

Brief Report on Community Based Child Protection Mechanisms supported by Plan in Laos¹

Introduction:

Plan is as an international child-centred development organization working in 50 developing countries across Africa, Asia and the Americas. Plan's vision is of a world in which all children realize their full potential in societies that respect people's rights and dignity. In recent years² child protection has become a key programming and thematic area for Plan in which it effectively contributes to the realisation of child rights, applying its Child Centred Community Development approach. For Plan International, child protection encompasses the work and activities it undertakes to prevent and respond to all forms of abuse, neglect, exploitation and violence against children. Plan's child protection work incorporates work on child protection in emergencies (CPiE), child protection programming referred to as child protection in development (CPiD) and Plan's policy to safe guard children, "Say Yes! to keeping children safe". Specific child protection programmes and strategies include:

- Strengthening Child Protection Systems, focusing particularly on community based protection mechanisms;
- Building the capacity of parents, communities and professionals to provide protection;
- Developing children's resilience and their capacity to participate in their own protection;
- Integrated advocacy to strengthen legal frameworks and for access to basic and specialist services.

Focussing on community based child protection, Plan's increasing efforts are channelled into establishing and sustaining a variety of local mechanisms, reflecting a specific child rights based situation analysis, aiming at creating protective networks and environments expected to ensure protection of all children and contribute towards strengthening national child protection systems.

This brief report provides an overview of community based child protection mechanisms supported by Plan Laos, as a contribution to a regional comparative analysis on community based child protection mechanisms supported by Plan in the Asia region³. The overall objective of this comparative analysis is firstly, to increase learning of various structural and functional aspects of the existing community based child protection mechanisms in Plan Asia and secondly, to provide a comprehensive report on their potential for increased impact and sustainability. The specific objectives of the regional study are:

- to provide a broad mapping of the scale and coverage of community-based child protection mechanisms supported by Plan Country Offices across the Asia Region;
- to document various models and approaches in establishing, supporting and promoting such child protection mechanisms, including defining roles and responsibilities of various actors and processes supporting their functionality;
- to document common roles, responsibilities and key activities of these community based child protection mechanisms;
- to analyze identified achievements and gaps of community based child protection mechanisms in different operational contexts, including crisis/emergency, early recovery and longer-term development;

¹ Claire O'Kane, ICPREC (2012)

² particularly since 2006

³ Encompassing an analysis of community based child protection work in 13 out of the 14 countries where Plan works in the region: Bangladesh, Cambodia, China, East Timor, Indonesia, Laos, Myanmar, Nepal, Pakistan, Philippines, Sri Lanka, Thailand and Vietnam. The study did not include Myanmar where Plan's work is more recent and child protection programme work has not yet started.

- to provide a broad overview of lessons learned on key components and processes contributing towards effective child protection and sustainable community based mechanisms.

Methodology:

The comparative analysis study is carried out by a consultancy group⁴ in 3 key stages involving data collection, analysis and synthesis:

- 1) Data collection through a desk review of available information and mapping existing community based child protection mechanisms across Asia (*January – April 2012*).
- 2) Data collection and participatory analysis through field visits in 5 countries (Cambodia, East Timor, Nepal, Pakistan and Vietnam) using child/user friendly participatory tools, interviews, Focus Group Discussions and observation with all relevant stakeholders (*May – June 2012*)
- 3) Analysis and Synthesis: comparative analysis of existing models and report writing (*May – September 2012*)

Ethical guidelines have been applied throughout the study, particularly in preparing for, undertaking and following up to the field work to ensure safe, ethical and inclusive participation of girls and boys with attention to issues of: informed consent, assessment of risks, and opportunities to report on protection concerns relevant to Plan’s child protection policy.

In countries where the field study did not take place, the report builds upon a mapping exercise conducted by the consultants, based on available country documents⁵ and verified and updated by Plan’s child protection focal points in each country. In other countries the country report was also informed by primary qualitative data from Plan’s child protection programme staff, civil society and/or government partners, as well as adults and children who are members of community based child protection mechanisms through their participation in ‘H’ assessments⁶ and sharing of stories of most significant change and challenge. However, in Laos due to the early stage of Plan’s work on developing CBCPMs these participatory tools were not used and country report is brief.

Brief Introduction to the Country Context:

The Lao People’s Democratic Republic is a one-party State. The Lao People’s Revolutionary Party has governed since 1975. The Party, under the leadership of the Politburo, plays the central role in decision making of all types outside the “private” spheres of family, religion and business. There is virtually no organized “civil society” and local NGOs have not yet properly developed. The local mass media are tightly controlled. However the government is gradually becoming more interested in community consultation and participation, and in self-help groups. International NGOs are required to very work closely with Lao government counterparts, with staff always accompanied by officials when in the villages.

Laos has a population of 5.6 million, and half of the population is under 18 years. More than 75% of people live in rural areas, mostly engaged in near-subsistence agriculture supplemented by labour migration. 71% live on less than \$2 per day, and 27%, on less than \$1. Although rates of economic growth average over 6% a year, the benefits are very unevenly spread and inequality is growing. Religion is important in daily life. Around 67% of the people, including the Lao, follow Theravada Buddhism. The remainder have a wide range of ancestor worship or animist beliefs. There are strong loyalties to family. The social structure is hierarchical, with “important people”, elders and

⁴ ICPREC – International Child Protection Rights and Evaluation Consultants led by Claire O’Kane and Kunera Moore.

⁵ Country Strategic Plans, child protection proposals, progress reports, training reports on child protection and CBCPM, minutes from children’s gatherings/ initiatives etc.

⁶ to share their views on the main strengths and achievements, challenges and weaknesses of their CBCPMs; as well as practical suggestions to improve CBCPMs in their country context.

parents receiving much respect. Social harmony and “face” are extremely important. Child protection mechanisms are very weak, and there are serious concerns about trafficking.

Of the 142 districts in the Laos, 72 are officially classified as “poor”, almost all of these 72 districts are mountainous, with high proportions of ethnic minority populations. Their villages are small and widely scattered. Many are still only accessible by foot and canoe, though the road network is growing quickly. Lao is extremely diverse, with 49 main ethnic groups, each with their own language. The largest group is the Lao, 55% of the population, followed by the Khmou (11%) and Hmong (8%). Ethnic minorities often have lower levels of health, education etc as they mainly live in the poorest, isolated mountainous areas.

Lao PDR ratified the CRC in 1991. In January 2007 promulgated a wide ranging Law on the Protection of the Rights and Interests of Children. However, it is often not clear which government agency or department is responsible for ensuring that each right is realised, or what the State is committing itself to in practice. Government budgets for basic services including education, health and child protection are low and there are many weaknesses in capacity and management. However, in the 72 poor/poorest districts, basic education, health and child protection have been declared as important policy priorities.

Children in Laos are vulnerable to violence abuse from adults and their peers (in homes, schools and communities), as they are in any other part of the world. Yet abuse of children is often a hidden matter in Laos, seen as a personal matter, not to be discussed outside the family circle or other settings. Many cases of child abuse occur within the family unit and can be attributed to tensions within the home caused by alcohol abuse, extra-marital relations and decision making on issues such as whether or not a child should go to school⁷. There is also a lack of awareness amongst many adults of the detrimental effects of violence against children on the development of individual children. A recent study on Domestic Violence⁸ by the Gender and Development Group of Lao PDR found that 42% of people surveyed claimed to have problems arising due to drinking. Detailed information on the prevalence of different types of child abuse is not available in Laos, so at this stage Plan must rely on anecdotal, qualitative research and information obtained through various studies, whilst also investing in more comprehensive research to further define the issue.

A 2009 evaluation of UNICEF funded Child Protection Networks⁹ revealed that in a sample of 15 rural and urban villages with Child Protection Networks, cases of abuse were identified in the following distribution: 4 physically abused, 5 sexually abused, 5 trafficked, 3 married before the age of 18, 1 verbally abused. Whilst children at risk were also identified: 77 orphans, 3 school drop outs, 26 disabled, 43 abandoned (in Vientiane capital), 27 drug addicted and 7 in conflict with the law. Whilst this information cannot be interpreted as an accurate reflection of the actual situation, it does give some indication that abuse is occurring in both rural and urban areas¹⁰. Lao is also identified by the US department of state¹¹ as a source country for children being trafficked into forced labour or sexual exploitation in Thailand, with ethnic group children being identified as particularly vulnerable.

Since 2008 Plan has undertaken child protection activities as part of its basic education programme in Bakeo Province. Lao government requirements mean that all programs must be covered by a separately negotiated Memorandum of Understanding (MoU). MoU processes can be very lengthy. However, from March 2012 in close collaboration with the Laos Government it is starting to support the development of district level Child Protection Networks.

⁷ Plan Laos Child Protection Situation Analysis 2012

⁸ Domestic Violence Research in 5 Provinces of Lao PDR, Gender and Development Group, November 2011

⁹ Evaluation of Child Protection Networks, MoLSW Lao PDR and UNICEF Lao PDR, July 2009

¹⁰ Child rights situation analysis, Plan Laos, 2012

¹¹ Trafficking in Persons report 2010, US department of State

Qualitative research conducted by and on behalf of Plan International in Bokeo Province has uncovered some revealing trends in terms of cases of child abuse. One study particularly focused on the issue of early marriage and found that it was very common for girls from ethnic groups (particularly the Khmu and Lahu groups studied) to marry between the age of 14 and 16¹². Marriage at an early age effectively ends any hope for these girls to continue in education, and also puts the girls at risk of increased domestic violence, and of dangerous pregnancies and child birth. The study also found that children, most often girls, are denied the chance to attend school due to the need to support the family either with childcare and domestic duties or in subsistence agricultural work with the families, putting them at further risk.

Bokeo is one of the most at risk Provinces in Laos for trafficking of women and children to both Thailand and China for commercial sexual exploitation. Although currently there is little transit between Bokeo and Thailand, a new road bridge, due for completion in the next year, will complete the fastest land connection between China and Thailand and will become a major trucking route, bringing with it the associated problems of higher levels of prostitution, drug and alcohol abuse, and the risk of faster, easier trafficking routes. Another noticeable trend is the arranging and often sale of young Lao girls as brides for older men from both Thailand and China, frequently expressed as a concern for officials in Bokeo province¹³. Actual incidences of this occurring are difficult to judge due to the lack of an adequate reporting and referral system for such cases.

Brief overview of Plan's strategic child protection work and the scope of CBCPM work:

Plan has been working in Laos since late 2006/ early 2007. Plan works in three of the poorest districts of Bokeo Province in north-west Laos. This province borders Thailand and Myanmar, and is part of the famous 'Golden Triangle'. Much of the area is mountainous, and many villages can only be reached on foot or by river. Plan has worked in Pha Oudom district since 2008 and has more recently expanded to work in Meung and Pak Tha districts. Child protection has been part of the basic education programme in Bokeo province for the past 4 years. However, in line with its Country Strategic Plan III, separate child protection programming was intended to start from 2009, but has been delayed due to the necessity of Government permission.

In Plan Laos Country Strategic Plan (2008 – 2013) the goal is that: *all children in Laos will realize their rights to education, survival, development, protection and participation*. Plan's main programming in Laos focus on: early childhood education and development; basic education and child protection; water, sanitation, and hygiene (WASH); health and nutrition; and building relationships. They also support inter-agency research and lobbying on land rights issues. Plan Laos will work at both community/District level and on national policy and practice. Plan Laos 4th country goal is focused on child protection: **Children realize their rights to protection from abuse, neglect and mistreatment, and their rights to participation.**

In 2012 Plan Laos will evaluate the current Country Strategic Plan (CSP) 2007-2012 and will formulate a new CSP for 2013-2018. As part of this process, Plan will consider the possibility of initiating a larger scale Child Protection programme to support Community Based Child Protection systems in Bokeo province.

In Laos, Child Protection systems and structures are at a very early stage in their development. State mechanisms for child protection are still very weak and overstretched, so that at community level the only possibility of response in case of abuse comes from untrained Village Heads and Village Authorities. However, since 2004 UNICEF has supported the Government to pilot Child Protection

¹² Social and Cultural Barriers to Rural Adolescent Girls accessing Lower secondary school, Plan and ChildFund, November 2011

¹³ Plan Laos Child Protection Situation Analysis 2012

Networks in a number of Provinces in Lao (though not Bokeo). The project trains village heads, teacher, health worker, and other village leaders (Lao Women's Union, Lao Front, Youth Union, and civilian "village policeman") and officials at District and Province on child protection identification, prevention and response. UNICEF planned work to support the formation of 400 Child Protection Networks is underway. Save the Children are also supporting a 5 year project (2011 – 2015) in partnership with MoLSW to support the government to develop a comprehensive child protection system. Save the Children's project will be implemented in 9 districts of three provinces of Luang Prabang, Sayaboury, and Borikhamsay. The programme will focus on supporting the development of Children Protection and Assistance Networks at the provincial, district and village levels, developing a response and referral mechanisms for child protection, promoting safe and protective environments for all children, empowering children and youth to protect themselves and actively participate in child protection initiatives and providing support to the development of social work capacity through the National University of Laos.

The CPNs have gained increased attention in Laos with their inclusion in the MoLSW Master Plan for 2006-2020 and the Labour and Social Welfare Long-term Strategy Document and Policy up to 2010. CPNs are also referred to in the Law on the Protection of the Rights and Interests of Children (2007). However, while Policy states that each province and each district should have a child protection committee, formed of representatives from various different line ministries and convened by the ministry of labour and social welfare. In practice, in the absence of donor funded projects implemented by agencies such as UNICEF or Save the Children, the committees do not exist, or exist only on paper¹⁴. Even where such committees do exist, and have been trained by development partners, they remain severely limited in what they can do as the service providers needed to respond to cases of child abuse are simply non-existent¹⁵. The Ministry of Labour and Social Welfare is responsible for many different sectors and at the district level is likely to be staffed by one or two staff only. These staff cannot possibly expect to have the skills, experience, knowledge and time to be able to respond to cases of child abuse that require a lot of detailed attention. A Child Protection working group consisting of UNICEF and various child centred NGOs meets regularly in Vientiane and works closely with the Ministry of Labour and social welfare in strengthening the national child protection system and advocating for more resources and capacity to be invested in the system.

Working in collaboration with the authorities Plan will consider replicating and scale up UNICEFs model of CPNs in 3 district and their respective villages in the Bokeo, based on consultations and lessons learnt from the pilot phase supported by Save the Children. Efforts to pilot and scale up CPNs will also build upon ongoing efforts to address child protection through the basic education programme which has been addressing corporal punishment (which is already illegal in Lao) and bullying in schools.

Since 2007 Plan Laos has been raising the awareness of villages in Bokeo on issues such as child rights, education and positive discipline to some extent in all 153 villages in the three districts of Pha Oudom, Pak Tha and Meung. In addition to general awareness raising through drama shows, puppet shows, radio programmes and other media, Plan has been working closely with the village authorities, forming Village Education Development Committees (VEDCs). The members of these committees are in general the village authorities such as Village chief, Lao Women's Union representative, Lao Youth Union Representative and the school headmaster/ teacher- many of whom will also be expected to form a part of a village Child Protection Network (CPN) once these are formed in Bokeo. Care must be taken not to duplicate the training already provided to the VEDCs on child rights and positive discipline, but to build on the capacity and strengths of the VEDCs.

¹⁴ Plan Laos Child Protection Situation Analysis 2012

¹⁵ Ibid

Plan Laos has also recently initiated a project, in partnership with the Life Skills Development Association (LSDA) to work with out of school adolescent girls from remote rural areas on Life Skills development as well as the eradication of harmful traditional practices. As part of this project, awareness raising on child rights will be done in selected villages and the role of the Lao Women's Union counseling service will be enhanced, two activities that are also contemplated for this project. Again, building on the existing activities and not duplicating will be key to using the experience and successes already achieved in Bokeo by Plan and its partners.

Structural aspects of CBCPMs including child groups:

Since February 2012 Plan has supported the formation of District level Child Protection Committees in 3 district of Bokeo (Pha Oudom, Meung And Pak Tha districts). Plan's child protection team are now in the process of establishing a Provincial level CPN to help facilitate more support from the District CPNs towards the formation of village level CPN committees at a later date.

At the District level the Child Protection Committee will bring together concerned government officials from each department including: the Labour and Social Welfare District Officer, the District prosecutor, the District public security officer, Lao Front for National construction officer, Lao Youth Union officer, Lao Women Officer, District Commission for Mother and Children officer, District of Information and Culture officer, District cabinet officer, District Education officer, and the District public health officer.

At the village level Plan will consider supporting the formation of Child Protection Networks that will bring together the village heads, teacher, health worker, and leaders from other existing groups: Lao Women Union, Youth Union, Lao Front, civilian 'village policeman'. The Lao People's Revolutionary Youth Union has a network of Young Pioneers groups (8-15 years), and Youth Union groups (16-35) in towns and larger villages. As the Pioneers are school-based their outreach weakens in more remote areas.

Functional aspects of CBCPMs:

The **Child Protection Committees (CPC)** may be set up through collaboration with the Government, thus they are considered to be part of the 'formal' child protection mechanism. The CPNs have gained increased attention in Laos with their inclusion in the MoLSW Master Plan for 2006-2020 and the Labour and Social Welfare Long-term Strategy Document and Policy up to 2010. CPNs are also referred to in the Law on the Protection of the Rights and Interests of Children (2007).

Plan is supporting the Ministry of Labour and Social Welfare to provide capacity building to Child Protection Committee members (Government officials) at the District level on the child rights, child protection, Child Protection Network mechanism, case management, child protection response and referral, monitoring and reporting.

At the village level, the Lao women's union (LWU) representative is also the representative of the ministry of labour and social welfare. The LWU also have a women and children's counselling centre in each province and have staff that can train LWU representatives as village counsellors, who can provide some level of support in cases of child abuse. The extent to which this programme has actually been rolled out and LWU representative have been trained is to be determined, but is likely to be very low¹⁶. LWU representative are, however, present in all villages across Laos and are often influential people in village decision making processes, as well as often being the most educated women in a village.

¹⁶ Plan Laos Child Protection Situation Analysis 2012

As part of the **basic education programme** all teachers in primary school in Plan's target area (433 teachers from 144 schools in 3 districts of Bakeo) have been trained on Child Rights and Positive Discipline. The District Education officer has been trained by Plan on Child Rights and the Child Protection Policy. Furthermore, members of Village Education Development Committees (290 male, 59 female in 148 villages) have received training on child rights/ child protection and positive discipline. These efforts have included awareness on the child protection law in villages through a loudspeaker programme at the village level. In addition, a child friendly version of the Child Protection law has been developed and disseminated to children in the project areas as part of their school materials package.

Consultation with and participation of children and young people is a central element in all programs. Children have also been encouraged to form and be part of Child Clubs and to raise awareness on child rights and protection through peer education and drama on child rights and protection. Currently Child Clubs (129 members/71 female) run awareness raising activity at school and community through peer education training and through presenting dramas on child rights and protection. Furthermore there are plans to support children's participation in the community CP committees if they are established.

Lessons learned from evaluation of Child Protection Committees supported by UNICEF in Laos:

An evaluation of UNICEF supported Child Protection Networks has found that they can be effective in raising the awareness of villagers about child rights and protection issues, and in responding to what are defined as "soft" cases involving orphans, children with disabilities and children who have dropped out of school (mainly those "at risk"), whereas the networks supported so far have had little success effectively referring the "hard" cases of sexual and physical abuse, the majority of which have not been referred to the relevant authorities (neither the victim to a counsellor nor the perpetrator to the justice authorities) and have been resolved at a village level through traditional mediation methods such as a fine, marriage of the victim (in some cases to the perpetrator of a rape) and/ or a *basi* (traditional Lao cleansing ceremony).

The dangers of resolving child protection through a village mediation unit, Lao¹⁷: Child protection cases which are identified in communities in Laos may be referred to the village mediation unit (VMU)- a unit established to deal with minor infractions of the law that do not require attention from the ministry of justice. The village mediation units are instructed to limit the number of cases that they refer to the district level and are rewarded if they can establish a 'crime free village' (i.e. a village that does not refer cases to the overloaded district judiciary). This has resulted in almost all cases reported by the village Child Protection Networks (established by UNICEF), including those of rape and physical violence causing permanent injury, to be resolved at the village level by the VMU through the payment of fines and agreements between families, resulting in impunity for the perpetrators and the risk that the offense will reoccur.

Due to the almost complete lack of services available at the district level, there is a need to strengthen the response capacity both at village level, to fill this gap, and to simultaneously start the long process of strengthening the capacity of the district MoLSW to be able to provide some limited services in cases of child abuse¹⁸.

¹⁷ Plan Laos Child Protection Situation Analysis 2012

¹⁸ Reported in Plan Laos Child Protection Situation Analysis 2012. Reference: Jersild, A. (et al) EDC (July 2009) Evaluation of Child Protection Networks in Lao PDR. Implemented by the Ministry of Labour and Social Welfare Lao PDR with support from UNICEF Lao PDR.