



VANUATU NATIONAL  
CHILD PROTECTION POLICY  
2016 - 2026

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## Abbreviations

CS	Correctional Services
COP	Child Online Protection
CSO	Civil Society Organizations
CCPC	Community Child Protection Committee
DWA	Department of Women Affairs
FBO	Faith Based Organisations
ICT	Information Communications Technologies
MCC	Malvatumauri Council of Chiefs
MoH	Ministry of Health
MJCS	Ministry of Justice and Community Services
MoET	Ministry of Education and Training
NCC	National Children's Committee
NGOs	Non-Governmental Organizations
NDMO	National Disaster Management Office
NCPWG	National Child Protection Working Group
OGCIO	Office of the Government Chief Information Officer
PPO	Public Prosecution Office
PSS	Psycho-Social Support
PCPWG	Provincial Child Protection Working Group
SC	Save the Children
SOP	Standard Operating Procedures
UNCRC	United Nation Convention on the Rights of Child
UNICEF	United Nations International Children Emergency Fund
VCC	Vanuatu Christian Council
VFHA	Vanuatu Family Health Association
VLC	Vanuatu Law Commission
VPF	Vanuatu Police Force
VPTC	Vanuatu Police Training College
VTC	Vanuatu Teacher's College
VWC	Vanuatu Women Centre



## Foreword

We are pleased to present this National Child Protection Policy to the people of Vanuatu. This Policy has been developed as part of the Government's commitment to protect children from all forms of abuse, exploitation, neglect and violence, whilst also strengthening our child protection system, and to ensure we uphold our commitment under the United Nations Convention on the Rights of the Child.

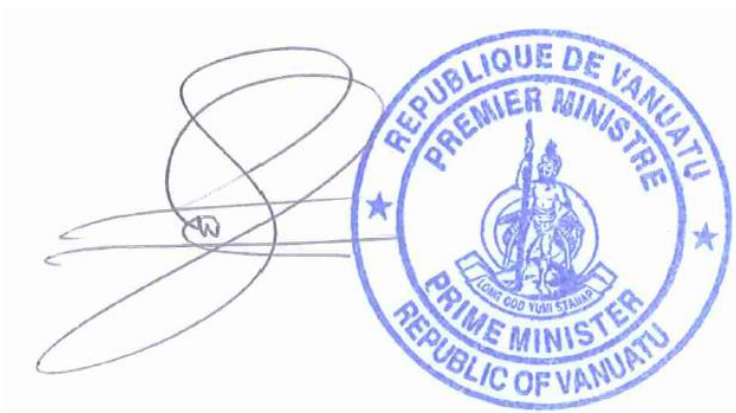
Our children must be able to grow up in loving and caring environments. They must have time to be children with all the wonder, happiness and innocence that childhood should bring. Children's rights are intrinsic and universal and their dignity must be protected always.

Over recent years the reported levels of child abuse and violence in Vanuatu have increased. It is an issue of national concern and the Government has taken a stand to develop this Policy to set the strategic direction for protecting our children and also strengthening our child protection system within Vanuatu. Effective coordination and collaboration of all child protection actors and the strengthening of child protection system is critical. In developing this Policy, we have taken the approach to work closely with all stakeholders and identify strategic areas that need to be strengthened to ensure we create an environment where children of, or living in Vanuatu, are safe and protected.

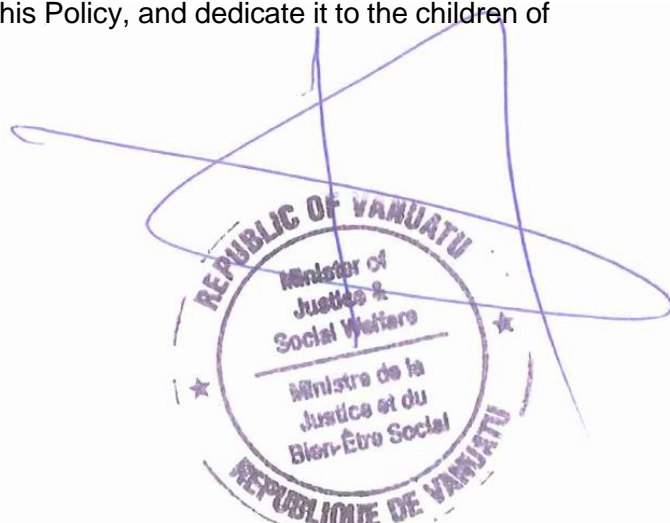
Protecting children is everyone's responsibility. Parents, communities, government and NGOs all have a role to play. Special attention must be given to marginalized groups such as children with disability, who face a higher risk of abuse than their able peers. Implementing this policy will not be easy, and will require significant resources in an environment where government has many competing priorities. However, we can act quickly through prioritizing some on-going work programs, such as awareness raising in communities, refocusing the work of the National Child

Protection Working Group, enhancing cooperation with existing partners such as UNICEF and Save the Children, and learn from current child protection pilot programs, to start the process. Through a comprehensive implementation plan, we must build momentum to make sure that this policy is implemented fully over the medium to longer term.

Let us work together for the betterment of our children and their children's children. We wish to thank all who have contributed to the development of this Policy, and dedicate it to the children of Vanuatu.



Hon. Charlot Salwai Tabimasmas  
Prime Minister of the Republic of Vanuatu

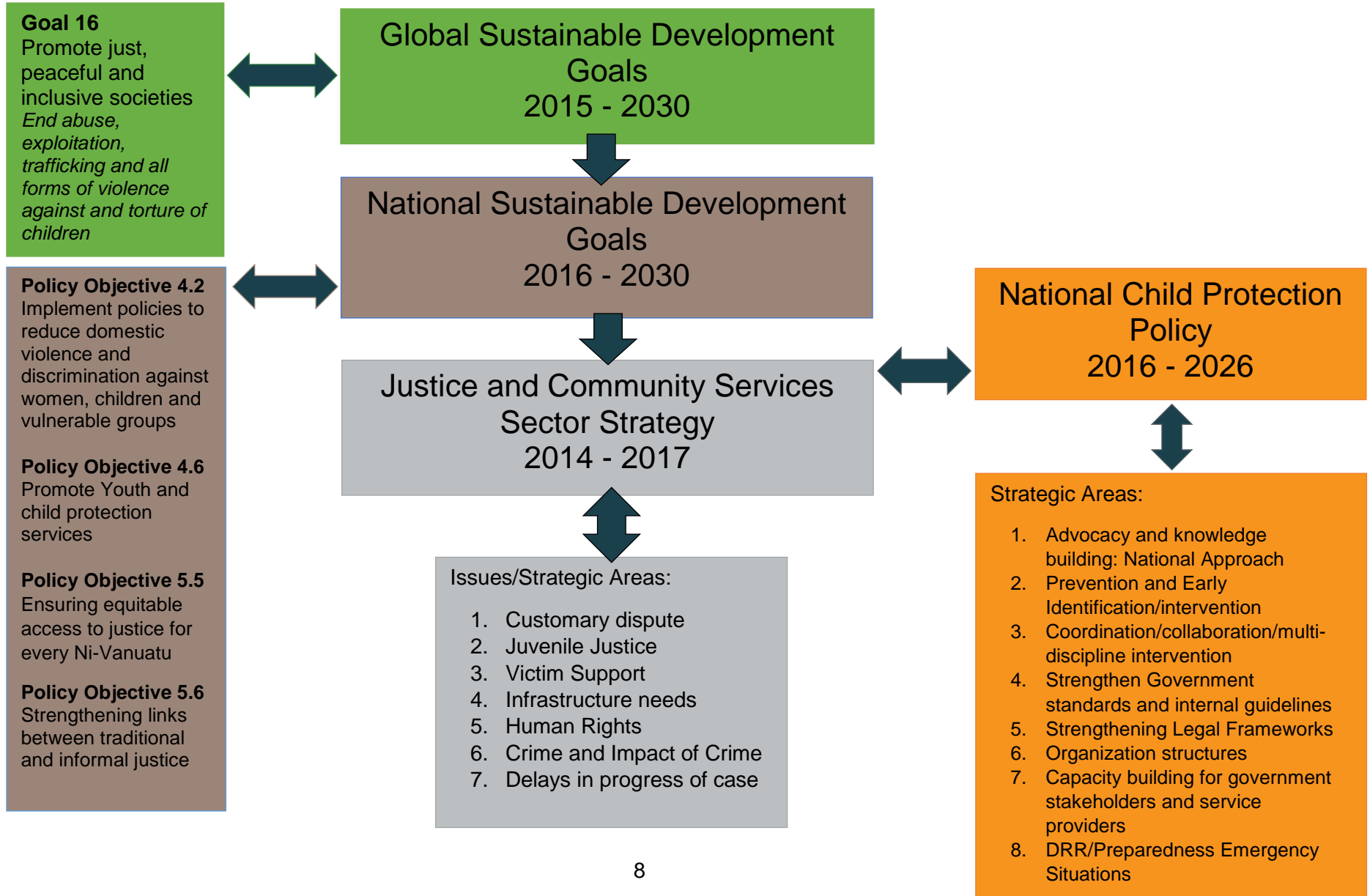


Hon. Vus Warocet Ronald Warsal, MP  
Minister of Justice and Community Services



Mr. Mark Bebe  
Director General  
Ministry of Justice and Community Services

## Policy Linkage





## Policy Structure

# NATIONAL CHILD PROTECTION POLICY 2016 - 2026

## VISION

A safe and secure society where children of, or living in Vanuatu are free from all forms of abuse, exploitation, neglect and violence enabling them to enjoy a fulfilling childhood and productive life regardless of their gender, religion, age, ethnicity, disability, health status and cultural background

## GOAL

To create an environment where children are safe and protected from all forms of abuse, exploitation, neglect and violence, and have equitable access to services to support their reintegration and recovery when needed

### Strategic Area 1

Strengthening Knowledge and Understanding : National Approach

### Strategic Area 2

Prevention and early identification/ intervention

### Strategic Area 3

Strengthening Organizations structures

### Strategic Area 4

Coordination and multi-disciplinary interventions between formal and informal bodies

### Strategic Area 5

Strengthening Government standards and guidelines for stakeholders working with children

### Strategic Area 6

Strengthening the Legal Framework for Child Protection

### Strategic Area 7

Capacity Building for government and service providers

### Strategic Area 8

Disaster Risk Reduction and preparedness in Emergency situations

## 1. Preamble

All children have value in life. They have a right to grow and develop in an environment that is safe, protective, caring and free from all forms of abuse, exploitation, neglect and violence so that they can enjoy a full and decent life in dignity. Keeping children safe and protected is everyone's responsibility and the Government of Vanuatu is committed to work with all stakeholders to ensure this happens.

For the purpose of this Policy a child is defined as: '*every human being below the age of eighteen years*'.<sup>1</sup>

Studies, research and consultations undertaken in Vanuatu over the past years identify a range of abuses faced by children. These include sexual abuse, physical abuse, neglect and harmful traditional practices. Children are made significantly more vulnerable to abuses during emergencies, which is particularly relevant in a country that is as disaster prone as Vanuatu.

Threats related to cyberspace and information communications technology (ICT), in particular the use of internet, are a new and unexplored area in Vanuatu although findings of a small 'test' assessment in one Port Vila school in 2013 identified that online bullying, illicit content and online threats are taking place.<sup>2</sup> The potential for grooming, fraud, cyber bullying and online child pornography is significant, in light of worldwide research that has been undertaken around internet related child abuse.

Although progress has been made to strengthen protection systems for children in Vanuatu (including adoption of the Family Protection Act in 2008), gaps remain particularly in relation to policy development, regulatory and legislative enforcement, mainstreaming of child protection across all sectors, and organizational structures to provide co-ordination and oversight. A National Children's Policy developed in 2007 (which expired in 2011) did not contain any specific provisions for children's protection from abuse, exploitation, neglect, or violence but did discuss the risky situations that children in especially difficult circumstances can face.

This National Child Protection Policy is therefore the first to set a strategic and high level direction for child protection and for the development and strengthening of the child protection system in the country. Its development has been informed largely by the *Child Protection Systems Mapping* exercise undertaken in 2011 (and updated in 2014) as well as the *Policy Directives and Action Plan for Protection of Ni Vanuatu Children (2012)*. These key documents suggest that given the limited funding available in Vanuatu to expand formal child protection services, the logistical challenges in providing services to remote islands, and the cultural barriers that need to be addressed to protect children from abuse and exploitation, a child protection system is needed that builds on positive traditional community-based systems (*kastom*, religion) whilst strengthening mechanisms within the formal sector (Education, Health, Judiciary, Police, etc.).

The task of developing and implementing a child protection system is therefore not only for the Government but requires the engagement and commitment of multiple stakeholders at national, provincial and community levels, working collaboratively and co-operatively towards a shared and common goal of *creating an environment where children of, or living in Vanuatu are safe and*

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<sup>1</sup> Ibid, above n1.

<sup>2</sup> Vanuatu Child Online Protection Assessment Report, 2013.

*protected from abuse, exploitation, neglect and violence, and have access to services to support their recovery when needed.*

## **Policy Statement**

The Government of Vanuatu is committed to leading in the development and implementation of child protection systems to ensure the protection of children from abuse, exploitation, neglect and violence at national, provincial and community level in line with international and national obligations; and through building on positive customary practice.

## 2. Introduction

### 2.1 Policy Context and Background

Vanuatu has a population of 260,815 people of which 44% are under the age of 18 years.<sup>3</sup> Approximately 25% of the population live in urban areas, while 75% live in rural/remote areas.<sup>4</sup> The extended family unit and sense of kinship are strong in the country, with everyone in the community taking responsibility for looking after children. Children are expected to respect and abide by the wishes of their elders, whose authority is always paramount.

*Kastom* is an important element of traditional Ni-Vanuatu life, defining many beliefs, values and practices.

Village authority rests with the chief and people of all ages respect his ultimate authority. Chiefs provide counseling and mediate disputes; with community peace and harmony placed at the root of all decision making. While this approach may help to ensure a level of cohesion and cooperation, and integrate children into the fabric of the community, it can also act to complicate conflict resolution, and may sometimes even act to silence the needs and interests of victims.

*Kastom* also has a big impact on the social and gender roles of the traditional Ni-Vanuatu community. There is a strict division of responsibility and privilege between men and women, with men considered to be inherently superior. This culturally embedded and pervasive gender inequality can be harmful to children, for instance through the normalization of domestic violence. Inter-generational transmission of domestic violence and child abuse in Vanuatu is common and complex; and its causes embedded and culturally woven in the status of women and men, *Kastom* and abuse of alcohol and kava.<sup>5</sup>

Although the extended family acts as a measure of protection to children and women, many women and children suffer from domestic violence by their husbands.<sup>6</sup> Violence and the fear of violence are profoundly disabling to women, including children and many do not seek help for fear of retribution or they feel shame and an unwillingness to talk about their problem or take action. Physical violence against children as young as two years of age, by family and extended family members as well as teachers, police and village leaders is a common and accepted form of discipline thought to promote obedient and respectful behavior. In a 2008 baseline study, 78% of community members surveyed admitted to physically harming children while 35% of respondents were aware of or admitted to corporal punishment at school.<sup>7</sup>

Customary practices in the country still result in children sometimes being exchanged or given as reparation during the ruling of a conflict. While this on one hand can provide the child with greater protection (because he/she does not get cut off from his/her family and therefore is part of a larger extended family), it promotes the view that children are objects, and is illegal.<sup>8</sup>

Religion and *Kastom* co-exist in Vanuatu, with the majority of people following a Christian faith. Religious beliefs and the Bible have a significant influence on how people live their lives. Church

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<sup>3</sup> Vanuatu Population, <http://countrymeters.info/en/Vanuatu>

<sup>4</sup> Vanuatu Statistics, [http://www.unicef.org/infobycountry/vanuatu\\_statistics.html](http://www.unicef.org/infobycountry/vanuatu_statistics.html)

<sup>5</sup> A Situational Analysis of Children, Women and Youth; Government of Vanuatu/UNICEF, 2005.

<sup>6</sup> Ibid.

<sup>7</sup> Protect Me with Love and Care: Baseline Study Vanuatu 2008.

<sup>8</sup> Ibid.

leaders are typically greatly respected in the community and often encourage children's spiritual development and welfare (although church teachings can also be interpreted in a way that is seen to be in support of corporal punishment).

Although research shows that primary school enrolment rates are high in Vanuatu, approximately 50% of children are pushed or dropped out of the education system due to lack of places, and there are inadequate programmes and facilities for those who are forced out.<sup>9</sup> This has protection implications for adolescents, with studies showing that alcohol and kava consumption are much higher amongst out-of-school and unemployed adolescents and youth, especially those living in poorer urban settlements. In addition, a study conducted in four Pacific Island Countries in 2015 on early substance abuse initiation suicide attempts in school children have found that 'suicide attempts in the last 12 months in Vanuatu stands at 23.5%'.<sup>10</sup>

Correspondingly and whether a cause or an effect of school drop-out, 7% of girls are married before 15 years, and 23.6% by 18.<sup>11</sup> Although no specific research has been conducted in the country, the impact of early marriage has been well documented globally: child brides are often disempowered and deprived of their fundamental rights to health, education and safety; they are at greater risk of domestic violence and of dangerous complications in pregnancy and childbirth; and their babies are at greater risk of morbidity and mortality.

Although there is no centralized system for capturing child protection data, A Situational Analysis<sup>12</sup> undertaken in Vanuatu and a survey conducted by the Vanuatu Women Centre in 2011<sup>13</sup> showed the following:

- Sexual abuse and incest are common however taboo nature of the issue does not enable public discussion to be held, nor is information available. A child protection survey conducted in 2003 found 84% of respondents felt that "sexual abuse is a big problem in Vanuatu", with most respondents agreeing that "children are most often abused by someone they know and trust". Female children from a previous relationship or adopted children are likely to be most at risk of incest;
- The prevalence of sexual abuse against girls under the age of 15 is also one of the very highest in the world. Almost 1 in 3 women (30%) were sexually abused before the age of 15 years, and the majority of perpetrators were male family members and boyfriends. For more than 1 in 4 women (28%), their first sexual experience was forced;
- 56% of children confirmed being called bad names by caregivers or made to feel unwanted;
- 30% of students reported bullying including inappropriate touching by other children;
- Although there is limitation information about children with disability, the Situation Analysis 2005 noted that children with disability appear to be 'more at risk of abuse, whether physical, emotional or sexual abuse, and neglect'. Children with disability are also at greater risk of violence due to the difficulty to defend or express oneself; the chance of being a child carer to a disabled parent; the risk of not being registered at birth or for not reporting an abuse case

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<sup>9</sup> Ibid, above n16.

<sup>10</sup> Karl Peltzer and Supa Pengpid (2015), Early Substance Use Initiation and Suicide Ideation and Attempts among School-Aged Adolescents in Four Pacific Island Countries in Oceania <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC4626969/>

<sup>11</sup> Vanuatu Multiple Indicator Cluster Survey 2007.

<sup>12</sup> Ibid, above n15.

<sup>13</sup> Vanuatu Women Centre Survey 2011.

involving children with disability due to feelings of shame or social stigma; and risk of being neglected within the community.

In addition,

As mentioned above, a fairly new area of concern that has not yet been adequately researched is that of internet-related threats and abuse. A 2013 study in one Port Vila school showed a 90% internet usage rate by children amid reports of online bullying (both as perpetrators and victims), cybercrime and being contacted by strangers;

- Although there is no data in Vanuatu to determine the nature and prevalence of child labor, children generally begin to work at a very young age, mainly due to limited access to education. The Employment Act prohibits labor for children under 12, except in family agriculture where many of them help their parents;<sup>14</sup>
- The minimum legal age for criminal responsibility is 10 years, which is below the age of 15 recommended by the UNCRC;
- Incest by anyone aged 16 or older is considered an infraction. This means that if a parent has sexual activity with his young daughter, she could be treated as a guilty party rather than a victim by the law.

Finally, Vanuatu is rated as the highest disaster prone country in the South Pacific. It is vulnerable to cyclones, earthquakes, tsunamis and volcanic eruptions. Emergencies occur on an annual basis, causing significant distress to communities, particularly those in isolated and rural areas. The affects this has on family livelihoods and access to basic services directly impacts family harmony and children's protection.

## 2.2 Current Systems for Protecting Children in Vanuatu

Child protection ideally should take place and be coordinated within a framework or continuum of care that includes:

- Prevention (which includes building community capacity, knowledge and skills to protect children and ensure their safety and wellbeing);
- Early identification and intervention (identifying 'at risk' families and children and taking action to reduce and eliminate / mitigate risks of harm / abuse);
- Crisis intervention (mechanisms to report, respond to and stop immediate or imminent threats to a child's safety; and mechanisms to support the reintegration of children and rehabilitation of families).

There is currently no formal structure for child protection or child welfare services in the country nor is there a unified set of requirements that must be observed by any provider of child protection services. Likewise, registration of child protection actors is not mandatory and there is no unified register of civil society organizations dealing with children operating in Vanuatu. There is however a Child Desk Office which sits within the Ministry of Justice and Community Services (MJCS) and a National Child Protection Working Group (NCPWG) comprised of representatives from government, CSOs, United Nations Agencies and NGOs across multiple sectors.

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<sup>14</sup> Section 38 Employment Act [Cap 160].

While there is a Child Desk Office established within the MJCS, financially it has a limited annual budget of two million vatu and it needs to be increased with additional staff to assist the Desk to carry out its activities including supporting the implementation of this Policy. The NCPWG has not functioned since 2014 but has recently been reactivated. According to its Terms of Reference (TOR), it will have a role in capacity building, systems' strengthening, emergency preparedness and response and co-ordination of services across all sectors in the area of child protection.

**Prevention** comprises the bulk of child protection work being done in Vanuatu; however, it consists primarily of awareness-raising. Follow up action to promote and support changes in practice is limited. There is often an over-emphasis on broader child rights during child protection training so communities do not distinguish one from the other, rather both may be seen Western-imposed concepts which undermine parental and adult authority; and to which they are therefore resistant. The over-emphasis on child rights also leaves inexperienced trainers and field-based staff challenged with trying to negotiate the complexities of international legislation into practical action on the ground. Despite the vast amount of training that has taken place significant knowledge gaps exist around child protection, child abuse, the impact of abuse on child development, the practicalities of keeping children safe and what a person should do if they have concerns about a child.

Very little has been documented around **early identification and intervention** work, although community-driven social protection initiatives such as provision of food, housing, medical costs and school fees to at-risk families do exist. Such interventions bolster parents' capacities to provide appropriate care and protection and/or can encourage them to seek support within the family or community network before their situation escalates to one that puts their children at risk of abuse or other harm. Church leaders in Vanuatu have a highly influential role in guiding people's behavior and actions, and given that the Church reaches over 80% of the population there is tremendous potential for prevention and early intervention work to mitigate child protection risk.<sup>15</sup>

In the area of **crisis intervention** (reporting and responding), the majority of child protection concerns are currently managed through *Kastom* and by informal service providers including pastors and women's groups. Cases do get referred to the formal system but there is a reluctance at the community level to take this route for reasons to do with logistical constraints, expense and bureaucracy, length of time to resolve issues and the fear of potential reputational damage to the community if a case of abuse is not kept "contained".<sup>16</sup> The 2008 baseline study found that just 11% of child abuse cases are reported to police, and of those 95% are diverted back to the community.<sup>17</sup>

While chiefs and community leaders play a vital role in administering community justice and resolving family conflicts and disputes, the welfare, protection and best interests of children are often not given adequate consideration including in cases of child abuse. Although decisions made in the interest of family and community harmony may have long term positive impact for the community they also have the potential to disadvantage children or increase their protection risks especially when *Kastom* is used as a substitute rather than in conjunction with formal services. Practices such as sending child survivors away to live with other relatives, compensating a family

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<sup>15</sup>Michael Copland and Goimel Soalo, 2011, Mapping Report, Informal and Formal Systems to Protect Children in Vanuatu

<sup>16</sup> Ibid.

<sup>17</sup> Ibid, above n16.

with the 'gift' of a child, or arranging for a child sexual abuse victim (or a sibling) to marry the perpetrator or other male community member are still practiced in some areas. Additionally, in child abuse cases, once the *Kastom* peace ceremony has taken place the issue is considered to be resolved, with no follow up psychosocial support to the child survivor. Informal service providers such as pastors and women's groups do play an important role in mediation and supportive counseling but their capacity to deal specifically with children is limited.

Key service providers within the formal system for reporting and responding to child abuse include the Police (i.e. Family Protection Unit and State Prosecutor), Vanuatu Women's Centre (VWC), medical service providers, and the Courts.

To support the implementation of the Family Protection Act (FPA) the Government has developed a network of Family Protection Units (FPUs) within police offices across the country. For cases involving domestic violence, the FPA provides for the issuance of Family Protection Orders, but there are no legislated procedures for receiving and responding specifically to cases of children who are at risk or victims of abuse, nor do the current procedures take into account the longer term support that is needed to strengthen the protective environment for children at the family level. VWC supports domestic violence cases by filing claims on behalf of women victims, covering transport and emergency needs, undertaking advocacy with the Police, undertaking counseling, and arranging for places of safety. However, VWC work primarily with women and lack capacity in dealing specifically with children. Police and chiefs may sometimes work together to prepare statements and conduct investigations, but cases are often challenged due to lack of evidence.

In terms of professional training of service providers in child protection case management, some initiatives are underway within the Police College and Ministry of Education and Training (MoET) but in general this is a significant gap. Although some initiatives are underway to introduce or strengthen training of professional service providers in child protection (such as Police College training to recruits in undertaking investigations involving child witnesses, victims and offenders; and Ministry of Education plans to introduce child protection into teacher training modules), there is no other specialized training around managing child protection cases.

In relation to the administration of juvenile justice, the government has formally recognized the important role of *Kastom* via Police procedures that call for the diversion to the community of all child offenders, (with some exceptions) for rehabilitation and reintegration under the supervision of the Community Justice Supervisor (CJS). CJSs are normally a chief or designated community leader. There are however no guidelines around the protection of the child who is in a diversion programme.

Following broad recommendations in the 2011 Mapping Report and 2012 update,<sup>18</sup> community-based child protection pilot initiatives were established by MJCS (in Tafea Province) and Save the Children (in each of Penama and Sanma provinces), respectively. These initiatives are testing a hybrid model which builds on the strengths of existing traditional systems (particularly in the areas of prevention and early intervention), whilst at the same time encouraging and supporting the referral of serious child abuse cases to the formal system. The work includes the establishment of Community-based Child Protection Committees (CCPCs), and in the case of Tafea Province, a Provincial Child Protection Working Group (PCPWG). The composition of

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<sup>18</sup> Ibid, above n24.



these committees generally includes provincial government officials, police, teachers, health workers, chiefs or community elders, and faith-based organizations. The CCPCs have a general mandate to promote children's rights, monitor the situation of children and refer cases of serious abuse to relevant authorities. To date however, there has not been any research or comparative analysis within or between the pilot projects to document, among other things challenges, successes and lessons learned, from which a standardized or indicative model of good practice for the country might be developed.

### Co-ordination of child protection services and interventions

In Vanuatu, the primary forum for bringing together child protection actors to exchange ideas, provide updates and share experiences has been the NCPWG led by the MJCS; but it has not met substantially since December 2014.

There is no specific instrument or body to co-ordinate formal and non-formal service delivery nor are there systems, guidelines and standards for ensuring that children move through the continuum of care (especially in crisis intervention), in a safe and timely manner.

While there is currently some degree of collaboration between formal and informal child protection stakeholders, co-ordination between sectors needs to be strengthened; as does vertical and horizontal cooperation and co-ordination amongst government bodies.

There is no mechanism for children or anyone to make disclosures or report abuse if they lack confidence in community systems or if they have tried and been unsuccessful. The Vanuatu Family Health Association (VFHA) has in the past cooperated with Child Helpline International in operating a Child Helpline but it has been primarily in relation to sexual and reproductive health.

### Mainstreaming of Child Protection across Different Sectors and Specialized Services

The healthcare system has relatively good coverage in communities through its rural health centers and dispensaries (staffed by registered nurses and nurse-aids and supported by a network of paraprofessional Village Health Workers (VHWs) operating from community-based aid posts). Although some level of engagement by medical staff and VHWs in identifying and addressing children at risk and victims of abuse may be taking place it has not been institutionalized in health care provision, nor is child protection mainstreaming reflected in institutional documents, training or guidelines.

Within the Education Sector, the Minimum Quality Standards for Primary Schools, introduced in 2011, include a number of standards that directly or indirectly will contribute to children's protection,<sup>19</sup> but implementation guidelines have not yet been developed.

### Child protection data

Child Protection statistics are collected by several groups (Police, Health, VWC), but are not consolidated into a centralized data base, rather, every group operates its data system according to individual policies and templates. As a result, national consolidated data around child abuse

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<sup>19</sup> Particularly Standards 8 – 12 addressing: teacher and student health (8), school infrastructure (9), potable water (10), school protection policies (11), and gender equality (12); as well as annexes around education for children with disability and developing anti-bullying policies.

and child protection is not available; and where data is available it is not used to identify trends, or to inform advocacy strategies, responses or priorities.

## Internal Child Safeguarding Policies and Systems

Internal Child Safeguarding Policies and systems are critical to ensure the protection of children whilst under the care or responsibility of staff, volunteers or other representatives of Ministries, CSOs, service providers, NGOs, UN agencies, CCPCs, Church groups, or others. Agencies and their representatives who have contact with children in their professional role have a *duty of care* to ensure that children are not further harmed or put at risk by their own staff or operations. This duty of care includes a mandatory requirement to report (to relevant authorities) and to act on suspicions or disclosures of child abuse (whether those concerns generate from within the organization itself, from other organizations, or from within the community at large).

Whilst some groups and/or agencies who have contact with children have developed internal Child Safeguarding policies, procedures and systems, most have not. This puts children at tremendous protection risk, it puts staff at risk of having allegations made against them, and it puts organizations at risk of reputational damage.

### 2.3 Current Policy and Legal Environment

This Policy recognizes and has used as its basis the high standards set by the UNCRC, ratified by the Government of Vanuatu in 1992; as well as two Optional Protocols, ratified in 2006: (i) Sale of Children, Child Prostitution and Child Pornography, and (ii) Involvement of Children in Armed Conflict. These rights, which apply to everyone under the age of 18 years, describe what a child needs to survive, grow, and develop to their full potential.

By ratifying the UNCRC and its Optional Protocols the Government of Vanuatu has made a promise to all children in Vanuatu, without discrimination, to:

- uphold their basic rights to life, survival and development;
- act in their best interests; and
- respect their rights to express their views and to be heard in matters that affect them.

Although all rights described in the UNCRC are linked and the Convention must be seen as a whole, this Policy puts particular emphasis on children's protection rights, described in 19 articles of the Convention as well as the Optional Protocols. Article 19, summarized below, broadly reflects the wide range of protection rights covered in the other Articles:

*“States Parties shall take all appropriate 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. This includes procedures to provide necessary support for the child as well as for prevention, identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment, and, as appropriate, for judicial involvement”.*<sup>20</sup>

In addition to the UNCRC and the 2 Optional Protocols, this Policy will contribute to the implementation of a number of other international as well as national commitments and

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<sup>20</sup> Ibid, above n1, Article 19.

obligations made by the Government of Vanuatu in relation to the protection of children, some of which are highlighted below:

- **Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)** ratified in 1995. Given the high prevalence of gender-based violence in the country, the government's commitment to advance women's rights through the CEDAW will help to achieve a more optimum environment for boys and girls to be protected and to flourish;
- **United Nations Convention on the Rights of People with Disabilities, (UNCRPD)** ratified in 2008, complements the UNCRC by reaffirming that the rights of children with disability must be respected on an equal basis with all other children; and places specific obligations on governments to ensure the realization of rights to protection from exploitation, violence and abuse by children with disability;
- **National Disability Policy and Plan of Action 2008-2015** – aims to promote the goals of an inclusive, barrier-free and rights-based society for persons with disabilities in Vanuatu in order to protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disability and respect for their inherent dignity;
- **Education Act [2014]** as amended, (which prohibits the use of corporal punishment) and Minimum Quality Standards for Primary Schools (2012) (which include a Standard around preventing and responding to misconduct of students and teachers alike in relation to bullying, corporal punishment, verbal humiliation and sexual harassment);
- **Global Sustainable Development Goals (GSDG) 2016 – 2030**, were adopted by Vanuatu at the UN Sustainable Development Summit held in New York on 25<sup>th</sup> September 2015, where world leaders promised to work together to end poverty, hunger and inequality, take action on climate change and the environment, improve access to health and education and build strong institutions and partnerships. The GSDG have 17 goals and build on the Millennium Development Goals (MDG) which expired in 2015. The protection of children has been embedded in Goal 16 and commits world leaders to end abuse, exploitation, trafficking, torture and all forms of violence against children by 2030;
- **National Sustainable Development Plan (NSDP) 2016 – 2030** – the overarching national cross sectoral development plan, currently in draft form, builds on the previous Government Priority Action Agenda (PAA) Plan that expires in 2015, to implement the GSDG within the national context. This plan identifies a number of strategic areas that have the potential to contribute significantly to children's protection. Specific policy objectives relating to child protection are as follows:

*Policy Objective 4.2* – implementing policies to reduce domestic violence and discrimination against women, children and vulnerable groups

*Policy Objective 4.6* – promoting health and child protection services

*Policy Objective 5.5* – ensuring equitable access to justice for every Ni-Vanuatu

*Policy Objective 5.6* – strengthening links between traditional and informal justice systems

- **Justice and Community Services Sector Strategy (JCSS) 2014- 2017** – reflects a strategic direction and implementation opportunities that are also very well aligned with the provisions of this Policy particularly in the areas to do with customary disputes, juvenile justice, victim support, human rights and delays in progress of cases.

The development of this Policy has also been guided by the 2008 Baseline Study: *Love me with Care* (and its recommendations) as well as the *Mapping of Informal and Formal System in 2011*, which led to the development, in 2012 of the *Policy Directives and Action Plan for Protection of Ni Vanuatu Children*, in which the following strategic areas were recommended:<sup>21</sup>

- Harmonization of international obligations with *Kastom* and community practice (which can be seen as an over-arching strategy);
- Investment in locally appropriate prevention programs;
- Coordination between community and government along a continuum of service;
- Building on existing systems recognizing limited resources; and
- Improved government standards, child friendly practice, and coordination.

In view of research, consultation and learning which has taken place since 2012 (including an Updated Mapping Exercise in 2014), the framework for this Policy reflects the above strategic areas, as well as the following additional strategies:

- strengthening knowledge/understanding of child protection and child rights in the general population;
- strengthening organizational structures to provide oversight to child protection;
- strengthening the capacity of key stakeholders involved in the protection of children;
- strengthening the legal framework for Child Protection; and
- strengthening disaster risk reduction/preparedness/response that is sensitive to the protection needs of children.

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<sup>21</sup> Michael Copland, 2012. Policy Directives & Action Plan for Protection of Ni Vanuatu children

### 3. Policy Framework

The framework of this Policy is comprised a Policy Vision and Goal, a set of guiding principles, key strategic areas, and a Policy Implementation Plan.

#### 3.1 Policy Vision

The vision of this Policy is for the Republic of Vanuatu to have:

A safe and secure society where children of, or living in Vanuatu are free from all forms of abuse, exploitation, neglect and violence enabling them to enjoy a fulfilling childhood and productive life regardless of their gender, religion, age, ethnicity, disability, health status and cultural background.

#### 3.2 Policy Goal

To support the Vision, the Policy establishes the following Goal:

To create an environment where children are safe and protected from all forms of abuse, exploitation, neglect and violence, and have equitable access to services to support their reintegration and recovery when needed.

#### 3.3 Guiding Principles

The Policy is underpinned by the following eight (8) principles to help establish basic norms and standards of good practice expected of stakeholders responsible for its implementation.

##### A. Welfare of the child

Every child has the right to a safe, happy childhood free from violence, abuse, neglect and exploitation to help ensure their prospects for developing into healthy adults who can meaningfully contribute to the social, economic and overall functioning of the wider family and community. Specialized services and programs are required to ensure welfare of children with disabilities is addressed and protected within all settings of society.

##### B. Non-discrimination, inclusion, equal rights to protection

While recognizing that all children are inherently vulnerable to violence, abuse, exploitation and neglect and thus have equal rights to protection, some children may need focused attention because they are made more vulnerable by factors such as disability, marginalization, stigma, displacement, family separation, inadequate family care, adolescent motherhood and local practices which may cause harm to, or put children at risk.

##### C. Shared responsibility

The protection of children is a collective and shared responsibility that falls on all members of society but especially on those who are most in a position to influence, lead and effect change at national, provincial and community levels. This includes, in particular: religious bodies (under the leadership of VCC), chiefs (under the leadership of Malvatumauri Council of Chiefs), government ministries (and in particular Education, Health, and Justice), non-governmental and UN organizations (NGOs, community-based leaders and organizations, and the media).

#### D. Best interests of the child

The best interests of the child as reflected in the UNCRC should be taken into consideration in all decisions affecting children whilst also recognizing that children's best interests should not be seen as being mutually exclusive to the best interests of the family and community, except in situations where decisions put children at risk of harm or further harm.

#### E. Influencing and positive role of religious and *Kastom* practices and systems

The influencing and positive role that some religious and *kastom* practices and systems can have on children's protection and long term development in Vanuatu should be supported, as long as they are keeping with these guiding principles and are in line with the national laws and international obligations.

#### F. Do no harm

The establishment and implementation of systems, interventions and responses to protect children in Vanuatu must take place within a framework of 'do no harm' to the child.

#### G. Meaningful and relevant participation of children

The meaningful and relevant participation of children including vulnerable children such as disability, marginalized in the 'child protection discourse' and development of systems is critical to ensuring their own protection; and needs to be promoted and facilitated at family, community, and national levels as we strive to achieve an inclusive society.

#### H. Gender and power inequities

Given the direct links to domestic violence and child abuse, the implementation of this Policy must take place alongside efforts to address gender and power inequities that underpin the low status of Ni-Vanuatu women and children.

## 4. Strategic Areas

The following eight Strategic Areas have been identified to achieve the goal of the Policy:

1. Strengthening knowledge and understanding of child protection in the general population;
2. Development of prevention, early identification and early intervention strategies that are relevant and appropriate to the context;
3. Development and/or strengthening of organizational structures at national, provincial and community levels that are required to provide oversight and ensure accountability for the overall implementation of this policy;
4. Coordinated, collaborative, holistic and multi-disciplinary interventions by formal and non-formal (*Kastom*, religious, community-based) bodies, to ensure a continuum of care for vulnerable children;
5. Development/strengthening of government standards and guidelines for child protection/working with children;
6. Strengthening of the Legal Framework for Child Protection;
7. Strengthening capacity of government stakeholders and service providers involved in the protection of children;
8. Disaster risk reduction/preparedness and emergency responses that are sensitive to the very high risk of abuse, exploitation, and injury faced by children during disaster.

## Strategic Area 1: Building awareness

### Strengthening knowledge and understanding of child protection in the general population

This Policy recognizes that strengthening awareness, knowledge and understanding of child protection constitute a critical first step to changing attitudes and practices. Despite the vast amount of child protection training that has taken place in the country, there are still significant knowledge gaps around child protection and how to practically apply its concepts.

The Policy acknowledges that comprehensive information about child protection and the impact it has on children should be developed and disseminated to parents, caregivers, health and other officials by the MJCS and CP actors. Public awareness campaigns through messaging, posters and videos based on such approved information can be effectively disseminated throughout the country through various mediums including theatre groups such as Wan SmolBag.

Knowledge building must include evidence-based advocacy and positive influencing messaging and campaigning around child protection and its related positive and negative thematic areas, such as positive parenting, safe communities, safe schools, bringing *Kastom*, religion and formal sector together to protect children and build better communities; impact of abuse, impact of gender inequity, and how attitudes/perceptions/practices can support as well as prevent children's protection. Awareness programs in relation to children with disability are also critical and need to be strategically design to address social attitudes and perceptions one may have towards children with disability.

Public awareness is not only important for parents and caregivers and children, but also for officials across all sectors of Government and should be contextualized to the culture and *Kastom* practices of Vanuatu whilst not ignoring the realities of today's highly technologized world in which Ni-Vanuatu children have increasing access to cyberspace and social media (which come with their own specific child protection risks).

With the support of development partners, it is important for a baseline assessment on child protection situation be conducted for Vanuatu.

#### Policy Objectives:

1. To develop and implement a national CP knowledge building and advocacy strategy that is appropriate and relevant to context of Vanuatu;
2. To have a good understanding of the child protection situation in the country;
3. To finalize and implement existing action plan for Child Online Protection (COP) Awareness Strategy.

#### Key activities

1. Review all CP awareness programs;
2. Develop a National CP Awareness strategies;
3. Provide awareness for government stakeholders;
4. Undertake baseline assessment of child protection situation in Vanuatu;
5. Finalize COP strategy.

#### Key Indicator



Community members report an increased knowledge and understanding of child protection issues.

## Strategic Area 2: Preventing abuse

### Development of prevention, early identification and early intervention strategies that are relevant and appropriate to the context

Given the long term impact of abuse and exploitation on children's developmental outcomes, the long term impact on communities' economic and social outcomes, and financial burden on families/State of responding to child abuse,<sup>22</sup> significant focus needs to be put on prevention and early identification / intervention.

This Policy recognizes that many communities are already actively engaged, vigilant and responsive to at-risk families and that early intervention can help to mitigate protection risks for children either directly or indirectly. More needs to be known however about the dynamics, challenges and strengths of existing mechanisms so that appropriate support can be given to strengthening and expanding them.

Providing trainings and building the skills and capacity of community leaders, chiefs, church groups, village health worker, youth groups, men and woman groups including families at all levels of the society to apply child protection in practical ways is another form of early intervention; and can include a) strengthening children's self-protection and communication skills; b) strengthening mediation and basic counselling skills amongst women's and religious groups; c) strengthening parents' skills and confidence in applying positive discipline; and d) supporting schools to become child-safe and violence-free. Success in these areas however needs to be measured through evidence that practice has changed rather than through workshops that have been held.

With appropriate capacity-building, potential stakeholders who can be drivers of positive change include Chiefs, men's groups, the Church, Village Health workers, women's groups, youth and children's groups, VWCs and their affiliated village Committees Against Violence Against Women (CAVAWs), schools and Community Child Protection Committees.

Field based research to assess the child protection models piloted in Tafea, Penama and Sanma by MJCS and Save the Children, respectively, will significantly help to inform the development of a community-based indicative model for replication across the country.

#### Policy Objectives

1. Strengthen community based prevention and early intervention mechanisms;
2. To develop and replicate nationally an indicative community based CP model.

#### Key Activities

1. Undertake baseline study to assess early intervention and identification;
2. Develop a community facilitation training package;
3. Develop guidelines and indicators on early intervention and identification to guide stakeholders;

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<sup>22</sup> Estimated to be Vt425.4 million annually, in Lifting the Financial Burden of Child Abuse – a Vanuatu Case Study, UNICEF, 2009



4. Undertake comprehensive field based research to evaluate current community-based Child Protection models being piloted by MJCS, Save the Children and UNICEF in 3 Provinces;
5. Drawing on lessons learned from international and national experience and research, develop a strategy to progressively and appropriately replicate a community-based child protection model.

#### Key Indicator

Community based prevention and early intervention mechanisms are coordinated and being replicated.

### Strategic Area 3: Organisational Structures

Developing and /or strengthening organizational structures at national, provincial and community level that are required to provide oversight and ensure accountability for the overall implementation of this policy

To ensure that child protection services, responses and programs are effectively regulated, monitored and resourced, existing organizations must be strengthened. The Policy recognizes the need for having a dedicated Child Protection Unit within the MJCS but it will be an iterative process. The existence of the Child Desk within the MJCS however will provide the overall support in the implementation of this Policy and act as the Ministry's focal point for child protection in Vanuatu.

Strengthening the NCPWG, comprised of representatives from agencies undertaking child protection work as well as those representing Ministries for whom child protection is a critical cross-cutting theme (Education, Health, Labour, Justice, Police, etc.) is also critical to support the implementation of the Policy and child protection programming throughout Vanuatu. Having a specific co-ordination group comprised of service providers (e.g. MJCS, Police, VWC, Health) within the NCPWG to develop standards, guidelines and procedures for service providers' is vital, to ensure effective coordination and protection of children within the continuum of care from the point of referral to the point of reintegration.

This Policy also recognizes the need to establish Provincial level Child Protection Working Groups (PCPWG) as well as Co-ordination working groups. The composition of the PCPWG and the Coordination working groups will depend on the locations and circumstances of that particular province.<sup>23</sup> The establishment of Community level Child Protection Committees at the village level is also important. Such committees ideally should be comprised of approximately 8 individuals representing a wide range of community stakeholders (e.g. teachers, pastors, women's leaders, etc.) and will report to the Provincial CPWG.<sup>24</sup>

While these committees will have responsibilities to report and appropriately refer cases of abuse, it is expected that their focus will be on raising awareness, and on prevention and early

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<sup>23</sup> These will look different in each location depending on factors such as remoteness and existence (or not) of formal and non-formal services. For example, whilst formal services are more likely to exist in urban and semi-urban areas, non-formal service providers such as the Church, women's groups and Child Protection Committees will be more prevalent in rural and remote areas.

<sup>24</sup> Having the same structure in every single community is not feasible so differently modalities of the model might need to implemented over time as learning takes place

intervention work. Their overall work will be guided by the Provincial CPWG work plan, while their reporting and referral responsibilities will be guided by mechanisms established by the provincial level co-ordination group. In some (e.g. remote) locations, the community Child Protection Committee may also be the de facto coordinating body for informal service provision simply because there will be no formal service providers.

The expertise of external child protection specialists from NGOs and UN agencies and other international organization with an objective focus on child protection, who are not direct service providers will be sought to provide technical support to national, provincial and community level coordinating bodies. These include Save the Children, World Vision, Care International, UNICEF, and the United Nations Population Fund (UNFPA).

#### Policy Objective

1. MJCS has oversight of agencies undertaking child protection work and program.

#### Key Activities

1. Strengthen the National Child Protection Working Group (NCPWG);
2. NCPWG meets regularly to share programing plans, progress implementation of work plans, and to reflect on/discuss good practice, challenges and successes in protecting/engaging children;
3. Within the NCPWG, establish an inter-agency co-ordination group consisting of service providers (Health, VPF, VWC) with technical specialist support child-focused agencies, who will develop national standards, guidelines and procedures to guide how a survivor moves vertically and horizontally through the system from the point of referral to the point of reintegration;
4. Require all child protection NGOs/Stakeholders to register and establish MOUs with MJCS;
5. Establish Provincial level CPWG (PCPWG);
6. Establish Provincial level co-ordination group, which reports to PCPWG, consisting of service providers (Health, VPF, VWC) and technical support specialists from child focused agencies;
7. PCPWG meets regularly to share programing plans, progress implementation of work plans, and to reflect on/discuss good practice, challenges and successes in protecting/engaging children;
8. Co-ordination group meets regularly to discuss coordination mechanisms; and adapt/contextualize national level standards, guidelines, procedures for service providers to guide how a survivor moves vertically and horizontally through the system from the point of referral to the point of reintegration.

#### Key Indicator

Demonstrated improvement in coordination of national, provincial and community level child protection services providers.

## Strategic Area 4: Coordination and continuum of care

Co-ordinated, collaborative, holistic and multi-disciplinary interventions by formal and non-formal (*Kastom*, religious, community-based) bodies, to ensure a continuum of care for vulnerable children

This Policy recognizes that children at protection risk (whether they are victims, witnesses or offenders) need to be able to access child-friendly, preventive and responsive services which include reporting and referral mechanisms, and recovery, rehabilitation and reintegration programmes. Strong co-ordination and collaboration amongst formal and informal stakeholders and service providers are thus needed at national, provincial and community levels.

To support this process, a formal relationship between the MJCS and VCC and other churches is being recommended, to help ensure that the churches' child protection work can be coordinated within the overall national strategic framework for child protection. The VCC (and Churches under its leadership) have a wide reach in the country and can potentially play a key role in influencing attitudes and positive child protection practice through the use of Biblical teachings that promote non-violence.<sup>25</sup>

While some *kastom* practices may promote the protection of children,<sup>26</sup> overall children are often left disadvantaged in many aspects of *kastom* practices. As such, chiefs and community leaders have a critical role and in a best position in ensuring children's protection and best interests is recognized and protected at all times when dealing with children within the community, especially during resolution disputes including those that involve children as victims/offenders. The MJCS is best positioned to work alongside the Council of Chiefs to exert their influence at national, island, village and community (*nasara*) levels (and importantly, in remote communities).

Given the tremendous barriers to reporting abuse that exist, children themselves need to be empowered and provided with a safe and confidential avenue for making disclosure or reporting concerns outside of community-level mechanisms. Exploring the feasibility of a free, reliable, and accountable children's hotline is important.

This Policy also recognizes that establishing a centralized data base for receiving, analysing and generating data on child protection is critical to identifying prevalence, trends, priorities and informing programming and advocacy strategies.

### Policy Objectives

1. Effective coordination and collaboration among Provincial Child Protection Working Group stakeholders;
2. Provincial level co-ordination structure for formal/informal service providers establishes its working modalities;
3. Strengthen systems for reintegration of child survivors;

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<sup>25</sup> Some churches often use children to pray for healing and revelation of black magic (*makaemas*). Corporal punishment is also often justified through scripture, etc. Such activities put children at greater risk, as such, working with churches to promote child protection and non-violence messaging is critical.

<sup>26</sup> Most *kastom* practices in Vanuatu often value the birth of a child as he or she grows into adulthood e.g. when a child is born, there will be family feasting and celebration. The child will be bestowed with a custom name that have significant value. Afterwards, there will be other ceremonies performed to mark the child development growth as he or she goes through various rites of passage.

4. Strengthen systems for the reintegration of child offenders who are diverted back to the community;
5. Formalize the engagement of VCC with MJCS to strengthen overall co-ordination of child protection activities;
6. Strengthen engagement of council of chiefs and chiefs at community level in protection of children along the continuum of care;
7. To establish a system to collect child protection data (child abuse prevalence and trends) from service providers;
8. Establish a dedicated free hotline for children;
9. Development of a centralized data base to collect and analyse child abuse prevalence, trends, good practice.

#### Key Activities

1. Assess current community reintegration mechanisms;
2. Working with community leaders and children who have been diverted, assess the current diversion system at the community level from a child protection perspective;
3. MOU between MJCS and VCC to provide overall direction in area of child protection;
4. MOU between individual Member churches oriented towards service delivery along the continuum of care;
5. Identify modalities and start documenting existing traditional positive child protection practices (e.g. Workshop reports);
6. MJCS to consult with MCC around their potential role and the role of chief at the community level in strengthening positive child protection practices and addressing harmful practices;
7. Develop guidance to support churches, chiefs and child protection stakeholders to work together to achieve positive child protection practices;
8. Develop a strategy to request and collect data from service providers.

#### Key Indicator

Strengthened collaboration between formal and non- formal bodies (kastom, religious, community-based) demonstrate an improved continuum of care.

### Strategic Area 5: Strengthening government standards

Development / strengthening of government standards and guidelines for child protection actors working with children that reflect best practice and meet Vanuatu's international and national legal obligations.

Service providers and others working with children within the continuum of care need to be doing so against standards of good practice, guidelines and procedures to ensure the safe, timely, efficient and confidential movement of children who enter the system as victims or offenders. These will be developed at the National level within the full spectrum of reporting, referring, case management and reintegration. Given the geographical and cultural contexts in which they need to be implemented, it is recognized that standards and procedures developed at national level may need to be locally adapted (but without compromising children's safety or protection).

Organisations whose staff, volunteers or other representatives have contact with children via their child protection or other professional role will be required to develop internal child safeguarding

policies, procedures and systems that include codes of conduct and a mandatory requirement to report suspicions, disclosures, or observations of child abuse to statutory authorities. This requirement will apply as well to law enforcement agencies and authorized persons in the community who are dealing with child offenders and those executing their diversion sentences. Under the UNCRC child offenders must not suffer physical or mental violence and must be treated in a manner which is consistent with protecting their sense of dignity and worthwhile at the hands of law enforcement or equivalent.

This Policy also recognizes the importance of developing a child-centred, child-friendly specialized justice system to ensure that children can testify safely on the violence they experience and that perpetrators are brought to justice.

Finally, standards and guidelines will need to be developed in relation to the physical infrastructure for children who enter the system as victims, witness or offenders to ensure they are child safe, child friendly and in line with UNCRC standards. These include temporary places of safety for children and facilities for child offenders.

#### Policy Objective

1. Establishment of robust system for ensuring timely and speedy settlement of cases investigations and prosecutions involving children as victims or witnesses;
2. Development of child friendly procedures and processes for child offenders moving through the judiciary process to ensure timely and speedy settlement of child cases, investigations and prosecutions;
3. All agencies/Ministries working with children or who have contact with children establish internal child safe guarding policies, procedures and mechanisms including code of conduct and mandatory requirement to report child abuse;
4. Children at risk of, or survivors of abuse or violence including child offenders and those without appropriate family care have access to protective alternative care;
5. Existing SOP for undertaking investigations involving child victims, witnesses and offenders are effectively implemented;
6. Mainstreaming of child protection into key government sectors and other groups.

#### Key Activities

1. Develop a child friendly system and process across relevant agencies for children accessing the judiciary system as victims or witnesses;
2. Strengthening section 3 of JCSS to include performance measures specifically targeting children;
3. Develop child friendly guidelines for children (as offender) accessing the judiciary system;
4. MJCS requires all agencies with whom it has an MOU to develop internal child safeguarding policies and systems;
5. MJCS advises all other Ministries/Departments who have contact with children to develop internal child safeguarding policies and systems;
6. Strengthen quality of alternative care programmes for families/children who are survivors of, or at high risk of abuse, violence or inappropriate care;
7. Support correctional services to establish child friendly facilities within existing center;
8. Support VPF to implement SOP;
9. Support health sector to ensure child protection mainstreamed into the health sector;

10. Support VCC to develop guidance for mainstreaming child protection into the work of churches at community level;
11. Support Education sector to mainstream child protection through implementation of Minimum Quality Standards for Primary Schools (VQMS).

#### Key Indicator

Best practice guidelines and policies (in line with UNCRC) for Government stakeholders working with child victims and offenders are developed and strengthened.

### Strategic Area 6: Legal protection

#### Strengthening the Legal Framework for Child Protection

This Policy recognizes that national laws must prohibit all form of abuse, exploitation, neglect and violence against children including in the home. Child protection laws should be effectively implemented, enforced and monitored, ensuring investigation, prosecution and punishment of perpetrators, and protection and support for complainants/ survivors of violence and their families; as well as child offenders.

Vanuatu laws that reflect child protection include the Constitution, Penal Code, Criminal Procedure Rules, Family Protection Act, Matrimonial Causes Act, and Education Act. The protection of child offenders must ensure that the child's best interests are upheld and that restitution is appropriate and does not undermine the child's developmental rights.

Although the Government of Vanuatu has made progress in harmonizing its legislation in line with its obligations under international conventions there is considerable work to do. This Policy recognizes the need to update previous mappings (such as *Protect Me with Love and Care: Baseline study Vanuatu 2008*) undertaken to identify gaps between existing laws and international laws and to strengthen existing laws and/or development of a new child protection legislation.

#### Policy Objectives

1. To bring existing national legislation in line with UNCRC, optional protocols and relevant International conventions;
2. Development of a Child Protection law that complies with UNCRC and other ratified conventions and protocols; and addresses current significant gaps e.g. legislation for juveniles.

#### Key Activities

1. Update previous mappings undertaken to identify gaps between existing laws and international legal obligations and to identify contradictions within national legislation;
2. Amend the existing national laws to comply with UNCRC and other relevant ratified Conventions/Optional Protocols and address contradictions;
3. Revisit draft Child Protection Bill developed by Vanuatu Law Commission and make recommendation for action.

#### Key Indicator

Law is strengthened to protect children.

## Strategic Area 7: Skilled professionals

### Strengthening capacity of government stakeholders and service providers involved in the protection of children

The range of professionals and paraprofessionals working within the sphere of children protection in Vanuatu include police, teachers, judges, lawyers, teachers, health workers, and correctional centre staff. This frontline workforce however is operating in the absence of relevant professional standards. There are no professional child protection workers or social welfare service providers in the country; nor do the curricula of Vanuatu College of Nurse Education, Vanuatu Institute of Teacher Education (VITE), or Institutes of Technology carry subjects that are relevant to social welfare and child protection.

Decisions about the care and protection of children are thus often made by staff who lack appropriate training or expertise, may not have an understanding of child protection matters or legislation, and may have competing priorities. Although Technical & Vocational Education & Training (TVET) programs unfolding in Vanuatu may potentially provide a platform for the eventual mainstreaming of subjects relevant to social welfare and child protection, developing a national child protection system will require a significant strengthening of institutions, processes and mechanisms to upgrade knowledge and skills across a broad range of service providers. This Policy recognizes the need to strengthen the capacity of government stakeholders as a priority. Building of service providers' knowledge will be an ongoing process and will be implemented in the second phase of the Policy.

#### Policy Objectives

1. Increase knowledge and skills of government stakeholders;
2. Strengthen knowledge and skills of professionals and service providers dealing with children.

#### Key Activities

1. Develop strategy and budget to strengthen skills and knowledge of government stakeholders and service providers in areas of child protection related to their work e.g. basic child protection, Vanuatu legislations and child safeguarding, relevant policies and procedures and child friendly approaches.

#### Key Indicator

Increased knowledge and skill of government professionals in the protection of children.

## Strategic Area 8: Mainstreaming child protection in emergencies

### Strengthening child protection in disaster risk reduction/preparedness and emergency responses

“A community with a functioning protective network around its children where violence, abuse and exploitation are not accepted, is in a much stronger position to maintain its network, or rebuild it, in an emergency situation”.<sup>27</sup>

This Policy recognizes the need to mainstream, strengthen and scale up current Disaster Risk Reduction and Emergency Response initiatives ensuring children are protected in emergency situations and are meaningfully and appropriately engaged/consulted in planning and implementation. Action in this area will include support of the relevant Ministry responsible for Climate Change and Disaster and National Disaster Management Office, development of life skills programming such as first aid, prevention of family separation, disaster readiness, etc., for communities in disaster prone areas.

### Policy Objectives

1. Ensure national emergency preparedness plans reflect rigorous and relevant child protection intervention and that children are engaged in DRR planning processes;
2. Child protection is mainstreamed into national emergency preparedness plans.

### Key Activities

1. Review existing MoU with NDMO in addressing child protection programming in emergencies;
2. Identify and prioritize disaster prone areas of the country for child protection systems' strengthening reflected in this overall strategy;
3. Develop life skills programmes such as first aid, prevention of family separation, disaster readiness, etc. for communities in disaster prone areas;
4. Lobby for engagement of children in community-based DRR planning processes;
5. In collaboration with NDMO, Gender/Protection lobby for the strategic integration of Child Protection considerations across all sectors.

### Key Indicators

Strengthened child protection in disaster risk reduction/preparedness and emergency responses.

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<sup>27</sup> Child Rights-based National Child Protection Systems, Save the Children, Sweden.



## 4. Policy Implementation

This Policy will be implemented through a multi-stakeholder approach to ensure that its goal and objectives are realized; and to optimize efficiency and use of scarce resources. As such, activities reflected in the implementation plan will need to be planned and organized in such a way as to maximize the participation of all stakeholders.

### 4.1 Mechanisms

This policy will be supported by the National Children's Policy. It will be operationalized through a rolling, ten-year Implementation Plan that provides a framework of activities and indicators. The Implementation Plan will be reviewed annually and updated as where appropriate.

The MJCS with the support of the NCPWG shall be responsible for the implementation of this Policy. The Director General will chair the NCPWG with an overall responsibility for coordinating policy implementation, participatory monitoring, evaluation, and reviews. The NCPWG will also serve as an advisory committee to the National Children's Committee (NCC) on matters relating to the implementation of the policy and child protection developments.

### 4.2 Monitoring

The MJCS with the support of the NCPWG will monitor the implementation of this policy. The Implementation Plan will be monitored and reported on regularly for progress, and then reviewed annually and updated (annually) as appropriate.

### 4.3 Reporting

The NCPWG will compile an annual report on the implementation of this Policy and submit it to the NCC. The NCC will endorse the report to the Minister as submitted, or with suggested /recommended changes. This annual report will focus on the key strategic areas of this policy, and highlight progress, achievement of indicators and other matters relating to the implementation of the Policy.

### 4.4 Review & Evaluation

This Policy (excluding the Implementation Plan) will be formally reviewed after four (4) years of adoption, via the NCPWG, under the support and assistance of MJCS. Reviews will assess all reports to identify the gaps in activities, where outcomes are not being met, challenges, etc. The review of the Policy will ensure the Policy remains effective, alive and relevant and to ensure it achieves its goal and objectives.

### 4.5 Resources

The Government recognises that without adequate resources, the activities required under this policy will be constrained. The Government therefore commits to ensuring the appropriation of the resources necessary for implementing the activities and calls upon the active cooperation and assistance of its development partners, NGOs and line Ministries dealing with children by providing extra-budgetary support and urge all to work together, in enabling the success of this Policy.

#### 4.6. Launching of this Policy

The official adoption of this Policy will designate the start of the implementation process. To a large extent the Policy's success will depend on the level of understanding of different sectors of society of its implications and benefits, and on their support for its objectives.

## 5. Policy Implementation Plan 2016 - 2026

### Introduction

This Implementation Plan (“Plan”) is the tool for implementing this Policy and it is designed for a 10-year time frame. It will be implemented in 2 phases. Phase I of the Implementation Plan will be implemented within the next four years (2016-2020), while the second phase will be implemented starting from 2021 – 2026. A detailed plan for phase 2 implementation will be developed at the end of phase I and will include any activities carried over from Phase I.

For phase I, some activities are on-going activities, while other activities are a priority of the Government to address.

The Plan for Phase I provides a strategic outline of activities to which all relevant actors and stakeholders are expected to contribute to in order to achieve the objectives of the Policy. It will be reviewed annually by the NCPWG. Gaps identified in such reviews will help stakeholders to update their corporate plans, and through those updates, help to keep this Policy and the Plan relevant.

### Call for Commitment by all

This Implementation Plan is only achievable if it has political and community support. The child protection sector as it is currently resourced cannot achieve this without committed buy in from the Government, child protection actors, stakeholders, the community and the broader network of national, regional and international donor partners.

# Phase I Implementation Plan 2016 – 2021

Overarching strategy: Building on and strengthening existing positive traditional community-based (Kastom) systems and practices that protect children, whilst at the same time strengthening formal mechanisms (such as Education, Health and Justice Sector)

## Strategic Area 1:

### Strengthening knowledge and understanding of child protection and child rights in the general population

Policy Objectives	Key Activities	Key Indicators	Completed by	Responsible*
1. To develop and implement a national CP knowledge building and advocacy strategy that is appropriate and relevant to context of Vanuatu	1.1 Undertake broad review of existing child protection training packages	1.1.1 Review done with recommendations	2017	MJCS
	1.2 Develop National child protection knowledge-building strategy which aims to also build local capacity to deliver basic child protection messaging	1.2.1 A National training, advocacy and awareness-raising action plan (and budget) developed.		
		1.2.2 Plan (including mentoring and coaching strategy) implemented by all stakeholders		
		1.2.3 Positive messaging media strategy developed, tested and implemented		
		1.2.4 Key Government sectors receive CP awareness		
2. To have a good understanding of the child protection situation in the country	2.1 Undertake baseline assessment of child protection situation in the country.	2.1.1 Assessment undertaken	2018	MJCS, NGOs

\* Responsible agency will take lead on specific activities, with collaboration with relevant stakeholders but not necessarily mean that responsibility will fall on that particular stakeholder only. Responsible stakeholders, and with the support of NCPWG will have to work close with other stakeholders, where relevant, in implementing the assigned activities.

3. Implement existing action plan for COP Awareness Strategy	3.1 OGCIO to finalize and endorse current draft National COP Strategy for Vanuatu	3.1.1 COP Strategy finalized, endorsed by the Government and implemented	2016	OGCIO
		3.1.2 MJCS receive COP Strategy from OGCIO for implementation	2016	OGCIO & MJCS

### Strategic Area 2:

Development of prevention, early identification and early intervention strategies that are relevant and appropriate to the context

Policy Objectives	Key Activities	Key Indicators	Completed by	Responsible	
1. Strengthen community based prevention and early intervention mechanisms	1.1 Develop a community training facilitation training package	1.1.1 Community Training Facilitation package developed and finalize	2017	MJCS, UNICEF	
		1.1.2 Training facilitation package implemented	2017 and on-going	All relevant stakeholders	
	1.2 Undertake a baseline study in selected urban, peri-urban, rural and remote communities; as well as pilot areas, to better understand current community mechanisms to protect children; and to provide social protection intervention to vulnerable families	1.2.1 Baseline studies completed	2018	MJCS & NGOs	
		1.3 Document lessons learn from on-going early intervention initiatives, such as strengthening and/or supporting: <ul style="list-style-type: none"> <li>community based social protection mechanisms;</li> <li>children's self-protection skills;</li> <li>positive parenting skills;</li> </ul>	1.3.1 Learning and development plan is developed to ensure to ensure on-going reflection, documentation and application of lessons learned	2018	MJCS/NCPWG
			1.3.2 lesson learn are documented	2018	MJCS, NGOs
	1.3.3 from lessons learn, develop guidance and indicators across	2018	MJCS		

	<ul style="list-style-type: none"> <li>community- capacity to provide basic PSS and counseling skills;</li> <li>implementation of MOET Minimum Quality Standards for Primary Schools (VQMS) to help build safer schools;</li> <li>Community and children's DRR capacity;</li> <li>The development of community safety plans</li> </ul>	broad range of prevention and early intervention programs		
		1.3.4 Prevention and early intervention programs rolled out by stakeholders and informed by lessons learned	2019-and on-going	All stakeholders
2. To develop and replicate nationally an indicative community based CP model.	2.1 Drawing on relevant international research, undertake comprehensive field based research to evaluate current community-based Child Protection models being piloted by MJCS, Save the Children and UNICEF in 3 Provinces.	2.1.1 An indicative and evidence-based model for community-based CP is agreed and approved by MJCS; and accompanying guidance developed.	2018	MJCS, UNICEF, SC
	2.2 Drawing on lessons learned from international and national experience and research, develop a strategy to progressively and appropriately replicate a community-based child protection model	2.2.1 Strategy and implementation plan developed and resourced.	2018	MJCS, UNICEF, SC
		2.2.2 Community-based child protection models are appropriately adapted, and replicated in selected areas of the country	2021	MJCS
		2.2.3 Reflection, research and learning informs national roll out of community based model		

### Strategic Area 3:

Developing and /or strengthening organizational structures at national and provincial level to provide oversight and ensure accountability for the overall implementation of this policy

Policy Objectives	Key Activities	Key Indicators	Completed by	Responsible*
1. MJCS has oversight of agencies undertaking child protection work and program	1.1 Strengthen the National Child Protection Working Group (NCPWG)	1.1.1 NCPWG endorsed, TOR in place	2016	MJCS
		1.1.2 Annual work plan developed		
	1.2 NCPWG meets regularly to share programming plans, progress implementation of work plans, and to reflect on/discuss good practice, challenges and successes in protecting/engaging children	1.2.1 Group meeting regularly and annual work plan being implemented	On-going	NCPWG
	1.3 Within the NCPWG, establish an inter-agency co-ordination group consisting of service providers (e.g. Medical, VPF, VWC) with technical specialist support child-focused agencies, who will develop national standards, guidelines and procedures to guide how a survivor moves vertically and horizontally through the system from the point of referral to the point of reintegration	1.3.1 National inter-agency co-ordination group within NCPWG established and TOR developed.	2017	NCPWG
		1.3.2 MOU to guide service providers signed between inter-agency coordination group (service providers)	2018	NCPWG, relevant Service Providers (e.g. Medical, Police, VWC)
	1.4. Require all child protection NGOs/Stakeholders to register and establish MOUs with MJCS	1.4.1 All relevant NGOs/Stakeholders in the area of child protection are registered, have MOUs and are required to report their activities regularly to MJCS	2019	MJCS
1.5. Establish Provincial level CPWG (PCPWG)	1.5.1. PCPWG TOR developed; recognition/endorsement by provincial governments	2020	MJCS, Provincial Governments	

\* The list of responsible organizations is not limited. Any relevant organization can be part of the implementation and need to be made known to MJCS or NCPWG meetings.

	1.6. Establish Provincial level co-ordination group, which reports to PCPWG, consisting of service providers (VPF, Medical, VWC) and technical support specialists from child focused agencies. (Note – local level adaptation of this structure may take place)	1.6.1 TOR developed and group meeting regularly and MOUs developed	2021 and on-going into Phase II implementation	MJCS, PCPWG
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#### Strategic Area 4:

Co-ordinated, collaborative, holistic and multi-disciplinary interventions by formal and non-formal (Kastom, religious, community-based) bodies, to ensure a continuum of care for vulnerable children

Policy Objectives	Key Activities	Key Indicators	Completed by	Responsible*
1. Effective coordination and collaboration among Provincial Child Protection Working Group stakeholders	1.1 PCPWG meets regularly to share programming plans, progress implementation of work plans, and to reflect on/discuss good practice, challenges and successes in protecting/engaging children	1.1.1 Annual work plan (based on national plan developed under Strategic Area 3, Objective 1 Indicator 1.1.2) developed	2020	MJCS, Provincial Government
		1.1.2 Up to date reports provided by stakeholders within PCPWG	On-going once set up	PCPWG members
2. Provincial level co-ordination structure for formal / informal service providers establishes its working modalities <sup>28</sup>	2.1 Co-ordination group meets regularly to discuss coordination mechanisms; and adapt / contextualize national level standards, guidelines, procedures for service providers to guide how a survivor moves vertically and horizontally through the system	2.1.1 Co-ordination mechanisms established and guidelines and procedures are contextualized and implemented	2021-and on-going	MJCS, PCPWG

\* The list of responsible organizations is not limited. Any relevant organization can be part of the implementation and need to be made known to MJCS or NCPWG meetings.

<sup>28</sup> e.g. where there are no service providers, local structure is the CPC where there are service provider and CPC, local structure is service provider plus CPC chair or designate, where CPC not necessary (e.g. urban area) local structure is service provider only.



	from the point of referral to the point of reintegration			
3. Strengthen systems for reintegration of child survivors	3.1. Assess current community reintegration mechanisms <sup>29</sup>	3.1.1 Assessment undertaken and findings used to identify strategies for strengthening reintegration	2019	MJCS, NGOs
4. Strengthen systems for the reintegration of child offenders who are diverted back to the community	4.1 Working with community leaders and children who have been diverted, assess the current diversion system at the community level from a child protection perspective <sup>30</sup>	4.1.1 Assessment undertaken and findings used to identify strategies for strengthening reintegration	2019	MJCS, NGOs
5. Formalize the engagement of VCC with MJCS to strengthen overall co-ordination of child protection activities	5.1 MOU between MJCS and VCC to provide overall direction in area of child protection	5.1.1 signed MOU between VCC and MJCS	2017	MJCS, VCC
	5.2 MOU between individual Member churches oriented towards service delivery along the continuum of care	5.2.1 MOU between VCC and respective church member group	2018	VCC, Church Members
6. Strengthen engagement of council of chiefs and chiefs at community level in protection of children along the continuum of care	6.1 identify modalities and start documenting existing traditional positive child protection practices (e.g. Workshop reports)	6.1.1 Documentation put together by NCPWG	2018	MJCS, NCPWG
		6.2 MJCS to consult with MCC around their potential role and the role of chief at the community level in strengthening positive child protection practices and addressing harmful practices	6.2.1 Consultation undertaken by way of workshop with MCC and chiefs represented	2019
	6.2.2 Statement reflecting MCC's commitment to strengthen child protection within Kastom decision making powers			
	6.2.3 Child protection mainstreamed into MCC activities		2021	MCC

<sup>29</sup> Note: follow up activity 3.2 will be implemented in Phase II. See Implementation Plan for Phase II.

<sup>30</sup> Note: Follow up activity 4.2 and 4.3 will be implemented in Phase II. See Implementation Plan for Phase II.

	6.3 develop guidance to support churches, chiefs and child protection stakeholders to work together to achieve positive child protection practices	6.3.1 Guidance is available (and draws on learning from CCPC pilot initiatives)		
7.To establish a system to collect child protection data (child abuse prevalence and trends) from service providers	7.1 Develop a simple system to request and collect data from service providers (e.g. medical, VWC, VPF) <sup>31</sup>	7.1.1 system developed	2017	MJCS
		7.1.2 data collected	2018 and on-going	MJCS

### Strategic Area 5:

#### Development/strengthening of government standards and guidelines for child protection and for service providers working with children

Policy Objectives	Key Activities	Key Indicator	Completed by	Responsible*
1. Establishment of robust system for ensuring timely and speedy settlement of cases investigations and prosecutions involving <u>children as victims or witnesses</u>	1.1 Develop a child friendly system and process across relevant agencies for children accessing the judiciary system as victims or witnesses	1.1.1 A system established within VPF, Prosecution and Court to effectively and efficiently deal with cases involving children	2019	MJCS, PPO, VPF, Courts
		1.1.2 Prosecution Office to appoint a dedicated prosecutor to deal with child protection cases and work close with FPU.	2019	PPO
	1.2 Strengthening section 3 of JCSS to include performance measures specifically targeting children	1.2.1 JCSS section 3 amended	2018	MJCS

<sup>31</sup> Note: A more detail centralized data base system will be implemented in Phase II as Policy Objective 8 for this Strategic Area.

\* The list of responsible organizations is not limited. Any relevant organization can be part of the implementation and need to be made known to MJCS or NCPWG meetings.

2. Development of child friendly procedures and processes for <u>child offenders</u> moving through the judiciary process to ensure timely and speedy settlement of child cases, investigations and prosecutions <sup>32</sup>	2.1 Develop child friendly guidelines for children (as offender) accessing the judiciary system	2.1.1 Child Friendly guidelines developed for Courts	2019	Court, MJCS, NGOs
		2.1.2 Child Friendly guidelines developed for Prosecution	2019	PPO, MJCS, NGOs
3. All agencies/Ministries working with children or who have contact with children establish internal child safe guarding policies, procedures and mechanisms including code of conduct and mandatory requirement to report child abuse	3.1 MJCS requires all agencies with whom it has an MOU to develop internal child safeguarding policies and systems	3.1.1 All key agencies have internal child safeguarding policies to KCS (Keeping Children Safe) standard and are implementing them	2020	All relevant NGOs, agencies, CSOs
	3.2 MJCS advises all other Ministries/Departments who have contact with children to develop internal child safeguarding policies and systems	3.2.1 All Ministries/Departments having contact with children have internal child safeguarding policies to KCS standard and are implementing them	2020	All relevant Government Ministries, Department
4. Children at risk of, or survivors of abuse or violence including child offenders and those without appropriate family care have access to protective alternative care	4.1 Strengthen quality of alternative care programmes for families/children who are survivors of, or at high risk of abuse, violence or inappropriate care.	4.1.1 Standards for alternative, care are developed	2021	MJCS, NCPWG
		4.1.2 Number of alternative care programmes in each province that are operating to standard.	2021	MJCS, NGOs
	4.2 Support correctional services to establish child friendly facilities within existing centers	4.2.1 Children are kept in separate facilities from adults (correctional centers, pre-trial detention),		

<sup>32</sup> To complement section 2 of JCSSS under Juvenile Justice.

		4.2.2 Facilities meet minimum standards.	2021	MJCS, CS
5. Existing SOP for undertaking investigations involving child victims, witnesses and offenders are effectively implemented	5.1 Support VPF to implement SOP	5.1.1 SOP training provided to all VPF officers including those working in rural areas	2018	MJCS, VPF, UNICEF
6. Mainstreaming of child protection into key government sectors and other groups	6.1 Support VCC to develop guidance for mainstreaming child protection into the work of churches at community level	6.1.1 Guidance developed	2019	MoH, MJCS
	6.2 Support Education sector to mainstream child protection through implementation of Minimum Quality Standards for Primary Schools (VQMS)	6.2.1 VQMS implemented in all primary schools in Vanuatu	2021	MJCS, VCC

## Strategic Area 6

### Strengthening the Legal Framework for Child Protection

Policy Objectives	Key Activities	Key Indicators	Completed by	Responsible*
1. To bring existing national legislation in line with UNCRC, optional protocols and relevant International conventions	1.1 Update previous mappings undertaken to identify gaps between existing laws and international legal obligations and to identify contradictions within national legislation	1.1.1 Update under taken	2018	MJCS, DWA, VLC

\* The list of responsible organizations is not limited. Any relevant organization can be part of the implementation and need to be made known to MJCS or NCPWG meetings

	1.2 Amend the existing national laws to comply with UNCRC and other relevant ratified Conventions/Optional Protocols and address contradictions	1.1.2 At least 50% of the laws identified have been mended to be in line with the UNCRC and other ratified conventions/protocols	2021	
2. Development of a Child Protection Act that complies with UNCRC and other ratified conventions and protocols; and addresses current significant gaps e.g. legislation for juveniles	2.1 Revisit draft Child Protection Bill developed by VLC and make recommendation for action	2.1 Child Protection Act passed	2018	MJCS, VLC

## Strategic Area 7

### Strengthening capacity of government stakeholders and service providers in the protection of children

Policy Objectives	Key Activities	Key Indicators	Completed by	Responsible
1. Increase knowledge and skills of government stakeholders and service providers	1.1 Develop strategy and budget to strengthen skills and knowledge of government stakeholders	1.1.1 Strategy, budget, implementation and monitoring plan are developed	2018	MJCS, SC, UNICEF (NCPWG)
		1.1.2 Training provided to key government stakeholders	2020	MJCS, NCPWG
	1.2 Develop a strategy to strengthen capacity of relevant service providers in areas of child protection, including special trainings for service providers dealing with vulnerable groups (e.g. disability)	1.2.1 trainings provided to relevant service providers (e.g. VWC, Wan SmolBag, Frangipani, Police, medical services)	2021	MJCS, NCPWG

## Strategic Area 8

### Strengthening child protection in disaster risk reduction/preparedness and emergency responses

Key Policy Objectives	Key Activities	Key Indicators	Completed by	Responsible*
1. Ensure national emergency preparedness plans reflect rigorous and relevant child protection intervention and that children are engaged in DRR planning processes	1.1 Review existing MoU with NDMO in addressing child protection programming in emergencies	1.1.1 MOU with NDMO revised	2018	MJCS, NDMO
	1.2 Identify and prioritize disaster prone areas of the country for child protection systems' strengthening reflected in this overall strategy	1.2.1 Disaster prone areas of the country are amongst the first to develop CP systems	2021	
	1.3 Develop life skills programmes such as first aid, prevention of family separation, disaster readiness, etc. for communities in disaster prone areas	1.3.1 Communities in disaster prone areas receive specific disaster-related skills building	2019	
	1.4 Lobby for engagement of children in community-based DRR planning processes	1.4.1 Children are engaged in planning processes	2021	MJCS, NCPWG
2. Child protection is mainstreamed into national emergency preparedness plans	2.1 In collaboration with NDMO, Gender/Protection lobby for the strategic integration of Child Protection considerations across all Sectors	2.1.1 Ministry engagement Gender/Protection and Inter-Cluster planning	2021	NDMO, MJCS, Gender/Protection Cluster UNICEF
		2.1.2 Child protection is strongly reflected in NDMO Disaster Preparedness plans	2021 and on-going	NDMO

\* The list of responsible organizations is not limited. Any relevant organization can be part of the implementation and need to be made known to MJCS or NCPWG meetings.

## Phase II – Implementation Plan 2022 - 2026

The following activities has been identified to be the policy long term implementation activities and will be implemented starting from 2020 – 2026- a detail Plan need to be develop for this phase.

Strategic Area	Key Policy Objectives	Key Activities	Key Indicators	Timeframe
4. Co-ordinated, collaborative, holistic and multi-disciplinary interventions by formal and non-formal (Kastom, religious, community-based) bodies, to ensure a continuum of care for vulnerable children	3. Strengthen systems for reintegration of child survivors	3.2 Strengthened capacity of key stakeholders in communities (e.g. women groups, church groups, CCPC members) to provide reintegration support to children and their families e.g. supportive discussions, encourage, basic PSS)	3.2.1 Trainings provided to key stakeholders in community to provide reintegration support	2022-2026
			3.2.1 Community are providing reintegration support to survivors and their families	2022-2026
	4. Strengthen systems for the reintegration of child offenders who are diverted back to the community	4.2 Build capacity of key stakeholders in communities (e.g. women groups, church groups, CPC members) to provide reintegration support to children and their families e.g. supportive discussions, encourage, basic PSS)	4.2.1 Key stakeholders are providing reintegration support to child offenders/diverted children and their families	2022-2026
			4.3 Provide trainings programs for Community Justice Supervisors (CJS) to include child protection for child offenders involved	4.3.1 Training provided for CJS
8. Development of a centralized data base to collect and analyze child abuse prevalence, trends, good practice	8.1 MJCS to work with OGCI to develop a strategy and work plan for the establishment of the data base; Support to relevant service providers in establishing local level data bases;	8.1.1 A centralized data base is established Data analyzed and is informing good practice, priorities, advocacy, and child protection programming; All relevant service providers have local data system in place	2022-2026	

			and are feeding information to central data base	
	9. Establish a dedicated free hotline for children	9.1 Assess viability of establishing a free hotline for children (Consult with Vanuatu Family Health Association (VFHA) regarding the existing hotline)	9.1.1 Dedicated free hotline for children launched	
5. Development/strengthening of government standards and guidelines for child protection and for service providers working with children	6. Mainstreaming of child protection into key government sectors and other groups	6.3. Support health sector to ensure child protection mainstreamed into the health sector	6.3.1 CP mainstream into health sector	2022-2026
6. Strengthening the Legal Framework for Child Protection	1. To bring existing national legislation in line with UNCRC, optional protocols and relevant International conventions	1.3 Amend remaining existing national laws to comply with UNCRC and related Protocols.	1.3.1 All relevant national laws amended	2022-2026
7. Strengthening capacity of government stakeholders and service providers in the protection of children	2. Service providers are working to national standards	2.2 Develop and implement systems to monitor and measure capacity and skills of service providers dealing with children (e.g. VWC, Health)	2.2.1 Service providers tested against standards and necessary upgrading is provided	2022 - 2026
	3. Incorporate / strengthen child protection component of VTC, VPTC and Nursing School curricula	3.1 Consult, advocate with relevant stakeholders and develop strategy	3.1.1 Child protection concepts embedded into Curricula	2022-2026



## Appendices

### A. List of Definitions

**Bullying** - deliberately hurtful behaviour, usually repeated over a period of time, where it is difficult for those bullied to defend themselves. It includes: physical (e.g. hitting, kicking, theft), verbal (e.g. racist or homophobic remarks, threats, name calling) and emotional (e.g. isolating an individual from the activities and social acceptance of their peer group, online).

**Child** – anyone under the age of 18.<sup>33</sup>

**Cyberspace** –is the notional environment in which communication over computer networks occurs.

**Child Abuse** - all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power.

**Child Exploitation** - the use of a child in work or other activities for the monetary, social or political gain of others. These activities are to the detriment of the child's physical or mental health, education, or spiritual, moral or social-emotional development.<sup>34</sup> Types of child exploitation include:

(i) *Sexual Exploitation*: engagement of a child in any sexual activity in exchange for money, gifts, food, accommodation, affection, status, preferential treatment, or anything else that they or their family needs. This includes child prostitution (the use of a child in sexual activities for remuneration or any other form of consideration).<sup>35</sup>

(ii) *Child Pornography*: any representation of a child engaged in real or simulated explicit sexual activities or representation of the sexual parts of a child.<sup>36</sup>

(iii) *Child Labor*: work that deprives children of their childhood, their potential and their dignity, interferes with their schooling and is harmful or dangerous to their physical, mental, social or moral development.

**Child Protection** – The term used to describe the responsibilities and activities or initiatives designed to protect children from violence, or prevent or stop them from being abused, exploited, neglected, injured, or otherwise maltreated.

**Child safeguarding** – refers to the set of *internal controls* that an organization puts in place to ensure that children are protected from any intentional and unintentional abuse, exploitation, violence, injury or other serious harm in relation to the organization's operations or the conduct of its personnel. It includes putting in place mechanisms to ensure that concerns of abuse are reported and responded to appropriately.

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<sup>33</sup> United Nations Convention on the Rights of the Child (UNCRC) Article 1.

<sup>34</sup> Report of the Consultation on Child Abuse Prevention, WHO – 1999.

<sup>35</sup> Optional Protocol to the UNCRC on Sale of Children, Child Prostitution and Child Pornography.

<sup>36</sup> Ibid, above n4.

**Cyber bullying** – describes acts of bullying where the offender can anonymously use information and communications technology to harm children in a deliberate and hostile manner.

**Child protection system** – refers to a set of coordinated formal elements (such as national legislation, policies, institutions) and informal elements (community, chiefs, families and churches) working together to prevent and respond to abuse, neglect, exploitation and other forms of violence.

**‘Do No Harm’ principle** - Implementing all reasonable measures to ensure that children (individually and collectively) are not put at risk or greater risk of harm as a result of any actions, interventions or decisions made in relation to their protection, safety, health, wellbeing or general welfare.

**Emotional Abuse** - involves isolated incidents and/or a pattern of failure over time on the part of the parent/caregiver to provide an environment, including the availability of an attachment figure, to help the child develop his/her full range of emotional and social competencies in line with the child’s potential. Examples include: belittling, blaming, threatening, frightening, discriminating against or ridiculing; and other non-physical forms of rejection, isolation or hostile treatment.<sup>37</sup> Such acts have a high probability of damaging the child’s physical, mental, spiritual, moral or social development.

**Grooming** (including online grooming) – the process by which an individual manipulates a child or others around them, to provide opportunities to access and sexually abuse that child while reducing the likelihood of being reported or discovered.

**Harmful Practices** – (against children) violations of children’s rights that are based on tradition, culture, religion or superstition. Many involve mental violence, or extreme physical violence and pain and can lead to death or serious injury. Examples include: forced or early marriage, betrothal, exorcisms, accusations of witchcraft, virginity testing, branding, scarring, ritualistic abuse.<sup>38</sup>

**Neglect** – an act of omission which includes both isolated incidents as well as a pattern of failure over time on the part of a parent/caregiver to provide for the child’s basic physical and emotional needs where the parent is in a position to do so. Neglect causes or has a high probability of causing harm to the child’s health or physical, mental, spiritual, moral or social development.<sup>39</sup>

It includes both *physical neglect* (failure to adequately meet the child’s needs including nutrition, clothing, health care, and protection from harm through adequate supervision) and *emotional neglect* (denying the child an appropriate level of affection, care, and security).

**Physical abuse** – the intentional use of physical force against a child that results in – or has a high likelihood of resulting in – harm for the child’s health, survival, development or dignity. This includes hitting, beating, kicking, shaking, biting, strangling, scalding, burning, poisoning and suffocating. Much physical violence against children in the home is inflicted with the object of punishing.<sup>40</sup>

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<sup>37</sup> Adapted from Preventing Child Maltreatment – a guide to taking action and generating evidence, WHO, 2006.

<sup>38</sup> Violating Children’s Rights: Harmful Practices based on religion, culture, tradition or superstition - A Report from the International NGO Council on Violence Against Children 2012.

<sup>39</sup> Adapted from Preventing Child Maltreatment – a guide to taking action and generating evidence, WHO, 2006.

<sup>40</sup> Preventing Child Maltreatment – a guide to taking action and generating evidence, WHO, 2006.

**Sexual Abuse** – the involvement of a child in any sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared. Children can be sexually abused by adults as well as other children.<sup>41</sup> It includes penetration, sexual touching, forcing a child to take part in a sexual activity, or making a child remove their clothes or touch someone else’s genitals. It can also include non-contact abuse such as persuading children to perform sexual acts over the internet.

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<sup>41</sup> Adapted from Preventing Child Maltreatment – a guide to taking action and generating evidence, WHO, 2006.

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