



THE ALLIANCE
FOR CHILD PROTECTION
IN HUMANITARIAN ACTION



**Review of Existing Definitions and Explanations
of Abuse, Neglect, Exploitation and
Violence Against Children: Summary**

Introduction

Article 19 of the UN Convention on the Rights of the Child (UNCRC) requires States to protect children against all forms of abuse, neglect, exploitation, and violence. Problematically, these terms are often used interchangeably and carry different meanings both within and across organisations. This report proposes definitions that describe the main elements (nature of the act; perpetrator relationship to the child; motivation or intent; and outcomes) in ways that recognise the overlap and highlight the distinctions between each type of maltreatment. “Maltreatment” was chosen as an umbrella term for all four forms of child protection concerns being discussed.

Abuse



While some actors see the possibility for abuse to be perpetrated by strangers, this definition seeks to distinguish “abuse” from “violence”.

“Abuse” covers deliberate harmful acts perpetrated by those who have a relationship of trust, power or responsibility with the child. The scope of “relationship of trust, power or responsibility with the child” includes parents, family members, and other permanent, temporary, proxy and de facto caregivers. There are four main types of abuse: emotional or psychological, neglectful, physical and sexual.

The key elements in the definition of abuse include:

(a) a known perpetrator in a position of responsibility, trust or power;

(b) an intentional act of commission (including the threat of committing harm); and

(c) actual or potential harm to a child's health, survival, development or dignity.

Neglect



“Neglect” is the intentional or unintentional failure of a caregiver – any individual, community, or institution (including the State) with clear responsibility by custom or law for the wellbeing of the child – to (a) protect a child from actual or potential harm to the child’s safety, wellbeing, dignity and development or (b) fulfil that child’s rights to survival, development, and wellbeing.

Child neglect can be divided into six categories: physical, medical, emotional, educational, supervisory and abandonment. Because it is difficult to draw a line between what is and is not neglectful, this definition suggests viewing children’s needs on a continuum from “fully met” to “not being met at all”.

The key elements in the definition of neglect include:

- (a) a perpetrator with a legal or customary responsibility to care for a child;
- (b) the result of the caregiver's actions on the child, regardless of the caregiver's intent; and
- (c) circumstances that result in, or present a significant risk of harm, to the child.

There are times when a *potentially* neglectful situation does not result in *actual* neglect, such as when a third party provides the child with the care the caregiver is unable or unwilling to provide.

Exploitation



“Exploitation” is referenced in six articles in the Convention on the Rights of the Child, but it was never defined either before, during or after the Convention’s drafting. The proposed definition is when an individual in a position of power and/or trust takes, or attempts to **take, advantage of a child for their own personal benefit, advantage, gratification or profit.** There are three main categories of child exploitation: economic, harmful or hazardous labour, and sexual. Unlike adults, an act can still be considered exploitative as children cannot give informed consent.

The key elements in the definition of exploitation include:

- (a) a perpetrator who in any way contributes to or benefits from the use of a child for exploitative purposes;
- (b) an intent to receive a benefit or exchange of value from the child, even if no harm is intended to the child; and
- (c) actions that pose the risk of harm to a child, even if no actual harm can be identified.

Particularly in humanitarian settings, exploitation can be a negative coping strategy rather than an intentional desire to harm the child.



Violence

“Violence” against children encompasses all acts that involve the **intentional use of power or verbal or physical force**, threatened or actual, **against a child** or against a group of children **that either results in or has a high likelihood of resulting in actual or potential harm** to a child’s safety, wellbeing, dignity, and development. Violence against children may be broken down into four broad subcategories: emotional or psychological, physical, sexual, or secondary (witnessing violence against others).

The elements of the definition of violence include:

- (a) a perpetrator(s) (including other children) with some form of power over the survivor, including the survivors themselves in the case of self-harm;
- (b) an intent to do harm, whether premeditated or spontaneous; and
- (c) a range of negative potential impacts on children's overall well-being.

Particularly in humanitarian contexts, violence against children may be an unintentional consequence of intended violence (such as landmine explosions) or a negative coping strategy (such as if a person's life is threatened if they do not engage in violence). Therefore, both the child survivor and the immediate perpetrator can sometimes be victims of violence from a third party.

Linkages between terms

The same act may constitute more than one type of child maltreatment depending on

- (a) the nature of the act,
- (b) the relationship between the perpetrator and the child,
- (c) the perpetrator's motivation or intent, and
- (d) the impacts on the child.

Having more clearly defined terms with certain distinctive elements does not detract from the fact that a single harmful event may be described using two or more of the terms “abuse,” “neglect,” “exploitation,” and “violence”.



Conclusions and recommendations

This review of the existing use of the terms abuse, neglect, exploitation, and violence by child protection actors in the humanitarian sector found significant confusion and overlap. Recommendations for further action include:

- Test these proposed definitions with a range of global actors who speak a variety of different languages and are not solely English mother-tongue speakers.
- Revise the proposed definitions according to feedback.

- Translate the definitions of these key terms into a range of languages used by child protection actors in humanitarian settings for testing and revision.
- Agree on a new, clearer definition of child protection in humanitarian action that avoids the use of terms that are used in variable ways and are not clearly defined in legislation or conventions. It should seek to identify terms that may be more commonly used in other languages and thus easier to translate.

For the full version of this review, click [here](#).