**-NOT FOR CIRCULAITON-**

**DRAFT TOR**

**for**

**the National Coalition/Thematic Group on Child Sexual Abuse and Exploitation**

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1. **Background;**

In the realm of Human Rights, the promotion and protection of Child Rights has been one of the most widely supported agenda: to date, 196 countries have ratified the United Nations Convention on the Rights of the Child (UNCRC) - which has therefore become the most widely ratified human rights treaty in the world- and 193 have been implementing it[[1]](#footnote-1). Yet, more than 25 years after the entry into force of the UNCRC, child rights violations are rampant: among those challenges, children’s right to protection has probably been one of the biggest issues faced by state parties. In order to foster the enforcement of children’s rights to protection, some optional protocols to the UNCRC have entered into force and the SDG[[2]](#footnote-2)s agenda 2030 has included certain targets that reflect this priority concern, such as targets 8.7 and 16.2; nevertheless. Additional treaties such as the ICCPR, the CEDAW or other agreements have reinforced this concern for child protection. Nevertheless, children remain one of the most vulnerable groups affected by violence in the world: UNICEF reports that close to 300 million (3 in 4) children aged 2 to 4 worldwide experience violent discipline by their caregivers on a regular basis; 250 million (around 6 in 10) are punished by physical means and that worldwide, around 15 million adolescent girls aged 15 to 19 have experienced forced sex in their lifetime.[[3]](#footnote-3) One of the worst forms of violence that children experience globally and which adversely impacts, on a long-term basis, their physical, emotional, social and economic well-being is child Sexual Abuse and Exploitation (in all its forms) including online sexual violence. It is a widespread issue in South Asia including in Pakistan.[[4]](#footnote-4)

1. **Description of the issue (CSAE) in the national context;**

Pakistan has ratified the UNCRC and its two optional protocols including the one to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. The Constitution of Pakistan under itsArticle 25 (3) also recognizes special right of protection for children due to their vulnerability. However, recent reported cases of CSAE -including the cases linked to the online space- have triggered outrage in the country and reminded all Pakistani stakeholders that sexual violence and exploitation of children prevails and remain largely ill- addressed. In the last decade and during the tenure of the last government in particular, positive steps have been taken to counter CSAE and online violence: child protection laws have been enacted in Punjab, Khyber Pachtunkhwa, Balochistan and Sindh and child protection institutions have been established in several provinces. More precisely, in March 2016, Criminal Law Amendments were enacted to criminalise CSAE. Additionally, another legislation was enacted to establish and operationalise the National Commission on the Rights of the Child so that enforcement of child rights and their protection could be monitored and assessed. Nevertheless, SAHIL Cruel Number 2017 publication reports that: ‘In a day, more than 9 children have been abused during the year 2017. The major crime categories of the reported cases are, abduction 1039, missing children 517, rape 467, sodomy 366, attempt of rape 206, gang sodomy 180, gang rape 158 and 109 cases of child marriages. “; “This year 109 cases were reported of murder after sexual abuse, it shows that 9% cases have increased as compared to 100 cases reported last year 2016. A gender analysis shows that 58% girls and 42% boys have been murdered after sexual abuse in 2017.”[[5]](#footnote-5)

Most of the cases of CSAE go unreported and the majority of perpetrators end up scot-free. In fact, lack of awareness on the trends, nature and impacts of CSAE, taboos fueled by a patriarchal mindset and an often distorted religious interpretation, lack of awareness, capacities and resources within communities, caregivers, Law Enforcement Agencies, the judiciary, the legal fraternity and CSOs and law makers as well as the inadequacy or absence of child protection mechanisms and policies, coupled with inequalities and defective governance, all this, makes CSAE a pervasive phenomenon that is worsening in Pakistan and elsewhere, especially when it comes to online violence and exploitation. It is therefore critical to put “ending CSAE and promoting online safety” among our society a priority agenda so that Pakistani children are treated with dignity and are provided with their fundamental right to protection and are given a chance to live the life they deserve.

1. **SAIEVAC and NACG**

The South Asia Initiative to End Violence Against Children (SAIEVAC), an Inter-governmental Apex Body of the South Asian Association for Regional Cooperation (SAARC) and Member of the Global Partnership to End Violence Against Children, in the pursuit of its vision that all children, girls and boys, throughout South Asia enjoy their right to an environment free from all forms of violence, abuse, exploitation, neglect and discrimination, has embarked on the process of formulation of a regional strategy and action plan for the Elimination of Child Sexual Abuse and Exploitation, including Online Safety. In this context, efforts have been made by the Pakistani Federal Ministry of Human Rights, the SAIEVAC coordinator in Pakistan and National Action Coordination Group (NACG) – the civil society component of SAIEVAC mechanism- members to also draft national guidelines on CSAE and OS, as well as create a thematic group (an expert group committee on CSAE & OS) within the NACG so that an expert, focused intervention could take place within NACG to eventually contribute to ending CSAE in Pakistan, and later on be part of the South Asia Regional Expert Group Coalition on CSAE & OS to stop CSAE in SAARC.

1. **Objectives of the Thematic Group;**

The overall objective of the thematic group on Child Sexual Abuse and exploitation is to end Child Sexual Abuse and Exploitation and ensure online safety for children (CSAE &OS) in Pakistan.

To this end, the thematic group on CSAE & OS aims to achieve the following specific objectives;

1. **Specific objective -1**: Work towards ending CSAE and ensure OS through a system building approach
2. **Specific objective 2**: Increase political and social support to end CSAE and ensure OS
3. **Specific objective 3**:Expand and share knowledge and evidence relating to CSAE especially the newer forms related to internet and technology (OS).
4. **Expected Outcomes;**

The thematic group on CSAE & OS expects that its action will lead to the following outcomes to realise the objectives mentioned above:

1. **O1**. Improved policy and legal framework relating to CSAE and OS, aligned with

international standards of child rights

1. **O2.** Improved enforcement of those policy and legal framework through alignment with

international best practices and through adequate child protection mechanisms and infrastructures that are available, accessible, well-equipped, well-resourced and capacitated.

1. **O3.** Improved enforcement of preventive measures
2. **O4**. Improved MEAL (Monitoring, Evaluation, Accountability and Learning)
3. **Scope of Work:**

**6a**. **Geographical area**: all provinces and territories in Pakistan

**6b**. **Human Resources**

**Membership Criteria:**

The membership must rely on a technical capacity assessment and on complying with ethical values inherent to NACGs[[6]](#footnote-6) . The membership is temporary for the first year and will be final after one year assessment, that will be conducted by NACG steering committee. There are two categories of membership:

**Founder/Core Members**

* Registered Civil Society entity
* Minimum 5 years of specific experience on CSAE & OS;
* CSAE & OS must be a key focus area of the member’s work;
* Geographical area of work (the group must be inclusive and ensure that a maximum of areas in Pakistan are represented);
* Capacity to provide Means of Verification to prove the effective work on CSAE & OS during those 5 years;
* Field of expertise to address CSAE (advocacy and lobbying, awareness raising, legal expertise, networking, capacity building, research/publication, tool development, service provision).
* Three references required
* Ethics: this thematic group applies a 0 tolerance for any form of violence against children and Gender Based violence and for any form of discrimination. The best interest of the child should always prevail in all actions, decisions made by the thematic group. Any member/organisation found perpetuating, abetting or condoning such violence shall be removed from the thematic group with immediate effect.
* Active participation, if it is demonstrated that no participation, no input was provided by the member organisation, then its membership in the technical committee will be automatically cancelled after a notification from the steering committee. The focal point of the ethnical committee will initiate the process with the steering committee after approval from the technical committee members.

**Associate Members**

* Members who may not be CSOs
* Minimum 2 years of a field which contributes to ending CSAE & OS (even indirectly)
* Geographical area of work (the group must be inclusive and ensure that a maximum of areas in Pakistan are represented);
* Capacity to provide Means of Verification to prove the effective work that contributes to ending CSAE & OS
* Field of expertise (advocacy and lobbying, awareness raising, legal expertise, networking, capacity building, research/publication, tool development, service provision, policing, law making)
* Two references required
* Ethics: this thematic group applies a 0 tolerance for any form of violence against children and Gender Based violence and for any form of discrimination. The best interest of the child should always prevail in all actions, decisions made by the thematic group. Any member/organisation found perpetuating, abeiting or condoning such violence shall be removed from the thematic group with immediate effect.

**Stakeholders to be targeted:**

Law and policy makers, legal experts, relevant government departments, I/NGOs, CBOs, donors, media, children and youth, religious leaders.

**Governance Structure of the Thematic Group:**

The focal point (FP) of this thematic group will *facilitate* the liaison and coordination of activities within this group. The decision making process remains entirely participatory, on the basis of a majority approval within the thematic group, except when the focal point is sent to a specific event in which endorsements have to be made. To this effect, a prior consultation/discussion between the FP and the thematic group members will be required.

The FP will share decisions taken by the thematic group with NACG Chairs, co-chairs and the secretariat who will then share it with the overall NACG members. The FP has to abide by the decisions made by the thematic group members.

Minutes will be taken by NACG secretariat.

**Selection Procedure:**

The FP will be elected by the founding members of the thematic group for a period of three years. A call for nomination will be launched by NACG secretariat among founding members and those will elect the FP among the nominees.

**6c**. **Roles and responsibilities**

**Role of the focal point of the thematic group:** this focal point will

1. represent NACG Pakistan at a national or regional level whenever a meeting/event on the topic of CSAE and OS takes place and provide technical input whenever required by the event organisers.
2. facilitate coordination and exchanges between the thematic group members as well as NACG Chair, co-chairs and NACG secretariat to conduct activities and share information
3. regularly share updates and knowledge with the thematic group members and with NACG secretariat that will later on be shared with the wider group pf NACG members
4. consult with the thematic group members and provide technical input to law and policy makers accordingly on CSAE & OS
5. call meetings with the members of the thematic groups keeping the Chair, co-chairs and secretariat in the loop
6. call on the steering committee to solve/mitigate any potential conflict or address any unethical behavior within the thematic group
7. call on a technical advisor when specific expertise is requited to achieve the objectives of the thematic group.
8. report to the Chair and co-chairs and all NACG members on a quarterly basis.
9. Facilitate efforts to mobilise resources to support the activities of the thematic group
* Each member will contribute to the thematic group activities, according to his/her field of expertise regarding CSAE & OS.

**6d.** **Field of activities:**

* Advocacy and lobbying
* Awareness
* Capacity Building
* Networking
* Research
1. **Ethics:** Zero tolerance for any forms of VAWG (including sexual harassment) or VAC and any form of discrimination or terrorist or illegal activity. Otherwise, the code of ethics inherent to NACG will apply to this thematic group.
2. **Meeting method and frequency**: meetings will be called to physically meet on a quarterly basis, however, in case of insufficient resources available new technologies will be used such as but not limited to what’s app, skype, Gmail online messenger, etc…
3. **Decision making process:** the process is participatory as mentioned above, decisions will be made on the basis of a majority approval within the thematic group, except when the focal point is sent to a specific event in which endorsements have to be made. To this effect, a prior consultation/discussion between the FP and the thematic group members will be required. Decisions will then be shared with the NACG secretariat, Chair, co-chairs and members.
4. **Reporting process:** updates will be shared with members of the thematic group after each event and reports will be shared on a quarterly basis.
5. **Conflict resolution mechanism**; whenever a conflict arises then the aggrieved party may contact the steering committee who will be in charge of organizing a conflict resolution committee to address and solve the problem. The steering committee will operate as per NACG principles and policies in Pakistan.
1. http://www.childrightscampaign.org/what-is-the-crc/participating-countries [↑](#footnote-ref-1)
2. Sustainable Development Goals [↑](#footnote-ref-2)
3. https://data.unicef.org/resources/a-familiar-face/ [↑](#footnote-ref-3)
4. http://www.ecpat.org/wp-content/uploads/2016/04/CSEC\_Overview\_SouthAsia.pdf [↑](#footnote-ref-4)
5. http://sahil.org/cruel-numbers/ [↑](#footnote-ref-5)
6. Those will be further described in the TORs chapter titled “ethics” [↑](#footnote-ref-6)