms of sexual exploitation, slavery, forced begging, forced labour, trade in organs, or other similar forms of exploitation regardless of whether consent is given or not. The Act includes the following key elements: a) heavier penalties on all persons involved in human trafficking; b) compensation which victims may claim from the offender for any damage caused by human trafficking; and c) shelter and other basic human needs including physical, psycho-social, legal, educational, and health care provided to victims;
- vii. The Criminal Code relating to rape was amended in 2007 where the definition of rape was expanded to cover rapes of people of all sexes, including marital rape, all types of sexual penetration, and criminalisation of marital rape. The amendment resulted in imposition of more severe penalties on offenders; and
- viii. The Juvenile Family Court and Juvenile and Family Procedure Act was amended in 2010 to designate the courts to specify protection measures and methods regarding alimony, financial compensation and support for the spouse and children.

9. Thailand's Existing Enabling Mechanisms in Addressing VAW

Efforts to eliminate domestic violence have been made intensively during the past two decades. International instruments such as the UN Human Rights Treaty, UN Declaration on the Elimination of Violence against Women of 1993, Convention on the Elimination of All Forms of Discrimination against Women and the Beijing Declaration and Platform for Action have been used in advocacy for the establishment of mechanisms, strategies and measures to curb domestic violence.

National Level

At the national level, there are two commissions which are policy mechanisms in addressing the issue of violence against women: the National Commission on Policy and Strategies on Women's Development and the National Commission on Family Development. Both Commissions are chaired by the Prime Minister. Under these two Commissions, there are special committees which have an oversight on violence against women and specifically on domestic violence.

The National Commission on Human Rights is another key mechanism in overseeing the protection of women's rights and addressing violation of women's rights to ensure conformity to the international and national obligations.

Ministerial Level

The Ministry of Social Development and Human Security is the core agency in addressing all issues of violence against women and children and serves as the secretariat for the two national commissions.

The promulgation of the Domestic Violence Act in 2007 could be looked at as a major driving force for the establishment of various mechanisms and measures to address domestic violence, a prevalent form of violence against women.

A Coordinating Centre for the Prevention of Domestic Violence under the Office of Women's Affairs and Family Development (OWAFD) has been established to serve as a policy body at the ministerial level. It is responsible for policy and plan formulation as well as for coordination among governmental and non-governmental agencies for implementation and monitoring to ensure an integrated response system.

Operational Level

- i. Mechanisms established within the Ministry of Social Development and Human Security

At the provincial level

The Office of Provincial Social Development and Human Security is the focal agency in addressing violence against women in the province. There are a total of 77 such offices.

Under the supervision of each of the Office of Provincial Social Development and Human Security, there is a specific unit dealing with domestic violence - the Operating Centres for the Protection of Domestic Violence. In practice, this operating centre also oversees other forms of violence against women. It not only provides initial assistance and referrals but also heightens public awareness on violence against women and children through seminars and community meetings.

Shelters for women and children have increased in number and each province now has at least one government shelter. These are temporary shelters for children and family members who are victims of violence, sexual harassment, negligence, exploitation, orphans and women with unwanted pregnancy. Within the shelters, victims are provided counselling service and protection as well as fundamental support. The hotline “1300” services are also offered at these shelters.

The Department of Social Development and Welfare also has the Kredtrakarn Centre for Women and Girls’ Protection and Career Development, which is located in Nontaburi Province. The Centre provides compulsory education for women and girls, as well as career training in various areas e.g. culinary skills, hospitality services, and production of handicrafts. The Centre is also opened to migrant women and girls from neighboring countries who are victims of human trafficking. They are run by the communities themselves. At present, there are almost 9,000 centres nationwide.

At the community level

Community-based Family Development Centres have been set up as a mechanism for monitoring and providing consultation and solutions to family and social problems, including violence against women. The centres act as functional units co-developed by the Ministry of Social Development and Human Security with support from the Sub-District Administration Organization. They are run by the communities themselves. At present, there are almost 9,000 centres nationwide.

ii. Mechanisms established in other government agencies

Mechanisms established to address violence against women are numerous and vary according to the mandate of the government agencies.

The promulgation of the Domestic Violence Act of 2007 has brought about greater attention not only on domestic violence but also on all forms of violence against women and children, resulting in a wider response system. The Ministry of Social Development and Human Security has entered into an agreement with 10 government agencies in addressing domestic violence which, in effect, extends in practice to other types of violence.

The following are some examples of the mechanisms which have been set up in different government agencies:

- Preventive Measures

Thailand has given importance to the Campaign to End Violence against Children and Women so as to send out the message that domestic violence is a public issue and that it is the duty of any person to report it. Annual activities are organised in November, which is designated as a month to end violence against children and women. HRH Princess Bajrakitiyabha graciously accepted the role of Goodwill Ambassador for the UN Trust Fund which set off a number of activities to end violence against women, including the collection of signatures under the Voices Project to end violence against women, thus demonstrating Thailand's position on this issue. The project obtained three million signatures in total. In addition, the government also announced 2010 as the "End of Violence against Children, Women and Domestic Violence" year. Campaigns were organised at the central and regional levels to raise awareness on the problems.

- One-Stop Crisis Centre (OSCC)

OSCCs have been set up in all public hospitals under the Ministry of Public Health and Bangkok Metropolitan. As part of the multi-disciplinary team, the main task of an OSCC is to provide treatment as well as counselling for women and children suffering from all forms of gender-based violence. At present, services of the OSCCs have been extended to hospitals both at the provincial and district levels. The number has increased from 70 in 2004 to 830 in 2012.

- The Royal Thai Police

Police stations are the first units that deal with violence against women if the cases are presented to the judicial process. However, to ensure appropriate and more gender sensitive police responses, the Department of Prevention and Suppression of Crimes Concerning Women and Children has been established to handle cases of violence against women. The officers, who include female interrogators/policewomen, assist the female/young victims during the interrogation and legal processes. The Centre for the Protection of Children, Youth and Women provides assistances to children, youth and women who have been assaulted or sexually abused.

It should be noted that, in line with the Royal Thai Police's policy of integrating gender dimension into its management, a quota has been set for policewomen cadets to undertake the same normal competitive curriculum that men do throughout 4 years. The first batch of 80 policewomen cadets will be graduating in 2013. It is anticipated that the handling of violence against women cases will be even more gender responsive in future.

Department of Rights and Liberties Protection of the Ministry of Justice

Established in 2002, this department is responsible for the initial rehabilitative support and protection of victims of violence, witnesses and the accused in the criminal justice system.

- NGO Networks

NGOs play an important role in protecting and assisting children and women who are victims of all forms of violence. These NGOs include, inter alia, the Friends of Women Foundation, the Hotline Centre Foundation, the Family Network Foundation, the Child Rights Protection Foundation, the Network to Stop Violence against Women Foundation and the Association for the Promotion of the Status of Women. These NGOs have worked hand in hand with state agencies in the protection and prevention of violence against women and act as a multi-stakeholder partnership that has been proven effective in combating violence against women in Thailand. Examples of such cooperation are reflected in the development of an on-line database of VAW at <http://www.violence.in.th> the organization of national, regional and provincial seminars on VAW-related topics, and the promotion of a national campaign on VAW which sets November as the campaign month for ending violence against women and Sunday as Family Day Campaign.

10. Challenges

i. Lack of understanding on the unequal power relations between men and women as the major root cause of violence against women

It is well recognised that a combination of factors ignite violence. Yet, the underlying cause, which is not clearly seen by some of the authorities or service providers concerned as well as the community, is the cultural and structural factors relating to power and control in the family setting. Included is the rigid division of labour between men and women leading to gender-related stereotypes. Patriarchal views that men are superior, are the firm foundation for women to be abused. These characteristics are deeply ingrained and thus lead to violence to the extent that both men and women perceive violence as a normal thing in family life.

Perceptions of the community towards family violence portray causal factors. The factors can include:

- Alcohol consumption that leads to family conflict;
- Conflict causing factors such as gambling, financial problems and jealousy; and
- Women not fulfilling men's expectations as good wives and mothers.

ii. Reframing family violence as a serious social issue

Perceptions on preventing and solving family violence are the main challenges. These include:

- Violence between husband and wife being viewed as normal. It is like “tongue and teeth”;
- Family violence being viewed as a private/personal matter and perceived to be dealt by the conflicting couple;
- Family violence viewed as a private matter. Therefore nobody wants to intervene. The right to intervene is limited to the family circle;
- The chance for intervention is more limited when the abuser has a weapon. Fear of retaliation also limits the chance for intervention; and
- Public and community perceptions about what constitutes good women and the negative impression of women who are victims of violence results in female victims procrastinating to seek help.

iii. An integrated response to violence against women

Due to the nature of the issue, prevention of violence and the elimination of violence against women require a multidisciplinary approach and coordinated efforts by committed individuals and groups in the government and non-governmental organisations as well as the community. Effective coordination among different units is still lacking. Therefore, an integrated response system with a focus on community-based approach remains a big challenge.

Adding on to this challenge is the diversity between communities. Cultural and religious context needs to be taken into consideration. The degree of women's autonomy within the family settings is diverse. Hence, common strategies and interventions as well as specific ones for the community setting are required.

iv. Attitudes of women towards the judicial process

Despite the availability of protective measures by the law, particularly in domestic violence cases, female victims do not choose to seek protection as offered by the law. Whilst women victims mostly want the partner to stop the violence, and even though the intent of the law is in restoring the family relationship with the provision for the perpetrator's behavior modification, the aim is unreachable. Traditions, perceptions and attitudes in relation to intimate relationship in family institution prevent women from seeking help through the legal channel. The requirement for women to file a complaint with the police deters women from doing so as it is against the societal belief and perception of women and society. Filing a complaint to the police, relating the incident to different people and the intervention of multidisciplinary team and other well-intended people may be too much for women to feel comfortable in seeking protection.

v. Lack of understanding of the law

Another challenge is the ability to implement the law and a lack of understanding of the law. Although there have been a lot of efforts in training and dissemination of information, it is inadequate both in terms of quality and quantity. Creating gender sensitivity and changing attitudes towards violent acts against women form significant components in the capacity building process. However, this process still remains inadequate.



**END
THIS!**





INTRODUCTION

According to experts, Violence Against Women (VAW) in Asia is rising rapidly and taking a big toll not only on families and homes but also on economies and productivity in the region. It is clear that domestic violence has serious consequences on both the physical and mental health of women.

Although there has been no official statistics, according to the joint survey in 2006 conducted by the Ministry of Culture, Sports and Tourism, the General Statistics Office, the Institute for Family and Gender Studies and United Nations Fund for Children (UNICEF), about 21.2 percent of married couples have experienced at least one type of violence (including beating, scolding, cursing and agreeing to have sex without desire/forced sex). Viet Nam has paid due attention to the prevention, elimination and punishment for gender-based violence through the following legal and policy frameworks:

The Law on Prevention of Domestic Violence in 2007 and its related documents reflect the determination of the Government of Viet Nam in ensuring the equal rights of women and men in the family:

- Decree No. 08/2009/ND-CP mandates activities to support services for domestic violence victims such as:
 - Providing health and medical care;
 - Providing legal and psychological counselling;
 - Providing shelters to victims who have nowhere to stay in a move to avoid further acts of violence; and
 - Providing essential needs such as drinking water, clothing, blankets and mosquito nets to victims.
- Decree No. 110/2009/ND-CP stipulates punishment for administrative violations in the prevention of domestic violence. For each administrative violation, individuals and organisations are subject to a warning or a fine of up to VND30 million; and

- Joint Circular No. 143/2011/TTLT BVHTTDL – BTC which mandates local governments to cover the following expenses:
 - i. Support for victims of domestic violence who take shelter at designated shelter homes up to VND40.000/person/day for rural areas and up to VND50.000/person/day for urban areas, but such support is limited to a maximum of 3 days at a shelter; and
 - ii. Support in terms of expenses for medicine cabinet and first aid items such as cotton, bandages and disinfectant etc. up to a maximum of VND200.000/year.

Challenges

- i. Lack of awareness on gender equality and women's rights (due to existing gender stereotypes) among the people;
- ii. Gender inequality still exists with women suffering the most from this. The perception of men as the "breadwinners" of the family while women are merely caregivers in the home, has caused a distorted view on the gender roles, resulting in a lack of shared responsibility between men and women in domestic work and participation in social activities; and
- iii. Officials and some state administrative agencies, judicial bodies (courts, procuracy) have not paid enough attention to the application of the provisions of the law on gender equality while handling with violations.

Solutions

In recent years, Viet Nam has continued to focus on improving the legal provisions for the protection of women's rights and gender equality through a proper system of investigation and prosecution; the implementation of relevant programmes/ projects; training and retraining, compiling documents and manuals on gender equality, CEDAW and on the prevention of domestic violence for judges, inspectors, procurators. At the same time, Viet Nam in cooperation with other countries, has organised study tours, fact-finding missions to ensure human rights in general and women's rights in particular. As a result, Viet Nam has been able to adopt the best practices of other countries in promoting gender equality.

- i. Promote communication and dissemination of policies and legislation on gender equality and the CEDAW;
- ii. Provide training for staff of relevant agencies and organisations about laws on gender equality;
- iii. Strengthen investigation and inspection of the implementation of legislation on gender equality and advancement of women;
- iv. Take flexible measures of economic management; strengthen supportive measures to stabilise people's life and widen social security policies, including issues of gender equality;

- v. Strengthen the participation of women in State/ Government agencies and promote the participation of women in management and leadership positions;
- vi. Strengthen legal provisions related to the civil, administrative, and criminal liability to prevent discrimination against women and gender inequality;
- vii. Increase women and men's opportunity to make complaints when their legitimate rights and interests are violated, especially when violations are based on gender discrimination; and
- viii. Encourage the upholding of good traditions, customs and practices of ethnicities while eliminating outdated customs and practices such as polygamy, kinship marriages that hinder the goals of gender equality.

The National Strategy on Gender Equality for 2011-2020 through Objective No. 6 sets out specific targets to ensure gender equality in family life and to gradually eliminate gender-based violence through two targets:

Target 1: Shorten the gap in the amount of time women and men do housework from 2 times in 2015 and to 1.5 times in 2020; and

Target 2: Ensure that by 2015 and 2020 respectively 40 percent and 50 percent of victims of domestic violence are identified, provided legal advice, health care support and assistance in the establishments for victims of domestic violence. By 2015, 70 percent and by 2020, 80 percent of domestic violators are identified and provided with advice on the prevention of domestic violence at centres for anti-domestic violation.

GOOD PRACTICES

1. Peace House

In Viet Nam, among the many best practices on the prevention and elimination of gender-based violence, the Peace House project is a very well-known one. The Center for Women and Development (CWD) is an entity under the Viet Nam Women's Union (VWU) to support the comprehensive development and advancement of women, especially victims of domestic violence and human trafficking. Based on its mission and vision to support women and children who have experienced gender-based violence, the CWD has studied and observed shelter models for women around the world and with the support from some international organisations, the CWD has established and successfully operated the model Peace House since 8 March 2007.

The Peace House provides effective and comprehensive services for women and children who are victims of domestic violence (DV) and human trafficking (HT). The support services include health care, psychological support, legal support, counselling and vocational training, assistance for community re-integration, and other forms of assistance. The Centre's activities have provided knowledge and life skills, which have helped women become more confident and integrate more easily into the community.

The Peace House has four (4) components:

| Location of Counselling Rooms: | Services Provided: |
|---|---|
| <p>01 Counseling room in Hanoi (20 Thuy Khue, Tay Ho, Hanoi)</p> <p>09 Counseling rooms at Provincial Women's Union at 9 provinces: Thai Nguyen, Phu Tho, Bac Ninh, Soc Trang, Ca Mau, Lang Son, Ha Giang, Quang Ninh, Kien Giang</p> | <ul style="list-style-type: none"> - Counselling, providing information (directly or through hotline) about women's rights, children's rights, laws and policies on gender equality, domestic violence prevention, human trafficking prevention and also provide counselling services on issues of family, marriage, gender, reproductive health, HIV, life skills etc. - Receiving and screening information on victims of gender-based violence, guiding necessary procedures, contacting and seeking the assistance from relevant organisations from CWD to local communities in supporting victims or referring them to Peace House in Hanoi for support. |
| Peace House Shelters | Functions: |
| <p>01 Shelter for women & children who are victims of domestic violence (DV)</p> <p>01 Shelter for women & children who are victims of human trafficking (HD)</p> | <ul style="list-style-type: none"> - Located outside CWD, safe and comfortable environment, well-equipped to support women and children. - The Peace House's address is kept confidential to secure residents' safety. - The Peace House's can offer accommodation for 20 – 30 women & children at the same time. - The duration of stay in the shelter for victims of DV is 5 months and for victims of HT comes up to 18 months. - Residents received comprehensive services support including safe accommodation, psychological support and health care; legal aid services to protect their legitimate rights and interests; life skills training, education and vocational training, leisure and entertainment activities, career skills development, job placement and reintegration support in a sustainable way. |

| | |
|---|--|
| <p>01 Satellite Peace House model in Viet Tri city, Phu Tho province, open from 19/9/2011</p> | <p>Functions:</p> <ul style="list-style-type: none"> - Counselling room for women on safety, support and prevention of Gender-Based-Violence. - Shelter for victims of DV & HT in case of emergency for 2 – 3 residents within 5 – 7 days. - Screening and referring cases needing comprehensive support to Peace House Shelter in Hanoi. |
| <p>01 Huong Sen kindergarten (20 Thuy Khue, Tay Ho, Hanoi)</p> | <p>Functions:</p> <ul style="list-style-type: none"> - Healthcare, education and psychosocial care for children (children of DV & HT victims who are staying at Peace House) and help children integrate into the community through health care, education, and training programs of Huong Sen kindergarten through events organized for children on the occasion of International Children's Day, Mid-Autumn festival etc. |

Center for Women and Development's Views on Peace House:

The initial intention of the Peace House Shelter model was not to receive many residents. However, when women's health and lives are threatened, most often by their husbands, they need immediate assistance, including temporary safe accommodation, professional care and counselling. This is important for them so that they can recover physically and mentally and to gain the strength and acquire skills to reintegrate back into society.

The following stories clearly show the impact of the Peace House shelter program on the lives of vulnerable women.

In the past, I did not know how to live and I had reached an impasse. With the support of the staff at the Peace House, I am now more relaxed, self-confident and have found new hope. My uncle said: "You were lucky to be able to go there."

When I came to visit my daughter who was staying at the Peace House, I learned that the staff counselled her on relationships and parenting. I felt comfortable with the work of the counsellors and grateful for their assistance because I could see that they handled the issues with consideration and care.

In the past, there were many times when I wanted to die. But after meeting other people, I started feeling different. After coming to the Peace House, I feel secure and I am able to sleep again.

Excerpts from residents of Peace House, (From the book "Changing Lives", published in 2009, republished 2011)

Challenges and support

The Peace House Shelter Project has faced many challenges since opening in 2007, including the culturally unacceptable fact of women leaving their homes for a shelter. Providing support services for such clients is also new in Viet Nam, which requires well-trained and experienced staff and the devotion of social workers to deliver quality services to shelter residents.

Thanks to the efforts of Central Viet Nam Women's Union and in particular the technical and financial support of international organisations such as the Medical Committee of the Netherlands in Viet Nam (MCNV), Swiss Development Co-operation (SDC), Ford Foundation, Oxfam Novib, Spanish Agency for International Development Co-operation (AECID), United Nations Children's Fund (UNICEF), United Nations Fund for Population (UNFPA), German Development Services (DED/GIZ), New Zealand Aid and Save the Children, the Peace House shelter has been able to set up its operation, build capacity for its staff and provide comprehensive services for shelter residents during their stay as well as provide follow up support for their effective and sustainable re-integration into the community.

Results - until 31 March 2013

3,832 counselling sessions have been conducted. Out of these, 343 clients have been referred to the Peace House shelter for victims of domestic violence while 235 clients have been referred to the Peace House shelter for victims of trafficking in persons

Achievements

After 6 years of operation, the Peace House Shelter has proven to be an effective and relevant model supporting vulnerable women and children. The Peace House shelter has also been acknowledged as a necessary intervention programme in the fight against gender-based violence. This is one of many practical solutions by the Center for Women and Development – Viet Nam Women's Union to contribute to gender-based violence prevention and the protection of women's rights towards the goal of gender equality in Viet Nam.

“After the Peace House was established, I realised that this is a very suitable model for Viet Nam. In my opinion, the model should be replicated. Over the past years, our Center and the Peace House Project have cooperated in a very effective way, especially in the field of medical care. The good news is that almost all of our clients have highly appreciated the support of the project staff and social workers. This high level of appreciation has brought a good reputation for the Peace House at the community level” says Mr Nguyen Ngoc Quyet, Women Center for Counselling and Healthcare, Duc Giang hospital.



Activities at the Peace House.



2. Measures Taken

In the past decade, the Government of Viet Nam has initiated important action to address child abuse and sexual exploitation of children, including the enactment of legislative reforms and relevant policy development; cooperation at the regional and international levels; capacity building for duty bearers, including police, border guards and the Ministry of Labour, Invalids and Social Affairs (MoLISA) staff; implementation of preventive initiatives with particular focus on poverty reduction, loan provision, improved access to education, job creation and public awareness; the introduction of child-friendly judicial and law-enforcement processes; and the delivery of social welfare services.

Key successes:

- i. Legislation, programmes and strategies on child protection, including regulations on the prevention of violence against children, have been formulated;
- ii. Social awareness and knowledge on the issue of violence has improved whereby the public and the mass media have been positively involved in the detection and denouncement of cases of violence against children. As a result, more cases have been successfully brought to justice; and
- iii. Some models and projects on the prevention of violence against children and domestic violence have been developed and implemented in localities.

3. Legal and Policy Framework

Article 71 of the Constitution of Viet Nam (1992) stipulates that “The citizen shall enjoy inviolability of the person and the protection of the law with regard to his life, health, honour and dignity.” Article 32 of the Civil Code (2005) regulates that “Individuals shall have the right to safety of life, health and body”.

Apart from that, there are several provisions in the Penal Code (1999) on cases of intentionally inflicting injury on or causing harm to the health of other persons which is stipulated under Article 104, ill-treating other persons under Article 110 and abuse or ill-treating grandparents, parents, fiancé and caregiver under Article 115.

Violence against children is regulated through:

- i. Law on Anti-Domestic Violence (No.02/2007/QH12 dated 21 November 2007) on acts of domestic violence (Article 2), prohibited actions (Article 8), measures on prevention, combating and dealing with domestic violence;
- ii. Law on Protection, Care and Education for Children (No.25/2004/QH11 dated 15 June 2004) on prohibited acts of ill-treatment and abuse of children (Article 7); the right to be respected and have their life, body, dignity and honour protected (Article 14); children can infringe upon the life, body, dignity, honour or assets of others (Article 22); responsibility to protect children’s life, body, dignity and honor (Article 26). It is regulated through Decree 71/2011/ND-CP dated 22 August 2011 and through Decree 91/2011/ND-CP dated 17 October 2011 on administrative punishment on the ill-treatment, abuse and exploitation of children.

- iii. Law on Education (No.38/2005/QH11 dated 14 June 2005) that prohibits acts of infringing the dignity of teachers and ill-treating and abusing learners (Article 118).
- iv. Violence against children is also regulated through the Law on Marriage and Family (No.22/2000/QH10 dated 9 June 2000) whereby parents must not discriminatorily treat, ill-treat or persecute their children, or hurt their honour and must not abuse their children (Article 34)

On 22 February 2011, the Prime Minister issued Decision 267/QD-TTg on approval of the National Program on child protection for the period 2011-2015. The overall goals of the program are:

- i. To create a safe and healthy living environment in which all children are protected;
- ii. To take proactive measures to prevent, reduce, and eliminate risk factors leading to child vulnerability;
- iii. To minimise the number of children in special circumstances, victims of child abuse and violence;
- iv. To provide support and promote the recovery of children in special circumstances and child victims of abuse and violence; and
- v. To promote children's social reintegration and equitable access to development opportunities.

On 18 August 2011, the Prime Minister issued Decision 1427/QD-TTg regarding the Program of Action on Prevention and Combating Trafficking in Persons for the period 2011- 2015.

On 19 May 2010, the Prime Minister issued Decision 704/QD-TTg on the Proposal on Training 5 million mothers on good care and teaching their children for the period from 2010 to 2015, assigning Viet Nam Women Union as the focal point to cooperate with line ministries and agencies in the implementation of the programme. Some key objectives of this proposal are:

- i. Providing training on appropriate care and education for 5 million mothers of children aged 16 years old and below;
- ii. A target to ensure at least 3 million mothers of children aged 16 years old and below effectively implement age-appropriate education for their children; and
- iii. A target to ensure at least 2 million fathers of children aged 16 years old and below have access to information on child care, gender equality, anti-domestic violence through counselling, club activities, meetings, events and communication materials/ publications in community.

4. Prevention, Assistance and Rehabilitation

Awareness campaigns on the rights of children's freedom from violence and anti-violence against children are held annually for children from 15 May until to 30 June as well as during the Mid-autumn festival every year. Emphasis has been placed on communication activities through the mass media at all levels to create public awareness on child protection.

Leaflets, handbooks, banners, messages, programmes on radio and television on violence against children have been produced by ministries, agencies and local authorities. Every year, the communication campaigns on anti-violence and abuse against children has been broadcasted on national television (VTV) and radio (VOV) with TV and radio spots during the special occasions from May until June.

MoLISA annually cooperates with line ministries and agencies to collect data on the situation of children, including anti-violence against children, cases of child abuse and exploitation. All collected data is edited and published in the annual child indicator books.

In its operation, Child Helpline "Magic number – 18001567" collects data on child protection, including cases of child abuse and maltreatment. The data is collected in the monthly and quarterly reports of Child Helpline, which are submitted to leaders of MoLISA and line ministries and relevant agencies.

In the past, there were no national surveys or studies on violence against children. With the support of UNICEF, Viet Nam is preparing a national study on violence against children.

In 2009, MoLISA organised the first National Children's Forum with the theme "Children and Targets for Children". A total of 126 children nominated from district and provincial levels throughout the country participated in the forum.

In 2010, MoLISA cooperated with line ministries, agencies, organisations and localities to organise a children's conference on "Children's Voice on Child Protection" with the participation of children from 12 provinces and cities. Five outstanding children were selected to participate in the Children's Forum in the Mekong River sub-region in Bangkok, Thailand.

In 2011, the Committee on Culture, Education, Youth and Children under the National Assembly, MoLISA, line ministries, agencies, local authorities and international organisations cooperated to hold the second National Children's Forum with the theme "Children and Safe and Child-Friendly Environment". A total of 184 children from 30 provinces and cities participated in the forum.

During the drafting of the Circular 23/2010/TT-BLDTBXH dated 16 August 2010 on the intervention and assistance procedures for child victims of violence and sexual abuse, MoLISA collected comments and ideas from child representatives through a survey.

The Ministry of Justice, in cooperation with line ministries and agencies is conducting studies to develop comprehensive child and juvenile-friendly justice system.

In 2009, the Child Helpline of Viet Nam organised a contest to create a logo and name for the Child Helpline with the participation of 100,000 children throughout the country. The Child Helpline was finally named “Magic number – 1800 1567”.

While developing materials, leaflets, communication products on child protection and care, the Department of Child Protection and Care often collects inputs and comments from children for suitable child-friendly products.

Some activities with child participation have been organised by NGOs such as drawing contest, story writing, producing programmes on radio, television on child protection, including contents on anti-violence against children.

Moreover, many clubs for young journalists, programmes on radio, television for children have been organised and supported by agencies and organisations effectively to reflect the voice of children and strengthen child protection and care activities.

Child Helpline 18001567

Child Helpline 'Magic number – 18001567' is a public service under the Department of Child Protection and Care, Ministry of Labour, Invalids and Social Affairs, with the support of Plan International in Viet Nam. It offers free counselling for all users (children, caregivers and the public) nationwide. It operates 24 hours a day everyday of the week.

Over the past 8 years of operation (since 19 May 2004), Child Helpline has received over 900,000 calls from children and adults nationwide. Over 3,000 cases were accorded proper intervention and connection to emergency services. Child victims of violence are prioritised for counselling and support.

| No. | Contents | | Case Rate |
|-----|--|-------|---------------------------------------|
| I | Cases related to abuse and violence | 773 | 2.44% had counselling |
| 1 | Provide information on sexual abuse and violence against children (regulation on punishment for sexual abuse and violence against children, working procedure, information on supporting organisations, comments of witness and other people, etc) | 536 | |
| 2 | Counselling for child victims of violence | 62 | |
| 3 | Counselling for child victims of sexual abuse | 175 | |
| II | Intervention and support for cases related to abuse and violence | 257 | 75.6% of all intervention and support |
| 1 | Violence | 89 | 26.2% of all intervention and support |
| 2 | Sexual abuse | 168 | 49.4% of all intervention and support |
| | Total cases on counselling, intervention, support related to violence and sexual abuse | 1,030 | 3.26% of all cases |

Data on cases of child victims of sexual abuse and violence in 2012.

Cases related to sexual abuse and violence against children in 2012 increased by 657 cases from 2011. Most of the callers to Child Helpline were over 18 years old. This implies that more adults, parents and people in the community pay more attention to cases of sexual abuse and violence against children.

Among the cases that received intervention and support (340 cases), cases related to sexual abuse and violence (257 cases) accounted for most of those in 2012 (75.6%). Fifty percent of those cases were related to child sexual abuse. The child victims of sexual abuse were categorised by age as: 19% (ages 3 – 8); 73% (ages 8 – 13); the rest (ages 13 – 19). Eighty percent of child victims of violence were in domestic violence cases.

Child Helpline also provides psychological treatment for child victims of sexual abuse, domestic violence and trafficking in persons. Most of the victims were in psychological crisis, in some cases associated with suicidal ideation. Psychological treatment by experts at Child Helpline will enable the child victims of sexual abuse, domestic violence and trafficking in persons to re-integrate into society.

In localities, most child victims of sexual abuse and violence have received an attention, visits and the required support. However, it is still difficult for local staff to provide special and psychological support for those children because the local staff lacks skills on caring for victims and on seeking assistance.

5. Persisting Challenges

- i. The enforcement of laws on child protection in general and prevention of violence against children in particular is not very effective in some localities;
- ii. Lack of knowledge or understanding of violence against children amongst parents, local officials and staff. This leads to slow invention in some critical cases; and
- iii. The child protection system and social work services have not been fully developed to ensure prevention of violence against children and support for child victims.

6. Future Direction

- i. To enhance multi-disciplinary cooperation among line ministries and agencies;
- ii. To revise the relevant legislation and policies for the betterment of children;
- iii. To improve communication child protection and prevention from violence against children via mass media; and
- iv. To strengthen the child protection system and social workers at the national and local levels to provide protection, counselling and support for children and their families.



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Family and Community Development*

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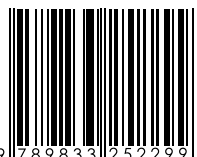
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