

KidsRights Report 2015



The Silent Majority

Justice for child victims of violence, with a focus on Liberia

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Executive Summary

Children should live a life free from all forms of violence. This is a fundamental right of children and is considered one of the cornerstones of the UN Convention on the Rights of the Child (CRC). The CRC provides a legal framework promoting the prevention of violence, as well as the recovery and social reintegration of victims of violence. All states but one have ratified this human rights convention for children.

At the same time, all around the globe, children become victims of violence far too often. Violence comes in various forms – including sexual violence – and occurs in all possible environments such as the home, school, community and over the internet. Children are often unable to speak up for themselves; they keep their abuse secret and do not seek help. They are often not even recognised as victims because of prevailing attitudes towards violence. And if children do speak up and report (sexual) violence, they are often faced with barriers when accessing the justice system; the perpetrators are not held to account and a culture of impunity persists.

Worldwide, roughly 6 in 10 children between the ages of 2 and 14 are subjected to physical punishment by their caregivers on a regular basis. One quarter of girls aged 15 to 19 report being victim to some form of physical violence. About 120 million girls - around 1 in 10 of all girls who are victims of violence - have experienced forced sexual acts at some point in their lives. This is just the tip of the iceberg. Such numbers can only be estimated, because violence against children remains largely hidden due to a host of reasons including social norms, shame and fear of reprisal.

The message of the CRC and other international children's rights instruments is clear: justice should be done for child victims of violence. Article 39 CRC addresses the position of child victims explicitly by asserting their rights to physical and psychological recovery and social reintegration. Appropriate measures to promote physical and psychological recovery, such as care and victim assistance services, family support and child protection units, can help to soothe the impact of violence. The recognition of victimhood, the accountability of the perpetrator, and compensation are also essential for the social reintegration of child victims. This is confirmed by the two Optional Protocols of the CRC on the forbidden sale of children, child prostitution and child pornography and on the involvement of children in armed conflict. Child victims should have access to justice and effective remedies to redress violations and

let their voices be heard. As a result, child victims will feel legally empowered and a member of society again.

States are obliged to protect the position of child victims by ensuring physical and psychological recovery and social reintegration. Although state governments are primarily responsible, other actors such as NGOs, lawyers, social services, communities, family and parents also have an obligation. Children themselves also have a role to play; they should be involved in decision-making and policy development to tackle the issues of violence against children and their recovery and social reintegration.

Liberia provides an example of a society where violence against children, especially sexual violence against girls, is an everyday reality. This is particularly shocking given that more than half of Liberia's population of 4.4 million consists of children. Although Liberia has a strong legal framework addressing the recovery and social reintegration of child victims, it is not reflected in day-to-day reality. Ongoing poverty, the impact of the recent deadly Ebola crisis, and years of political instability following a 14-year civil war have led to severe destruction of physical and social infrastructure, disruption of governmental and social institutions, displacement of the vast majority of the population internally and externally, and severe loss of human capital. To match its legal framework, Liberia needs to develop effective preventative measures against (sexual) violence, as well as specific programmes and facilities providing services for the recovery and social reintegration of child victims, especially girls who are victims of sexual violence.

Justice for children who have been subjected to violence requires a multi-level implementation strategy including legislation, policies and concrete mechanisms at local level. The needs of individual children should be addressed, taking into account the gender dimension as well as the form and background of the violence. By empowering child victims of violence, the realisation of their right to full recovery and reintegration can be brought within reach.

This year's winner of the International Children's Peace Prize - Abraham M. Keita from Liberia - is a role model for all children worldwide who have become victims of violence. His work tells a powerful story about how to tackle violence so that this world can become a place safe and just for children.

1. Introduction

Every day, everywhere, children become victims of violence.¹ Violence comes in various forms and occurs in different settings including the home, school, community and over the internet. It can take the form of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, and sexual abuse.² Children can also become victims of torture or any other form of cruel, inhuman or degrading treatment or punishment. They can also become victims to armed conflicts.³

Children who are victims of violence can easily be ignored, often finding themselves unable to speak up. Abraham M. Keita from Liberia is a role model for all those children worldwide who have become victims of violence. He challenges the idea that children are silent and docile victims whose rights can easily be disregarded. He shows the world that justice should and can be served, for example in his fight against gender-based violence, and in particular, the rape of girls.

Worldwide, violence against children has received increasing attention, along with its negative impact on children's lives and development. The United Nations Secretary-General's Study on Violence against Children⁴, the United Nations Children's Fund (UNICEF)⁵, the World Health Organisation (WHO)⁶, and the Special Representative of the Secretary-General on Violence against Children, Marta Santos Pais⁷, have all drawn attention to the fact that many children suffer from various forms of violence to the detriment of their well-being and future potential.

The UN Special Representative of the Secretary-General on Violence against Children, Marta Santos Pais said in 2013: *"Preventing and ending violence against children requires a global effort on an unprecedented scale – an effort that includes political leaders as well as ordinary citizens, and children as well as adults"*.⁸

Violence against children can lead to lifelong consequences for their health and development, but it remains largely

undocumented and underreported. As a result, child victims of violence do not get the special care they need, and are not granted the protection and support to which they are entitled. Too often, children are not recognised as victims because of prevailing attitudes towards violence; it is considered socially acceptable, tacitly condoned or not perceived as abusive or harmful. If children speak up for themselves and report their abuse or neglect, they can be faced with significant barriers when accessing the justice system.⁹

This report is about the rights of children as victims of violence, and how justice can be achieved to offer these children opportunities to recover and reintegrate into society, and to prevent violence against children in the future. Article 39 of the UN Convention on the Rights of the Child, the almost universally ratified human rights treaty for children, plays a pivotal role in this report, since it is about the right of every child victim to recovery and social reintegration into the community, where they can play a constructive role.

Chapter 3 takes a closer look at Liberia, a post-conflict country recovering from a deadly Ebola crisis, where violence against children, and especially sexual violence against girls, is an issue of serious concern. The report examines government action and the part played by NGOs in Liberia, but also the role of children themselves, who should be involved in decision-making and policy development in the areas of violence against children and their recovery and social reintegration. The work of this year's winner of the International Children's Peace Prize, Abraham M. Keita, provides a powerful narrative about how to respond to violence against children in a way that contributes to a world fit for children.

This report is based on desk research, drawing on literature, newspapers, online sources, journals and reports of international organisations such as United Nations International Children's Fund (UNICEF), Plan International, Save the Children, and SURE Liberia.



Justice for children who are victims of violence

Consists of:

1 *Physical and psychological recovery*

is the process to sooth the impact of violence, both physically and psychologically. It includes support for the child through care and victim assistance services, family support and child protection units.



2 *Social reintegration*

is the process of helping child victims of violence to become a full and active member of society again and consists of:

- Recognition of victimhood
- Accountability of the perpetrator
- Access to justice
- Reparation for the victim



Recovery and reintegration must take place in an environment that fosters the health, self-respect and dignity of the child.

2. The global perspective – justice for children who are victims of violence

For children who are victims of violence, justice is a broad concept and includes far more than punishing the perpetrator. At least as important are the physical and psychological recovery of the child victim, and social reintegration, including recognition as a victim, the accountability of the perpetrator, access to justice and compensation. The UN Convention on the Rights of the Child (CRC) provides that every child must be protected against all forms of violence and that children who are victims of violence are entitled to recovery and social reintegration. This chapter addresses the implications of international children's rights for child victims in their quest for justice, and the roles that must be played by governments and civil society in this process. After this chapter's broader view of violence against children, Chapter 3 will zoom in on Liberia, where sexual violence against children is the most commonly occurring form of violence.

2.1. Children's rights perspective

2.1.1. UN Convention on the Rights of the Child

The CRC is an internationally binding legal instrument, adopted by the UN General Assembly in 1989, which sets out the rights of children. The convention has been endorsed by all UN member states but one: the United States of America. It is therefore the most ratified human rights instrument in the world. The way children are viewed and treated has shifted with the CRC. Children are recognised as autonomous human rights bearers and the CRC acknowledges their distinct legal personality and evolving capacities. States have the obligation to ensure that the rights in the CRC are realised. There are roughly three categories of rights: 1) rights meant to **protect** children; 2) rights to **grant provisions**, such as healthcare and education; and 3) rights to **enable** children to participate, for example in judicial or administrative procedures.

2.1.2. Protection against violence

The right to protection against violence is a fundamental children's right and is considered one of the cornerstones of the CRC. The monitoring body of the CRC, the Committee on the Rights of the Child, underlined that the prevention of all forms of violence is essential for promoting the full set of child rights in the Convention.¹⁰ The CRC provides a legal framework promoting the prevention of violence and protecting all children from all forms of violence. The right to protection against violence is not defined in one specific provision, but covered by various articles that establish high standards for protection. However, **article**

19 CRC is a comprehensive provision and addresses the right to protection against many forms of violence in the care setting. Article 19 CRC requires that States which are parties to the CRC:

“shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s), or any other person who has the care of the child.”

The Committee on the Rights of the Child emphasizes the breadth of this obligation and underlines that all forms of violence against children, however light, are unacceptable.¹¹

The CRC also protects children from other particular forms of violence. Children shall be protected from all forms of exploitation: from economic exploitation and from performing “any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development” (article 32 CRC); from “the illicit use of narcotic drugs and psychotropic substances” and involvement “in the illicit production and trafficking of such substances” (article 33); from “all forms of sexual exploitation and sexual abuse,” including prostitution and pornography (article 34); from abduction, sale and trafficking (article 35); and from “all other forms of exploitation prejudicial to any aspects of the child's welfare” (article 36).

Children shall also be protected from torture or any other form of cruel, inhuman or degrading Treatment or Punishment (article 37 CRC). Moreover, children under the age of 15 must be protected from being recruited into armed forces and from directly taking part in hostilities, consequently States shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict (article 38 CRC).

The CRC is complemented by two Optional Protocols which provide more detailed protection for children from specific forms of violence. The Optional Protocol on the involvement of children in armed conflicts states that children who are recruited and used as child soldiers are entitled to appropriate assistance for their physical and psychological recovery and their reintegration into society (article 6). The Optional Protocol on the sale of children, child prostitution and child pornography provides that States Parties should

take all appropriate measures for children who are victims to the forms of exploitation as defined in the Protocol, and requires States Parties to criminalise these child rights violations as offences, and to provide appropriate assistance, including their full reintegration and their full physical and psychological recovery (article 9 & 10).

2.1.3. Some facts and figures

What is the situation of violence against children worldwide? According to the 2014 UNICEF report *Hidden in plain sight*,¹² a study was conducted drawing on data from 190 countries by examining global patterns of violence against children as well as attitudes and social norms. The key findings of the report provide evidence that violence is ever present in the lives of children all over the world. Some of its findings are highlighted below:¹³

- About **6 in 10 children** between the ages of 2 and 14 are subjected to physical punishment by their caregivers on a regular basis;
- **One quarter of girls** aged 15 to 19 report being victims of some form of physical violence since age 15;
- About **3 in 10 adults** believe that physical punishment is necessary for educating and raising children;
- Around **1 in 3 students** between the ages of 13 and 15 reports involvement in physical fights;
- Around **126 million girls** between the ages of 15 and 19 think a husband is in some cases justified in hitting or beating his wife;
- Close to **84 million girls** aged 15 to 19 have been the victims of emotional, physical or sexual violence committed by their husbands or partners at some point in their lives;
- Around **120 million girls** - about 1 in 10 - have experience forced intercourse or other forced sexual acts under the age of 20.

Many children who are victims of violence keep their abuse secret and never seek help. According to the UNICEF report, girls between the ages of 15 and 19 who have experienced physical and/or sexual violence said they did not ask anyone for assistance. The report also indicates that boys who are victims of violence are about as likely as girls to keep their victimisation secret. And if they seek help, boys and girls turn much more often to individuals they know personally, rather than to institutions such as the police department, medical facilities, legal aid, religious groups or social services.¹⁴

Thus, despite the broad endorsement of the CRC, children become victims of violence far too often, and cannot access their right to recovery and social reintegration as laid out in

article 39. This right can only be read in close connection with the protection articles of the CRC, because if violence remains pervasive and socially accepted, recovery and social reintegration stay out of reach for children who are victims of violence. Consequently children will not seek help and will not complain, most adults will not report and professionals may be reluctant to act.

2.1.4. Recovery and social reintegration for child victims

Article 39, Convention on the Rights of the Child (CRC)
States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

Every child victim has the right to recovery and social reintegration. This provision concerns a wide range of potential victims: child victims of any form of neglect, exploitation, or abuse, torture or any other form of cruel, inhuman or degrading treatment or punishment, but also child victims of armed conflicts. Article 39 CRC provides that states “shall” take all appropriate measures to promote the physical and psychological recovery and social reintegration of a child victim. It specifically indicates that such a recovery and reintegration must take place in an environment that fosters the health, self-respect and dignity of the child. In other words: States must protect all rights of the child when providing services aiming at his or her recovery and social reintegration. As a consequence, article 39 CRC should be understood as part of the CRC as a whole, including the general principles of the CRC: prohibition of discrimination (art. 2), the best interests of the child (art. 3(1)), the right to life, survival and development (art. 6) and the right to be heard (art. 12 CRC).

Article 39 CRC can be divided into parts: first, *the physical and psychological recovery* and second, *the social reintegration* of children who are victims of violence. In addition, it also offers a framework for the level of quality of action to be taken.

Physical and Psychological recovery

Violence against children can lead to lifelong consequences for their health and development. The 2008 World Report on Violence Against Children states:

“The most apparent immediate consequences of violence to children are fatal and non-fatal injury,

cognitive impairment and failure to thrive, and the psychological and emotional consequences of experiencing or witnessing painful and degrading treatment that they cannot understand and are powerless to prevent. These consequences include feelings of rejection and abandonment, impaired attachment, trauma, fear, anxiety, insecurity and shattered self-esteem”.¹⁵

Research has shown that exposure to many forms of violence or trauma disturbs the normal neuro-developmental processes and therefore alters the developing brain.¹⁶

Article 39 CRC includes the right to *physical and psychological recovery* for child victims. The way the recovery is achieved depends on the consequences of the kind of violence that the individual victim may have experienced. Appropriate measures to promote physical and psychological recovery can be imagined in all forms of care. The 2008 United Nations Secretary-General’s Study on *Violence against Children* recommends that States should provide accessible, child-sensitive and universal health and social services, including pre-hospital and emergency care. For children who are victims of domestic violence, trafficking or sexual violence, safe houses or shelters may be needed with access points that are widely known, especially to vulnerable groups.¹⁷

Where children have been exposed to abuse, the Committee on the Rights of the Child recommends in *General Comment no. 13* that medical, mental health and social services may be required, including longer-term follow up services. This can consist, for example, of family group conferencing¹⁸ Schools have a responsibility when it comes to children who are victims of abuse, neglect, victimisation and exploitation. According to article 26 of the *UN Guidelines on the Prevention of Juvenile Delinquency* (Riyadh Guidelines), schools should serve as resource and referral centres for the provision of medical, counselling and other services. The *Special Representative of the Secretary-General on Violence against Children* also underlines the need for a well-organised referral system:

“Entry points such as schools or medical centres, where staff are trained to identify signs of violence or abuse, can alert and advise other elements of the child protection system, thereby ensuring that the child receives the necessary services without having to undergo new interviews and assessments at every step”.¹⁹

In the case of children who are victims of armed conflict,

special programmes and training should be provided in dealing with the consequences of war, and demobilisation of child soldiers.²⁰ According to the Secretary-General on Children and Armed Conflict, the reintegration of children recruited and used in extreme violence requires significant and long-term resources. Comprehensive programmes are needed to determine the reintegration needs of these children. The Secretary-General on Children and Armed Conflict recommends and encourages Member States to:

“... highlight and address...appropriate measures to rehabilitate those children recruited and used, including education programmes and vocational training, in compliance with the principle of the best interest of the child and respecting the child’s primary status as a victim”.²¹

The case of Hamza

Hamza, a 13-year-old boy from Syria, was detained by Syrian Air Force Intelligence during a protest that he had joined with his family to break the siege of the city of Daraa during the Syrian civil war in 2011. A month later, his body was delivered to his family showing the scars of brutal torture, including lacerations, bruises and burns, gunshot wounds, broken bones and severed genitals. The images of Hamza were shared by journalists and activists, causing thousands of people to protest in support of him.

The chief of Syria’s Medical Examiners Association denied any signs of torture after examining Hamza’s body. After Hamza’s parents tried to press charges against the Syrian Army and security forces, they were visited by the Syrian secret police: The parents were forced to claim publicly that Hamza was killed by SunniMuslim extremists.

Hamza’s story remains a sign of impunity and outrageous practices performed by the Syrian authorities against their own people, including children.²²

Social reintegration

Social reintegration can be understood as the process of helping child victims of violence to become a part of society again. Some key elements of this process are highlighted below.

Recognition of child victims

Before a child victim of violence can start the process of social reintegration, the child should be recognised as a victim. States should therefore acknowledge that all children are bearers of rights and ensure that this is widely understood, including by children themselves. This will contribute to breaking down cultural norms that condone or normalise violence against children. That this change of attitude is still necessary is demonstrated by the 2008 *World Report on Violence Against Children*, which shows that some types of violence remain socially acceptable. Corporal punishment, for example, is still considered reasonable and lawful in several states. The same applies to other forms of cruel or degrading punishment, bullying, sexual harassment, and a range of violent traditional practices which are regarded as normal.²³

Accountability of the perpetrators

The successful prosecution of those responsible for violence against children is an important aspect of the social reintegration of their victims. States have the responsibility to protect children from violence, and the obligation to ensure accountability in every case of violence. The Committee on the Rights of the Child noted in General Comment no. 13:

“The Committee has consistently expressed its support for systems of accountability, including in particular through data collection and analysis, indicator construction, monitoring and evaluation as well as support for independent human rights institutions. The Committee recommends that States parties publish an annual report on progress made with regard to the prohibition, prevention and elimination of violence, submit it to parliament for consideration and discussion, and invite all relevant stakeholders to respond to the information contained therein”.²⁴

The Committee also stresses that effective and appropriate sanctions against individual perpetrators are of great importance.²⁵ Accountability and impunity are further addressed by the 9th recommendation of the 2008 *World Report on Violence Against Children*. It underlines that States should enhance community confidence in the justice system by bringing all perpetrators of violence against children to justice, and ensuring that they are held accountable through the criminal justice system, but also through civil and administrative proceedings and sanctions.²⁶

The case of Kainat

In 2007, Kainat, a 13-year-old girl living in a rural village, was sexually assaulted by four men. Her community ordered her killing due to the “shame” the incident brought on them, but her immediate family members supported Kainat in her fight for justice and in challenging laws that had been in place for centuries.

Kainat’s pursuit for justice brought more difficulty than success – due to threats of violence, her family was forced to flee their home, and her brothers were beaten and murdered.

The burden of proof was placed on Kainat to provide evidence to convict her alleged attackers, and they were let go. The judge described Kainat’s accusations as “a product of her own fantasy”, and her brother was accused of not being a real man, because he did not kill her after the assault. The family lost everything. According to Kainat’s lawyer, prejudice against women seemed to be systemic, and influenced the work of the courts.

Kainat’s struggle for the truth will continue until justice is served, says her family.²⁷

Access to justice

Access to justice is an important element of complete social reintegration. It allows child victims of violence to feel legally empowered, and to become part of society again. Of all the children who suffer violence, very few have access to a fair, timely and effective remedy; they have no access to the justice system. Access to justice is a fundamental right in itself and refers to the ability to obtain a just and timely remedy for violations of rights as put forth in national and international norms and standards including the CRC.²⁸ In the 2013 *Access to justice for children Report* of the United Nations High Commissioner for Human Rights to the General Assembly, elements of access to justice for children are set out, including the rights to: relevant information, an effective remedy, a fair trial, to be heard, as well as to enjoy these rights without discrimination.²⁹

Article 8 of the Universal Declaration of Human Rights (UDHR), which also applies to children, states that: “everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law”. This is also enshrined in article 2(3) of the International

Covenant on Civil and Political Rights (ICCPR).³⁰ The Committee on the Rights of the Child makes a crucial contribution in *General Comment no. 5* on effective remedies and the actual enforcement of children's rights:

"For rights to have meaning, effective remedies must be available to redress violations. This requirement is implicit in the Convention... Children's special and dependent status creates real difficulties for them in pursuing remedies for breaches of their rights. So States need to give particular attention to ensuring that there are effective, child-sensitive procedures available to children and their representatives."³¹

In this light, access to justice should be seen as an implicit requirement of the CRC. State Parties should ensure effective and child-sensitive procedures, and include elements such as: the provision of child-friendly information, advice, and advocacy (including support for self-advocacy); and access to independent complaints procedures and to the courts with necessary legal and other assistance.³² The concept "child-sensitive" can be defined as "an approach that balances the child's right to protection and that takes into account the child's individual needs and views".³³

The 2012 study on *Safe and child-sensitive counseling, complaint and reporting mechanisms to address violence against children* proposes critical remedies to address violence against children.³⁴ The study also underlines the need to develop universally available, effective, child-sensitive mechanisms to address incidents of violence against children.³⁵ The study recommends that State Parties ensure that children become more aware of complaint mechanisms, both existing and newly-established. These complaint mechanisms may include telephone helplines through which children can report all forms of violence, speak to a trained counsellor in confidence, and ask for support and advice.³⁶ The study demonstrates that counselling, complaint and reporting mechanisms to address violence against children should, at a minimum:

- Be established by law and in conformity with international human rights instruments;
- Be made widely available and well-publicised;
- Be accessible to all children;
- Be guided by the best interests of the child and informed by children's experience and perspectives;
- Guarantee the safety of children;
- Ensure the confidentiality of proceedings and respect children's right to privacy;
- Provide prompt and speedy response and follow-up.³⁷

Children who are victims of violence are particularly vulnerable and need protection when accessing the justice system. *The Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime*, adopted by the United Nations Economic and Social Council, provide a framework for the various rights of those vulnerable children, including the right to be treated with dignity and compassion, to be protected from discrimination, to be informed, to be heard and given opportunities to express views and concerns, to effective assistance, to privacy, to be protected from hardship during the justice process, to safety reparation, and to special preventative measures.³⁸ If one of those elements is not guaranteed, the justice system may victimise children for the second time and cause them harm, as well as discouraging other child victims from seeking justice. There are several reasons why access to justice remains a challenge for children who are victims of violence; some examples are listed below.

Barriers to accessing justice for children:³⁹

1. *Complexity of the justice systems:* Children are often unaware of their rights and the existence of services, lacking information about where to go and whom to call to benefit from advice and assistance;
2. *No adaptation of children's rights in the justice system:* legislation and procedures concerning the treatment and participation of children in proceedings are often not adapted to children's rights and needs or may even be discriminatory towards children based on their age and gender;
3. *Lack of specialised professionals:* a lack of specialised judges, prosecutors, lawyers and other personnel working with children, as well as sufficient resources to provide specialised training;
4. *The Intimidation effect of the justice system:* children may be afraid to make complaints out of fear of harassment, further stigmatisation, abandonment or reprisals against them or their families;
5. *Lack of confidence:* children may have a lack of confidence that their complaints will be taken seriously and fairly assessed;
6. *Cultural and social obstacles:* in some parts of the world, it is culturally and socially unacceptable for children to lodge complaints and claim redress. Doing so would place children at great risk of reprisal, including violence, intimidation, exclusion and ostracism. Violence against children is often considered a fact of life rather than a rights violation that could be brought to court;
7. *No support of adults:* access to justice for children usually depends on the support provided by adults, who themselves may not be aware of children's rights or know how best to support their children. Children often

have no capacity to act without their parents or legal representatives, which is particularly problematic in case of a conflict of interest;

8. *Costs and physical distance:* children's ability to access justice is also affected by factors such as the cost of proceedings and the physical distance to courts as they often lack the necessary means to pay for fees or organise travel;
9. *Additional barriers for vulnerable groups:* certain groups of children are faced with more barriers to accessing the justice system. Those include children in alternative care, children deprived of their liberty, children with disabilities, children living in poverty, children living in the streets, children belonging to minorities or who are indigenous, girls, children in conflict situations, and asylum-seeking and migrant children.

In Argentina, two judges reduced the sentence of a convicted child abuser from 6 years to 38 months. The judges ruled that the six-year old victim has already been traumatised through earlier abuse and that the boy "was making a precocious choice of his sexuality", referring to his homosexuality. The boy had experienced a prior sexual abuse by his own father, who had been jailed. Due to the boy's former abuse, the judges argued that he had already been traumatised and had shown signs of transvestite conduct. The case became public in May 2015, raising fierce criticisms. As a result, both judges resigned. The case is now before the Supreme Court.⁴⁰

Child helplines can be instrumental in assisting children to access the justice system:

Alda (10) was being abused physically and emotionally by an adult member of her family. Before making contact with a child helpline, she had been afraid to tell anybody, because she thought that the situation would get even worse. The helpline counsellor listened, encouraged and coached her on how to approach the police, and advised her how the police would deal with the case. It was also explained to Alda that she had the right to live in a safe environment. Alda told the counsellor that she felt a lot more confident and would take the counsellors advice.⁴¹

Access to justice – An alternative through restorative justice
Justice can alternatively be achieved for child victims through restorative justice. In the restorative justice process,

the victim, the perpetrator and other community members (e.g. family members) who are affected by the (criminal) behavior of the perpetrator, actively participate to find a solution and to restore the relationships between victim, perpetrator and the wider community, sometimes with the help of a fair and impartial third party.⁴² This can be realised through a non-adversarial and voluntary process, based on dialogue, negotiation and problem solving.⁴³ Restorative justice is not only a good alternative for children who have committed an offence, but it can also be beneficial for victims. The role of the victim is recognised as a crucial part of the process, and the perpetrator is held accountable, coming to understand the impact of his or her action and deciding how to make things right.

Victims report consistently that their views are better respected in restorative justice processes than in court.⁴⁴ In Queensland, Australia, a research project by the Department of Justice showed that of 351 offenders, parents and victims interviewed, 98% said the restorative process was fair, and 97-99% said that they were satisfied with the agreement reached.⁴⁵ A study from the USA found that in Brazil, 95% of victims reported being satisfied with the procedure and the outcome, and feeling "greater accountability" from the offender after having had the opportunity to communicate their experience of the violation.⁴⁶

In cases involving family or sexual violence, these processes should only be used when appropriate. The particular dynamics of sexual violence, including the power imbalances inherent in this type of offence, can pose significant risks to the physical and emotional safety of the victim and should be taken into account.⁴⁷ Examples of restorative justice can be victim-offender mediation or victim impact panels. Victim-offender mediation is outlined below.⁴⁸

Victim-offender mediation⁴⁹ Victim-offender mediation is a model often applied in cases involving minor offences committed by children, although it is also used for more serious offences. This model is most commonly used as an alternative referral by the court after the offender has made a formal admission of guilt. The process promotes dialogue between the victim and offender in a safe and structured setting.

How does it work in practice? Start with separate meetings with victim and offender to assess suitability followed by preparation, if appropriate, for direct mediation – including discussion of ground rules. Joint meeting, which often involves: 1. Opening statement, introduction and ground rules; 2. Uninterrupted time – each person tells their story; 3. Exchange – opportunity

for questions; 4. Building agreement, if appropriate; 5. Writing agreement, if appropriate; 6. Closing session, arranging follow-up; 7. Mediators' debrief.⁵⁰

Compensation

An important part of the process of recovery and reintegration of child victims is the right to reparation; this includes the right to compensation.⁵¹ Article 2 (3) ICCPR also requires the availability of adequate reparations to individuals whose rights have been violated. *The United Nations Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime* goes further and states that procedures for obtaining and enforcing reparation should be readily accessible and child-sensitive.⁵²

Child participation in seeking reparation

Truth and Reconciliation Committees (TRCs) have generally been set up to provide a forum for hearing victims of armed conflict, establishing the truth of events and memorialising them through the creation of a historical record, addressing impunity and promoting community reconciliation. Only in Peru and Sierra Leone have the TRCs sought the input of children in the repatriation process. In Sierra Leone, for example, the TRC involved children in the process of making recommendations for the reparations programme. For most children, repatriations were less about cash payments, and more focused on providing access to education, health care and accommodation. In Peru, children participated in awareness raising activities, information dissemination on the process, objectives and activities of the Commission, and memory workshops.⁵³

2.2. Government action and the role of NGOs – some examples from the field

2.2.1. States

The right to recovery and reintegration of child victims, and the requirement to achieve an environment of a certain quality, to foster the health, self-respect and dignity of the child victim, puts an obligation on the State. According to article 4 CRC, States have the primary responsibility to ensure this right, and they should undertake all appropriate legislative and administrative measures for the implementation of the right to recovery and reintegration of child victims.

2.2.2. Civil society

Besides the State, responsibility also lies with all sectors of society, parents and wider families, other adults, and non-State services and organisations to respect and ensure the right to recovery and reintegration of child victims.⁵⁴ In *General Comment no. 5*, The Committee on the Rights of the Child welcomes the development of NGO coalitions to promote, protect and monitor children's rights. In fact, the Committee urges Governments to support them, and to develop positive formal as well as informal relationships with them.⁵⁵ Children themselves also have a role to play; they should be involved in decision-making and policy development relating to violence against children and to recovery and social reintegration.

2.2.3. Reflections from the field

Recovery and reintegration services can be provided in a range of facilities including rehabilitation centres, victim assistance centres, social welfare centres, child protection units, family support centres and interim shelters. The UNICEF report *Hidden in plain sight* highlights a number of projects addressing recovery and reintegration, as well as access to justice for child victims of violence. Three of these projects, fulfilled by state and civil society organisations, are highlighted below.⁵⁶

Malawi – victim support units ⁵⁷

In Malawi, child victims of sexual and physical violence now receive services through over 100 victim support units within law enforcement, 300 within communities, and additional “one-stop” centres established with UNICEF support. These are managed by the district branch of the Ministry of Gender, Children and Community Development, and are linked to the nearest police stations. In addition, all police structures are reportedly capable of providing victim support services, following the establishment of 101 victim support units and 400 child protection desks.

Bhutan – Care and development centres ⁵⁸

In the most remote communities of Bhutan, 31 new early childhood care and development centres were built in 2013. The education curriculum on parenting has also been strengthened to ensure holistic, responsive care, including the prevention of abuse, violence and neglect.

Mongolia – Access to justice: 24/7 Child Helpline ⁵⁹

In 2014, the Government of Mongolia finalised revision of a law on Combating Domestic Violence that incorporates clear provisions for the protection of children at home. In addition, the Government is developing a stand-alone law on child protection to address procedural gaps in existing laws to guarantee that children are protected in all settings. In May

2014, Mongolia launched its first nationwide, toll-free, 24/7 Child Helpline, which is a child's first point of contact with child protection services. Children only need to dial 108 on any phone, be it in a remote herder community or other area outside existing formal systems, to get linked to an operator standing by to offer assistance.

Summary

- The right to protection against violence is a fundamental right of children and can be considered one of the cornerstones of the CRC;
- Nevertheless, children become victims of violence far too often;
- Article 39 CRC explicitly addresses the position of child victims by securing the right to *recovery* and *social reintegration*;
- The right to *recovery* and *social reintegration* can only be read in close connection with the protection articles of the CRC, because if violence remains pervasive and socially accepted, recovery and social reintegration remain out of reach for child victims;
- Article 39 CRC includes the right to *physical and psychological recovery* for child victims. The way the recovery is carried out depends on the consequences of the kind of violence that the individual victim may have experienced;
- Important elements of *social reintegration* are recognition as a victim, the accountability of the perpetrator, access to justice, and compensation;
- States have the primary responsibility to ensure the recovery and reintegration of child victims;
- All sectors of society, including children themselves, parents and wider families, other adults, and non-State services and organisations also have a responsibility to respect and ensure the right to recovery and reintegration of child victims;
- Recovery and social reintegration services can be provided in a range of facilities.

3. The country perspective – justice for children who are victims of violence in Liberia

Violence against children is of serious concern in Liberia. The current generation of Liberian girls and boys is particularly vulnerable to violence, abuse and exploitation. Almost half of adolescents have experienced physical violence by the age of 15.⁶⁰ Corporal punishment is lawful in schools, at home and in alternative care settings, leading children to suffer extreme physical violence. Domestic violence and neglect are also major problems.⁶¹

However, the form of violence that occurs most in Liberia is sexual violence against girls.⁶² A whole generation of girls has been traumatised by years of conflict, during which they were confronted with war-related sexual violence.⁶³ This chapter focusses on victims of sexual violence – in particular, girls – in Liberian society, and on their right to recovery and social reintegration.

Sexual violence implies any sexual activity imposed by an adult on a child from which the child is entitled to protection by criminal law. This may include the inducement or coercion of a child to engage in any unlawful or psychologically harmful sexual activity; the use of children in commercial sexual exploitation or in audio or visual images of child sexual abuse; child prostitution; sexual slavery; sexual exploitation in travel and tourism; trafficking for purposes of sexual exploitation; sale of children for sexual purposes; and forced marriage. Consensual sexual activities between children are not considered sexual abuse if the children are older than the age limit defined by the State Party.⁶⁴

3.1. The Liberian Context

Liberia is located on the coast of West Africa and neighbored by Sierra Leone, Guinea and Cote d'Ivoire. Almost half of Liberia's population, estimated at 4.4 million, consists of children.⁶⁵ Liberia is confronted with a range of challenges related to the transition from conflict to post-conflict society. Many of these are directly related to the issue of sexual violence against girls. Understanding these challenges helps to understand the issue of sexual violence in its broader context and to identify strategies to implement effectively the victims' right to recovery and social reintegration. The most essential challenges are listed below.

3.1.1. A post conflict area

After 14 years of conflict, Liberia can be described as a post conflict country. It is still recovering from two civil wars in

1989-1997 and 1999-2003. This prolonged period of conflict led the country to a complete breakdown of law and order. The UN Mission in Liberia (UNMIL) has been present in the country since 2003, to help stabilise the political situation.⁶⁶ During the wars, Liberia became a killing zone for children. Almost 250,000 people died: 65.98% of them were children, including child soldiers, and girls and boys who lived at home. Girls turned out to be particularly at risk of sexual violence, forced by rebels to become sex workers.⁶⁷ Rape is often used as a "weapon of war". Today, many girls have been excluded from the benefits of Liberia's peace, because their wartime experience has left them with a persisting fear of sexual violence. The perpetrators of sexually violent war crimes are rarely held accountable and impunity prevails, allowing sexual violence to become normalised and socially acceptable. There is consequently no sign that the risk has reduced, and perpetrators now include not just ex-combatants, but also community and family members, teachers, husbands and partners.⁶⁸ Girls also experience social stigma related to their victimisation, finding it difficult after their rape to find a partner for marriage.⁶⁹

3.1.2. The impact of Ebola

Liberia is also struggling with the consequences of the recent Ebola crisis in West Africa, that lasted from May until the end of September in 2014. Liberia was the worst affected, with more than 4,800 dead and 10,666 people becoming infected.⁷⁰ More than 4,500 children lost one or both parents or primary caregivers, and many more children were affected in other ways, being quarantined, watching loved ones die, losing months of schooling or being unable to access health services.⁷¹ Liberia was declared Ebola-free in August 2015.⁷² However, in September 2015, more than 9.8 million children were still living in communities affected by the virus.⁷³

In addition to the impact on children's health and basic needs, Ebola also affected their safety. Violence against children was aggravated by the outbreak. Many children lost their caregivers and found themselves at greater risk of neglect, exploitation and emotional harm. The closure of schools also removed an important place of daily refuge where they would be protected. The shutdown of wider government services and restrictions on movement in the earlier stages of the outbreak meant that child-protection programmes, where they existed, were no longer providing care to vulnerable children. Communities tried to protect the health of children (and adults), by, for example, supporting quarantines, but this also contributed to the violence against children.⁷⁴

A 15-year old boy was shot dead last year, during a peaceful protest against the blockades introduced around Abraham Keita's own area of West Point to contain the Ebola virus; the bullet was fired by the Liberian Armed Forces. Angry at the government's silence on the issue, Keita organised a protest march which sparked national debate. As a result, the government finally acknowledged their responsibility for the fatal shooting.

There is a direct link between Ebola and sexual violence against girls.⁷⁵ When sent away by their immediate caregivers, to relatives outside the areas worst affected by the virus, they became more vulnerable to sexual violence. Reports indicate that mothers were especially worried that their daughters, roaming around in the community, would run the risk of becoming pregnant.⁷⁶ Girls who have lost their parents or caregivers were put at an even greater risk because they do not have care at all.

"I send my children to my uncle in another community that was not affected by the Ebola virus, but I feel bad today because somebody raped my daughter while in that community". (Father. Ganta, Liberia 20 November 2014)⁷⁷

3.1.3. Poverty

Another challenge underlying sexual violence is poverty. Liberia is one of the poorest countries in the world; around 80% of its population lives below the poverty line (i.e. income of less than US \$1.25 per day),⁷⁸ unemployment rates are high, and there is massive corruption. Food insecurity is high: 41% of Liberians don't have enough food, and of those, 13% eat only rice, roots and cereals. Many children do not have access to a sufficient and balanced diet, and only one in four has access to safe drinking water.⁷⁹ It is well-established that poverty and sexual violence are closely related: poverty drives many girls into prostitution in order to earn a living. However, under the Liberian Rape Law, sex with an underage prostitute constitutes rape.

Recovering from the recent deadly Ebola crisis and a prolonged period of armed conflict, Liberia remains fragile. Basic social services are lacking, and poverty is rife. It is against this backdrop that sexual violence takes place, and continues to damage the lives and development of entire generations of girls.

3.2. Some facts and figures on sexual violence

In Liberia, sexual violence against children, especially girls, happens on a large scale. The following numbers are an approximation, given that sexual violence against children remains largely hidden due to social norms, shame, fear of reprisal and other reasons.

13% of adolescents girls aged 15 to 19 experience sexual violence. For 13.6% of them, their first sexual experience is against their will.⁸⁰ Moreover, consistent raping of girls mainly between the ages of 10-15 years by older men is an issue of serious concern in Liberia.⁸¹

Rape is the most frequently reported crime in Liberia. According to the treatment centres of Médecins Sans Frontières (MSF), the majority of the victims are young girls,⁸² mostly between the ages of 5 and 14 years.⁸³ In the first months of 2013, more than 700 rapes of children under the age of 18 were reported by hospitals in Monrovia. Teenage prostitution also affects girls and young women in Liberia:⁸⁴ almost 50% of all girls have taken part at least once in their lives. Among former girl child soldiers, the numbers are even higher.⁸⁵ It is a way for girls to earn money when they have no financial support; it can be used as a short-term solution to pay for school fees, food and other basic needs. But its lasting effects can include pregnancy, sexually transmitted diseases including HIV/AIDS, and emotional trauma.⁸⁶ Girls as young as 12 years old stand on street corners every night, selling their bodies. Many are raped during these sexual transactions.⁸⁷

Many victims of sexual violence are unwilling to look for medical or psychosocial assistance, or report crimes to the police, because they are afraid the perpetrators will kill them, or that they will be rejected by their families and society.⁸⁸ This makes the prosecution of perpetrators difficult.

The rate of sexual violence against girls in Liberia is alarming: rape and teenage prostitution are everyday occurrences. The impact of sexual violence on the mental health and well-being of Liberia's girls is pronounced. An effective response, including recovery and social reintegration of the victims, is urgently needed.

3.3. Liberia's legal framework

3.3.1. International framework

Liberia is a party to all relevant international documents including the CRC and The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). On 1 December 2009, Liberia also signed and ratified the African Charter on the Rights and Welfare of the Child (ACRWC). Liberia is therefore accountable for ensuring progress towards the greater protection of children against sexual violence, and for safeguarding the recovery and social reintegration of its victims. However, Liberia has not yet ratified the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, Child Pornography and on the Involvement of Children in Armed Conflict. Both protocols address the position of victims of sexual violence in (post-)conflict situations specifically, including their full social reintegration and their full physical and psychological recovery

3.3.2. National framework

At the national level, Liberia's Penal Code⁸⁹ provides that a person who knowingly endangers a child's welfare "by violating a legal duty of care, protection or support" is guilty of a misdemeanor in the first degree (par. 16.4). The Rape Bill⁹⁰ was passed in 2006 as a result of advocacy and lobbying by non-governmental organisations. Pursuant to the Rape Bill, it is a criminal offence to have sexual intercourse with a person less than 18 years of age. Rape in the first degree is a felony with a maximum penalty of life imprisonment. Prostitution, child pornography, the delivery of children for exploitation and the abuse of children are prohibited under the Act to Ban Trafficking.⁹¹

The Children's Law was adopted in 2011, signed by the President in 2012. This law is one of the first comprehensive pieces of children's rights legislation in the continent and is largely based on the CRC and the African Charter on the Rights and Welfare of the Child.⁹² It asserts the right to be protected from sexual abuse and exploitation (Article III). It also provides for child protection officers to prevent and respond to child exploitation, abuse and to promote rehabilitation and reintegration (Article VII, Sections 49, 50, and 51). It outlines in detail the obligations of the police to investigate and pursue cases of sexual violence (Article III, section 21.2). The Children's Law also requires that police units are developed and maintained to protect women and children, to keep up-to-date registers of convicted child abusers and offenders; to monitor the whereabouts of registered child abusers; to make arrangements to prosecute cases of domestic violence and other violence against children; and to provide temporary safe places

for women or children who have suffered, or are at risk of suffering, violence, exploitation, or abuse (Article XI, Section 100.2).

Despite these legislative efforts, implementation remains an issue of concern; there is a serious discrepancy between Liberia's legal framework and the day-to-day reality. Its physical, governmental and social infrastructures are in pieces after years of civil war and political instability. Its population is largely displaced both internally and externally. Its economy is shattered and poverty has a tight grip. Liberia has significant challenges ahead to make good on its promises to provide children with adequate protection from violence, and to ensure the recovery and social reintegration of its victims.⁹³

3.3.3. Concluding Observations of the Committee on the Rights of the Child

The UN Committee on the Rights of the Child (hereafter: the Committee) is the body of independent experts that monitors implementation of the CRC by its State parties. It also monitors implementation of the two Optional Protocols to the Convention. Liberia was examined by the Committee in 2012. The Committee expressed concern about the situation of sexual violence against children in Liberia, and grave concern that child rape and sexual offences against children are the most commonly reported crimes. It also pointed to the high number of cases settled out of court after pressure from the alleged perpetrators' families. It concluded that the corrupt practices of judicial officials pose an obstacle to victims seeking justice, and that the lack of sufficient investigative and forensic capacity remains a challenge.⁹⁴

Recommendations were made concerning the recovery and social reintegration of child victims of sexual violence. The Committee urged the Liberian government to:⁹⁵

- establish an effective system of reporting with a child-sensitive inquiry and judicial procedure that protects confidentiality, and develop programmes and policies for the prevention, recovery and reintegration of child victims.
- take all necessary measures to ensure that child victims of violence receive psychosocial and recovery services, that they are aware of the reporting procedures and are encouraged to report cases of child sexual abuse to the authorities.
- ensure recovery and social reintegration services, particularly for street children who are victims of sexual abuse.

Liberia must present a Periodic Report by January 2018, detailing its implementation of the recommendations.

3.4. Government action and the role of NGOs - Building a framework for recovery and social reintegration of girl victims of sexual violence

The Liberian Government bears primary responsibility for providing a framework through which violence can be prevented and the recovery and reintegration of child victims of sexual violence realised. Civil society, NGOs, lawyers, social services, communities, family, parents, and children themselves also have a role to play. Recovery and social reintegration services can be provided through a range of facilities. A few such activities, fulfilling article 39 CRC and implemented by the Liberian Government and non-governmental organisations, are highlighted below, demonstrating how child victims of sexual violence can be assisted and empowered.

3.4.1. Government action

2008-2010: Sexual and Gender Based Violence Crimes Unit - Physical and Psychological recovery

The Government of Liberia has established, together with UNFPA and UNDP, the Sexual and Gender Based Violence Crimes Unit (SGB-CU) to ensure that victims, including children, are provided both legal and psycho-social support and that perpetrators are brought to trial fast. The aim of SGBV-CU is to provide rapid investigative and prosecutorial response to complaints of sexual offences. As soon as the sexual violence takes place the police can send the child to the SGB-CU, where they provide psycho-social counselling to the victim and family. Sometimes, the victims stay at the SGB-CU during trials to prevent harassment and attacks from perpetrators.⁹⁶

2007: Special Court E- Social reintegration through accountability

The successful prosecution of those responsible for sexual violence is an important prerequisite for the social reintegration of the child victim in everyday society. Due to the low numbers of successful sexual violence prosecutions, the Liberian Government established a special court in 2007, named "Special Court E", and a protection unit to address sexual and gender-based violence. This initiative was supported by the United Nations Populations Fund (UNFPA) and funded by the Government of Denmark. Special Court E is equipped to conduct trials in camera (behind closed doors) involving rape cases, allowing for protection of the identity of the victim and the witnesses during testimonies.⁹⁷ The UN Committee on the Rights of the Child has commended Liberia for establishing Special Court E along with the specialised prosecution unit.⁹⁸

2005: Women and Children Protection Sections - Social reintegration through access to justice

To manage sexual violence and juvenile justice cases within the Liberian National Police, a total of 52 Women and Children Protection Sections were established by the Liberian Government in 2005, supported by UNICEF in collaboration with the LNP and the United Nations Mission in Liberia. The police officers were given training in order to "improve their skills and techniques in managing and handling sexual violence cases".⁹⁹

2012: The Liberian Children's Parliament - Social reintegration through access to justice

Access to justice is an important element for child victims of sexual violence, to ensure complete social reintegration through a sense of legal empowerment. The Liberian Children's Parliament acts as advocate for children's issues including protection from, and prevention of, sexual violence. It was the Liberian Children's Parliament that played a key role in the passage of the Children's Law.¹⁰⁰ This year's winner of the International Children's Peace Prize, Abraham M. Keita, played a leading role in this process, pushing for national legislation on children's rights.

3.4.2. The role of non-governmental organisations

2008: Safe house programmes - Recovery

Non-governmental organisations have an important role to play in the recovery of girls who are victims of sexual violence, as evidenced by the safe house programmes. Safe houses were opened by the United Nations Mission in Liberia (UNMIL), supported by local NGOs. UNICEF supports the safe house programme and provides food, medicine and counselling, psychosocial support, basic literacy and numeric skills development, vocational training and other life skills, such as information about reproductive health and HIV/AIDS awareness. The safe house is a confidential place where girls who have been victims of sexual violence can be cared for, and given the kind of intense counselling and psychosocial support they need – until they are ready to go back to their communities.¹⁰¹

2013: The National Children's Anti-Rape Campaign – Social reintegration through recognition of the victims

States and civil society must acknowledge that all children are bearers of rights, ensuring that this is widely understood, not least by the children themselves. Attitudes that condone or normalise sexual violence against children need to be changed. In order to achieve this, and to engage young people in the fight against rape and other violence against women and young girls, the National Children's Anti-Rape Campaign was backed by young people from all around Liberia. This campaign was launched in 2013 at the Ministry

of Gender and Development, with the reading of a statement of petition by this year's winner of the International Children's Peace Prize, Abraham M. Keita. The petition calls upon the Government of Liberia, through the Ministry of Justice, to bring rape cases currently in the court system to a speedy trial. Nearly 500 children signed the document, which also called for the amendment of a number of articles in the Rape Law of Liberia.¹⁰²

2011-2015: The Girl Power Programme - Social reintegration
The Girl Power programme was established to ensure social reintegration for young girls and women who are victims of sexual violence. The five-year initiative to promote the rights of girls and young women in Liberia to protection from violence is an initiative of the Dutch Child Rights Alliance: a cooperation of various local non-governmental organisations.¹⁰³ The mission of the alliance is to ensure the promotion of equal rights for girls and to support their full participation in the political, social and economic development of their communities, in accordance with the CRC and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Its main goals include the reduction of sexual and gender based violence against girls and young women, and the empowerment of girls and young women.

Within the Girl Power programme, Child Helpline International has established 24/7 child helplines. As a result, girls who are victims of sexual violence have the opportunity to be heard. Child helplines can be girls' first point of contact with child protection services, and can provide an accessible gateway for finding much needed support and empowerment.¹⁰⁴

Defence for Children International also runs programmes within Girl Power. Through their Defence for Girls programme they give social and legal assistance to girls and young women in Liberia who are at risk of, or are victims of, sexual violence.¹⁰⁵

Also participating in the Girl Power programme, Plan Liberia helps girls and young woman who are victims of sexual violence to become part of Liberian society again. Plan Liberia empowers those who have been teenage prostitutes to develop skills such as baking, soap-making, and tailoring. The organisation provides startup packages to enable these girls to set up their own businesses, allowing them to break free from the cycle of poverty and sexual violence in which they have been trapped.¹⁰⁶

Summary

- Violence against children is of serious concern in Liberia.
- Sexual violence against girls is the form of violence that occurs most in Liberia; rape is the most frequently reported crime.
- As an extremely poor, post-conflict country in the wake of a deadly Ebola crisis, Liberia is confronted with serious challenges. It is in this context that sexual violence against girls in Liberia occurs, and continues to damage the lives and development of whole generations of girls.
- As a State Party to the CRC, the ACERWC and other relevant human rights instruments, and having signed and ratified all relevant international documents, Liberia has an obligation to protect girls against sexual violence and to provide recovery and social reintegration to the victims.
- Liberia has established a national legal framework that provides protection to children from sexual violence, including the Children's Law: a comprehensive piece of children's rights legislation.
- The Liberian government has undertaken a number of active measures to implement the right to recovery and reintegration for victims of sexual violence. However, many key initiatives have been taken by non-governmental organisations.
- Despite efforts made, effective implementation remains a serious concern, leaving the lives and development of many young girls at risk. Effective preventative measures against sexual violence must be put in place, and article 39 CRC must be put into practice, with programmes and facilities for recovery and social reintegration for girls whose rights and physical and psychological integrity have been violated.

4 Conclusion and recommendations

Children all over the world should live a life free from all forms of violence. This is the fundamental right of every child and one of the cornerstones of the UN Convention on the Rights of the Child (CRC). The CRC provides a legal framework promoting the prevention of violence, as well as the recovery and social reintegration of victims of violence.

Despite the global endorsement of the CRC – all states but one have ratified this human rights convention – children become victims of violence far too often. This violence takes many forms, including sexual violence, and children are often unable to speak up for themselves, keeping their abuse secret and failing to seek help. Prevailing attitudes towards violence mean that children are often not even recognised as victims. If they do report sexual violence, children can be faced with barriers when accessing the justice system, and all of this results in the perpetrators not being held accountable, reinforcing an insidious culture of impunity.

International children's rights are clear: justice should be done for children who are victims of violence, children whose lives and development have been damaged, often irreparably. For child victims of violence, justice is a broad concept and includes far more than punishing the perpetrator. At least as important are the physical and psychological recovery of the child. Access to support services can help to soothe the impact of violence and prevent long-term harm. Recognition of victimhood, the accountability of the perpetrator, and compensation are vital to children's social reintegration. These require unfettered access to justice, a crucial element in welcoming child victims back into society. Restorative justice may also be considered as a way to serve child victims while holding perpetrators accountable.

This report has shown that states are under obligation to protect the position of child victims by securing their right to physical and psychological recovery and social reintegration (art. 39 CRC). While state governments bear primary responsibility to ensure this right, other actors also have a role to play, including civil society, NGOs, lawyers, social services, communities, family and parents. Children themselves also play an important part; they should be involved in decision-making and policy development in the areas of violence against children and their recovery and social reintegration. That this can work in practice is demonstrated by the work of the 2015 winner of the International Children's Peace Prize: Abraham M. Keita from Liberia.

This report has made clear that calling upon governments to live up to their obligations includes the imperative to change existing cultural attitudes towards violence. If violence remains pervasive and socially accepted, recovery and social reintegration will stay out of reach for children who fall victim to it. They will not seek help or complain, and most adults will not report it. Even professionals may be reluctant to act. This is arguably even more problematic when it comes to sexual violence committed against girls. Sexual violence is socially normalised because its perpetrators are rarely held accountable; a culture of impunity therefore prevails. Many girls who have suffered sexual violence are unwilling to look for medical or psychosocial assistance, or to report the crime to the police, because they fear rejection by their families, by their community and by society as a whole. The situation in Liberia illustrates this too well. Violence against children, especially sexual violence against girls, is an everyday reality. As an extremely poor, post-conflict country in the wake of the deadly Ebola crisis, Liberia is confronted with serious challenges. It is against this backdrop that sexual violence against girls occurs, and continues to damage the lives and development of whole generations, with rape the most frequently reported crime. This is particularly shocking given that more than half of Liberia's population consists of children.

Liberia has a strong legal framework to protect and promote children's rights, including the new Children's Law. This framework is an important precondition for the protection of children from violence and for meeting the state's obligations to ensure the recovery and social reintegration of child victims. Liberia has also signed and ratified the CRC, ACRWC and CEDAW, which clearly oppose the use of violence against children, and of sexual violence against girls in particular. Yet, Liberia has not ratified the relevant Optional Protocols to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, Child Pornography and on the Involvement of Children in Armed Conflict, which explicitly provide that victims of sexual violence in post-conflict settings should receive all appropriate assistance, to achieve full social reintegration and physical and psychological recovery.

There is a marked discrepancy between Liberia's legal framework and the day-to-day reality on the ground. Effective preventative measures against sexual violence are urgently needed, as well as specific programmes and facilities providing services for the recovery and social reintegration of girls who are victims of sexual violence. Initiatives do exist which demonstrate the willingness of

the government, along with NGOs, to implement the right to recovery and reintegration for victims of sexual violence. These include the Sexual and Gender Based Violence Crimes Unit, safe house programmes and the establishment of Special Court E to address sexual and gender-based violence.

However, despite these efforts, effective implementation remains an issue of concern. Liberia's physical, governmental and social infrastructures are in pieces after years of civil war and political instability. Its population is displaced, both internally and externally. Its economy is shattered and there is widespread poverty and hunger, all of which constitute significant obstacles to effective implementation. The UN Committee on the Rights of the Child has expressed grave concerns about the rate of sexual violence against Liberian children and called on the government to develop more effective programmes and policies for the prevention, recovery and reintegration of child victims.

In conclusion, justice should be done for children who have suffered violence. This requires a multi-level implementation strategy which includes legislation, policies and concrete mechanisms at local level, addressing the needs of individual children, while taking the gender dimension into account as well as the nature of the violence. Children should never be denied their victim status, and should be provided with the means to recover and reintegrate; they should be heard and given full access to justice. These measures are not optional, but a legal obligation for states such as Liberia, who, by endorsing international children's rights, have committed themselves to respecting children – boys and girls alike – as bearers of human rights, including the right to be protected from all forms of violence and its long term consequences. Children deserve a world free from violence, and until then, at least the means to recover from violence, and to reintegrate into a community which shows them care and respect.

Global Recommendations:

- Governments should *prohibit all violence* against children in their legal frameworks, at all times and in all settings.
- Governments should ensure that appropriate measures, consistent with article 39 CRC, are taken to *promote physical and psychological recovery and social reintegration* of all children within its jurisdiction who are victims of any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts.
- States should *recognise children who are victims of violence as victims* and therefore acknowledge that all

children are bearers of rights, ensuring that this is also understood by children themselves.

- Governments should *ensure that perpetrators are held accountable* through the criminal justice system, but, if appropriate, also through civil and administrative proceedings and sanctions.
- Governments should *ensure that victims of violence have access to justice* including the right to relevant information, to an effective remedy, to a fair trial and to be heard. While accessing the justice system, child victims of violence should be treated with dignity and compassion, protected from discrimination, informed, and given opportunities to express views and concerns; in addition, they should be given effective (legal) assistance and privacy, and be protected from hardship or secondary victimisation.
- Governments should take appropriate measures *to ensure that compensation is available* for child victims.
- Governments should *review the environment* in which such recovery and reintegration takes place to ensure that it fosters the health, self-respect and dignity of the child. This includes addressing attitudes towards violence against children, girls and other stigmatised or disadvantaged groups of children.
- Governments should *plan and implement* programmes for recovery and reintegration, without discrimination against child victims; the best interests of the child must be a primary consideration; the maximum survival and development of the child must be ensured; and the views of the child should be respected.

Recommendations for Liberia on victims of (sexual) violence

- The Government of Liberia should ratify the relevant Optional Protocols to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, Child Pornography and on the Involvement of Children in Armed Conflict, as both protocols address the position of victims of sexual violence in (post-)conflict situations specifically, including their full social reintegration and their full physical and psychological recovery.
- The Government of Liberia should ensure a strong prevention effort that focuses on changing societal norms and increasing awareness of views on sexual violence against children, especially girls.
- The Government of Liberia needs to continue its efforts, in close cooperation with relevant stakeholders, (I) NGOs, lawyers, communities, families and children themselves, to improve the effective implementation of the right to *physical and psychological recovery and social reintegration* of victims of (sexual) violence, and to respond to the commitments it made when signing

and ratifying the UN Convention on the Rights of the Child and other international and regional human rights instruments, such as the African Charter on the Rights and Welfare of the Child.

- The Government of Liberia should meaningfully involve

children themselves in all aspects of decision-making and policy development in tackling the issue of (sexual) violence against children.

Bibliography

Books and articles

- Detrick, S.A., A commentary on the United Nations Convention on the Rights of the Child, (1989).
- Hodgkin, R. and Newell P., Implementation Handbook for the Convention on the Rights of the Child (2007).
- Lawson, C. L. and Katz, J., Restorative justice: an alternative approach to juvenile crime, The Journal of Socio Economics (33), Elsevier, 2004, pp. 175-188.

Reports

- Plan International, Silent suffering: The Psychosocial Impact of War, HIV and other High-Risk Situations on Girls and Boys in West and Central Africa, (2015), Online available at: [https://plan-international.org/search/site/Liberia?f\[0\]=bundle%3Apublication](https://plan-international.org/search/site/Liberia?f[0]=bundle%3Apublication).
- Plan International, Young lives on lockdown: The impact of Ebola on children and communities in Liberia, (2014), Online available at: <https://plan-international.org/young-lives-lockdown>
- UNICEF, Liberia Situation Report on Ebola, (2015), Online available at: <http://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20Liberia%20SitRep%2030%20September%202015.pdf>
- UNICEF, Hidden in plain sight, A statistical analysis of violence against children, (2014) Online available at: http://files.unicef.org/publications/files/Hidden_in_plain_sight_statistical_analysis_EN_3_Sept_2014.pdf
- UNICEF, UN Common Approach to Justice for Children, (2008), online available at: <http://www.unrol.org/doc.aspx?n=uncommonapproachjfcfinal.doc>
- United Nations Secretary-General, World Report on Violence Against Children, (2006), A/61/299.
- Office of the Special Representative of the Secretary-General on Violence against Children, Annual Report, (2014), Online available at: https://srsg.violenceagainstchildren.org/sites/default/files/documents/docs/A_HRC_28_55_EN.pdf
- Office of the Special Representative of the Secretary-General on Violence against Children, Toward a world free from violence, Global survey on violence against children, (2013), Online available at: https://srsg.violenceagainstchildren.org/sites/default/files/publications_final/toward_a_world_free_from_violence.pdf
- Office of the Special Representative of the Secretary on Violence against Children, Safe and child-sensitive counselling, complaint and reporting mechanism to address violence against children, (2012), Online available at: https://srsg.violenceagainstchildren.org/sites/default/files/publications_final/web_safe_final.pdf

- Office of the Special Representative of the Secretary-General on Violence against Children, Safeguarding the rights of girls in the criminal justice system (2015), Online available at: https://srsg.violenceagainstchildren.org/sites/default/files/publications_final/girls_in_detention/safeguarding_the_rights_of_girls_in_the_criminal_justice_system.pdf
- Office of the Special Representative of the Secretary-General for Children and Armed Conflict 2011, Online available at: https://childrenandarmedconflict.un.org/publications/WorkingPaper-3_Children-and-Justice.pdf
- United Nations General Assembly, Annual report of the Secretary-General on Children and Armed Conflict, A/69/926-S/2015/409, (2015), Online available at: <http://watchlist.org/wordpress/wp-content/uploads/080615-SG-report-on-Children-and-armed-conflict-revised.pdf>
- United Nations Economic and Social Council, Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime, (2005), Online available at: https://www.unodc.org/documents/justice-and-prison-reform/Justice_in_matters...pdf
- SURE, report on sexual violence against children in Liberia, (2015).
- KidsRights Nomination form for the International Children's Peace Prize 2015

UN Committee General Comments

- United Nations Committee on the Rights of the Child, General Comment No. 5, General measures of implementation of the Convention on the Rights of the Child, CRC/GC/5, (2003).
- United Nations Committee on the Rights of the Child, General Comment No. 13, The right of the child to freedom from all forms of violence, CRC/C/GC/13, (2011).

Online Sources

- Australian Institute of Criminology, Restorative Justice and Conferencing in Australia, Online available at: <http://www98.griffith.edu.au/dspace/bitstream/handle/10072/4022/15328.pdf?sequence=1>
- Defence For Children, Defence for girls program, Online available at: <https://www.defenceforchildren.nl/images/125/2485.pdf>
- Child Helpline International, Gender Practices of Child Helplines in the Girl Power Programme, (2015), Online available: http://www.childhelplineinternational.org/media/140932/gender_publication_-_english_-_

interactive_web.pdf

- Child Helpline International, The Voices of Children and Young People (child helpline data from 2012 and 2013), Online available at: http://www.childhelplineinternational.org/media/122286/14746_chi_voc_report_web_singlepages25.11.14.pdf
- Ministry of Gender, Children & Social Protection, Overview of the GBV Unit, Online available at: <http://mogdliberia.com/index.php/programs/gender-based-violence-gbv>
- Save the Children, Liberia Country profile, Online available at: <http://resourcecentre.savethechildren.se/start/countries/liberia/country-profile>
- UNICEF, Liberia in context, Online available at <http://www.unicef.org/liberia/overview.html>
- UNICEF, As Liberia marks end of Ebola transmission, (2015), Online available at: <http://www.unicef.org/liberia/9431.html>
- UNICEF, Toolkit on Diversion and Alternatives to Detention, (2009), Online available at: http://www.unicef.org/tdad/index_56370.html
- UNIFEM, Women and armed conflict, Online available at: <http://www.unwomen.org/en/news/in-focus/end-violence-against-women/conflict>
- UNICEF, New women and children protection section for Liberia's police, (2005), Online available at: http://www.unicef.org/media/media_28159.html
- UNICEF, President Sirleaf launches Children's Law of Liberia, (2012), Online available at: http://www.unicef.org/media/media_61579.html
- UN News Centre, Liberia: UN mission builds safe house for victims of sexual violence, (2008), Online available at: <http://www.un.org/apps/news/story.asp?NewsID=27031#Vh-UpGThDX8>
- WHO, Key facts Ebola virus disease, (2015), Online available at: <http://www.who.int/mediacentre/factsheets/fs103/en/>
- <http://www.independent.co.uk/news/world/americas/child-abuser-in-argentina-has-sentence-reduced-as-judges-rule-six-year-old-victim-was-gay-and-had-10261110.html>

Endnotes:

- ¹ UNICEF, Hidden in plain sight, A statistical analysis of violence against children, (2014) Online available at: http://files.unicef.org/publications/files/Hidden_in_plain_sight_statistical_analysis_EN_3_Sept_2014.pdf
- ² Articles 19, 32-36 CRC.
- ³ Articles 37 & 38 CRC.
- ⁴ United Nations Secretary-General, World Report on Violence Against Children, (2006).
- ⁵ UNICEF, Hidden in plain sight, A statistical analysis of violence against children, (2014) Online available at: http://files.unicef.org/publications/files/Hidden_in_plain_sight_statistical_analysis_EN_3_Sept_2014.pdf

org/publications/files/Hidden_in_plain_sight_statistical_analysis_EN_3_Sept_2014.pdf

- ⁶ WHO, Report on violence prevention, (2014) Online available at: http://www.who.int/violence_injury_prevention/violence/status_report/2014/en/.
- ⁷ Special Representative of the Secretary-General on Violence against Children, Annual Report (2014) Online available at: https://srsg.violenceagainstchildren.org/sites/default/files/documents/docs/A_HRC_28_55_EN.pdf
- ⁸ Office of the Special Representative of the Secretary-General on Violence against Children, Toward a world free from violence, Global survey on violence against children (2013), Online available at: https://srsg.violenceagainstchildren.org/sites/default/files/publications_final/toward_a_world_free_from_violence.pdf
- ⁹ UNICEF, Hidden in plain sight, A statistical analysis of violence against children, (2014) Online available at: http://files.unicef.org/publications/files/Hidden_in_plain_sight_statistical_analysis_EN_3_Sept_2014.pdf
- ¹⁰ United Nations Committee on the Rights of the Child, General Comment No. 13, The right of the child to freedom from all forms of violence, CRC/C/GC/13, (2011), Para. 13.
- ¹¹ Ibid., Para. 17.
- ¹² UNICEF, Hidden in plain sight, A statistical analysis of violence against children, (2014).
- ¹³ Ibid.
- ¹⁴ Ibid.
- ¹⁵ United Nations Secretary-General, World Report on Violence Against Children, (2006), at 63.
- ¹⁶ Ibid.
- ¹⁷ Ibid., at 26.
- ¹⁸ United Nations Committee on the Rights of the Child, General Comment No. 13, The right of the child to freedom from all forms of violence, CRC/C/GC/13, (2011), Para. 52.
- ¹⁹ United Nations Secretary-General, World Report on Violence Against Children, (2006), at 109.
- ²⁰ Detrick, S.A., A commentary on the United Nations Convention on the Rights of the Child, (1989), The Hague Kluwer Law International, at. 670.
- ²¹ United Nations General Assembly, Annual report of the Secretary-General on Children and Armed Conflict, A/69/926-S/2015/409, (2015), Para. 269
- ²² KidsRights Nomination form for the International Children's Peace Prize 2015
- ²³ United Nations Secretary-General, World Report on Violence Against Children, (2006), at 10.
- ²⁴ United Nations Committee on the Rights of the Child, General Comment No. 13, The right of the child to freedom from all forms of violence, CRC/C/GC/13, (2011), Para. 72j.
- ²⁵ Ibid., Para. 41d.
- ²⁶ United Nations Secretary-General, World Report on Violence Against Children, (2006), A/61/299.
- ²⁷ Office of the Special Representative of the Secretary on

- Violence against Children, Safeguarding the rights of girls in the criminal justice system (2015), Online available at: https://srsg.violenceagainstchildren.org/sites/default/files/publications_final/girls_in_detention/safeguarding_the_rights_of_girls_in_the_criminal_justice_system.pdf
- ²⁸ UNICEF, "UN Common Approach to Justice for Children" (2008), online available: <http://www.unrol.org/doc.aspx?n=uncommonapproachjfcfinal.doc>, at 4.
- ²⁹ United Nations General Assembly, Report of High Commissioner for Human Rights, Access to justice for children, (2013), A/25/35, Para. 8.
- ³⁰ International Covenant on Civil and Political Rights (ICCPR), Article 2.3.
- ³¹ United Nations Committee on the Rights of the Child, General Comment No. 5, General measures of implementation of the Convention on the Rights of the Child, CRC/GC/5, (2003), Para. 24.
- ³² Ibid.
- ³³ United Nations Economic and Social Council, Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime, (2005), article 9(d).
- ³⁴ Office of the Special Representative of the Secretary on Violence against Children, Safe and child-sensitive counselling, complaint and reporting mechanism to address violence against children, (2012).
- ³⁵ Ibid.
- ³⁶ Ibid.
- ³⁷ Ibid.
- ³⁸ United Nations Economic and Social Council, Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime, (2005).
- ³⁹ This listed is based on: United Nations, General Assembly, Access to justice for children, Report of High Commissioner for Human Rights, A/25/35, (2013), Para. 13-17.
- ⁴⁰ Independent, Child abuser in Argentina has sentence reduced as judges rule six-year-old victim 'was gay' and had been traumatised through earlier abuse, (2015), Online available at: <http://www.independent.co.uk/news/world/americas/child-abuser-in-argentina-has-sentence-reduced-as-judges-rule-six-year-old-victim-was-gay-and-had-10261110.html>
- ⁴¹ Child Helpline International, The Voices of Children and Young People (child helpline data from 2012 and 2013), Online available at: http://www.childhelplineinternational.org/media/122286/14746_chi_voc_report_web_singlepages25.11.14.pdf
- ⁴² Special Representative of the Secretary-General on Violence against Children, Annual Report (2014) Online available at: https://srsg.violenceagainstchildren.org/sites/default/files/documents/docs/A_HRC_28_55_EN.pdf
- ⁴³ Ibid.
- ⁴⁴ Promoting Restorative Justice for Children, Online available at: https://srsg.violenceagainstchildren.org/sites/default/files/publications_final/srsgvac_restorative_justice_for_children_report.pdf.
- ⁴⁵ Australian Institute of Criminology, "Restorative Justice and Conferencing in Australia". Online available at: <http://www98.griffith.edu.au/dspace/bitstream/handle/10072/4022/15328.pdf?sequence=1>
- ⁴⁶ Lawson, Catherine L, and Katz, JoAnne, "Restorative justice: an alternative approach to juvenile crime", The Journal of Socio Economics (33), Elsevier, 2004, p 175-188.
- ⁴⁷ Promoting Restorative Justice for Children, Online available at: https://srsg.violenceagainstchildren.org/sites/default/files/publications_final/srsgvac_restorative_justice_for_children_report.pdf.
- ⁴⁸ Ibid.
- ⁴⁹ Promoting Restorative Justice for Children, p. 11.
- ⁵⁰ UNICEF, Toolkit on Diversion and Alternatives to Detention, (2009), Online available at: http://www.unicef.org/tadad/index_56370.html
- ⁵¹ United Nations Committee on the Rights of the Child, General Comment No. 5, General measures of implementation of the Convention on the Rights of the Child, CRC/GC/5, (2003), Para. 24.
- ⁵² Para. 35; children may, for instance, need protection in addition to financial redress for violations of their right.
- ⁵³ Office of the Special Representative of the Secretary-General for Children and Armed Conflict 2011, Online available at: https://childrenandarmedconflict.un.org/publications/WorkingPaper-3_Children-and-Justice.pdf
- ⁵⁴ United Nations Committee on the Rights of the Child, General Comment No. 5, General measures of implementation of the Convention on the Rights of the Child, CRC/GC/5, (2003), Para. 56.
- ⁵⁵ Ibid., Para. 59.
- ⁵⁶ UNICEF, Hidden in plain sight, A statistical analysis of violence against children, (2014), at 173.
- ⁵⁷ Ibid.
- ⁵⁸ Ibid., at 175.
- ⁵⁹ Ibid.
- ⁶⁰ UNICEF, Liberia in context, Online available at <http://www.unicef.org/liberia/overview.html>.
- ⁶¹ United Nations Committee on the Rights of the Child, Concluding Observations: Liberia, CRC/C/LBR/CO/2-4, (2012), Para. 45-47.
- ⁶² UNICEF, Liberia in context, Online available at <http://www.unicef.org/liberia/overview.html>.
- ⁶³ SURE, report, (2015).
- ⁶⁴ This definition is based on the United Nations Committee on the Rights of the Child, General Comment No. 13 (2011): The right of the child to freedom from all forms of violence, UN document CRC/C/GC/13.
- ⁶⁵ UNICEF, Liberia in context, Online available at <http://www.unicef.org/liberia/overview.html>.
- ⁶⁶ UNMIL, UNMIL Background, Online available at: <http://www.un.org/en/peacekeeping/missions/unmil/background.shtml>.
- ⁶⁷ UNIFEM, Women and armed conflict, Online available at: <http://>

- www.unwomen.org/en/news/in-focus/end-violence-against-women/conflict.
- ⁶⁸ UN Government SGBV Joint Program, Factsheet Combating Sexual and Gender Based Violence In Liberia, (2014), Online available at: <https://undg.org/wp-content/uploads/2014/07/Liberia-SGBV-Fact-Sheet.pdf>
- ⁶⁹ SURE, report, (2015).
- ⁷⁰ WHO, Key facts Ebola virus disease, (2015), Online available at: <http://www.who.int/mediacentre/factsheets/fs103/en/>.
- ⁷¹ UNICEF, As Liberia marks end of Ebola transmission, (2015) Online available at: <http://www.unicef.org/liberia/9431.html>.
- ⁷² UNICEF, Liberia Situation Report on Ebola, (2015), Online available at: <http://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20Liberia%20SitRep%2030%20September%202015.pdf>.
- ⁷³ Ibid.
- ⁷⁴ Plan International, Young lives on lockdown: The impact of Ebola on children and communities in Liberia, (2014).
- ⁷⁵ Ibid.
- ⁷⁶ Ibid.
- ⁷⁷ Quote in: Plan International, Young lives on lockdown: The impact of Ebola on children and communities in Liberia, (2014).
- ⁷⁸ SURE, report, (2015).
- ⁷⁹ Ibid.
- ⁸⁰ UNICEF, Situation of children in Liberia, Online available: http://www.unicef.org/liberia/children_7918.html.
- ⁸¹ SURE, report, (2015).
- ⁸² Save the Children, Liberia Country profile, Online available at: <http://resourcecentre.savethechildren.se/start/countries/liberia/country-profile>.
- ⁸³ SURE, report, (2015).
- ⁸⁴ SURE, report, (2015).
- ⁸⁵ Plan International, Silent suffering, august 2015, Online available: [https://plan-international.org/search/site/Liberia?f\[0\]=bundle%3Apublication](https://plan-international.org/search/site/Liberia?f[0]=bundle%3Apublication).
- ⁸⁶ Plan International, Silent suffering, august 2015, Online available: [https://plan-international.org/search/site/Liberia?f\[0\]=bundle%3Apublication](https://plan-international.org/search/site/Liberia?f[0]=bundle%3Apublication).
- ⁸⁷ SURE, report, (2015).
- ⁸⁸ SURE, report, (2015).
- ⁸⁹ Penal Code, (19 July 1976). Online available at: <https://www.unodc.org/tldb/pdf/Liberia-PenalLaw%20A.pdf>
- ⁹⁰ Rape Amendment Act (29 December 2005): This Act amends the Penal Code of June 1976 Chapter 14, Section 14.70 and 14.71, stating that a person who has sexual intercourse with another person (male or female) without his/her consent has committed rape. The maximum sentence for first-degree rape, which includes rape of a minor, gang rape, rape resulting in serious bodily injury and rape under threat of a deadly weapon, is life imprisonment. The maximum sentence for second-degree rape, without the previously mentioned conditions, is 10 years' imprisonment. The Act also requires in-camera hearings for all rape cases.
- ⁹¹ Act to Ban Trafficking in Persons within the Republic of Liberia, (5 July 2005), Online available at: <https://www.unodc.org/tldb/showDocument.do?documentUid=7975&node=docs&cmd=add&country=LIR>
- ⁹² UNICEF, President Sirleaf launches Children's Law of Liberia, (2012), Online available at: http://www.unicef.org/media/media_61579.html
- ⁹³ United Nations Committee on the Rights of the Child, Concluding Observations: Liberia, CRC/C/LBR/CO/2-4, (2012), Para. 10.
- ⁹⁴ Ibid., Para. 49.
- ⁹⁵ Ibid., Para. 50, 48 and 80.
- ⁹⁶ Ministry of Gender, Children & Social Protection, Overview of the GBV Unit, Online available at: <http://mogdliberia.com/index.php/programs/gender-based-violence-gbv>.
- ⁹⁷ <http://legislature.gov.lr/sites/default/files/Criminal%20Court%20E.pdf>.
- ⁹⁸ United Nations Committee on the Rights of the Child, Concluding Observations: Liberia, CRC/C/LBR/CO/2-4, (2012), Para. 49.
- ⁹⁹ UNICEF, New women and children protection section for Liberia's police, (2005), Online available at: http://www.unicef.org/media/media_28159.html.
- ¹⁰⁰ UNICEF, President Sirleaf launches Children's Law of Liberia, (2012), Online available at: http://www.unicef.org/media/media_61579.html.
- ¹⁰¹ UN News Centre, Liberia: UN mission builds safe house for victims of sexual violence, (2008), Online available at: <http://www.un.org/apps/news/story.asp?NewsID=27031#.Vh-UpGThDX8>
- ¹⁰² Interview with Abraham M. Keita, (2015).
- ¹⁰³ The Child Rights Alliance is formed by Plan Nederland, Defence for Children - ECPAT, Child Helpline International, International Child Development Initiatives, Free Press Unlimited and Women Win.
- ¹⁰⁴ Child Helpline International, Gender Practices of Child Helplines in the Girl Power Program, (2015), Online available: http://www.childhelplineinternational.org/media/140932/gender_publication_-_english_-_interactive_web.pdf.
- ¹⁰⁵ DFC, Defence for girls program, Online available at: <https://www.defenceforchildren.nl/images/125/2485.pdf>.
- ¹⁰⁶ Plan International, Young lives on lockdown: The impact of Ebola on children and communities in Liberia, (2014).



Universiteit Leiden

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ISBN/EAN: 978-90-824604-0-7

This report has been prepared by Apollonia Bolscher (LL.M) under the supervision of Prof. Dr. Ton Liefwaard,
Department of Child Law, Law School, Leiden University.

The KidsRights Report 2015 is sponsored and supported by our legal partner NautaDutilh

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