

Increasing visibility and promoting policy action to tackle sexual exploitation in and around schools in Africa

A BRIEFING PAPER WITH A FOCUS ON WEST AFRICA



commissioned by Plan West Africa



INCREASING VISIBILITY AND PROMOTING POLICY ACTION TO TACKLE SEXUAL EXPLOITATION IN AND AROUND SCHOOLS IN AFRICA

A BRIEFING PAPER WITH A FOCUS ON WEST AFRICA

Abbreviations	2
Introduction.....	3
Defining ‘sexual exploitation’	5
Sexual Abuse and Exploitation in West Africa.....	7
Social-Cultural explanations	10
Political and Legal Context.....	14
Key Actors and Linkages.....	16
Policy Implications.....	19
References	25
Annex 1	27



Abbreviations

(I)NGO	(International) Non-governmental Organisation
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CEDEAO	Communauté Economique des Etats d’Afrique de l’Ouest (Economic Community of West African States)
(UN) CRC	United Nations Convention on the Rights of the Child
CRIN	Child Rights Information Network
DFID	Department for International Development (UK)
EFA	Education for All
FRESH	Focusing Resources on Effective School Health
GDP	Gross Domestic Product
MDG	Millennium Development Goals
UK	United Kingdom of Great Britain and Northern Ireland
UN	United Nations
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNGEI	United Nations Girls Education Initiative
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children’s Fund
UNVAC	United Nations Study on Violence against Children, 2006
USAID	United States Agency for International Development
WHO	World Health Organization

Introduction



Introduction¹

Sexual exploitation and sexual violence in or around schools is a serious and pressing problem throughout West Africa² that necessitates greater policy attention. In a global report on all settings (not just schools), the World Health Organization estimates that 150 million girls and 73 million boys under 18 years have experienced forced sexual intercourse or other forms of sexual violence around the world. This, combined with the fact that such violence is generally carried out by offenders known to the child (relatives and authority figures, including teachers and school authorities), provides a hint of the magnitude of the problem of school-based sexual violence. Examining what little quantitative information exists for West Africa reinforces this. According to a 2006 survey of 10 villages in Benin, 34% of school children interviewed confirmed that sexual violence occurs within their schools and 15% of teachers acknowledged that sexual harassment takes place within the school and yet rarely are such incidences reported or perpetrators held accountable³. In Ghana, a study conducted in 2003 suggested that 6% of the girls surveyed had been victims of sexual blackmail over their class grades, 14% of rape cases had been perpetrated by school comrades, while 24% of boys in the study admitted to having raped a girl or to have taken part in a collective rape (UNICEF Bureau Regional Afrique de l'Ouest et du Centre 2008). As the 2006 United Nations Study on Violence against Children (hereafter UNVAC) demonstrated, the long-term consequences of such high incidence of sexual abuse and exploitation are profound; above all sexual exploitation at and around schools compromises the rights to education, freedom from oppression and equality as set out in the Universal Declaration of Human Rights of 1948. For girls, sexual exploitation also undermines gender equality and prevents girls and women from obtaining equal educational and public sphere opportunities- as outlined in Millennium Development Goal (MDG) 3. Being denied access to quality education, or feeling intimidated in or en route to the classroom, can also reinforce poverty by lowering school attendance rates. This not only threatens the achievement of MDG 2 (universal primary education) (Action Aid 2004), but also in the longer term risks lowering human development levels and potential contributions to broader national development goals as students are discouraged from pursuing their studies and thereby progressing to higher education and qualified employment. Sexual abuse may also result in serious health effects, such as the transmission of sexual infections, particularly HIV, unwanted pregnancies and psychological trauma.

This briefing paper seeks to raise awareness of the problem of sexual exploitation in and around schools in the West African region. It also highlights problems with regards to limited evidence and explores policy implications. It aims to support Plan's regional 'Learn Without Fear' campaign and contributes evidence to the global debate on sexual exploitation in and around schools and children in general

1 • This briefing paper draws heavily on Jones, N., K. Moore, E. Villar-Marquez and E. Broadbent (2008) *Painful Lessons: the politics of preventing sexual violence and bullying at school*, ODI.

2 • The geo-political region of West Africa (as defined by the UN West Africa Office) includes Benin, Burkino Faso, Cote D'Ivoire, Cape Verde, The Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, Togo, however this study will draw predominantly from the 12 countries in which PLAN operates (Benin, Burkino Faso, Cameroon, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Sierra Leone, Senegal, Togo). Some evidence is also included from other African countries where relevant.

3 • Interviewee: Patrick Sottin (Initiative pour la Recherche et les Actions pour le Développement Mondial (IRADM). Interview conducted by email, translated from French by Karen Moore, (Jones et al., 2008).

The international context, in terms of treaties and goals, is highly supportive for such a campaign. Besides the United Nations Convention of the Rights of the Child (CRC), which has been ratified by more countries than any other international agreement and by all of the developing and donor countries in which Plan operates (except for the USA), there are a number of other international agreements that can be used as powerful tools to underpin a campaign against sexual exploitation in and around schools. In 1999 The African Union and its member states passed the 'African Charter on the Rights and Welfare of the Child,' whilst each of the countries within the West Africa region have legislation that provides general protection to children against sexual violence. At present however this legislation is not being realised as there is a lack of effective national policies, mechanisms and programmes to enable victims of sexual exploitation to harness their rights. As was concluded in UNVAC 'sexual and gender-based violence is facilitated by governments' failure to enact and implement laws that provide students with explicit protection from discrimination' (15-16).

Present limitations with regards to actualising treaties and goals at the national level notwithstanding, a range of international initiatives are showing promise. Positive experiences by the World Health Organization (WHO), the United Nations Children's Fund (UNICEF), the United Nations Educational, Scientific and Cultural Organisation (UNESCO), the World Bank and a range of international non-governmental organisations (INGOs) suggest that there is a core group of cost effective activities which could form the basis for joint action to curtail sexual exploitation, provide victim support and improve the quality of teaching. These agencies have now developed a partnership for Focusing Resources on Effective School Health (FRESH), which was launched at the World Education Forum in Senegal in April 2000. Since 2003 UNESCO has approached the problem of violence in schools as a matter of promoting a culture of peace, thereby lending the issue a greater sense of international urgency and priority. Other agencies, such as Oxfam, Plan and Save the Children, have focused on infrastructural development, providing girl-friendly schools with better local street lighting, crèche services and single-sex facilities. These approaches have in turn influenced other policies and programmes which attempt to link efforts to combat sexual violence in and around schools to broader socio-political processes such as democratic strengthening and the development of a culture of citizenship from an early age.

Defining 'sexual exploitation'

Sexual abuse in and around schools, here referred to as sexual exploitation⁴, and more general school-based violence falls under the general heading of what the WHO's identifies as 'community violence' – that which takes place between individuals who are largely unrelated⁵, and who may or may not know each other, generally taking place outside the home. This includes both 'random' acts of violence by strangers, as well as violence in institutional settings such as schools and other education facilities such as care homes and orphanages⁶.

4 • The Save the Children Alliance (2003) defines child sexual abuse and exploitation as: "...the imposition of sexual

5 • acts, or acts with sexual overtones, by one or more persons on a child" (Save the Children's Policy: Protecting Children from Sexual Abuse and Exploitation. The policy is available at www.savethechildren.net.)

6 • We would note that school-based violence may indeed occur between children who are part of the same family or kin group – family violence can spill into the public sphere, and sometimes school is the main point of contact for more distant relatives.

Introduction

The UNVAC defines sexual abuse of children as including any kind of sexual activity to which children are subject, especially by someone who is responsible for them, or has power or control over them, and who they should be able to trust. Sexual violence against children encompasses a wide range of acts, including forced sex in dating relationships, rape by strangers, systematic rape, sexual harassment (including demands for sexual favours in return for grades), sexual abuse, child marriage, and violent acts against female sexual integrity, including female genital cutting⁷ and obligatory inspections for virginity. Sexual violence may also take the form of commercial sexual exploitation. During the First World Congress against the Commercial Sexual Exploitation of Children in Stockholm 1996, child commercial sexual exploitation was defined as “a fundamental violation of children’s rights. It comprises sexual abuse by the adult and remuneration in cash or kind to the child or a third person or persons. The child is treated as a sexual object and as a commercial object. The commercial sexual exploitation of children constitutes a form of coercion and violence against children, and amounts to forced labour and a contemporary form of slavery.”

Sexual violence is also increasingly perpetrated via the internet, which has not only “stimulated the production, distribution and use of materials depicting sexual violence against children, but has also because a tool for solicitation and “grooming” (securing children’s trust in order to draw them into a situation where they may be harmed)”, as well as harassment, intimidation and bullying (UN 2006 A/61/299:para 80).

This briefing paper will look at sexual abuse and exploitation in and around schools in all of the above forms, including the growing problem of transactional sex- where the victim is coerced into giving sexual favours or engaging in sexual activity in return for educational benefits.

7 • ‘School’ is defined here as any kind of institution providing academic education to children under 18 years old. This can include military schools; religious institutions; care homes and orphanages; and young offenders’ institutes and prisons. Children in these ‘alternative educational settings’ can often be particularly vulnerable if the institution is not required to be regularly monitored by government in the same way as schools, or if the institution’s culture is particularly violent and hierarchical.

Sexual Abuse and Exploitation in West Africa

Fuelled by the alarmingly high rates of HIV/AIDS infection among school-age girls in Africa, the international drive to provide education for all children by 2015 and the findings of UNVAC in 2006, the problem of school-based sexual harassment and violence is receiving increased public and scholarly attention (e.g. Mugawe and Powell, 2006). In the West African region research into sexual abuse, exploitation and violence is relatively new, with most research published since 2000. Quantitative and qualitative evidence on sexual abuse in and around schools in West Africa is therefore poor, whilst across the continent there are a disproportionate number of studies on South Africa (reflecting at least in part the country's role as an economic and intellectual powerhouse on the continent)⁸. Much of what has been said and published on violence against children and sexual violence in particular takes for granted that a large majority of this violence is exercised by parents or other relatives inside the private space of the home. By contrast there is very little record of the violence exercised in other settings, and as a result school-based sexual violence against children has remained largely invisible. In the rare cases when violence against children has been registered, details on the context in which it occurred are often not included. In part this is due to the general assumption that schools are, by definition, a safe and protected place for children⁹. In terms of methodological approaches, because of the relative silence surrounding the problem of sexual abuse at school and school violence, there has been only limited investment in quantitative data. More often, researchers have drawn on a variety of non-survey research methods, including ethnographic studies. These are particularly useful for uncovering social norms and values and informal practices within school which reinforce cultures of violence. Other non-survey research methods are newspaper content analyses of articles documenting cases of abuse (which provide valuable insights into the framing of public debates on the issue), action research (Abrahams et al 2006) and analysis of non-clinical files from education jurisdictions (providing insights into the social characteristics of perpetrators and victims who report problems of abuse). The overall information dearth, alongside cultural factors within West Africa which have silenced frank discussion on the issue, has resulted in many countries failing to consider sexual violence in schools as a grave problem and therefore there has been little attempt to implement specific legislation. As concluded in a regional report by UNICEF West and Central Africa:

“Thus in Gambia, “the problem of sexual abuse and harassment at school is regarded as moderate because of the lack of data and analysis of cases combined with the culture of silence around such questions”.¹⁰ (UNICEF Afrique de L'Ouest et du Centre, 2008).

8 • Female genital cutting (FGC), also known as female genital mutilation (FGM), refers to “all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs whether for cultural, religious or other non-therapeutic reasons”[(World Health Organization 2006). The term ‘female genital cutting’ is used here as the term ‘female genital mutilation’ has been criticized for increasing the stigma associated with female genital surgery.

9 • Of a sample of 49 published and grey literature sources, 24 were on South Africa, 16 on Southern Africa, 4 on East Africa [Uganda and Kenya], and 5 on West Africa [Ghana and Nigeria].

10 • This is also due to the nature of evidence collection. Most systematic research on violence against children has been developed by multilateral organizations (e.g. WHO, UNHCR, UNICEF) and international NGOs (e.g. Plan, Save the Children). This research, as well as the UNVAC report and its regional components, tends to consider violence against children in educational settings as part of a broader focus on violence against children in general, and a focus on violence in community settings in particular. While it is appropriate to take a holistic approach, this can also mean that the specific forms of and ways to prevent school-based sexual violence remain somewhat under-researched.

Although the evidence base is limited, a growing body of research on sexual violence in and around educational facilities in West Africa and testimonies from students suggests that the problem of sexual exploitation is pervasive (UNICEF 2008, Behrendt and Mor Mbaye 2008). Not only does sexual exploitation take place within schools, perpetrated by teachers and other care providers, but between students and whilst journeying to and from school.

Sexual abuse in a transactional capacity is a particular problem in West African school settings. According to one estimate 6% of female students interviewed in Ghana said that a male teacher had at some point blackmailed them with sexual favours for good grades (Pinheiro, 2006). Other research highlighted a wide range of language used by students to refer to girls' sexual relations with their teachers (Plan Togo 2006). Forms of transaction include 'sexually transmittable grades' in which sexual favours are given by students to teachers in exchange for good grades, as well as 'sexually transmittable means' which describes sexual acts in exchange for school materials, food or tuition support. Complex experiences of abuse such as these are poorly researched and/or documented and therefore the figure of 6% likely represents only the tip of the iceberg. Often such threats go unreported as girls feel ashamed, due to cultural values and the importance placed on purity and/or do not know who to inform. Such evidence suggests that experiences of sexual exploitation in West Africa are entrenched in authoritarian and highly gendered school management systems and curricula (Kent 2004; Dunne 2007).

Survey evidence of sexual violence, harassment or sexual relationships between teachers and pupils in and around west african schools

Survey evidence of sexual violence, harassment or sexual relationships between teachers and pupils in and around West African schools

Benin:

According to a 2006 survey of 10 villages, 34% of school children interviewed confirmed that sexual violence occurs within their schools and 15% of teachers acknowledged that sexual harassment takes place within and around their school.¹¹

Ghana:

A study conducted in 2003 suggested that 6% of the girls questioned had been victims of sexual blackmail over their class grades, 14% victims had been raped by their school comrades, while 24% of the boys admitted to having raped a girl or to have taken part in a collective rape.¹²

Niger:

In interviews conducted with 50 teachers and 174 students, 47.7% of students had observed teachers express feelings of love for a fellow student, while 88% of teachers responded that there were sexual incidents, of varying natures, between students and teachers at their school.¹³

11 • This extract has been translated from the UNICEF West and Central Africa report findings, originally produced in French.

12 • Interviewee: Patrick Sottin (Initiative pour la Recherche et les Actions pour le Développement Mondial (IRADM). Interview conducted by email, translated from French by Karen Moore.

13 • UNICEF Bureau Regional Afrique de l'Ouest et du Centre 2008.

Social-Cultural explanations

Cultural dynamics

Schools— like any other social context — are the sites of power relationships between teachers, staff and students and among students themselves. In particular, the power relationships between elders and juniors that flourish in the home also exist in the school environment. Sometimes these relationships are articulated in abusive ways, in part reflecting broader authoritarian and hierarchical models (authoritarian political structures; a history of military rule; and/or a very hierarchical socio-economic structure based on gender, age, ethnicity, religion, class and wealth differences). As such, in many country contexts the use of violence at school has been legitimized as a “natural” form of discipline and a way of establishing and maintaining hierarchical teacher-student and boy-girl relationships. As a United States Agency for International Development (USAID) study on school-related gender-based violence in developing countries noted, the problem “takes place in a context of gender inequality and specific cultural beliefs and attitudes about gender roles, especially those concerning male and female sexuality, a pattern of economic inequality, and in some instances significant political unrest and violent conflict” (Kim and Bailey 2003: iii). In West Africa, as in other regions, authoritarian school cultures where physical discipline is viewed as an integral part of the classroom (Mugawe and Powell, 2006) as well as pervasive patriarchal values and norms that encourage male aggression and female passivity are identified as critical underlying reasons for sexual school violence (Harber 2001; Nhundu and Shumba 2001).

Economic factors

Widespread poverty¹⁴ and limited livelihood opportunities for many families in West Africa, often as a result of conflict, can force children and adolescents to engage in transactional sex to pay for their education (Leach et al 2003). Girls in particular are often vulnerable to sexual abuse due to the lures of transactional sex where sexual services are exchanged for money, school fees, gifts or food (George 2001). Some teenage girls even come to see their bodies as economic assets and thereby normalise transactional sex (Burton 2005).

Teachers, who are often underpaid, or occasionally not paid at all, and frequently endure difficult living and working conditions, may perceive sexual favours from students as a form of compensation. This situation is in large part a reflection on the focus within education sector policies on infrastructural development rather than investments in educational quality. The economics of sexual violence are also linked to the breakdown of traditional family structures as labour migration to urban areas of one or both parents increases. In such instances there may be even more onus on children to support themselves, resulting in a higher proportion resorting to transactional sex.

One of the spillover effects of transactional sex reported by students is a crisis of confidence in the education system with regards to their marked work. A Plan Togo report stated that none of the secondary school children interviewed, from at least

14 • Interviewee: Sidi Abbagayi (Sociology Lecturer, l'École Normale Mali Bero de Dosso (Teacher Training College)). Interview conducted by email, translated from French by Karen Moore.

four schools, believed that the grades that they receive at the end of the year reflect the amount of work they have done. Rather grades are seen to reflect ‘trade-offs’ such as transactional sex or discrimination on the basis of sex (Plan Togo 2006).

Gendered experiences

“In all societies, to a greater or lesser degree, women and girls are subjected to physical, sexual and psychological abuse that cuts across lines of income, class and culture. The low social and economic status of women can be both a cause and a consequence of violence against women.” Beijing Declaration and Platform for Action. 15 September 1995.

In the school context, children’s experiences of sexual violence are highly gendered. Sexual harassment and violence appears to be overwhelmingly carried out against girl students by male students and teachers (Save the Children Alliance 2005). But there is also little common understanding of what constitutes sexual harassment because of cultural taboos which prevent frank discussion about issues of sexuality. A common theme is the way in which the construction of African masculinities (frequently premised on male sexual prowess, male competition and aggression) serves to render gender-based violence in schools invisible. While male aggression is often dismissed as ‘normal male behaviour’, acquiescent female behaviour is tacitly accepted (Leach 2003). It is also reinforced by a broader culture of gender violence and inequality, including family violence and the dominant view that women ‘belong’ to men and have lower status and value (ibid). These attitudes and behaviours are often modelled by teachers who accept unequal power relations and differential behavioural patterns among boys and girls (Dunne 2007). Gendered cultural dynamics can also be embedded in the curriculum, as was demonstrated by research into the education systems of Gao pastoral communities in northern Mali (Sanou and Aikman 2005). Unless teachers themselves have been educated about gender and power issues, they are likely to model behaviour that reflects their own experiences and those of the wider community, which are often deeply unequal and even violent. Through action and inaction teachers reinforce culturally acceptable gender practices and attitudes. Perhaps most importantly, by not reporting or responding seriously to complaints of sexual abuse, teachers and school authorities convey the message that sexual abuse is permissible or to be tolerated as part of life. In instances of sexual abuse teachers and male students frequently exploit cultural sexual dynamics by enforcing their gender and authority as a sign of power; often offering good grades or tuition for sexual relationships. In return female students make use of their physical assets to gain good grades. This is all part and parcel of a frequently corrupt school system which does not penalise sexual relationships between teachers and students. One example of this is the case of a school in Ghana where the head teacher’s sexual misconduct over many years was an ‘open secret’ in the community, but where there were no outlets to voice complaints and/or take action (Leach et al. 2003).

Sexual Abuse and Exploitation in West Africa

Research suggests that the gendered dimensions of school geography are particularly important in cases of sexual abuse and exploitation (Burton 2005). Girls in particular are likely to feel unsafe in certain places for fear of harassment or attack. Girls report that they are most likely to be abused in or near toilets, empty classrooms or dormitories, the perimeter of the school grounds, as well as en route to school (George 2001). The gendered dimensions of place are highlighted in the following South African example, although are equally relevant in schools throughout Africa. Researchers in Cape Town asked high school girls to draw a map of places where they felt unsafe (World Bank nd: 3). The map shows that the girls considered the most unsafe places to be:

- The **gates** of the school, where former students would come to sell drugs and harass students
- The **toilets**, which, in addition to being filthy, were places where girls could be harassed by gangs; and
- The **male teachers' staff** room where teachers would collude to send girls for errands so that other teachers could sexually harass or rape them during their free hours. The girls were so afraid to go near the staff room that they always arranged to do errands in pairs so as to be able to protect each other. The picture next to the staff room shows a man taking a girl by the hand with the caption "girl is crying".

Another geographic concern relates to the risk of sexual violence while travelling to school. Research from UNVAC suggests that girls' likelihood of molestation increases as the distance to school increases. The risk of such violence can constitute a major reason for parents' reluctance to send particularly pubescent girls to school (Woldehanna et al 2008). Travel is likely to be especially risky in conflict or post-conflict contexts in areas where children need to walk past army checkpoints and are subject to possible attack by military personnel (Save the Children Alliance 2005). The Inter-Agency Network for Education in Emergencies' research on West Central Africa suggests that any political and education sector response to post-emergency and post-conflict contexts needs to pay particular attention to the vulnerability of children to increased military presence, e.g. risk of sexual attack by soldiers at checkpoints on the way to school. Finally, girls may also fall prey to so called 'sugar daddies'- older men who pressure girls into sexual relationships outside school in exchange for money, food or presents (Kim and Bailey 2003). As a girl in Sierra Leone commented, after she had experienced sexual abuse at the hands of rebels in Liberia;

"Now, I am back in Kailahun, but my grandmother died and I stay with an aunt who does not care about me. No one helped with my school fees and other needs so I became men's friend for some time. At the age of 15, I was pregnant. My child got born, but it has no father" (Woman, 19 years, Koindu). (Behrendt 2008; 50)



Map of unsafe places for a girl

Sexual exploitation based on other forms of discrimination

Gender is not the only discriminatory fault line associated with sexual exploitation and school violence in West Africa. Across Africa there is increasing, although still limited, evidence to suggest that sexual violence is one of the many factors that can limit the participation of children with disabilities in both formal and informal education. The UN Study on Violence against Children with Disabilities (2005) concurs, further noting that disabled children are often targets of violence even before they reach the schoolhouse door. The study points out that children with disabilities are particularly vulnerable due to the combination of the stigma they endure and their physical and intellectual impairments which limit their capacity to fend off attacks or be believed in their reports of violence. A further issue across much of the continent, but which has been little researched within West Africa as of yet, is that of sexual exploitation and sexual abuse on the basis of sexuality. Such incidences are typically premised on entrenched cultural beliefs that girls and boys must conform to rigid rules of conduct and/or appearance based on their gender.

The long-term impacts of sexual exploitation

Existing research suggests that the impacts of sexual violence in school contexts have multiple and reinforcing deleterious impacts on the victim's educational, physical and psychological development and well-being (Kim and Bailey 2003, Behrendt and Mor Mbaye 2008). Issues relating to school-based sexual violence are framed by a number of analysts as risking girls' right to an education, and as endangering the achievement of the global push of education for all and MDG 2 (Action Aid 2004). For girls, who are most affected, it is a powerful factor both in influencing parents to keep girls out of school, for girls themselves avoiding school and also for girls' underperformance in the classroom (Plan nd). Other researchers are however less comfortable with a child rights approach and instead emphasise that sexual violence in schools may jeopardise the reproductive health and rights of 'tomorrow's adults' (Ogunyemi 2000). Gender-based violence has a range of health consequences. In addition to suffering physical and psychological trauma, young girls also may have to face the consequences of unwanted pregnancy, unsafe abortion and sexually transmitted infections, including AND/AIDS

Sexual Abuse and Exploitation in West Africa

(Kim and Bailey 2003, Jewkes et al 2002). In some cultural contexts, they may also face social stigma and possible rejection by their families or community, because of the high cultural value attached to sexual purity (Ogunyemi 2000).

Studies in West Africa found alarmingly high rates of acute suicide risks amongst girls who were victims of sexual abuse and exploitation (Behrendt and Mor Mbaye 2008). These findings were the result of a series of regional studies conducted by Plan WARO and a consortium of other agencies in May of this year. These studies highlighted the urgent necessity for better psycho-social support for child victims of trauma within West Africa (Behrendt and Mor Mbaye 2008). Findings from the study in North West Cameroon drew attention not only to the absence of support systems for victims of sexual abuse or exploitation, but the cultural chastisement they often had to endure:

'...if the information about the sexual abuse became public, the girl was stigmatized and her chances of ever finding a husband decreased. This was one of the main reasons why girls felt discouraged to speak out about their experiences. They also reported that shame and fear paralyzed them into inaction. None of the raped girls had a medical follow up after the rape' (Behrendt and Mor Mbaye, 2008; 42).

Beyond these more immediate effects, experience of sexual violence may also set the stage for future adult interactions, in what is described in the literature as the cycle of violence (Save the Children 2006). A number of studies stress that fear or experience of sexual violence in schools is a major reason behind some girls' dropping out of school, which is reflected in girls' lower enrolment rates at the secondary school level (Dunne et al 2005). Dropping out of school can in turn lead to higher rates of risky activities such as migration or trafficking (Plan Togo 2006). Trafficking increases risks of further sexual abuse and sexually transmitted disease infection. Dropping out of school also undermines their opportunities to learn and gain access to vital information about their and their families' rights to services (id21 2001).

Political and Legal Context

The Political Environment

Children's issues receive little attention from politicians, in part because children do not represent politicians' main constituencies, but also due to the resource and capacity constraints of agencies responsible for children. Politicians themselves are frequently subject to the cultural norms of the society they come from and as such may be unaware or reluctant to push issues concerning sexual behaviour at the national policy level in West Africa for fear of rendering themselves unpopular- especially if they risk upsetting important voters such as teachers and school authorities. Another reason for the lack of political attention paid to issues of sexual exploitation and abuse is the absence of

accountability mechanisms (e.g. national codes of conduct for teachers), particularly at the local and district level. The lack of local mechanisms prevents cases from being reported to higher levels of authority and given the weight they deserve at the national level. The result of this is frequently the perpetuation of a culture of impunity.

Throughout West Africa there is also a lack of inter-ministerial cooperation which is necessary in order to ensure coordinated action between Ministries of Education, Health, Justice, Interior and Social Affairs to develop adequate preventative responses (Jones et al 2008). There is also a lack of capacity amongst Parliamentarians to review law proposals and analyze national budgets to ensure that children's protection is taken sufficiently into consideration or managed by cross department initiatives (Plan 2008). A recent multi-stakeholder meeting, which may serve as a model for future collaborative approaches, was the Ouagadougou Conference, Burkina Faso, in November 2007. This conference was organized by the Office of the High Commissioner for Human Rights in collaboration with the Government of Burkina Faso, Plan International, UNICEF and l'Organisation Internationale de la Francophonie (OIF) and was attended by 180 people representing many of the West African governments and the Economic Community of West African States (CEDEAO). The ambition of this conference was to assess the status of the Convention on the Rights of the Child and to provide recommendations to ensure those rights within West Africa¹⁵. Meetings such as this one are effective in numerous ways; first and foremost they draw the attention of the whole region and wider international community, they provide a forum for finding innovative strategies to tackle problems such as sexual exploitation and they encourage inter-governmental and inter-ministerial responses.

Although of critical medium and long-term importance, the current international drive to achieve education for all has also had an indirect impact on children's vulnerability to school violence throughout the region and African continent due to the very rapid increase in school enrolment. With an emphasis on quantitative expansion rather than educational quality, school classroom sizes and pupil to teacher ratios have increased dramatically, rendering it more difficult for teachers to maintain control (Woldehanna and Jones, 2006) or to intervene in cases of student violence. Even in contexts where regulations or legislation have been introduced to address school violence, this has not been met with a concomitant increase in resources to tackle violence and enforce new regulations. Similarly, the drive to increase girls' enrolment rates has in most cases not been met by increased resources to address their vulnerability to attack while travelling to school in rural areas. This combined with generally more entrenched patriarchal values and lower levels of awareness about children's rights and access to related information, means that rural children are often more at risk of school violence and sexual exploitation (Burton 2005).

15 • None of the 12 countries here analysed has a GDP per capita above \$2299 (PPP US\$ 2005- Cameroon), which situates all of the countries within the lowest third of a ranking of global GDP per capita. High levels of poverty are further indicated by the percentage of the population below a fixed poverty line, for example in Niger the percentage of the population living off less than \$1 per day stands at 60.6%, in Nigeria 70.8%, in Benin 30.9%, in Mali 36.1%, Sierra Leone 57% and Ghana 44.8% (data refer to most recent year available during the period 1990-2005, UNDP Human Development Report 2007/8).

Sexual Abuse and Exploitation in West Africa

Tackling sexual exploitation in schools through a multi-stakeholder approach¹⁶

‘The principal individual and institutional allies for such a campaign are: the government, through the ministries in charge of education, justice and the family; civil society through NGOs and Parent Associations; a network of school press to be installed in schools; and households, local elected officials, and opinion leaders.’ (Initiative pour la Recherche et les Actions pour le Développement Mondial worker: Benin)

‘Certainly in areas other than Accra it is imperative that traditional rulers and elders are included in any process that involves the school community. The Assemblyman of an area is also a very important figure. Apart from these, I would say the children themselves, the parents of these children and anyone who works at a school, including the women who sell food at break times.’ (Graduate student in Guidance and Counselling: Ghana)

‘For an effective campaign against violence in schools, we need the participation of all actors...’ (Sociology lecturer: Niger)

Legal Framework

Sexual abuse in or around school is increasingly framed as a human rights violation and a failure by national governments to honour international obligations, particularly children’s rights as enshrined in the CRC. The extent to which rights-based approaches are accepted is reportedly limited, however, with various arguments such as Western-imposed values, and cultural and religious differences, being used to justify non-compliance by some actors (Save the Children Sweden 2005). Moreover, others argue that although children are increasingly familiar with rights discourses, a significant disjuncture between conceptual understanding and behaviour change remains (Burton 2005).

Most of the countries in West Africa have legislation which provides general protection to children against sexual violence. Legislation on sexual violence is explicit throughout the region, covering such concerns as genital cutting and proxenetism (pimping), with the exception of Guinea, Liberia, Senegal and Togo. However, in these four countries children are still protected from sexual violence and exploitation through Penal Codes (see Appendix 1). All of the countries in West Africa ratified the CRC of 1989 between 1990 and 1993. Reinforcing this international agreement in 1999 the African Union and its member states passed the ‘African Charter on the Rights and Welfare of the Child.’

There are therefore considerable safeguards which can be enacted to protect children from sexual exploitation when and if they have access to harness their rights. Restrictions on the strength of these legislative and rights-based measures are however shaped by the dual legal systems that characterize many African countries. Customary regulations, laws and norms often exist in tandem with modern judicial frameworks, and at the community level, the former often dominate. Accordingly, any legislative or policy strategy must pay particular attention to the implications for traditional laws and their gatekeepers. Another limitation upon the exercise of these safeguards is limited awareness of international and national legislation amongst judicial personnel, local administrative officials, teachers, parents and children. When cases of sexual exploitation are reported to the police or legal officials they are also frequently hindered by under-developed child justice systems, which may dissuade future victims from speaking out.

16 • The Ouagadougou Conference provided some interesting recommendations for ensuring children’s rights to quality education, provisions to keep girls in school, particularly during pregnancy and putting mechanisms and regulations in schools throughout West Africa to prevent sexual violence (Ouagadougou, Rapport Du Séminaire, 2007).

Key Actors and Linkages

To date efforts to address sexual violence have been relatively small-scale and fragmented. (I)NGO, UN system, donor and government agency collaboration needs to be considerably improved in order to tackle incidences of sexual abuse and exploitation in and around West African schools. At the national level, the lack of inter-ministerial collaboration within national governments and a lack of efficient data collection and coordination mechanisms in regard to child protection and rights in general are considerable limitations. Information on and collaboration between different initiatives remains scattered and there is little synergy between work done. Poor inter-sectoral coordination is often compounded by the fact that governments typically rely on NGOs to provide necessary services to tackle school-related violence but without an overarching national framework or guidelines, resulting in fragmented services and the absence of clear monitoring and evaluation framework (Vetten 2005). Similarly, none of the available literature documents the presence of national or regional networks or communities of practice established to share experiences about how best to tackle sexual exploitation in schools. This suggests that communication channels and mechanisms between key civil society and/or policy actors are largely informal or non-existent.

Civil society organisations, especially those working within the community and groups of victims themselves, often lack the skills necessary to ensure law is brought enforced or improved. Technical skills for victim assistance are also frequently lacking, such as psycho-social support for victims. This is extremely important for preventative strategies to improve reporting and denunciation.

Limited coordination and communication notwithstanding, examples of good practice by government and NGO agencies alike suggest that a number of innovative policy and programming responses have been developed, and provide considerable potential scope to build upon, expand and scale up. There is a strong international agency presence, including Oxfam, Plan, Save the Children Alliance and so forth. Effective initiatives being run by each of these agencies within the West African region feature below.

Sexual Abuse and Exploitation in West Africa

Examples of good practice in tackling child sexual exploitation in school settings

OXFAM in Liberia:

Since the end of the conflict in 2003, Oxfam has been working across Liberia to provide a range of services to improve both the quality of education, equitable access and girl-friendly services. Projects include providing in-service teacher training for at least 150 teachers in Margibi, Bong and Montserrado; establishing and supporting girls clubs as a means of creating a girl-friendly environment to encourage girls to enrol and stay in schools; Strengthening the governance of schools through support to parent teacher associations (PTAs). PTA projects are currently underway in 12 schools in Monrovia and in Bong County through a Liberian partner. PTAs have a critical role to play in terms of monitoring accountability of teachers towards their students.

Plan in Togo

Plan Togo started a project in 2004 in partnership with the Association Tongolese pour le Bien-Etre Familial (ATBEF), to develop a network of youth clubs. Their objective has been to provide a youth-friendly environment in which adolescents, aged 10-19 years, can openly discuss issues pertaining to sex, develop their sexual awareness, learn about their sexual rights and develop an outline for youth-friendly sexual health services at the community level. By the end of 2005, circa 600 adolescents in 17 communities were members of these youth clubs. Not only have these clubs been a success in terms of raising sexual awareness but for developing self-confidence and life-skills like public speaking.

Plan in West Africa:

Drawing on research on the need for better psycho-social support in the post conflict contexts of Liberia and Sierra Leone and in regions of Togo, Plan West Africa has developed mobile counselling units to support victims of trauma, as a result of conflict or abuse. These units offer traditional healing ceremonies, family mediation, medical facilities and social assistance, including financial support or apprenticeship and fees. They are expected to aid children identified as having a 'high-risk' of suicide.

Save the Children UK in Sierra Leone:

Save the Children has set up children's clubs and children's welfare committees in Freetown, Pujehun and Kailahun. At the clubs, the children are able to play and talk in a safe environment, with adults on hand to discuss any problems with. The committees link with their local police and Ministry of Social Welfare to raise issues concerning the abuse and exploitation of children. The clubs, committees and mobilisers have so far directly helped nearly 10,000 children. Radio sessions, awareness raising and campaigning have reached approximately 300,000 children.

Policy Implications



Policy Implications

A number of good practice initiatives by governments, national and international NGOs have been instigated to date to tackle sexual violence in West African. What is needed now however is a coordinated approach, led by national governments or as part of a regional initiative, in order to tackle sexual exploitation in schools. Such a comprehensive strategy will require that a number of broader challenges be addressed.

Challenge 1: Improving methods of data collection and dissemination

There is an urgent need for more nationally representative and regionally comparative data collection efforts so that national governments and the international community can gain a better understanding of the extent and nature of the problem in the region, including identifying groups of children who are particularly vulnerable to abuse. In terms of specific research gaps, there is a clear lack of evidence about boys as victims of sexual violence, and the extent of teacher-centred violence and the effects this has on student-centred violence. It will also be critical for research to be repeated at regular intervals so policy makers can assess changing patterns over time and assess the relative efficacy of interventions. One option would be to include sexual exploitation issues in the modules used in the regularly collected UNICEF Multiple Indicator Cluster Surveys (MICS).

Research that does exist should be made readily accessible in a single location (either real or virtual space). Knowledge management at the national, regional and international levels constitutes a significant challenge, and should also take into account language barriers and the importance of accessing resources for translation and dissemination purposes.

Challenge 2: Examine and invest in the policy and legal framework

There is a need for more scholarly attention to review the extent to which policy and legal interventions are effectively preventing sexual violence in or around schools and/or appropriately supporting victims and holding perpetrators accountable (Ray, 2006). Given the high profile the MDG of universal primary education has garnered in Africa, it may be particularly fruitful to frame advocacy efforts to stem sexual exploitation as an important but still largely invisible part of this broader effort. This will also require increased skills in budget analysis and advocacy within the region to ensure that adequate financial resources are being allocated to quality education and anti-violence work, in line with the CRC principle of progressive realisation.¹⁷

Challenge 3: Encourage greater inter-departmental and cross-agency coordination

There is a clear need for greater cross-government agency coordination, including the identification of a single well-resourced issue champion to oversee a national framework (and related professional codes of conduct). This is an aim articulated for example by the UK government's Every Child Matters programme whereby they advocate the interlinking of organisations involved in providing services to children

17 • Recommendations are from Key Informant Interviews in Jones, N., K. Moore, E. Villar-Marquez and E. Broadbent (2008) Painful Lessons: the politics of preventing sexual violence and bullying at school, ODI. Interviews were conducted by email, and where relevant translated from French by Karen Moore.

– such as hospitals, schools, the police force and voluntary groups. Where the capacities of such actors allow, this may constitute a recommended approach to integrating child protection services and correspondingly ensuring that children are able to participate in discussing and addressing the issues that affect them.¹⁸ Similarly, there is also much scope for better cross-sectoral coordination in order to facilitate quality monitoring and evaluation, lesson learning and potentially scaling up effective and innovative initiatives.

Challenge 4: Develop strategies to tackle the multidimensional impacts of sexual exploitation

Finally, particular attention should be paid to the way that sexual exploitation intersects with poverty and social exclusion; the particular vulnerability of orphans and children living in conflict, post-conflict and post-emergency contexts; as well as ways in which efforts to promote AND prevention can also incorporate efforts to combat sexual exploitation in and around schools. All such efforts will need to work closely with community leaders in order to ensure ownership of legal frameworks, to hold perpetrators accountable, and to promote complementarities with customary laws and norms.

The following recommendations are devised by the authors, but drawing on previous examples of good practice where relevant.

RAISING AWARENESS AND INFORMATION SHARING: ‘Improvement in the situation of violence in schools must occur through: awareness-raising; communication of messages to change behaviours; training; the struggle against poverty especially in grassroots communities; implementation of laws; and legislation.’ (Initiative pour la Recherche et les Actions pour le Développement Mondial worker: Benin, Painful Lessons 2008).

National Strategies:

Educating children about gender equality: Launch programmes to promote understanding about child rights as well as unequal gender power relations and to find ways to encourage greater gender equality; foster the conscious awareness of adults and children of the rights of the child and CEDAW; promoting personal responsibility and respect often through use of multi-media methods, dramas or storytelling approaches; identifying and supporting positive role models and mentors or peer educators to work with children and young people and teach them about their rights and responsibilities (i.e. Plan Togo 2006 and as recommended at the Arab-African Forum Against Sexual Exploitation of Children, Rabat, Morocco, October 2001).

Training teachers: Given the powerful influence that teachers have in shaping children’s values and modelling acceptable adult behaviour, ensuring that teachers understand the root causes and ways to address school violence is of critical importance. Programmes should include ‘train the trainer’ initiatives focusing on teachers’ attitudes and equipping teachers with the necessary skills to serve as positive role models; the development of life skills and sex education modules in school curricula that teachers feel comfortable teaching and the development of professional codes of conduct, especially during teacher training courses in order to address the high rate of sexual violence perpetrated by especially newly graduated young male teachers (see Shumba 2001 and Nhundu and Shumba 2001). ‘Improving the situation of violence in schools requires training teachers in gender, peace education; restoring the teaching of Civic and Moral Instruction; introducing the teaching of the culture of peace in the curriculum; strictly applying rules in schools’ (Sociology lecturer: Niger, Painful Lessons 2008).

Civil Society: Strengthen youth civil society organizations so that they might advocate against sexual abuse and violence at school more effectively.

18 • Progressive realisation is a core principle of the UNCRC capacity, taking into account that measures should be enacted on the basis of state capacity and resources.

Policy Implications

INVOLVING MULTIPLE STAKEHOLDERS: There is increasing recognition that if sexual abuse is to be effectively tackled a wide range of stakeholders need to be made aware of the problem, take ownership over and implement community-appropriate responses.

National Strategies:

Manuals: Developing manuals to educate community leaders and parents about the problem and how to report it to judicial authorities where necessary (see id21 2001). Involve parents associations, Ministries of Education and teachers unions in the fight against sexual exploitation and school corruption which prevents accountability (As Recommended by UNESCO Expert Meeting, 2007).

Civil Society: Encourage and assist local support groups/civil society orgs attempting to tackle sexual violence and support/strengthen national civil society groups' capacities for networking and advocacy.

Media and Resources: Undertake media monitoring in order to track how cases are reported and handled and then establish decentralised child abuse resource centres which empower communities to take responsibility for combating child abuse (see Save the Children Alliance 2005:100);

International Strategies:

Issue Champion: Establish a single well-resourced issue champion to oversee a regional international framework and encourage and support the creation of regional observatories to combat sexual exploitation in schools (as suggested at the Arab-African Forum against the sexual exploitation of children, Rabat, Morocco, October 2001).

Legal and Judicial Reforms: Train intermediaries to support children in the court system in child abuse cases (as in South Africa) and offer free legal advice, including legal caravans for more remote rural populations on sexual violence cases. Train female police officers so that girls feel more comfortable reporting cases of abuse (as in Rwanda) and pro-child police training modules (as in Uganda), develop programmes to rehabilitate young sexual offenders.

PROVIDING GENDER SPECIFIC FACILITIES AND SERVICES: Due to social, cultural and economic determinants women are more commonly affected by or involved in sexual exploitation and therefore sustainable strategies need to focus on providing educational facilities that take the geography and gender dimensions of abuse into consideration.

National Strategies:

Geography and Infrastructure: Take into account gender-dimensions in infrastructural development such as schools and pay attention to particular gendered-specific dangers in physical environment, such as improving street lighting and creating safe routes for children on their way to school. Good examples of this are girl-friendly schools and school planning i.e. in Burkina Faso an initiative has been set up to build such schools. Working closely with communities and local government, this project ensures schools have child-friendly classrooms equipped with appropriate furniture and textbooks, a borehole to provide safe water, separate male and female latrine blocks for sanitation, and housing units for teachers. The children also receive a mid-day meal and there is a take-home ration for girls who achieve an attendance rate of 90% or more. Some of the schools also have an on-site child-care centre that allows mothers to leave their youngest children under safe supervision and let their older daughters go to school while they work in the fields (see BRIGHT Project, Plan Burkina Faso, February 2008). It is also recommended that children are involved in the infrastructural development process (As recommended by the UNESCO Expert Meeting, 2007).

PROVIDING FOR THE LONG TERM EFFECTS OF SEXUAL ABUSE:

National Strategies:

Health schemes: Implement health orientated schemes which pay attention to treating the contraction of sexually transmitted diseases, particularly HIV/AIDS, whilst psychologically orientated initiatives should seek to provide counselling, advice and psycho-social support (see Plan's mobile counselling units in Burkina Faso, Togo, Sierra Leone, Liberia and Cameroon. June 2008, see above).

Scale-up local health initiatives and advocate for mental health issues to be considered in national health strategies.

INCREASING POLITICAL WILL:

National Strategies:

Policy: Motivate and train parliamentarians on child protection including issues concerning sexual exploitation and budget work. This should be conducted alongside a media campaign.

Encourage political support for improving systematic data collection, quality education, child protection and psycho-social support for victims.

International Strategies:

Identify and support issue champions to oversee a West African framework.

IMPROVING LEGAL MECHANISMS:

National Strategies:

Periodic reporting: Efforts should be made to ensure inclusion of sexual exploitation at school in national periodic reporting on child rights, women's rights and torture.

Meet international standards: Review and improve legal frameworks and national policies that ensure that laws and policies meet international standards, are socially adapted and consistent.

More detailed national legislation: Lobby for national legislation that renders all sexual relationships between teachers and students illegal and introduce systematically the component 'sexual exploitation' in the documents concerning the situation analysis of children and women (as recommended at the Arab-African Forum Against Sexual Exploitation of Children, Rabat, Morocco, October 2001).

International Strategies:

Situational Analysis: A situational analysis of the legislative framework of a country should be included in the UN Country Team planning process, with specific focus on the country's gaps and weaknesses in relation to the CRC and CEDAW.

Meet international standards: There should be a regional campaign to improve and systematize legal frameworks to ensure laws are consistent with international standards and are sufficiently detailed.

PROMOTING PROTECTIVE LIFE SKILLS

National Strategies:

Self-defence training: Encourage the police or community leaders to provide classes/training in self-defence and awareness, as in the example of Ghana. "In one school that I have read about, a self-defence class was given to schoolgirls of the ages 13-16 at SS Level. The rationale behind this was to increase the confidence of the girls and also show the males at school that females are not weak. I would recommend this measure as very effective and theoretically sound" (Researcher: Central Region, Ghana, Painful Lessons 2008).

Sexual rights and health training: Develop strategies and mechanisms for encouraging the participation of juveniles in order that they might better protect and defend themselves, notably through sexual education. (As recommended at the Arab-African Forum Against Sexual Exploitation of Children, Rabat, Morocco, October 2001).

International Strategies:

Hold a West African regional forum to draw attention to the problem of sexual exploitation and other forms of school related violence, to disseminate knowledge on how to alleviate the problem and to teach skills for personal protection.

Policy Implications

DISSEMINATION AND COMMUNICATION

National Strategies:

Media campaign: Launch a media campaign to improve reporting on sexual violence at schools. This should include training of media professionals and inclusion of child rights and protection in the curriculum of media schools (An information campaign to raise awareness of child sexual exploitation was one of the key recommendations of the Yokohama Congress in December 2001).

Print and multi-media: Develop appropriate print and multi-media communication and training materials for professionals, community members and children. This could include radio and TV programmes to raise awareness about sexual violence and how to tackle it.

Incentives: Create a national competition to acknowledge best practices and to grant public recognition for schools with a healthier educational climate.

Accessible legal documentation: Nation-wide dissemination of the official State Party report on violence against children, and other relevant legal docs, showing process and gaps.

International Strategies:

Communities of Practice: Support the development of West African networks and/or communities of practice to share experiences and strategies and to tackle school based violence.

SERVICE PROVISION

National Strategies:

Preschool programmes: Introduce preschool enrichment programmes to help children and adolescents develop social skills, manage anger and develop a moral perspective.

Child-sensitive facilities: Establish child abuse hotlines and shelters which are easily accessible to allow children to report abuse confidentially (a recommendation of the Yokohama Congress, December 2001).

Training: Train healthcare professionals in identification and referral of victims of sexual violence. Train judicial and police personnel so that they are aware of and understand dynamics of school-based sexual violence and are familiar with legal provisions.

MONITORING AND EVALUATION (M&E) AT THE LOCAL, NATIONAL, REGIONAL AND INTERNATIONAL LEVEL:

Revise laws in accordance with M & E findings: Monitor the implementation of legislation designed to address sexual exploitation, and revise laws in accordance with M and E findings to strengthen their impact and tackle loopholes.

Best practice: Evaluate implementation of strategies by government organisations and NGOs to tackle sexual violence and identify best practice, including the way that issues are framed to resonate with national policy frameworks.

Accountability mechanisms: Encourage accountability mechanisms in school management, with clear policies and procedures for responding to problems of sexual violence, including holding educators and other service providers accountable for their actions. These should feed into national and international reporting systems.

Monitor risk behaviours: Routinely record data on interpersonal violence in educational settings so as to build a more accurate profile on the problems.

Incentivise the media: National and regional actors should monitor media content with regard to reporting on sexual exploitation and discrimination. Awards or incentives could be created to promote child's rights-based publicity.

References

- Abrahams, N., Mathews, S. and Ramela, P. (2006) Intersections of 'sanitation, sexual coercion and girls' safety in schools'. *Tropical Medicine and International Health*, 11/5: 751-756.
- Action Aid (2004). Stop violence Against Girls in School. Johannesburg, Action Aid International. Available at: http://www.actionaid.org.uk/_content/documents/violenceagainstgirls.pdf.
- Behrendt, A., (2008) Psychosocial needs of children without parental support in a post-conflict-area: A cross section study in the district of Kailahun in Sierra Leone, PLAN, USAID, FHI, AWARE.
- Behrendt, A., and Mor Mbaye, S., (2008) L'impact psychosocial de la traite sur les enfants dans la région des Plateaux et la region Centrale au Togo, PLAN, USAID, FHI, AWARE.
- Behrendt, A., and Mor Mbaye, S., (2008) The Psychosocial Impact of Parental Loss and Orphanhood on Children in an Area of high HIV Prevalence: a Cross Section Study in the North West Section of Cameroon, PLAN, USAID, FHI, AWARE.
- Burton, P. (2005) Suffering at school: results of the Malawi gender-based violence in schools survey. Pretoria: Institute for Security Studies (ISS). Available at: <http://www.issafrica.org/pubs/Books/SufferingAtSchoolOct05/SufferingAtSchool.pdf>.
- Dunne, M. (2007) Gender, sexuality and schooling: Everyday life in junior secondary schools in Botswana and Ghana. *International Journal of Educational Development*, 27/5: 499.
- George, E. (2001) Scared at School: Sexual Violence Against Girls in South African Schools. New York/ Washington DC/Brussels: Human Rights Watch. Available at: <http://www.hrw.org/reports/2001/safrica/>.
- Harber, C (2001) Schooling and violence in South Africa: creating a safer school. *Intercultural Education*, 12/3: 261-271.
- id21 (2001) Gender violence in schools. id21 insights 36. Available at: <http://www.id21.org/insights/insights-gv-special/index.html>.
- Jewkes, R., Levin, J., Mbananga, N., and Bradshaw, D. (2002) Rape of girls in South Africa. *The Lancet*, 359/9303: 319.
- Jones, N., Moore, K., Villar-Marques, E., (2008) Painful lessons: The politics of preventing sexual violence and bullying at school, ODI.
- Kent, A. A. (2004) Living life on the edge: Examining space and sexualities within a township high school in greater Durban, in the context of the HIV epidemic. *Transformation: Critical Perspectives on Southern Africa*, 54: 59-75.
- Kidd, J. (2003). "Preventing Child Maltreatment: An Integrated, Multisectoral Approach" in *Health and Human Rights*, 6/2.
- Kim, J. H. and Bailey, S. (2003) Unsafe Schools: A Literature Review of School-Related Gender-Based Violence in Developing Countries. Washington D.C.: USAID. Available at: http://www.usaid.gov/our_work/cross-cutting_programs/wid/pubs/unsafe_schools_literature_review.pdf.
- Leach, F. (2003) Learning to be Violent: the role of the school in developing adolescent gendered behaviour. *Compare: A journal of comparative education*, 33/3: 385-400.
- Leach, F., Fiscian, F., Kadzamira, E., Lemani, E., and Machakanja, P. (2003) An investigative study of the abuse of girls in African schools. London: DFID. Available at: <http://www.dfid.gov.uk/pubs/files/investudyafriacdpaper54.pdf>.
- Mirsky, J. (2003) Beyond victims and villains: Addressing sexual violence in the education sector. London, Panos. Available at: <http://www.panos.org.uk/PDF/reports/Beyond%20Victims.pdf>.
- Mugawe, D. and A. Powell. 2006. The Second International Policy Conference on the African Child, Born to High Risk: Violence Against Girls in Africa. Plan International: Addis Ababa.
- Nhundu, T. J. and Shumba, A. (2001) The nature and frequency of reported cases of teacher perpetrated child sexual abuse in rural primary schools in Zimbabwe. *Child Abuse and Neglect*, 25/11: 1517.
- Ogunyemi, B. (2000) Knowledge and Perception of Child Sexual Abuse in Urban Nigeria: Some Evidence from a Community-Based Project. *African Journal of Reproductive Health*, 4/2: 44-52.
- Pinheiro, P. S. (2006). Chapter 4 Violence against children in schools and educational settings. In United Nations Secretary-General's Study on Violence Against Children: 109-169. Available at: http://www.violencestudy.org/IMG/pdf/4_World_Report_on_Violence_against_Children.pdf.
- Plan Togo (2006) Suffering to Succeed? Violence and abuse at schools in Togo. Plan Togo: Lomé.
- Plan (2008) Stopping Sexual Exploitation in and around School in Africa – Inter-sectorial Collaboration as a Challenge, Brazil Meeting (draft).

References

- Ray, P. (2006). Community Child Protection Programme: Review of Progress and Recommendations. Plan Malawi: Lilongwe.
- Sanou, S. and Aikman, S., (2005) 'Beyond Access: Transforming Policy and Practice for Gender Equality in Education' OXFAM.
- Save the Children (2006). Save the Children's Summary Analysis Report – Parts I (Highlighting Key Comparisons between the UN Secretary General's Study on Violence against Children and the Views and Recommendations from Children and Young People) and II (Highlighting Key Comparisons between the UN Secretary General's Study on Violence against Children and the Views and Recommendations from Save the Children, Save the Children. Available at: http://www.savethechildren.ca/canada/what_we_do/rights/UNstudy.html.
- Save the Children Alliance (2005). Global Submission by the International Save the Children Alliance to the UN Violence Study on Violence against Children: 10 Essential Learning Points: Listen and Speak out against Sexual Abuse of Girls and Boys. Based on Country Reports from Save the Children in Canada, Colombia, Brazil, Nicaragua, Syria, South Africa, Mozambique, Rwanda, Uganda, Bangladesh, Nepal. Available at: www.savethechildren.net/alliance/resources/reports/docs-42247-v1-un_study_on_violence_-_csa_main_report.pdf.
- Save the Children, Sweden (2005) 'I want her to talk to me when I make a mistake': Ending Corporal Punishment of Children in South Africa. Save the Children, Sweden. Available at: <http://www.rb.se/NR/rdonlyres/2348CE68-6271-4FD1-ADF9-5DFA1A280901/0/EndingcorporalpunishmentinSouthAfrica.pdf>
- Shumba, A., (2001) 'Epidemiology and etiology of reported cases of child physical abuse in Zimbabwean primary schools' Journal of Child Abuse and Neglect, Vol 25, Issue 2.
- UNDP (2008) The Human Development Report 2007/8, Fighting Climate Change: Human Solidarity in a Divided World.
- UNESCO (2007) Stopping Violence in Schools: What Works? Expert Meeting, UNESCO Education Sector, Paris.
- UNICEF (2005) Report on the Adolescent Forum-Caribbean Regional Consultation for the United Nations Study on Violence Against Children. Available at: http://www.uwi.edu/ccdc/downloads/Violence_against_children.pdf
- UNICEF (2008) Abus, Exploitation et violence sexuels a l'encontre des enfants a l'ecole en Afrique de l'Ouest et du Centre, UNICEF Bureau Regional, Afrique de l'Ouest et du Centre.
- United Nations – Secretary General (2005) Summary Report: Violence against Disabled Children. United Nations Study on Violence against Children – Thematic Group on Violence against Disabled Children, Findings and Recommendations. Available at: http://www.unicef.org/videoaudio/PDFs/UNICEF_Violence_Against_Disabled_Children_Report_Distributed_Version.pdf.
- United Nations – Secretary General (2006) Report of the independent expert for the United Nations Study on Violence against Children. (A/61/299) Available at: <http://www.violencestudy.org/IMG/pdf/English.pdf>.
- United Nations Girls' Education Initiative (UNGEI) (2004). "'Scaling up' good practices in girls' education". UNESCO. Available at: <http://unesdoc.unesco.org/images/0014/001422/142240e.pdf>.
- Vetten, L. (2005) Addressing domestic violence in South Africa: Reflections on Strategy and Practice. From Expert Group Meeting "Violence Against Women: Good Practices in combating and eliminating violence against women". Austria: UN Division for the Advancement of Women and UNODC.
- Woldehanna, T. and N. Jones (2006) How Pro-poor is Ethiopia's Education Expansion? A benefit analysis of education since 1995/96. Young Lives Working Paper 23. London: Save the Children UK. Available at: http://www.younglives.org.uk/pdf/wp23_ethiopia-bia.pdf.
- Woldehanna, T., N. Jones and B. Tefera. 2008. "The invisibility of children's paid and unpaid labour: implications for Ethiopia's national poverty reduction programme" in Childhood Special Edition. Forthcoming.
- World Bank (nd) Addressing Violence against Women within the Education Sector. Washington D.C.: Gender and Development Group, PREM, World Bank.
- World Health Organization (2006) "New study shows female genital mutilation exposes women and babies to significant risk at childbirth," Press release 02/06/2006.

Annex 1

Summary of Legal Status¹ of Sexual Violence² across Africa

State	Legislation to Protect Children	Prohibited in Schools	Prohibited in the Home	Prohibited in Alternative Care Settings	Ratification Data of the UNCRC, 1989
Benin	Yes ³	Yes	Yes	Yes	3-Aug-90
Burkina Faso	Yes ⁴	Yes	Yes	Yes	31-Aug-90
Cameroon	Yes ⁵	Yes	Yes	Yes	11-Jan-93
Ghana	Yes ⁶	Yes	Yes	Yes	5-Feb-90
Guinea	Yes ⁷	Yes	Yes	Yes	13-Jul-90
Guinea Bissau	Yes ⁸	Yes	Yes	Yes	20-Aug-90
Liberia	Yes ⁹	Yes	Yes	Yes	4-Jun-93
Mali	Yes ¹⁰	Yes	Yes	Yes	20-Sep-90
Niger	Yes ¹¹	Yes	Yes	Yes	30-Sep-90
Senegal	Yes ¹²	Yes	Yes	Yes	31-Jul-90
Sierra Leone	Yes ¹³	Yes	Yes ¹⁴	Yes	18-Jun-90
Togo	Yes ¹⁵	Yes	Yes	Yes	1-Aug-90
Southern Africa					
Malawi	Yes ¹⁶	Yes	Yes	Yes	2-Jan-91
Mozambique	Yes ¹⁷	Yes	Yes	Yes	26-Apr-94
Zambia	Yes ¹⁸	Yes	Yes	Yes	6-Dec-91
Zimbabwe	Yes ¹⁹	Yes	Yes	Yes	11-Sep-90
North and East Africa					
Egypt	Yes ²⁰	Yes	Yes	Yes	6-Jul-90
Ethiopia	Yes ²¹	Yes	Yes	Yes	14-May-91
Kenya	Yes ²²	Yes	Yes	Yes	30-Jul-90
Rwanda	Yes ²³	Yes	Yes	Yes	24-Jan-91
Sudan	Yes ²⁴	Yes	Yes	Yes	3-Aug-90
Tanzania	Yes ²⁵	Yes	Yes	Yes	10-Jun-91
Uganda	Yes ²⁶	Yes	Yes	Yes	17-Aug-90

- 1 • Most of the legal information in this table has been based on the official responses given by member States to the United Nations for the Global Study on Violence against Children in October 2006. All the reports may be consulted at: <http://www.ohchr.org/english/bodies/crc/study.htm>.
- 2 • We have considered that the general legal protection granted by the states regarding sexual violence against children (through Criminal Law) results applicable to the home, school and also to alternative care settings, provided that there are not exclusion clauses in the legislation. In consequence, the answer "YES" followed by a footnote means that there is indeed an explicit law that regulates sexual violence against children in each one of the specific contexts mentioned above.
- 3 • Act No. 2002-07 of 24 August 2004 containing the Persons and Family Code. Additionally, Law 61-20 on the protection of the child against violence, Law 004 of 3 March 2003 on reproductive health, and the Law 2003-04 of the same day on the repression of the practices of genital mutilation. Finally, the Penal Code prohibits proxenetism (pimping), and the Inter-Ministerial order No. 16/MEPS/METFP/CAB/DC/SGM/SA of 1 October 2003 establishes sanctions for perpetrators of sexual abuse in public or private, general, technical or vocational secondary schools or educational establishments.
- 4 • Article 2.2 of the Constitution prohibits damage and bad treatment of the child. The Penal Code in Articles 380 to 382 prohibits the mutilation of the genitals; Articles 410 to 417 prohibit sexual exploitation and abuse against children; Articles 422 to 426 prohibits youth corruption and prostitution; and Article 376 prohibits forced marriage. Additionally, even if the Penal Code does not mention hazing and sexual harassment, moral harassment, threats, etc., these are prohibited by Law 43-96-ADP of 13 November 1996.
- 5 • The Penal Code prohibits rape (Article 296), violence against children (350), violence against a child in school (298), offences against a minor between 16 and 21 and against a minor of 16 (346), forced marriage (356 and 357), proxenetism (pimping) (294), and exposing a child to moral damage. The Act on Education Guidelines (Act 98/004) of 14 April 1992 also prohibits physical violence in school.
- 6 • The Criminal Code (Consolidated) 1960, Act 29 provides for the protection of children from harm including physical and sexual assault.
- 7 • Although there is no specific law on prevention of violence against the child, the Penal Code prohibits, in a general way, the violence against children. It is also possible to establish an administrative sanction in the cases of violence in the school. Sexual commerce is also prohibited by law, and genital mutilation is forbidden by Law L/2000/010/AN of 10 July 2000 on reproductive health.

Annex 1

- 8 • Articles 32, 37, 38 and 39 of the Constitution prohibit violence against children. Additionally, the Penal Code prohibits sexual abuse (article 134), violence against children (articles 133), sexual exploitation (article 136), and physical violence (article 114 to 119). Although there is not an express regulation regarding genital mutilation, it is possible to punish it by means of applying Article 115 of the Penal Code, relating to aggravated physical damage.
- 9 • There is no official response given by Liberia to the United Nations for the Global Study on Violence against Children. However, according to the information contained in the official report sent by Liberia under the Article 44 of the CRC (<http://tb.ohchr.org/default.aspx>), Liberian law protects children against all forms of abuse; however, the law allows for corporal punishment as a corrective measure 'in the best interest of a child'. Even though punishment is permitted under the law, the degree and timing are guided by the law. The New Penal Code of Liberia protects children below the age of 16 years against sexual exploitation and sexual abuse. The law states in part that a male who has sexual intercourse with a female who is not his wife has committed rape if the female is less than 16 years of age, provided the male is 16 years or older. Sexual inducement of children is a crime under the law. Sexual coercion of children is a crime in that an adult male brings undue pressure on a minor child. The Penal Code of Liberia (chaps. 14.76, 14.27, 14.78) speaks about sexual abuse of wards, sexual assault, rape and sexual crimes against children. The Penal Code (Article 18.3) also makes provision for prostitution as a felony or misdemeanour depending on the nature of the case. There are also administrative measures to deal with situations of child abuse.
- 10 • The Penal Code (Law 01-79 of 20 August 2001) punishes the following acts: actions against the modesty of children (Article 225), rape of children (226), usual sexual intercourse (227), paedophilia (228) and proxenetism (pimping) (229). Additionally, the Child Code (Decree No. 02-062/P-RM of 5 June 2002) establishes in its Article 50 that sexual exploitation and sexual abuse, defined in the following articles, are attempts against health of the child. The Child Code also establishes that child workers under 18 have protection against harassment on the part of his employer. Finally, an internal disposition prohibits genital mutilation in health centres.
- 11 • The Constitution establishes those public entities that have the obligation to protect the physical, psychological and moral health of the mother and the child. The Penal Code also prohibits the rape of children (Article 284), female genital mutilations (232-2), acts against modesty (278), proxenetism (pimping) and youth sexual corruption (292 and 293). Finally, Decree 99 of 4 May 1999 on jurisdiction over minors establishes in Article 10 and 19, that in the case of the health, security or morals of a child being in danger, the judge for minors can institute special measures for the protection of the child.
- 12 • There is no official response given by Senegal to the United Nations for the Global Study on Violence against Children. However, according to the Concluding Observations of the Committee on the Rights of the Child for Senegal's Second Periodic Report (CRC/C/SEN/2, 20 October 2006), Law No. 99-05 of 1999 prohibits excision, sexual harassment, paedophilia, sexual assault and all forms of sexual mutilation, sexual violence and corruption of minors.
- 13 • Prevention of Cruelty on Children Cap 31 of Laws of Sierra Leone 1960.
- 14 • Prevention of Cruelty on Children Cap 44 of the Laws of Sierra Leone makes specific provision for the protection of children in the family and home.
- 15 • Although there is no specific regulation for children, the Penal Code prohibits physical violence (Articles 46 to 49), rape, sexual abuse and acts against modesty (85 to 87), and sexual exploitation (94.1), and establishes more serious penalties in cases where the victim is under 15. Additionally, although there is no law on sexual harassment, a Law of 16 May 1984 relating to the protection of young women prohibits sexual relations between professors and students. Finally, Law 98/016 prohibits female genital mutilation.
- 16 • Section 23 of the Constitution adopted in 1994 provides for the protection of children from any form of abuse. Additionally, there are sections of the Penal Code which address violence against children. In this regard, it is important to note that provisions in Sections 137 and 138 of the Penal Code are silent on similar offences committed against the boy-child; this means that the Penal Code fails to protect boys who are sexually abused.
- 17 • The Penal Code, Decree 417/71 and the Law Regulating Access of Children to Public Venues of Night Entertainment both protect children from sexual exploitation.
- 18 • There is no official response given by Zambia to the United Nations for the Global Study on Violence against Children. However, according to the information contained in the official report sent by Zambia under the Article 44 of the CRC (<http://tb.ohchr.org/default.aspx>), protection of children from sexual abuse and exploitation is provided by 24 separate pieces of statutory legislation. The Constitution prohibits abuse and neglect of children, and the Juveniles Act (Sections 46 and 48), the Adoption Act, and the Penal Code (Chapter 87) contain provisions to protect children from abuse. In the same way, the Constitution in Article 125 establishes the Human Rights Commission, whose functions include investigation of human rights abuses against children. Although Zambian legislation prohibits all forms of physical and mental violence, corporal punishment still exists in the Statutes. Further complicating the situation is the presence of a dual system of law, e.g. statutory and customary laws. Customary law allows parents or guardians to obtain financial compensation from the perpetrator through payment of a fine.
- 19 • There is no official response given by Zimbabwe to the United Nations for the Global Study on Violence against Children. However, according to the information contained in the official report sent by Zimbabwe under the Article 44 of the CRC (<http://tb.ohchr.org/default.aspx>), The Children's Protection and Adoption Act covers corruption of children, such as causing or coercing children to engage in sexual acts, prostitution and pornographic performances, but this remains weakly implemented. Chapter 33 also protects children from any form of neglect, exploitation, abuse, torture, cruelty, degrading treatment or punishment. Chapter 37 of the Marriage Act prohibits solemnizing a minor's marriage without the written consent of the minor's legal guardian. Additionally, under the Criminal Law Amendment Act, it is an offence to have sexual intercourse with a girl under the age of 16.
- 20 • According to the NGO's Report on the Rights of the Child in Egypt (http://www.crin.org/docs/resources/treaties/CRC.26/egypt_ngo_report.pdf), the law regards violence in general as a criminal act if it leads to a wound that requires treatment for a given period of time or if it results in a deformity. However, this penalization needs a clearer definition and a definite stipulation of all violent practices and inhuman treatment even if done within the household, with the necessity of finding a legal mechanism that would aid the victim of violence to sue the attacker and protect the victim.
- 21 • Amended Penal Law of Ethiopia (2004).
- 22 • The key statutes dealing with matters relating to violence against children include The Children Act which is currently the most comprehensive piece of legislation in terms of dealing with children's rights and covering issues relating to violence against children. Moreover, the Penal Code and the Criminal Law Amendment Act protect children from sexual offences that are classified under the Penal Code as offences against morality.
- 23 • The offences provided for and punished by Law No. 27/2001 – related to Rights and protection of the Child against Violence (28 April 2001) – are related to an attempt on a child's life, sexual violence and exploitation against a child. Also, the Rwandan Penal Code includes provisions that specifically protect children again sexual violence.
- 24 • There is no official response given by Sudan to the United Nations for the Global Study on Violence against Children. However, according to the information contained in the official report sent by Sudan under the Article 44 of the CRC (<http://tb.ohchr.org/default.aspx>), the 2005 Transitional Constitution of Southern Sudan defines in Article 21 children's rights not to be exploited or abused; not to be pressed into military service; not to be subjected to dangerous or harmful practices that jeopardize their educational prospects, health or well-being; and not to be subjected to negative or harmful cultural practices that undermine their health, welfare or dignity. Article 149 prohibits rape, and states that the act shall be deemed not to have been consensual if the perpetrator is a guardian of or person with power over the victim. Additionally, Article 156 states prohibits the hiring out of a person for the purposes of engaging in the offences of fornication, sodomy, prostitution or acts of depravity or indecency. If the victim is a minor the penalty is more serious. Moreover, the use of children in pornography is generally prohibited by the Children's Act of 2004 (Article 32). Finally, the Code of Criminal Procedures prohibits incest in Article 150 (illicit intercourse, sodomy or rape with an ascendant, a descendant or their spouse, or with his brother, sister or their children, or his paternal or maternal uncle or aunt shall be deemed to have committed the offence) and acts of depravity in Article 151 (indecent acts or sexual conduct not constituting illicit intercourse or sodomy).
- 25 • The Sexual Offences (Special Provision) Act 1998 was enacted with the aim of protecting the dignity and integrity of women in matters pertaining to rape, defilement, sodomy, sexual harassment, incest, female genital mutilation, child abuse and child trafficking.
- 26 • Protection of children from all forms of violence – including sexual violence – is addressed through the Constitution, the Penal Code Act and the Children's Act.



Learn

without fear.



Plan
Be a part of it.

Plan

West Africa Regional Office

Amitié 2 villa 4023

B.P. 21121 Dakar Ponty

Tel: +221 338 697 430

Fax: +221 338 697 430

Email: waro.ro@plan-international.org

www.plan-international.org