

PREVENTING VIOLENCE IN SCHOOLS

Lessons from South Asian Countries



Introduction

Article 19 of the **Convention on the Rights of the Child** mandates governments to take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of violence. Furthermore, the **Sustainable Development Goals** endorsed by all governments recognise the importance of **ending violence as a pathway to improving educational outcomes and child well-being**.

The 6th **South Asia Initiative to End Violence against Children (SAIEVAC)** Governing Board Meeting which, met on 16-17 March, 2016 took note of the need to continue efforts to generate evidence, related to violence in different settings, and endorsed SAIEVAC Regional Secretariat's plan to convene an Expert Group Meeting on Violence in Schools that can also focus on corporal punishment/physical and humiliating punishment.

In April 2016, a regional expert meeting for South Asia was held in Colombo, Sri Lanka, to explore the issue of violence experienced by children as part of the schooling process, and identify emerging lessons from work done across the region by governments and civil society organisations to prevent violence in schools. The meeting was organised by **Know Violence in Childhood: A Global Learning Initiative** in collaboration with **SAIEVAC**.

This report is a summary of key messages agreed by participants of this meeting.

1. Violence in Schools in South Asia

South Asia currently is home to the **world's largest population share of children of school-going age** – there are approximately 516 million children aged 5-19¹ in the region. The well-being and safety of this large population requires attention, as schools are where children spend several hours a day and where formative experiences are shaped.

Violence is often a hidden and invisible dimension of children's time in school and it has a significant impact on children's ability to attend school and learn. The violence children experience within and on the way to school has profound impacts on children's educational outcomes, participation and performance in school. From every country in the region, research shows that **the experience of violence drives dropout and poor learning**.



Some of the more common forms of violence experienced in school in the region include the following.

- **Corporal punishment**, which is the most widely reported form of violence against children in schools.
- **Physical violence**, as well as sexual violence, abuse and harassment, which is prevalent in and on the way to school across the region.
- **Psychological and emotional violence by teachers and peers**, including bullying. This increasingly includes the use of online spaces – such as messaging applications and websites – to harass and bully peers.
- **Sexual abuse by teachers and peers** – including rape and non-consensual sexual experience, harassment in the form of sexual comments, text messages, pornographic pictures and videos, within schools and on the way to school.

The **rapid growth of the internet and mobile telephony**, leading to the use of online platforms and technology amplifies bullying and exploitation of school-age children. It highlights the importance of strengthening the capacity of schools to address violence in the fast changing social and economic context of South Asian countries.





2. Consequences of Violence

“Schools are places where children gain knowledge and learn attitudes and behaviour that can shape their relationship with society. Children’s experiences in educational settings have lasting impact on their physical, mental and emotional well-being. Safe and protected learning environments are thus essential for ensuring a healthy future for children.... For children who face violence in educational settings, the promise and pleasure of learning and discovery can quickly turn into pain, trauma and fear. Such experiences not only ruin their present but also threaten their future, as those who experience violence in childhood are more likely to become perpetrators of violence as adults.”

– Karin Hulshof, Regional Director
UNICEF Regional Office for South Asia

Source: UNICEF ROSA, 2016. *Violence against children in education settings in South Asia: A desk review*, Kathmandu: UNICEF Regional Office for South Asia.

Violence experienced by children in schools is a reflection of the violence they experience in other settings. **Violence is normalised as an aspect of discipline, and severe punishment – physical and emotional – is commonplace across the region’s schools.** Children also use peer violence as a means of resolving conflict, and to exercise power over others, especially, those who are deemed to be “different” – on **grounds of ability, size, sexuality, caste, ethnicity and religion** – and as a means of self-expression.

The consequences of school-based violence are enormous when...

- teachers themselves – who are role models and caregivers – use violence to enforce control and discipline. **Children then learn that violence is acceptable.**
- teachers have to arm themselves with guns to protect children in zones of conflict. **Fear then becomes the context in which children are expected to learn.**
- children with physical and learning disabilities, who belong to marginalised social groups, ethnic or religious minorities, whose sexual identities are perceived to be different from the norm, experience violence at the hands of their peers. **They then internalise their peers’ views and cease to value themselves.**
- **girls and boys experience violence as an instrument of social control, and as a tool to uphold traditional gender roles.** Gender-based inequalities are reinforced through customs like child marriage, which further reproduce the overall cycle of gender-based disadvantage.

**The consequences of school-based violence are enormous when... (contd.)**

- violence remains an aspect of the experience of schooling. Children cannot then learn. When the region has the world's highest dropout rate, with 14.5 million children leaving before completing primary education, violence must be addressed.
- one in three children in South Asia reach Grade 4 without achieving minimum levels of learning. For example, it is estimated that in India, the economic loss attributed to school violence each year as a result of early school leaving is between US \$1.483 billion and \$7.418 billion, which equates to between 0.13% and 0.64% of GDP.¹⁰

3. Prevalence and Patterns of Violence

Much more is known today both about the prevalence of violence in schools as well as about the harmful effects of violence on children, mostly from global and regional data as well as from smaller studies, as Box 1 indicates. This reflects **increased awareness of the harmful effects of violence experienced in childhood.**

Global data suggest that the earliest exposure to violence can start in early childhood. Experiencing or witnessing violence can have **lasting consequences for children. Children exposed to violence are more likely to hold gender inequitable views in adulthood and to accept violence either as a victim or perpetrator in future relationships.**

- A recent study among school children in five countries in Asia, including Nepal and Pakistan, revealed that children's exposure to parental violence and regressive gender attitudes can influence their outlook and behaviour.¹¹
- A UN multi-country study on men and violence, which surveyed 1,067 men in rural areas and 1,162 men in urban areas in Bangladesh, found that the rape of women by men was strongly associated with the perpetrator's own victimisation, particularly abuse in childhood, and participation in violence outside the home.¹² This study also showed that 38% of boys across all surveyed countries reported perpetrating their first rape against a woman or girl (partner or non-partner) between the ages of 15 and 19.

Schools, therefore, are absolutely central to the achievement of ending all forms of violence experienced by women and children.

Data for South Asian countries remains fragmented and small scale. Even so, the patterns that emerge from available studies suggest that violence is widely experienced.



Box 1: Findings from South Asian studies on the harmful effects of violence experienced in schools

South Asia has the highest dropout rates in the world: an estimated 14.5 million children drop out before completing primary education. This means that **for every 100 children who start primary education, 36 will not reach the last grade.**² The experience of violence has an immense bearing on school dropout and non-completion, as well as poor performance.

- A Save the Children survey in Afghanistan identified corporal punishment as one of the main reasons why children did not go to school.³ UNICEF Multiple Indicator Cluster Survey (MICS) data (2012) also reveal that children aged 2-14 experienced high levels of punishment – 68.4% experienced physical punishment, 38.4% experienced severe punishment and 61.5% experienced psychological aggression (shouting and yelling).
- In Bangladesh, nearly 4 in every 5 of 76,000 children of school-going age interviewed for a survey revealed that they faced violent discipline in schools, with 74% saying they faced psychological intimidation, causing many to drop out.⁴
- In 2012, the Indian National Commission for Protection of Child Rights (NCPCR) published a report based on surveys carried out with a total of 6632 children aged 3-17 across seven states. It discussed the widespread use of corporal punishment as a disciplining device by teachers in India and revealed that between 2009 and 2010, corporal punishment was a near universal experience for school-going children (99% of the sample reported experiencing some form of punishment in school).⁵
- An unpublished UNICEF study conducted in 2009 in the Maldives found that 47% of children had experienced physical or emotional punishment at home, at school or in the community. The study, which involved almost 17,035 people in 2,500 households and 2,000 children in schools found that 30% of children at secondary school had been hit by at least one of their caregivers, including 21% with an object, and 8% of school students had been physically punished by their teachers.⁶
- In Nepal, a study found that 14% of dropouts had left school due to fear of the teacher.⁷
- In Pakistan, a study among 3,582 children aged 6-14 years from government and religious schools in eight districts found that 404 children had run away from home to escape torture by teachers.⁸
- In Sri Lanka, a study revealed that school absenteeism as well as deliberate self-harm, substance use and family conflict were associated with physical and emotional abuse children experienced in schools.⁹



Table 1: Recent statistics on the prevalence of corporal punishment in schools in South Asia

Country	Any violent discipline (%)	Psychological aggression (%)	Children: Age/sample	Data source	Year of data
Afghanistan	74.4	61.5	1-14/46237	CSO and UNICEF (2012)	2010-11
Bangladesh	82.3	74.4	1-14/75907	BBS and UNICEF (2015)	2012-13
Bhutan	n/a	n/a	n/a	n/a	n/a
India	99		3-17/6332	NCPCR (2012)	2009-2010
Maldives	n/a	n/a	n/a	n/a	n/a
Nepal	81.7	77.6	1-14/18049	Govt. of Nepal and UNICEF (2015)	2014
Pakistan (Punjab)	81	74	1-14/38405	UNICEF and Punjab Bureau of Stats (2014)	2014
Pakistan	43		12-17/1419	ICRW/Plan Intl. (2015)	2014
Sri Lanka	n/a	n/a	n/a	n/a	n/a

Source: Huma Kidwai, 2016. *School-based violence in South Asia: State of Evidence report*, New Delhi: Know Violence in Childhood: A Global Learning Initiative.

Table 2: Recent data on prevalence of sexual abuse in schools and/or anywhere in South Asia

Country	Sexually abused in schools (%)	Sexually abused anywhere (%)	Children: Age/sample	Data source
Afghanistan	n/a	n/a	n/a	n/a
Bangladesh	n/a	n/a	n/a	n/a
Bhutan	n/a	n/a	n/a	n/a
India	49.9% of 4320	53% of 17000	5-18/17000	MWCD/Govt. of India (2007)
Maldives	-	17%	14-16/1507	CDC/WHO (2009)
Nepal	-	18%	10-16/4100	UNICEF and CWIN (2006)
Pakistan	8.6%	-	12-17/1499	ICRW/Plan International (2015)
Sri Lanka	n/a	n/a	n/a	n/a

Source: Huma Kidwai, 2016. *School-based violence in South Asia: State of Evidence report*, New Delhi: Know Violence in Childhood: A Global Learning Initiative.



Sexual abuse tends to be less studied than other forms of violence. It remains a challenge to collect data sensitively and with a focus on supporting victims who have experienced such violence. **In the absence of reliable justice and response systems, data collection on sexual violence can also be ethically compromised.** Strategies for collecting data must be developed, but need to be thoughtful and methodologically sound.

Significant gaps remain in the knowledge base because governments are not collecting sufficient data at national or sub-national levels to track violence (see box 2). **Recent efforts to include violence modules in MICS datasets in Afghanistan, Bangladesh, Nepal and Pakistan (Punjab province) are encouraging** and highlight the need for serious investment in data collection and research across countries in the region (see Tables 1 & 2).

Box 2: Knowledge gaps and the state of evidence in the region

Attention to schools as settings for violence against children is quite recent. The general tendency in research has been to focus on adult to child violence – child to child, or peer violence has received less attention though global estimates suggest it is a growing area of concern. Available data tend to be drawn from just a few large and somewhat dated country-level studies, which are repeatedly referenced in all national and regional documentation on the subject. Even where data exist, big gaps are evident.

- Forms of violence (or the incidence thereof) are rarely disaggregated by the gender and age of the victim, the identity of the perpetrator, and the type of school (public, private, residential, religious, etc.).
- There is complete lack of evidence on discrimination against children with special needs in schools.
- Data on school bullying and cyber bullying, which is fast emerging as a channel for intimate partner and non-partner sexual violence and harassment in the region, are also scarce.
- Little is known about patterns of perpetration. In cases where teachers or non-teaching staff are revealed as perpetrators, there is little evidence to unpack reasons for their behaviour, for example their own state of well-being, state of infrastructure, means within which they work, the role played by social norms, context, etc.

The lack of any consistently maintained data sets or empirically sound studies on these issues results in media reports of isolated incidents tending to dominate the policy discourse, making it difficult to draw valid conclusions regarding trends and factors leading to violence in childhood and identifying strategies for prevention.



4. Violence Experienced by Children in Schools and its Impacts

Violence is experienced across different types of school, and in and around schools as well. Some features of violence are highlighted in available research:

Forms of violence are not always distinct.

- The same child can experience more than one form of violence at a time. Often, emotional violence accompanies physical violence.

Boys and girls both experience violence.

- Boys and girls are likely to face different types of violence, the perceptions and impact of which may also vary.

A child's age impacts the form of violence experienced.

- Physical punishment declines as children grow older but sexual violence increases with age, especially, for girls as they reach adolescence.

Non-physical violence is traumatic for children.

- Emotional violence and the use of humiliating language is one of the most stated reasons by children for feeling unsafe in school.¹³

Often a victim of violence can also be a perpetrator.

- Children can be bullies and victims of bullying, with the former often being caused by the latter.

A critical issue is the attention that needs to be paid to **adolescents** as a demographic group. Adolescence is a key age at which different forms of violence are experienced both in the context of peer relations as well as in the context of early marriage for girls, which exposes them to intimate partner violence. Adolescence remains an **important physical, psychological and social transition phase**, as children start evolving capacities of independence and agency. At the same time, adolescence remains a phase where capacities to assess personal risk are not yet fully evolved. Hence adolescents remain vulnerable and need a combination of protection and empowerment oriented services to ensure they grow and thrive in an environment free of violence. These services need to be integrated across both education and health, including sexual and reproductive health.

In the **absence of response mechanisms or clearly specified school policies, and limited capacity of adults or duty bearers to deal with these diverse forms of violence, children are often afraid to report violence**, particularly when the violence is experienced at the hands of teachers.



Box 3: The harmful effects of corporal punishment: international evidence

A newly published review of 50 years of research on spanking (defined as an open-handed hit on the behind or extremities) in the USA found that across studies, from longitudinal to experimental design studies, spanking children was associated with negative outcomes. They found that spanking children has no effect on compliance, and in fact, the more children are spanked, the more likely they are to defy their parents and to experience increased anti-social behaviour, aggression, mental health problems and cognitive difficulties. Children who were spanked were also more likely to support physical punishment for their own children, highlighting how attitudes towards violence are reproduced over time. Considering as many as **80% of parents worldwide spank their children**, these findings have global relevance and hold true for all kinds of physical discipline used by caregivers.

Corporal punishment is associated with poorer cognitive development outcomes as highlighted in longitudinal data available for four countries – Ethiopia, Peru, Vietnam and in **India**. For instance, the Young Lives longitudinal research study found that corporal punishment experienced at age 8 is linked with poorer test scores in all four countries. These negative effects persist even at age 12 – consider the implications for India, where 9 out of 10 children aged 8 reported corporal punishment in the school, with 78% reporting direct experience of corporal punishment.

References

Gershoff, Elizabeth T and Grogan-Kaylor, Andrew, 2016. 'Spanking and Child Outcomes: Old Controversies and New Meta-Analyses', *Journal of Family Psychology*, April 7, 2016.

Jones, Hayley and Pells, Kirrily, 2016. *Undermining Learning: Multi-Country Longitudinal Evidence on Corporal Punishment in Schools*, Florence: Innocenti Research Brief 2016/001.





5. Unpacking Drivers and Risk Factors

Structural drivers of violence include **gender inequality** and social norms that uphold the gender division of labour. Prevailing ideologies and customs that underpin institutions of marriage and inheritance in the region tend to privilege men's rights over those of women. South Asian societies tend to be structured around **social, economic and political hierarchies** of gender, caste, ethnicity and religion. These hierarchies in turn are upheld through use of force and violence as a form of social control, in turn leading to the normalisation of violence.

A multi-country study¹⁴ in select government schools in five countries – Vietnam, Cambodia, **Nepal, Pakistan** and Indonesia – using quantitative and qualitative methods, illustrates how **young adolescents are growing up in gender biased and violent educational contexts**. The findings reveal, specific ways in which **gender-based stereotyping** are practiced through explicit messaging and implicit institutionalised processes within and across countries. Though expression and justifications varied by country, overall, teachers were found to be uncomfortable with girls and boys behaving "like each other", and reported teaching "the right way" of thinking and behaving. Abusive language and gender-specific labels were often used to correct 'inappropriate' behaviours, and contributed to feelings of being unsafe in schools. Attitudes of teachers also affected help-seeking of boys and girls in response to violence. The study recommends a critical review of institutional policy and processes to address structural factors leading to gender inequality in the lives of adolescents.

There is insufficient evidence to identify specific risk factors for either victimisation or perpetration at individual, household and community levels, beyond the structural drivers highlighted above. Broader data tends to suggest that for some forms of violence, such as bullying, there is no specific risk factor beyond early exposure to violence. This leads to a very clear conclusion that **violence prevention measures need to be universally implemented across all schools**.

6. Towards Prevention of Violence in Schools

Violence is preventable. On the other hand, waiting to respond to violence after it has occurred, and dealing with its impacts is costly and not feasible, given the current scale of violence experienced by children, everywhere in the world. This is why the **Sustainable Development Goals** (Figure 1) recognise the variety of settings where children around the world experience violence and this is why governments around the world have endorsed a commitment to ending violence for sustainable development.



Figure 1: The SDGs – Ending all forms of violence to promote child well-being and sustainable futures

4



GOAL 4

Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all

Target 4.5 – By 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations.

Target 4.7 – By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development.

Target 4.a – Build and upgrade education facilities that are child, disability and gender sensitive and provide safe, non-violent, inclusive and effective learning environments for all.

5



GOAL 5

Achieve gender equality and empower all women and girls

Target 5.1 – End all forms of discrimination against all women and girls everywhere.

Target 5.2 – Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation.

Target 5.3 – Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation.

8



GOAL 8

Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all

Target 8.7 – Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms.

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GOAL 16

Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

Target 16.2 – End abuse, exploitation, trafficking and all forms of violence against and torture of children.

Target 16.a – Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime.

Target 16.b – Promote and enforce non-discriminatory laws and policies for sustainable development.

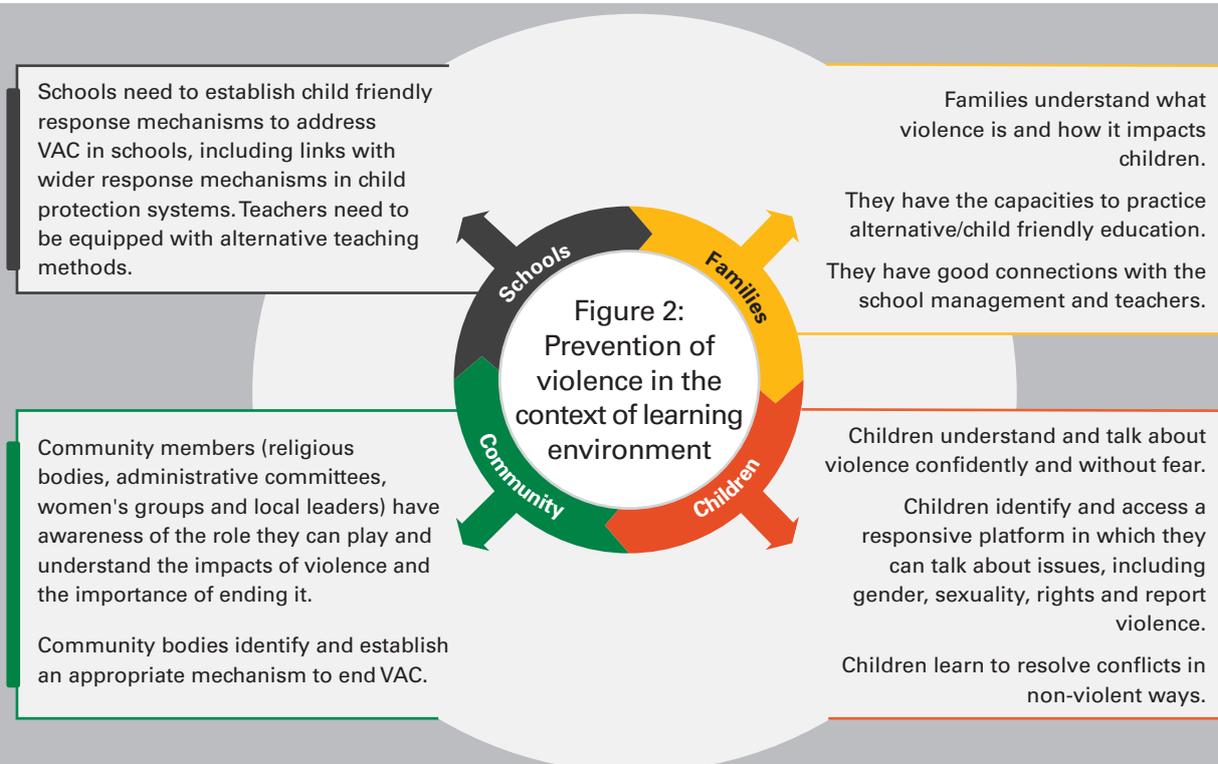


7. Lessons from Ongoing Work in the Region on Preventing Violence in Schools

Despite gaps in the evidence base, South Asia's governments and civil society organisations are making some **impressive efforts** to address violence and improve schooling processes and outcomes. **There are many programmes, initiatives and organisations working in South Asia towards establishing safe and healthy learning environments for children**, where violence is explicitly addressed as a core part of the experience of children (see Box 4). While the entry points may vary – from changing social norms to end child marriage, to improving gender equality outcomes, to building resilience of adolescents, both girls and boys, to working with religious leaders – these initiatives demonstrate some common key lessons for policy makers:

- **Change is possible** even in resource poor conditions and across the diversity and scale of South Asian populations.
- Violence prevention strategies do not require a separate or parallel set of actions or resources, but **can be well-integrated into actions that strengthen the overall schooling environment**.
- **Prevention and response are not distinct approaches**, but should be seen as part of a continuum to reduce violence against children.
- It is important to **connect all the key stakeholders that influence the school environment** – learners, educators, families and communities – within an overall environment committed to quality, child-centeredness and accountability.

Working in an integrated way with all key stakeholders is a key lesson. Changing the attitudes, norms, and behaviours of just one set of actors will not support sustained change (see Figure 2). **All actors, starting with children themselves, need to be supported to recognise the harm caused by violence, and the behaviours that lead to this harm.** This includes both addressing current norms and practices, but also offering **alternative strategies and ideas that can support changes in behaviours and practices.** For example, alternative disciplining strategies are needed to help care-givers, parents and teachers, move away from the use of corporal punishment and harsh discipline.



Another key lesson is the need to **strengthen curriculum and teacher training modules and support awareness generation, capacity strengthening and restorative practices to end violence.**

New age-appropriate pedagogies that:

- Support the ability of different stakeholders to understand and **identify violence and disrupt social patterns that reproduce violence**, and have alternative means to discipline children including positive discipline techniques.
- Build **effective communication and stronger relationships** through collective ideation (children, teachers and parents' groups), and linkages between children and the school on issue on violence, between the school and the parents, between the parents and the children. For example, diaries that can be shared between children and parents provide a promising strategy to build greater communication between parents and children.
- Provide stakeholders with individual tools and capacities to **stand up to violence and address the fallouts of conflict in non-violent resolution-oriented ways** by including into curriculum programmes that build resilience, peer support, and restorative practices.

**Campaigns that:**

- **Raise awareness** amongst children and key adults in school to recognise violence using a variety of media, art forms, supported with campaigns for parents, teachers and community leaders.
- Require **pledges** of adults and children to uphold values of non-violence in conflict resolution, tolerance and peace.

Complaint and response mechanisms that:

- Are designed to **enable children to use them effectively** – such as anonymous complaint boxes and helplines.
- Are supported by **manuals and training for teachers and other responsible figures** within the school and its administration to handle disclosure and provide referrals.
- **Link to child protection systems, including trained counselors** outside of schools.

To be implemented effectively, such programmes must have the support of federal and local governments, and school administration. They must be able to use specially developed resources alongside existing school materials, and ensure that teachers fully understand the purpose and objectives of these pedagogies.

Box 4: Examples of programmes in the region

Advocating the Rights of Children (ARC) leads several national-level campaigns focusing on child development and protection in Maldives. For example, its 'Hope' campaign focuses on preventing child abuse; and 'Respect' promotes strong social values among children based on the core principles of respect for self, others, boundaries, and surroundings.

Blue Veins works with Imams (religious leaders) to address various forms of school-based violence, especially in madrassas and mosques in Khyber Pakhtunkhwa province of Pakistan.

In Bangladesh, **BRAC's** education programme serves as a scalable model integrating Social and Emotional Learning (SEL) and values education with whole school approach to prevent violence in schools.

Breakthrough's adolescent empowerment programmes promote the agency of 12-15 year old adolescents by training them on gender roles, rights, sexual and reproductive health, and life skills across schools in various parts of India.

**Box 4: Examples of programmes in the region***(Contd.)*

Bhutan's government has several initiatives that promote peace and non-violence in schools and with children. School-level clubs, aided by district-level Committees and a national Commission support the commitment to **Gross National Happiness**. Another innovative programme of Green School Concept and Practice nurtures eight aspects of greenery, viz., Academic, Spiritual, Aesthetic, Social, Natural/ Environmental, Moral, Intellectual, and Cultural, among children. In addition, the concept of Children's Parliaments encourages children and youths to take ownership on issues concerning them. The Youth Police Partnership Program (YPPP) engages students and out-of-school youths to prevent violence, crimes and anti-social activities.

CorStone India Foundation implements resilience-based interventions and research initiatives to improve the health, education, and self-sufficiency of marginalised adults and youth. Its Youth First and Girls First are integrated resilience-based health programmes targeting marginalised boys and girls, aged 12-16 years, implemented in four states (Bihar, Gujarat, Uttarakhand and Uttar Pradesh) of India.

CWIN works with school management committees (SMCs) and local governing bodies for violence prevention in schools of Nepal. Its school-based sharing programme with participation of SMC members, parents, teachers, and child clubs fosters values of child protection and supports schools to develop School Child Protection Policy (SCPP).

The **Gender Equity Movement in Schools (GEMS)** programme of **ICRW** in India is geared towards primary prevention of violence, redefining masculinity and gender equality among young adolescents aged 12-14 years.

Save the Children Afghanistan promotes violence-free school approaches such as engagement of Parent Teachers Students Association (PTSA) and School Student Council (SSC) to prevent violence against children.

Save the Children Bangladesh implements school-based interventions including capacity building of school teachers on positive discipline and non-violent school management complemented by work within families and communities through community-based child protection committees, child clubs, and children and adult groups to synergise continuum of mechanisms to end violence across settings.

Society for the Protection of the Rights of the Child (SPARC) works across the spectrum of child rights issues, including promoting child-friendly classroom environment in selected schools of Khyber Pakhtunkhwa, which aims to improve quality of education and learning outcomes with strengthening of child protection systems. It is also one of the very few organisations in the country that compiles annual data on violence against children.



8. Lessons from Existing Efforts in Law, Governance and Systems Capacity Strengthening

8.1 Laws

South Asian countries have made considerable commitments to recognising human rights through endorsing or ratifying global human rights instruments. These commitments include the United Nations Convention on the Rights of the Child (UNCRC),¹⁵ the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, as well as the Optional Protocol on the Involvement of Children in Armed Conflict¹⁶, and other major international human rights instruments that address violence. **Five out of the eight countries in the region now have laws against sexual harassment.**

The strength of an international regulatory response depends to a large extent on consensus among member states on the type of violence and its severity and impact on children. For example, uniform consensus on the detrimental effects of corporal punishment has resulted in a robust international framework of laws prohibiting corporal punishment in any setting (UNCRC), or the International Convention on Civil and Political Rights/ Cultural and Social Rights (ICCPR, ICESCR), or the Convention on Torture, etc.) On the other hand, certain “newer” (in terms of formal recognition) forms of violence are cradled by a relatively weaker international regulatory response. Gender identity/transgender rights or sexual orientation based violence is addressed through sporadic initiatives (Yogyakarta Principles, 2006, or Non-binding CRC Committee General Comment (GC15)) but lack the force of law we see for corporal punishment, primarily because of the absence of collective recognition of these forms of violence by Member States.



Box 5: Ending corporal punishment: Examples from South Asian countries

In **Bangladesh**, the Supreme Court ordered in January 2011 that laws relating to disciplinary action should be amended to identify the imposition of corporal punishment as misconduct.¹⁷ **Bhutan** adopted a resolution in 2008 to enforce a ban on corporal punishment in schools, and produced guidance on school discipline in 2011 to encourage positive non-violent forms of discipline. Corporal punishment that reaches a certain degree of severity is now prohibited under Article 214 of the Child Care and Protection Act 2011.¹⁸

In **India**, in 2000, the Delhi High Court scrapped the provision for corporal punishment provided under the Delhi School Education Act. The Right to Free and Compulsory Education Act 2009 prohibits corporal punishment in schools, while the National Early Childhood Care and Education (ECCE) Policy, passed in 2013, is geared towards implementing the ban on corporal punishment in schools. In 2014, a bill supporting the rights of transgender people including access to education and jobs, financial aid and social inclusion was also enacted in the country.¹⁹

In the **Khyber Pakhtunkhwa province of Pakistan**, the KPK Child Protection and Welfare Act 2010 is a landmark piece of legislation with several salient features relevant to VAC in education settings.²⁰ The Act abolishes corporal punishment, stipulates punishment for corporal punishment, and criminalises all forms of violence against children as well as any kind of incitement of a child into any kind of activity harmful to his or her health. It also criminalises any form of seduction of a child and expressly criminalises sexual abuse.

The new Constitution of **Nepal**, promulgated in September 2015, guarantees school as violence-free site for education.

Source: UNICEF ROSA, 2016. *Violence against children in education settings in South Asia: A desk review*, Kathmandu: UNICEF Regional Office for South Asia.



Two emerging conclusions could be drawn from a comparative overview of laws at the national level.

- (i) There is **wide variance across the region** while translating international commitments to national law, and between law and practice. South Asian countries use different legal responses to address violence such as corporal punishment. For example, Afghanistan has a specific ban of corporal punishment by an Act of the Parliament, whereas India and Pakistan has addressed it within the context of the Right to Education and Bhutan has made it an integral part of various governmental responses on child protection, without specifically using the word “corporal”.
- (ii) There is the **lack of “rights-syncing” with other existing laws such as the penal provisions that recognise corporal punishment as a legitimate form of punishment that Court can order (Sri Lanka) or the defense available for the use of force on children below 12 if done in “good faith” by a person in charge of the child (Maldives). Lack of recalibration of existing laws greatly weakens the enforcement of any new legislation on violence.**

At the micro level, entering the classroom, the learner in most South Asian schools is **seen more as a recipient of protection than as a direct rights holder**. Therefore, laws are seldom drafted or implemented with active child participation. Other than through child help lines and/or children’s clubs, direct access to enforce rights against violence is not placed in the hands of the child. In addition, **the learner and the education system are affected by a regulatory tangle of laws, with varied definitions, including variance on the age and definition of “child”, and piece-meal protection.**





The key lessons learnt from the comparative overview of the regulatory framework to address violence in schools are as follows.

International/regional level

- Need for consensus-building opportunities amongst member states for defining violence and identifying its various forms.
- Creation of a regional repository of documentary and human resources that includes model laws, regulations, prevention initiatives that can be easily adapted and customised to suit country needs.
- A South Asian Court for Protection of Children or a Regional Children's Parliament.

National level

- Ensuring that all country responses are accompanied by a mandatory desk review of all other laws affecting children.
- Increasing budgetary allocation to ensure that adequate training, accountability and child participation measures are institutionalised to support regulatory responses.
- Inter-agency/inter-departmental convergence is emphasised to address violence in schools.

School level

- Empower schools to take forward the violence free mandate – using a bottom-up, incentive-based approach, to create enriched institutional environments. Measures such as scorecard-based safety checklists that promote self-assessments or school-to-school neighbourhood review could be considered.

8.2 Policies and Systems to Support Violence-free Schools

In order to support the objective of enhancing the school environment for children and prevent violence, several kinds of change process need to be initiated that can be supported by policies. The minimum requirements or 'non-negotiables' to ensure children learn in non-violent environments needs to be established through policies and supported by laws.



Key messages

- Achieving the SDGs requires **integration of cross-sectoral approaches**, for research, data collection, monitoring and evaluation. The education and child protection sectors need to work more closely together to ensure coherence, as articulated in the SDG framework (Figure 2 above).
- A **'whole school' approach** is necessary to end violence, as actions to end violence must be embedded in the institutional framework, including curriculum, classroom transactions, teacher capacity and accountability, learner awareness and participation. BRAC in Bangladesh uses a whole school approach – integrating all these elements – to ensure that 95% of its schools can be classified as 'free from violence'. The 'Good School' programme in Uganda being implemented by Raising Voices can offer experiences that can be translated in the South Asia region.
- **Curricula need to be reviewed from the perspective of violence prevention.** Often textbooks may glorify violence or 'normalise' it through the stories or examples used.
- **Recognise the power of technology to both amplify violence and support awareness efforts.** Strengthen capacity of teachers, education administrators, parents and children (as well as the police) to understand the potential use and abuse of technology for both teaching and learning, and education management but also for protection from threats and actual physical and sexual violence and emotional harassment.
- **Children's participation is critical** to ensure violence is ended. Making children more aware and at the centre of efforts to build violence-free environments is the best mechanism to ensure effective results. In Nepal, children's participation in clubs has reduced violence levels and teacher absenteeism.
- **Schools need to be held accountable by parents and local communities, not just within the hierarchy of education administration.** Local bodies must remain vital in this role.



Box 6: The Karnataka (India) Whole School Approach: Child protection policy for educational institutions

Recently Karnataka joined the elite ranks of a handful of states in India to pass a Child Protection Policy for Educational Institutions, applicable across the state to all educational institutions, including schools and tutorials, covering all children up to the age of 18.

What makes the Karnataka story unique is the use of the whole school and rights based approach to address protection and safety, including sexual safety. Drafted as “Operational Guidelines”, issued by the education department, a single document has been able to capture the essence of safety in schools and make it applicable to the wide spectrum of schools existing in the state. Ranging from single teacher government schools, to schools for migrant children, to international schools, uniformity in safety is the objective, with built in mechanisms for progressive, capacity-based roll out. The Policy addresses both response mechanisms, and preventive and promotive systems.

The document, drafted over a span of almost two years with extensive consultations across the state, with all concerned stakeholders, including active child participation, specifically children with special needs, and two town hall consultations, is also unique in its “ready-to-use” packaging. During the drafting period, the education department was both consulted and sensitised to issues of whole school safety, supported by train-the-trainer modules to ensure the same safety awareness trickles down to every teacher in the classroom.

Another important highlight is the convergent implementation roping in key departments, statutory bodies and mechanisms for child protection, with each of their role and functions delineated.

Over the next few years, every school in Karnataka will have a mandatory child protection policy customised from a suggested model. Every school will also have to undertake an annual self-assessment based on a detailed checklist of mandatory and recommendatory safety measures. The range of areas covered under the checklist (infrastructural, health, transport, personal and sexual safety, procedure and protocols for addressing personal, sexual, social and emotional violations, emergency preparedness and disaster management, cyber safety) speak of the comprehensive whole school approach to safety, protection and child rights in the state.

**Key messages****(Contd.)**

- Commitment to ending violence in schools – whether by adults or by peers – must be **mainstreamed in sector wide policy and planning discourse, monitoring and evaluation strategies**. Instruments such as gender sensitive national school curricula, teachers' code of conduct, supported by adequately resourced and regularly conducted capacity development programmes need to be strengthened to ensure they address violence.
- **Response mechanisms need to be strengthened** to ensure that educators and teachers are well-connected to existing restorative and rehabilitation mechanisms to support children who experience violence in a timely and effective way.
- Structures of accountability need to be strengthened to explicitly include **action when violence is perpetrated by teachers**.

Investing in effective violence prevention strategies in schools in the region is essential to meet the Sustainable Development targets and goals that all governments have committed to achieving in the next 15 years. South Asian countries have many examples and resources that can be utilised to accelerate attention to this issue and bring about desired changes and results in line with international, regional and national commitments and aspirations. Sustained investment and longitudinal studies are needed to generate rigorous evidence on the effectiveness of prevention approaches to ending violence experienced in childhood.



Participant organisations at the meeting based on which this report has been prepared are listed below:

Afghanistan: Save the Children; **Bangladesh:** BRAC and Save the Children; **Bhutan:** Dratshang Lhentshog and Thugsey Research and Consultancy; **India:** Breakthrough, CorStone India Foundation, International Center for Research on Women (ICRW); Mundkur Law Partners, Public Health Foundation of India, UNICEF India; **Maldives:** Advocating the Rights of Children (ARC); **Nepal:** Child Workers in Nepal Concerned Centre (CWIN); **Pakistan:** Blue Veins, National Action Coordinating Group (NACG), SPARC; **Sri Lanka:** Foundation for Innovative Social Development and National Action Coordinating Group (NACG), Shanthi Maargam; University of Peradeniya; **Regional and International:** South Asia Initiative to End Violence Against Children (SAIEVAC), UNICEF Regional Office for South Asia (ROSA), Centre for Justice and Crime Prevention (CJCP), South Africa; Know Violence in Childhood: A Global Learning Initiative, Raising Voices, Uganda.

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