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Committe:UNicef(United nations Children’s fund)

Agenda: providing violence response and access to justice for children and youth

Country:Belgium

Justice is a basic human right that every individual can access for achieving a fair and righteous decision. In the above mentioned agenda, we look forward to resolve issues on violence upon children and the youth of Belgium and how justice can be accessed for these raised issues.

Child violence according to UNICEF as mentioned in Article 19 of CRC states: “Any forms of physical or mental violence, injury and abuse, neglect or children negligent treatment, maltreatment or exploitation, including sexual abuse.”

Minors in Belgium are the children below the age of 18 however in the Flemish decree, there is distinction of children of 12 years or above. Regarding the youth , it includes individuals of the age group of 0-30 years.

The following are a few steps taken by the Belgian govt. for protecting the children and youth of the country from violence;

* ‘**THE SOS CHILDREN’ TEAMS:**

In Belgium, in 1985, following an action research conducted by various university faculties (Medicine, Law, Psychology), an initial decree established the ‘SOS children’ teams to assess and treat situations of child and adolescent abuse. This was followed by two decretal arrangements, one in 1998 and the second in 2004, which specify the scope of tasks, such as ensuring the care of minors who have committed offenses of a sexual nature. The tool represented by an SOS-Enfants Team, looks at parameters related to social development, assessment and treatment aspects of child victims of sexual abuse, and of their families.

* **THE JUVENILE JUSTICE**

The administrative and judicial proceedings in Belgium do not sufficiently take into account the opinion and interest of the child, which is contrary to Article 3 of the ‘Convention on the rights of the child’ (CRC) according to which: “The best interests of the child shall be a primary consideration.”

Furthermore, the juvenile justice system is sometimes ignorant of children’s ages and their  lack of judgment. Thus, some children between 16 and 18 years of age are tried as adults. In addition, children are relatively powerless in court: they are not always assisted by a lawyer, and the possibility for children to take legal action in court is very limited.

* **ADDITION TO ARTICLE 371**

A Bill was introduced in April 2016 to amend the Civil Code, adding a new article 371/1 stating “Children have a right to care, safety and a good education. They must be treated with due respect to their person and their individuality and cannot be subjected to degrading treatment or any other form of physical or psychological violence.” Although the Bill does not use the term “corporal punishment”, its explanatory memorandum refers to Belgium’s obligation to explicitly prohibit all forms of corporal punishment and in particular to the multiple recommendations received from UN treaty bodies.

Keeping the above steps taken by Belgium in mind we can conclude :Belgium has set an example for protecting its children and young individuals of the country but difficulties stemming from child abuse, kidnapped children, unaccompanied minors etc. are still present in this country, and have not yet found suitable solutions to remedy these problems.

So, there are a few solutions that can be implemented for the improvement of these lacking areas for the development of justice for the young generation of the country;

* Creating an organization which provides toll free phone calls for safety and security of children or young people in abused or distressed conditions on a 24×7 hours service.
* Educating or raising awareness among parents on ways to make the child feel comfortable and feel free to speak up for his/her condition.
* Helping the children and the youth to be confident and stand for themselves in adverse situations.
* CCTVs to be installed in school/college buildings to prevent the cases of bullying, harassment within surrounding of school or college. This might help the child to be more comfortable with the environment and feel safe.
* Schools to declare a firm rule for children to either go by bus or parents to pick up the child will aid in reduction in the number of kidnappings or abduction cases.
* This can also be implemented for any minor( children as addressed in Belgium)to be accompanied by an adult to go outdoors as it will be helpful and thus the child will be shielded from any possible danger.

The above points can be considered as a solution for the mentioned agenda of the committee of UNICEF.