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A Foreword from the President of the IEC

Dear friends,

As always, it gives me great pleasure to greet you all, to commend you on the accomplishments of the past months, and send my best wishes as we approach 2012.

I'll also take this opportunity to acknowledge an important recent event in the DCI "family," one that will be discussed further inside and outside the movement: the recent Kampala Conference, "Deprivation of Children's Liberty as a Last Resort," which took place on 7-8 November in Munyonyo, Kampala, Uganda under the co-organisation of DCI and ACPF (African Child Policy Forum). The conference was followed by an internal DCI meeting for the national sections in attendance, as well as meeting of the IEC.

The Kampala Conference was a resounding success, and has laid the groundwork for crucial regional and international collaboration in the field of child justice. Over 300 people attended, and the panellists included such notable individuals as the Vice President of Uganda; the Special Representative of the Secretary General on Violence against Children; two members of the UN CRC; the Chairperson and two members of the African Committee of Experts on the Rights and Welfare of the Child; and diverse other experts active in the field of juvenile justice. In addition to the IS, DCI had 16 national sections in attendance -- primarily from Africa, but

with at least one representative from each region.

I also want to highlight a few of the conference's most important outputs. First, the Munyonyo Declaration (available at www.kampalaconference.info), which urges all relevant actors to "ensure that all children enjoy their rights in child justice and that deprivation of liberty is used as a measure of last resort" and which will be submitted to the upcoming CSOs Forum in Addis Ababa. Second, two texts, "Towards Child-Friendly Justice in Africa" and "Guidelines on Action for Children in the Justice Systems in Africa," which will eventually be submitted to the African Union for formal adoption. And third, a powerful documentary, "10", on children deprived of liberty across Africa.

The conference was productive both in terms of DCI's strong internal work and our wonderful partnership with ACPF, without whom the event would not have been possible. What's more, it has yielded concrete proposals and initiatives for strengthening the state of child justice in Africa -- with a creative and collaborative momentum that we also trust will continue to strengthen us as the entire DCI movement.

Many thanks to DCI-Uganda, the IS, the IEC, and all national sections who contributed to the planning and realization of this important conference.

Best wishes to all,
Rifat Kassis





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The NGO Advisory Council for the Follow-up to the UN Study on Violence against Children meets in NYC.

From the 11th to the 14th of October 2011, the NGO Ad Council met in New York City at the time of the Third Committee meeting of the UN General Assembly.

The NGO Ad Council was formed in 2007 to support strong and effective follow-up to the Study. Its central role today is to work closely with the SRSG on Violence against Children (Mrs. Marta Santos Pais) to ensure civil society participation in the follow up activities. The Advisory Council is composed of 18 members: 9 Members representing international NGOs, and 9 Members selected at regional level representing national and regional NGOs. International representatives were nominated by NGOs and were selected based on the representative's/organisation's commitment to the study, expertise on violence against children, ability to relate to broader networks during the follow-up, past history of participation in the study process, and potential contribution to the follow-up process. Regional members were elected based on the same criteria. Each region organised its own appointment process.

DCI has been an active member of this council since its inception, first represented by Virginia Murillo Herrera (also supported by DCI Costa Rica), and now by the International Secretariat, in the person of Ileana Bello (also supported by DCI Belgium).

The Ad Council meets twice per year: in March in Geneva, during the session of the Human Rights Council and in October in NYC when the Third Committee discusses about children's rights. During this latest meeting the NGO Ad council met with Marta Santos Pais to present its activities and learn more about her future plans and missions. The meeting was also used as an opportunity to stress the necessary support for the renewal of her mandate, which is supposed to come to an end in October 2012. The SRSG's office has also recently sent out a survey on the follow-up to the UN Study to governments, UN bodies and NGOs, which should serve for her report on the status of the implementation of the recommendation of the Pinheiro's study, af-

ter six years from the initial report. A child-friendly version of the report has also been prepared and shared with NGOs and partner organisation. (For more information on both surveys, please visit CRIN website at: <http://www.crin.org/violence/resources/reports/index.asp>).

The NGO Ad Council was also present during the session of the Third Committee, when the reports from the SRSG on Violence against Children and the SRSG on Children and Armed conflicts and the reports of the Chair of the UN Committee on the Rights of the Child and the Special Rapporteur on Child trafficking, child prostitution and child pornography were submitted to member states. It is worth mentioning that in her report, Radika Coomaraswamy (SRSG on Children and armed conflicts) mentioned the link between juvenile justice and children involved in armed groups (Chapter B "Children in detention"), and calls upon states, in view of continuous concerns regarding the detention of children, to ensure that such measures are in line with the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), and that emphasis should be placed on alternatives to institutionalization of children and on non-judicial and restorative processes. Child protection actors should also have access to all children detained by multinational forces. In her report Marta Santos Pais mentioned that addressing violence in the juvenile justice system remains among her priorities and that she will be organising an expert meeting in January 2012 in Vienna, in collaboration with OHCHR, UNODC and the Austrian government (note: DCI, through the Interagency Panel on Juvenile Justice-IPJJ, will be invited to attend to this consultation). For more information and for the full version of the above mentioned reports, please visit the UN website, looking at Item 64 at the following link: <http://www.un.org/en/ga/third/65/documentslist.shtml>

This time, apart from the factual exchange and information sharing on the activities and commitment of each member



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towards fighting against violence against children, there has been the launch of a publication "Five Years On: a global update on violence against children". This report summarizes the state of violence against children in the five years since the release of the UN Study in 2006. The overall findings of the report are cause for grave concern. Violence continues against children in all settings; some forms of violence in some settings may even be on the increase. The sad reality in 2011 is that children continue to be humiliated, beaten, burned, and sexually abused by the adults in their lives, their parents, teachers, caregivers, employers and law enforcement officers. Children continue to be traumatized by community violence, trafficking, exposure to domestic violence, and direct physical, verbal, and sexual assault and the areas of progress are too few. There is a chapter in the report Violence in care and justice institutions, which is of particular interest for the work of DCI in juvenile justice and a report published by DCI is also mentioned as source of information for issues related to violence in the juvenile justice systems.

The publication (downloadable from CRIN website at: http://www.crin.org/docs/Five_Years_On.pdf) was launched in the context of a reception held on the 12th of October hosted by the Norwegian Mission in NY at the presence, among others, of Mrs Marta Santos Pais, Mrs Susan Bissel (Chief, Child protection unit, Unicef), this event was followed by a parallel event in Geneva on the 17th of October and it is planned that there be regional launches, once translations in French, Spanish and Arabic are prepared.



They fight like soldiers, they die like children Why child soldiers need to be on the security agenda

On Wednesday 12th October 2011, DCI-IS attended a round table on the issue of child soldiers, underlining why they need to be on the security agenda. It was organized by the UN Institute for Training and Research Peacekeeping Training Programme.

The round table was composed of Lieutenant Romeo Dallaire, Canadian Senator and former Force Commander of the United Assistance Mission for Rwanda (UN-AMIR), Elizabeth Decrey Warner, President and Co-founder of Geneva Call, and Simon Hug, Director of the Department of Political Science and International Relations at the University of Geneva

Over the last decade it is estimated that two million children have been killed in conflict situations, over six million have been seriously injured or permanently disabled and over twenty million children have been displaced by war within and

outside their countries. In addition, millions of children have suffered sexual violence, grave psychological trauma, malnutrition, disease and multiple consequences of being forced to flee their homes. Conflicts have further deprived children of their support systems, exacerbating these problems, and today we find that this happens to children for a variety of reasons, including coercive recruitment into rebel groups and armed forces. Some are used by their commanders as frontline combatants, while others carry out support functions.

In his most recent work, *They Fight Like Soldiers, They Die Like Children* (2010), the Lieutenant-General Roméo Dallaire provides an intellectually daring introduction to the child soldier phenomenon, as well as offering inspiring and concrete solutions to eradicate the making, training and development of child soldiers. He enumerates the many reasons why children have become the weapons of choice in conflicts



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around the world, both by governments and criminal enterprises. As Dallaire said: "Child soldiers are a commander's dream come true: the perfect low-technology, cheap and expendable weapon system that can perpetuate itself ad infinitum".

He gave the Definition of Child Soldiers as stated in the Paris principle: 'A child associated with an armed force or armed group'. Meaning any person below 18 years of age who is or who has been recruited or used by an armed force or armed group in any capacity, including but not limited to children, boys, and girls used as fighters, cooks, porters, messengers, spies or for sexual purposes. It does not only refer to a child who is taking or has taken a direct part in hostilities.

Dallaire also went to great lengths to expose the much-neglected side of the issue: girls, who make up 40 per cent of child soldiers worldwide and are used both in traditional combat and informally as porters, sex slaves and "rewards" for male soldiers. The progeny of the rape and brutalization of girl soldiers, in some cases, serve to replenish the ranks of militia and rebel armies. They are children born of torture and raised on violence.

Dallaire argued that programs for DDR- Disarmament, Demobilization and Reintegration, should add another R, denoting everything from rehabilitation to repatriation. He pointed to the lack of consistent investment in prevention, including educational and employment opportunities for youth and public political and media uninterested in protracted conflicts as significant impediments to progress.

He emphasized on the fact that training is needed: no national or regional mechanism has developed coherent and effective policies / guidance on how to deal with child soldiers in complex peace operations. Training must involve: research; capacity building; advocacy and awareness-raising.

According to Simon Hug, child soldiers continue to be used when there is a general lack of security and an array of tenuous situations. Also, refugee camps in conflict zones remain recruitment areas of child soldiers for Non-State Actors. The root cause

goes back to security issues.

Ms. Elisabeth Decrey Warner noted that children are particularly vulnerable to the effects of armed conflict due to their level of physical and mental development. Among other things, they may be separated from their caregivers, their education may be interrupted and in many instances, they are less able to withstand physical and mental trauma. A specific problem is that children may be recruited into armed forces or armed non-States actors (NSAs). Children may join to escape daily hardships such as a lack of basic needs or abusive relationships. Some join in search of a sense of empowerment, or to revenge the loss of family members. Other children live with family members who are active in armed NSAs, or in communities where the separation of fighters and civilians is blurred.

Human security is also at stake. Breaking the cycle of violence in war-torn communities requires that children be shielded from the effects of armed conflicts. The vast majority of current armed conflicts involve NSAs. The recruitment and the use of boys and girls remains widespread, even while violations by States decline. NSAs are part of the problem. Geneva Call works to ensure that they can also be part of the solution.

Over the past several years, international law has developed to recognize the particular vulnerabilities of children. Both international humanitarian law and international human rights law provide special protection for children in situations of armed conflict, including a prohibition on their recruitment and use in hostilities. The international legal framework provides little opportunity for NSAs to express their willingness to abide by existing norms. NSAs cannot negotiate or become parties to international treaties. This limits their incentive to respect the norms providing for the protection of children in armed conflict.



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Cry for me Argentina! The Commercial Sexual Exploitation of Children in South America

Visitors to South America's spectacular Iguazu Falls say you start to hear the roar kilometers away. The falls - actually a series of 275 individual cascades and waterfalls that drop up to 82 metres into a gorge below - are located along the rim of a crescent-shaped cliff that stretches for nearly three kilometers. The borders of three countries, Argentina, Brazil and Paraguay, meet here. The Iguazu Falls lie at the tip of a strip of Argentinean territory that, on a map, resembles a crooked finger jutting away from Argentina's main landmass, with Brazil to the east and Paraguay to the northwest. Long considered to be one of the world's natural wonders, when United States First Lady Eleanor Roosevelt visited them some time prior to the Second World War, she is reputed to have quipped "poor Niagara." The allusion was to a pair of massive waterfalls more familiar to North Americans: the two Niagara Falls straddling the international border between the Canadian province of Ontario and the American state of New York. The Iguazu Falls and surrounding area is one of the most renowned natural tourism sites in South America, attracting hundreds of thousands of visitors every year. However the area is also the site of a different kind of traffic. Because of lax border controls, the porous borders in this tri-state region make for a smuggler's dream. There's a steady flow of people and goods; among the blend of cheap electronic goods, jewelry and clothing is an illicit trade in drugs, stolen vehicles and car parts, weapons and even people. Both INTERPOL and the Federal Bureau of Investigation have identified the Paraguayan city of Ciudad del Este - which lies across the Parana River from Brazil and is joined by the Friendship Bridge - as having a major problem with illicit trade. Some estimates place this underground economy as worth up to five times Paraguay's national economy. Various international intelligence and national security agencies have suggested that some of the proceeds from this illicit trade have been supporting criminal gangs located outside the region, including groups that advocate

and practice political terrorism. This article focuses on the trafficking of underage minors and children for sexual purposes. As of the date this article was written (2010), every member of the United Nations, except for the United States and Somalia, had ratified the United Nations' Convention on the Rights of the Child. Yet, horrible abuse of children continues, and one of the most heinous examples of this is child sex prostitution and the international trafficking of children for the purposes of sex. According to the United Nations' International Organization for Migration (IOM), human trafficking in the tri-state region around the Iguazu Falls chiefly involves women, teens and children. Studies for the IOM have shown that young women are usually trafficked for sexual purposes across the borders for short stays of anywhere from a few hours to a day or two. Research projects have also estimated that roughly 6000 unaccompanied children and teens cross the Friendship Bridge between Brazil and Paraguay each year. These young people are at risk of being kidnapped and forced into, or otherwise falling into, the sex trade; many of them are illiterate and come from extremely poor families in rural areas. Many of these children and minors have had to flee abuse and violence within their homes and have been obliged to move to the cities of the tri-state region to look for work. The incidence of sexual exploitation is staggeringly high. According to a Brazilian children's advocacy group called Sentinela, which has an office in the Brazilian border city of Foz do Iguacu, of the 489 children they assisted between the years 2002-07, 410 of them (representing 90% of the girls between the ages of seven to 18) were victims of sexual exploitation. Furthermore, according to Argentinean immigration officers, out of the dozens of girls and young women they assisted between the years of 2004-07 in the border city of Puerto Iguazu, almost all of them were Paraguayan girls or young women who were destined to be shipped to brothels or night clubs in Argentinean cities further south, including Buenos Aires and Córdoba.



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Argentina, as a party to both the Convention on the Rights of the Child and a protocol called the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, is obligated under international law to implement programmes and policies that would inhibit the trafficking of children and under-aged youth. However Argentina continues to be the source of a lot of the trafficking in the region, largely because of a lack of resources to address the problem and because many law enforcement and border control officials continue themselves to be complicit in the trade. A reading of media reports about the commercial sexual exploitation of children and the various reports from United Nations' agencies and non-governmental organizations about the issue reveals that the problem is not lack of awareness. Rather, it is the lack of investigatory and prosecutorial resources and initiatives devoted to rescuing children and minors who are caught up in the trade. This paucity of resources to address the problem is not just an issue for emerging regional economic powers like Brazil and Argentina, both of which still struggle with widespread poverty. There is also the failure of wealthier countries within the G20 (such as Canada) to themselves allocate adequate resources to investigate so-called "sex tourists" and then bring them to justice within their domestic legal systems. Countries rich or poor are failing in their own fashion to live up to their obligations under international law. More than 20 years after the international community brought its focus to the universal rights of children when the UN Convention on the Rights of the Child came into force, many of the world's children continue to live lives that are anything but safe and in accordance with the values and requirements set out in that Convention. In

addressing the situation in Argentina, this is in no way suggesting that Argentina's situation is an isolated, aberrant case: child trafficking for sexual purposes or for cheap labour is an international problem. Argentina is, however, a well-documented, significant destination for "sex tourists," the overwhelming majority of which are adult males from North America and Europe. A Canadian sociologist named Richard Poulin who has studied the international sex trade says that the trade has grown larger and more complex over the last two decades. According to Poulin, human traffickers, all of whom are connected to networks of organized criminal gangs in some way, are responsible for transporting around anywhere from one to four million women and children every year, with the majority of these people destined for the sex trade. "They are being treated as merchandise for the sex industry. They are new and raw resources," Poulin says, in a degrading trade that he has called the "feminization of migration."

Outside of the minority of countries which have well-entrenched systems of rule of law the world is still very much a Hobbesian place. The protection accorded to children on paper is not the reality. And the ugly reality is that the customers for the most vulnerable among us come from those very countries that have rule of law; Canada among them. The trafficking of children for sexual purposes reveals an international economic system of supply and demand at its basest and most amoral: those with a need that would land them a prison sentence and social shunning in their home countries if caught fly to places where children and young people are sold by their own families into a shadowy world that everyone knows exists yet continues in spite of the best-intentioned of laws and international



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Universal Periodic Report- Togo, Zimbabwe and Uganda

The Universal Periodic Review for Togo was held on 6 October 2011. Mme Leonardina Rota Doris Wilson-de Souza, Minister for Human Rights, Consolidation of Democracy and Civic Education headed the delegation and presented the report to the Working Group. Mme Wilson-de Souza assured the Working Group of the high priority given to the promotion and protection of human rights by the Togolese Government. Togo's report was very comprehensive and outlined progress already made in the promotion and protection of human rights. The report highlighted the numerous international human rights instruments such as the existence of the National Human Rights Commission, which was established in 1987 and recognised in the Constitution in 1992; the abolition of the death penalty in 2009; 2007 Child Code. In the interactive dialogue that followed, specific recommendations, questions and comments included:

- Praise for the establishment of the Commission on Truth, Justice and Reconciliation, but concerns that this Commission lacks requisite resources.
- Criticism of prison conditions, the lengthy detention times prior to conviction and the holding of those awaiting trial with convicted criminals; calls that prison conditions be brought into line with international standards.
- Recommendations that Togo provide human rights training to law officials, judges, and their police force, and questions were raised as to whether Togo has mainstreamed human rights education into their school syllabus.

At the adoption of the report, the delegation accepted 112 of the recommendations given to them and rejected only 11. The remaining 10 recommendations were to be further discussed between the Togolese Government and civil society, and a decision on them will be given at the 19th session of the Human Rights Council in March 2012. In her conclusion, Mme Wilson-de Souza made assurances that Togo would implement the accepted recommendations as soon as possible, and called for the support of the

international community in assisting Togo to promote and protect human rights.

On 10 October 2011, the Working Group on the UPR examined the human rights situation in Zimbabwe. The delegation was led by Mr. Patrick A. Chinamasa, Minister of Justice and Legal Affairs. In his introductory statement Mr. Chinamasa stated that Zimbabwe's lack of development was caused by the sanctions implemented on the country by the European Union (EU), the United States (US) and the Commonwealth. This view was shared by eight other countries (Democratic People's Republic of Korea, Iran, Namibia, Venezuela, Cuba, China, Chad, and Malaysia). States suggested that Zimbabwe should implement its reformed educational and health care policies. Additionally, the country was asked to review the Public Order and Security Act due to the restrictions on freedom of expression and assembly caused by this law. The dialogue also covered issues such as the alleged forced evictions of land-owners, the lack of investigations undertaken into police violence, and the situation of workers in the diamond fields of the Marange region.

Specific recommendations, questions, and comments focused on the following issues:

- Calls to ratify the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the 1951 Convention Relating to the Status of Refugees, the Rome Statute of the International Criminal Court.
- Recommendations to review the Public Order and Security Act and its consequences for freedom of expression and assembly.
- Calls to abolish the death penalty.
- Recommendations to improve the health care, social security, and education systems, in particular to provide easier access for vulnerable groups.
- Requests to ensure that human rights defenders are able to carry out their legitimate work in safety, without repercussions for themselves or their families.



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Of the recommendations made, Zimbabwe accepted 81, rejected 67, and 31 left pending for consideration in time for the 19th session of the Council in March 2012.

On 10 October 2011, the Working Group on the UPR reviewed the human rights record of Uganda, and criticised the Government for the use of the death penalty, and the alleged use of torture by the police. The Ugandan head of delegation Mr. Henry Okello-Oryem, Minister of State for International Affairs, opened the session with a review of the national report. He outlined the rights guaranteed to all of the minorities protected by the Constitution: women, children, and the elderly, all viewed as a priority by the Government. The Minister also addressed the controversies surrounding the death penalty and sexual orientation in Uganda. On the matter of sexual orientation, Mr. Okello-Oryem stated that same-sex couples are criminalised to protect and respect the social and cultural context of the country. Same-sex relations are considered to be damaging to national culture and obstructing the correct education of children. The death penalty, on the other hand, is recommended as punishment only for the most serious offences, but has not been implemented since 1999. Yet, it is used only at the discretion of judge. According to the Minister, a popular referendum supported the existence of the death penalty in the Constitution.

African states present commended Uganda for the improvements in maternal health, the support provided to HIV/AIDS patients,

the outlining of free and basic compulsory education as a developmental priority, and the general efforts made in promoting and protecting human rights. China and other developing nations invited the international community to continue supporting these efforts. Zimbabwe and Bangladesh recommended that they protect children and youth from 'anti-cultural practices', referring to same-sex relations. Specific recommendations, made mostly by European states, the Russian Federation, Canada, and the USA, included:

- Calls to sign and ratify the Convention Against Torture, the Convention on the Elimination of All Forms of Discrimination Against Women, the International Covenant on Civil and Political Rights, the International Convention for the Protection of All Persons from Enforced Disappearance, and the Convention relating to the Status of Stateless Persons.
- Calls to establish an independent central mechanism to review and implement human rights recommendations coming from international bodies.
- Requests that the State begin an educational campaign against female genital mutilations and ritual killings of children. Of the 171 recommendations made, Uganda accepted 110, rejected 19, and left 42 pending for review by the 19th session of the Human Rights Council. The delegation stated that those recommendations that they were not immediately able to accept, or that were rejected, have economic implications or conflict with the national policy.

Expert Consultation on promoting the rights of children working and/or living on the street: Bridging the gap between poverty and practice

On Tuesday the 1st and Wednesday the 2nd of November 2011, DCI-IS attended a round table on the issue of children in street situation, underlining the protection of their rights and the impact it has on society and children themselves, the environment in which they have been compelled to grow

up in, having no other alternative. It was organized by the UN Human Rights Office of the High Commissioner with the support of AVIVA, Consortium for Street Children, and UNICEF.

The moderators that composed the various sessions throughout the two day discussion



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were; Najat Maalla M'jid, Special Rapporteur on the sale of children, child prostitution and child pornography, Maria Herczog, Committee on the Rights of the Child, Jane Connors, Chief, Special Procedures Division, Office of the High Commissioner for Human Rights; Wan Hea Lee, Chief, Groups in Focus

Section, Human Rights Treaties Division, Office of the High Commissioner for Human Rights; and Jean Zermatten, Chairperson, Committee on the Rights of the Child. For a complete report please visit: <http://www.ohchr.org/EN/Issues/Children/Study/Pages/ExpertConsultation.aspx>

Pakistan: National Conference on Child Domestic Labour

On the 29th of October 2011, SPARC-DCI-Pakistan hosted the National Conference on Child Domestic Labour in Islamabad, Pakistan. The IS participated to the event and emphasized the role of DCI at international level in denouncing such practices.

For more information please visit these web sites:

<http://www.thenews.com.pk/Today-sPrintDetail.aspx?ID=75242&Cat=6&dt=10%2F30%2F2011>

http://www.dailytimes.com.pk/default.asp?page=2011\10\30\story_30-10-2011_pg11_3

<http://tribune.com.pk/story/284888/shedding-light-on-rising-domestic-child-abuse/>

ANCED in the collegiate coordination of the National Committee

The National Association of the Centers of Defense of Children and Adolescents (ANCED) is now part of the new collegiate coordination of the National Committee for the Combat of Sexual Violence Against Children and Adolescents, through its representative Denise Campos for the Biennium of 2011-2012.

The National Committee is a national body that represents civil society, the public authority, and international co-operations. Its collegiate coordination is composed by 14 members, which have as an objective the routing of political and operational affairs,

like the implementation of the National Plan, the articulation and permanent mobilization of individuals and governmental and non-governmental bodies for obtaining effective actions on combating sexual violence against children and adolescents.

For more information: www.anced.org.br
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Please note that the articles contained in this newsletter are the individual contributions of DCI's national sections and the International Secretariat, and as such do not constitute the official position of the IEC members or the movement as a whole.