

Save the Children's Policy on:

Protecting Children from Sexual Abuse and Exploitation



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Save the Children

The International Save the Children Alliance is the world's leading independent child rights organisation with members in 29 countries and operational programmes in more than 100.

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Vision

Save the Children works for:
a world which respects and values each child
a world which listens to children and learns
a world where all children have hope and opportunity

Mission

Save the Children fights for children's rights.
We deliver immediate and lasting improvements
to children's lives worldwide

Introduction

Save the Children was among the organisers of both the First and Second World Congress against Commercial Sexual Exploitation of Children (1996 and 2001) and contributed to exposing the increase in and horrors of sexual exploitation of children worldwide. Save the Children bases its work on these learning processes, support governments in making National and Regional Plans of Action and the international community in fulfilling their obligations.

This policy aims to present a holistic view of child sexual abuse and exploitation examining all the situations where children are sexually abused. There is growing awareness that children are most at risk in their homes and local community. At the same time the commercial and other forms of sexual exploitation of children are growing. All children have the right to be protected and removed from sexual exploitative situations and provided with support and recovery assistance.

Authorities, ranging from local/national to the regional/global levels, must be held accountable for protecting children against all forms of child sexual abuse and exploitation.

This policy have been developed by the International Save the Children Alliance Task Group on Child Sexual Exploitation and Abuse and agreed by the Programme Forum. The policy has been discussed at regional Save the Children workshops in Southern Africa, Central America and South and Central Asia and replaces the previous policy: "Prevention of Sexual Abuse and Exploitation of Children".

Save the Children's Policy on Protecting Children from Sexual Abuse and Exploitation

The issue of sexual abuse and exploitation

Protecting children from sexual abuse and exploitation is an important area of work for the member organisations of Save the Children. Save the Children believes that sexual abuse of children is one of the worst forms of violations of the rights of the child. It can lead to irreversible physical and psychological damage, including death. Save the Children works to protect and prevent children from sexual abuse and exploitation with the overall vision of ending these child rights violations.

Background

Child sexual abuse and exploitation is a global phenomenon. It exists in most cultures irrespective of material wealth and state ideology. The World Health Organisation Report on Violence and Health (2002) states that about twenty percent of women and five to ten percent of men have suffered sexual abuse as children. Studies from around the world appear to confirm these figures, although some studies have higher figures (Commodities in Stigma and Shame 2001). Furthermore, the UN reports that millions of children are annually being exploited by the sex industry.

Child sexual abuse occurs frequently within the family and in the local community. Children are in addition sexually exploited through trafficking, tourism, pornography and the sex industry. Girls and boys are also sexually abused and exploited in war and refugee situations, in the education system, at the workplace and on the streets, in religious settings, leisure activities, in prisons and even by people and services meant to protect and take care of them.

The abuse may be extremely brutal, for instance, children who must endure the continued abuse from infancy or children who are forced into marriage or kept as sex slaves in brothels. Girls are most at risk, making it necessary to consider gender dimensions when developing interventions and taking measures. It should be noted that children might be abused by their peers as well as by adults.

It has also been documented that rape and assault against women and children during conflict is used as a deliberate instrument of war by the combatants and this is now being treated as war crimes.

Save the Children bases its work against child sexual abuse and exploitation on the UN Convention on the Rights of the Child (CRC). This convention defines the basic human rights of children under the age of 18. Article 19 obliges the state parties to take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of sexual abuse. Article 34 and the Optional Protocol to the CRC commit states to pass and implement national laws against the sale of children, child prostitution and child pornography. Article 35 stresses the need to create appropriate measures to prevent the abduction, sale and trafficking of children. Article 39 commits states to promote the physical and psychological recovery and social integration of children who have been victims of sexual abuse. Freedom of expression in Article 13 and the right to be heard in Article 12 are of particular importance when a child wants to speak up about sexual abuse. Sexual abuse is detrimental and violates the child's basic right to life and development as stated in Article 6.

Definitions

Save the Children believes it is necessary to reach agreement on a universally accepted definition of child sexual abuse in order to effectively address the exploitation of girls and boys. Currently different definitions of child sexual abuse are applied, making it difficult to estimate its occurrence, compare the data and make efficient policies to protect children.

Save the Children broadly defines child sexual abuse and exploitation as: "...the imposition of sexual acts, or acts with sexual overtones, by one or more persons on a child."

Child sexual abuse includes indecent touching, penetration and sexual torture, as well as indecent exposure, using sexually explicit language towards a child and showing children pornographic material. People sexually abusing children may have an emotional or professional relationship with the child, where they exploit their position of trust and power. Children may also be sexually abused or exploited by abusers or third parties having a commercial or other exploitative interest in the child.

Save the Children includes all forms of sexual abuse and exploitation under the general definition of child sexual abuse. Child sexual abuse refers to the immediate abusive act towards a child and is the basis of the exploitation of the child.

The legal age of consent defines when a child is regarded mature enough to consent to mutually desired sexual relations. In some countries the legal age of consent is as low as twelve years and the socially accepted age may be even lower. No

matter the legal age of consent, any child under the age of 18 must be protected from all forms of sexual abuse and exploitation.

Since the World Congress against Commercial Sexual Exploitation of Children in Stockholm in 1996, there has been debate on what to include in the term "commercial sexual exploitation." Many involved have pointed out that the exploitation of children on the Internet, for instance, is not always commercial in character. Save the Children, therefore, supported the outcome document from the Yokohama World Congress in 2001, which dropped the word "commercial" and addressed all forms of "sexual exploitation of children."

Central institutions such as governments, the UN and NGOs still commonly use the terms of child pornography and child prostitution. Save the Children feels that these terms may cover up the exploitive element, as child pornography in reality is documented evidence of a sexual abuse of a child and child prostitution is sexual exploitation and abuse of the child. Save the Children will work to expose the inherent abuse and exploitation of children in these two criminal settings.

Interventions designed to address sexually abused children are often based on portraying them as "victims". However, the term of victim may not accurately capture the situation as it does not emphasise the rights and dignity of sexually abused children. Stigma and shame may also follow as an unintended effect of this victimisation. Save the Children believes that interventions have to be informed by the experiences, resilience and views of the children. The participation of children in developing positions and programmes is essential to Save the Children.

Child sexual abuse and exploitation is often both predictable and preventable. Save the Children wants to challenge the secrecy, taboos and feelings of inevitability that surround sexual abuse and exploitation. Societies need to understand and evaluate attitudes, make effective policies to protect children and have a multi-sectorial approach to prevent, protect and assist children subjected to sexual abuse and exploitation. Preventive measures must include analysis of the demand side and may require long-term efforts and support from local, national and international leadership, institutions, organisations and other actors.

The challenges based on our experience

Implementing the UN Convention on the Rights of the Child (CRC)

The global community has taken responsibility for combating sexual abuse and exploitation of children. Several international instruments have been created over the past few years to increase cooperation between relevant parties, with initiatives aimed at: prevention and the protection of child victims; rescue, recovery and reintegration of sexually abused children; and increased child participation. The national and international frameworks suffer, however, from the inadequate fulfilment of the promises made. Crime, corruption, collusion, commercial profit and complacency have obstructed the implementation process and the protection of children's rights.

Thus organised crime, corrupt judicial systems, incomplete or complex laws and lack of a child protection system makes children extremely vulnerable. Governments neither prioritise children's participation in decision making and in developing measures for their protection.

The UN Committee on the Rights of the Child reviews the follow up of the UN Convention on the Rights of the Child (CRC) by the countries. To get a complete picture of the forms and incidences of child sexual abuse and exploitation it is still necessary that the NGOs and the civil society also reports to the UN Committee.

Breaking the silence – exposing the violations

Sexual abuse and exploitation of children is rarely reported in most societies, and when it is, there is frequent denial and minimisation of the effects on the child, resulting in the rejection of the rights and needs of the child. Governments are cautious about interfering in the private lives of citizens, and prefer sometimes to maintain traditional practices and disregard the rights of the abused child. Many sexually abused children and their families are reluctant to report violations due to the socio-cultural values and stigma attached. They fear reporting their case because judicial systems are often rife with potential for further victimisation and justice is often not done. In many judicial systems the burden of proof is regarded as difficult and children lose out. Conviction depends on proving the criminal intent of the offender rather than establishing the impact of the offence on the child.

It is often difficult for an abused child or witness to disclose that abuse is taking place, especially to someone in authority. It is especially difficult if the report could result in an investigation by a social service agency, removal of the child or abuser from the home or the child being expelled from school if reporting on teachers' abuse. Reporting may also result in anger and blame toward the child in the family and the community. In many cases a child

will say nothing, as disclosure may be perceived as having even worse consequences. On the other hand, children may know that nothing will happen if they contact the social and legal system. It is not uncommon that the victims of sexual abuse are themselves treated as the criminals.

It is apparent that the accused adult's right to a fair trial is given precedence over the child's right to justice and protection. Given that the judicial systems are inadequate in protecting children, a complementary child protection system must be in place in order to ensure that a child's rights is respected. The provision of appropriate therapeutic services for children and protective adults must be part of this recovery process.

Reducing child sexual abuse within the family and the local community

Research suggests that children are most at risk of abuse in and around their home environment, by people they should normally trust or who have a duty to provide care. Family members, neighbours and teachers are frequently reported as the perpetrators. In some situations there may be no or very few institutions that protect children. This is the case with harmful practices such as early marriage, the dowry system or when certain older men are given permission to assault and rape young girls as part of initiation ceremonies.

Children are thus highly vulnerable to sexual abuse and exploitation; and certain situations, such as a difficult home situation or a marginalised situation in society, make them more exposed. Increasing poverty among children, lack of emotional support or domestic violence also makes children vulnerable to sexual exploitation.

Sexually abused children may struggle psychologically, physically and socially the rest of their lives from the effect of the abuse if they do not receive treatment and support. Early pregnancies and sexually transmitted diseases and HIV/AIDS may be other consequences.

Children are quite often viewed as the property of the male head of the family. The sexuality of men is regarded as instinctive, while women are educated to "stay pure." Most religions have supported, rather than challenged, this view and religious leaders have in many cases been involved in child sexual abuse. Ideological patterns like these may be seen as facilitating child sexual abuse. People also tend to minimise the relevance of child sexual abuse by claiming that it could never happen in their neighbourhood or family. Child sexual abuse is thus related to patterns of thought and behaviour that are shaped by a multitude of forces within families, communities and the international society.

Addressing discrimination

The impact of child sexual abuse and exploitation may be reinforced when it is also based on discrimination because of gender, race/indigenous, minority situation, economic status etc. Children with disabilities are particularly vulnerable and at risk, and they may have more difficulties in reporting abuse. Efforts to fight sexual abuse should be based on an understanding that this abuse violates basic human dignity. Sexual abuse and exploitation of children reflects deep inadequacies and structural power imbalances between generations, sexes, classes, ethnic groups and races.

Setting the standard with humanitarian agencies

A study in 2002 conducted by Save the Children and UNHCR brought the attention of the world to the increased sexual abuse and exploitation of mainly women and girls living as refugees and displaced persons in West Africa. The children concerned reported increased levels of sexual abuse and exploitation by aid workers, among others. The study showed that aid workers exploited children in their capacity of organising, providing and distributing humanitarian aid.

Save the Children has together with other NGOs and institutions developed a common approach to child protection standards. Save the Children has also developed its own Child Protection Policy and a Code of Conduct for all Save the Children staff, volunteers and those locally and internationally appointed.

Holding the Abuser Accountable

Abusers come from all social classes and groups and can be either male or female, but statistically men comprise the vast majority in sexually abusing children. Both men and women take part in facilitating trafficking of children for sexual exploitation or operate brothels. The abusers may be parents, teachers, employers and religious leaders, members of criminal gangs and networks or people from the law enforcing agencies. They may also be other children.

The dangers to children are not only from men diagnosed as paedophiles. The American Association of Psychiatry describes paedophilia as

a mental disorder in which adults are sexually attracted to prepubescent children. However, this restrictive definition ignores the fact that sexual abuse happen to children over the age of puberty and that perpetrators also relate sexually to adults and that a high number are so-called “ordinary,” trusted, respected family men. The use of paedophile as synonymous with all abusers also ignores the development of a large, organised, highly profitable commercial market providing children to satisfy a consumer demand.

Focusing only on sexual deviance may lead to an underestimation of issues like power and control, which both play a fundamental role in child sexual abuse. Thus, since “paedophilia” is assumed to be a minority sexually abusive activity, such usage of the term may distract attention from the widespread sexual abuse and exploitation of children and focus on a kind of person rather than kinds of behaviour that lead to sexually aggressive behaviour. Child sexual exploitation is unlikely to be efficiently prevented unless the diversity of the people who sexually abuse and exploit children is fully taken into account.

The prevention of child sexual abuse and exploitation must include the rehabilitation of the child, and the abuser must be prosecuted. The Save the Children Europe group project has collected research that shows that one third of the abusers are less than 18 years of age. Young perpetrators are still children and have the right to rehabilitation according to the UN Convention on the Rights of the Child (CRC).

Policy Declaration

Child sexual abuse and exploitation is a violation of the four general guiding principles of the CRC. It puts a child's survival and development at risk, reinforces discrimination, denies any meaningful participation of the child in matters that affect them and is definitely not in the best interests of the child.

Save the Children's aim is to contribute to protecting children from sexual abuse and exploitation and to reduce the incidence and impact of child sexual abuse and exploitation.

Key principles include:

- Supporting children to organize and advocate for their protection against sexual abuse and exploitation, promoting equal protection and opportunities for girls and boys.
- Placing sexual abuse and exploitation of girls and boys on the global agenda by drawing attention to the seriousness of the issue through research, documentation, advocacy and effective programme work.
- Supporting initiatives aimed at exposing and eliminating the sexual abuse of children
- Developing best practice measures for recovery, reintegration and other support to children who have been sexually abused, as well as to their families.
- Building capacity of partner organisations through awareness-raising, providing relevant information, documentation and competence building in order to prevent all forms of sexual abuse of children.
- Assisting and supporting governments and other agencies to develop systems and structures that will prevent child sexual abuse and exploitation and protect children.
- Calling for action by states to protect children from adult criminal behaviour through passing and implementing laws that make sexual abuse and exploitation by persons and by organised criminal operations illegal.

Principles of Implementation based on Save the Children's Policy

The best interests of the child: Save the Children will identify conditions that lead to sexual abuse and exploitation of children, shed light on their destructive effect on society and suggest measures in the best interests of children.

Promote the use of Child Rights

Programming: The Convention on the Rights of the Child is the basis for Save the Children programming and a tool for advocacy and improving the rights of children.

Universal definition: Save the Children will work to get a universally accepted definition of child sexual abuse and exploitation and a terminology emphasising that child sexual abuse is a violation of children's rights. Save the Children will advocate internationally and nationally for measures to address the difference between nations concerning the legal age of sexual consent and the responsibility of states to protect children under 18 against sexual abuse and exploitation.

Support children's participation: Save the Children believes in strengthening local capacity to promote children's rights. This includes supporting children to organise and advocate for their protection against sexual abuse and exploitation. Children should be involved in and consulted as far as possible in connection with the development of programmes for their recovery and protection. Save the Children shall facilitate the meaningful participation of children in matters that concern them at different levels in society, including Save the Children own organisations.

Assessment of vulnerable situations:

Ensure that situation analysis includes an identification and assessment of situations where the risk of violations is great.

Combat and address discrimination: Save the Children acknowledges that girls and boys are treated differently and supports initiatives to promote equal protection and opportunities of girls and boys. Save the Children will therefore direct attention to the vulnerability of children to sexual abuse because of their gender as well as because of their ethnicity, disability, caste and economic status.

Public information and advocacy: Save the Children shall contribute to networking, information, awareness-raising and advocacy at different levels. The education system will be targeted together with the media, health services and judicial systems. The media can play a decisive role in exposing sexual abuse and exploitation of children and in shaping public opinion against such violations. Save the Children shall assist journalists in communicating information in a way that does not lead to further humiliation for children.

Local and national authorities: Save the Children shall influence and support authorities to take the responsibility in fighting conditions leading to sexual abuse and exploitation of children, improving possibilities of interventions and assisting the abused children. It is the responsibility of Governments to ensure a multi-sectoral approach and structures to prevent, protect and take care of the recovery of abused children. This includes updating legislation, ensuring law enforcement in the best interest of the child and strengthening the capacity of judicial

systems, police and attorneys. It also includes the development of knowledge on the harmful effects of sexual abuse and exploitation and competence to ensure that the life situation of abused children is improved. Co-operation between the police officers, social workers, lawyers and judges are essential in protecting and assisting the child.

International co-operation: Save the Children is one of many agencies working to stop the sexual abuse and exploitation of children. Save the Children shall contribute to the global and regional co-ordination of work on sexual abuse and exploitation of children. Save the Children co-operates with UN agencies and other relevant networks and organisations on information, competence building, advocacy and other efforts.

Preventive work in families and communities: Information and awareness-raising directed at children, families, teachers, religious leaders and health personnel are important tools in preventive work.

Save the Children stresses the importance of measures that support the local community, parents and teachers in providing children with love and respect. This contributes to the development of children as secure persons with the ability to be considerate of others, express their own opinions and set limits that protect them against violations.

Information on self care, self esteem and assertiveness as part of a culture of caring should be incorporated in school curricula as well as information on sexuality, pregnancy, health and violence.

Measures must be taken to support women and men who want to organise against sexual abuse and exploitation of children. Perpetrators who want to reconsider their own violent behaviour must be offered pathways out of the abusive behaviour. Save the Children considers effective interventions and management of abusers as an important part of preventive work, with an emphasis on therapeutic measures targeted at children perpetrating sexual abuse. It is important to work with boys and men on alternative expressions of masculinity in order to address gender discrimination and prevent child sexual abuse.

Competence building and training: Save the Children supports governments in their efforts to implement research and competence building on all forms of child sexual abuse. It is important that government employees have necessary expertise to ensure the protection of children against sexual abuse and exploitation. Save the Children staff and partners shall also receive opportunities for training that gives them an understanding of the impact of child sexual abuse in relation to education, health, social welfare and the political and judicial situation.

To develop effective measures against child sexual abuse and exploitation, there is a need for extensive knowledge about the underlying social, cultural, political and economic causes that contribute to the victimisation of children, as well as adults and children's opinions and conceptions of sexual abuse and exploitation of children. Definitions are needed and we need to know more about organised crime, those taking part in the crimes, the perpetrators, their motivations for violations, and possibilities for preventing them from harming children. We need to know the sexually abused children, risk factors, and how they best can be assisted.

Measures for children who have been sexually abused: Children at risk of being, or who have been sexually abused and exploited, have the right to receive appropriate psychosocial and other support that promotes their overall development and recovery. The support should emphasise empowerment of the children and avoid victimising situations. Children should not be criminalised and must be protected against legal abuse of power. Save the Children will support governments in developing effective disclosure procedures and structures for children who want to report the abuses.

Save the Children believes it is necessary to rescue and make exit strategies for children in the sex industry as well as protecting their interests when they are caught up in the industry.

Save the Children will support governments in developing mechanisms for peer support for sexually abused children and first-line prevention workers.

Child protection: Save the Children member organisations will adopt the Code of Conduct in line with the Save the Children Child Protection Policy) and secure its implementation.

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Abbreviations

CRC	the UN Convention on the Rights of the Child
UN	United Nations
NGO	non-governmental organisations
HIV	human immunodeficiency virus
AIDS	acquired immunodeficiency syndrome
UNHCR	United Nations High Commissioner for Refugees