PREVENTING SEXUAL VIOLENCE AGAINST CHILDREN

The case of Central America

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Executive summary

This case study examines practices and norms in relation sexual abuse and exploitation of children perpetrated by adults. It draws on information and programme experience from Central America.

Over the past decade, significant advances have been made in Central America in raising the issue of sexual violence against children on the public agenda. All countries have enacted legislation that criminalizes sexual abuse and exploitation of children and provides support to the victims, in accordance with the Convention on the Rights of the Child (CRC) and other international standards. Government and civil society capacity to implement the new laws and policies have improved, and there is an increased awareness of the problem among the general public.

Despite progress many challenges remain, resulting in impunity for the perpetrators and weak protection of children against sexual violence. A key challenge is the persistent social tolerance in the region for sexual abuse and exploitation of children. A study undertaken in 2008 shows that although there is an increased recognition of the problem, still almost a third of the population would not report cases of sexual exploitation of children. Many times the abuse or exploitation is not perceived as such, and there is a tendency to blame the victim and her/his family rather than the exploiter. To effectively address sexual violence against children it is necessary to recognize that it is not only a social problem perpetuated by the adults abusing/exploiting the children, but by non-abusing adults through complicity, silence, denial and failure to take appropriate action.

In this case study I will argue that to prevent this social problem, it is necessary to introduce a new social norm to re-categorize behavior and trigger a new script in relation to sexual violence against children. To this end, it is necessary to re-visit scripts about childhood, child abuse/exploitation and responsibility for this abuse/exploitation. It is also necessary to address a broader network of values and beliefs in relation to parent-child relationships, the status of children in society/children’s rights, privacy of the family/family honour as well as masculinity and gender roles.

These new scripts will result in a new understanding, common knowledge and social norm that sexual abuse and exploitation of children under 18 years old is unacceptable. This will be reinforced by the empirical and normative expectations, resulting in a decrease in the social tolerance for abuse and exploitation of children, an increase in the number of people reporting of such cases and a decrease in the number of people abusing/exploiting children. A harmonization of the legal, moral and social norms would be achieved in accordance with Mockus’ theory.

Finally, I analyze UNICEF’s support to governments and civil society in Central America to address this issue, in particular a three year regional programme: “A strategy to combat abuse, exploitation and trafficking of children in the Central American isthmus”. I analyze to what extent the programme incorporated key principles and strategies to achieve social change and address social norms, and finally I provide some recommendations for future actions.
1. Background to the problem

Sexual violence is a reality for millions of girls and boys in Central America. It takes the form of sexual abuse in the family, harassment in the school, assault or rape in the community or sexual exploitation in prostitution and pornography. Increasingly, boys’ and girls’ use of the internet and mobile phones also put them at risk of different forms of sexual violence. This case study will specifically look at sexual abuse and exploitation of children, as perpetrated by adults, in Central America.

While there are no reliable, quantitative data on how many children suffer these situations, at one point it was estimated that more than 2 million children were sexually exploited each year in Latin America.\(^1\) Yet the true magnitude is hidden because of the sensitive and illegal nature. Most children and families do not report cases of abuse and exploitation out of stigma, fear and discrimination, and lack of trust in that the authorities will investigate these crimes. Social tolerance and lack of awareness that what was experienced was abuse or exploitation also contribute to under-reporting.

Evidence shows that while both girls and boys of all ages and all socio-economic backgrounds suffer sexual violence, most of the victims are girls coming from poor families. Research shows that sexual abuse usually begins while the girl is young (before the age of ten) and that sexual exploitation starts before the girl is 15 years old. Most of the time, the girls are lured or forced into these situations of exploitation through false promises and limited knowledge about the risks.

Sexual violence may not only have devastating consequences for the individual child but the whole family and the community. This may include emotional and psychological distress, physical injuries, health consequences including STIs and HIV, unwanted pregnancy, school drop out, family break up and increased domestic violence. A study from Central America showed that most of the victims (83%) did not report the abuse or exploitation to the authorities and the majority (82-87%) did not get professional help after the abuse/exploitation.\(^2\) Long term consequences for society include violence, poverty and poor social outcomes for children of teen parents.

Studies show that most sexual abuse and exploitation of children is committed by adult men of all ages and across all levels of social class, educational background and professional status. Many times the perpetrators are persons closely related to the child, and someone who the child knows and trusts. This is particularly true in the case of sexual abuse in the family, which commonly involves fathers, step-fathers, mother’s boyfriends, grandparents, uncles, brothers and cousins. However, sexual exploitation may also involve persons the child knows, including men in the community, neighbours, teachers and shop keepers etc.

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\(^1\) Boletín del Instituto Interamericano del Niño, la Niña y Adolescentes, Organización de los Estados Americanos, 1998.
2. Progress and challenges in addressing sexual abuse and exploitation of children in Central America

Over the past decade, considerable progress has been made in Central America in raising awareness around the issue of sexual violence against children and placing it on the public agenda, as a result of the ratification of international human rights standards and political commitments. All countries have enacted legislation that criminalizes sexual abuse and exploitation of children and ensures support to the victims, in accordance with the Convention on the Rights of the Child (CRC) and its Optional Protocol on the sale of children, child prostitution and child pornography. Extensive efforts have been made to strengthen the capacities of government authorities and civil society in how implement the new laws and policies, including the establishment of reporting and referral mechanisms where children and their families may seek support and report sexual violence.

In all countries significant efforts have been made to raise awareness about the problem, and inform and educate the general public on how to prevent and respond to it. As a result, an increased number of people know that sexual exploitation of children is a crime, and less people admit to know a place where sexual exploitation of children occurs. On one hand this may indicate that sexual exploitation of children has become more clandestine and less visible to the population. On the other hand it might reflect that people do not want to acknowledge that they know of these places considering that sexual exploitation of children now is a crime. The willingness to report cases and denounce the exploiter has also increased to approximately half of the population (45%), which reflects the increased awareness of the efforts taking place in the region to place the issue on the public agenda.3

Despite these advances, many challenges remain. Inadequate legal frameworks coupled with lax law enforcement, weak institutions charged with child protection and a general lack of awareness in society of risks and vulnerabilities of children, contribute to impunity and weak protection of children against sexual violence. Other structural challenges are poverty, disparities and exclusion; low educational levels combined with limited employment opportunities; migration and family disintegration; fast developing and irresponsible travel and tourism industry; as well as gender inequality and discrimination, which is linked to a prevailing ‘machista’/patriarchal culture.


3 Ibid.

4 Ibid.
Moreover, there is a tendency to blame the victim and her/his family rather than the exploiter for the sexual exploitation. Similar to previous years, 25% of the population thinks the child is responsible for the situation. The study also shows that there is an increase in the number of people who would actually denounce the child victim (18%). Most people mention poverty and lack of values of the victim and the family as reasons behind the sexual exploitation of children. Moreover, 61% of the population thinks it is the responsibility of the family of the victim to prevent sexual exploitation. The above shows that there is a tendency to blame the child who is the victim, and his/her family, for the situation rather than the exploiter. It shows that most of the population does not associate the exploiter as responsible for the sexual exploitation.

Many times the sexual abuse and exploitation is not reported to the authorities because it is not perceived as abuse or exploitation. This is particularly true when it comes to abuse and/or exploitation of teenage girls, who have reached puberty and the age of sexual consent, as opposed to younger girls. The statement: “There are no minimum ages, only minimum bodies” reflects this social tolerance of sexual exploitation of adolescent girls. There is also a limited understanding of the concept of sexual exploitation of children. Paying a girl under 18 years old for sex is not seen as sexual exploitation but as a market transaction between the client and the victim. The girls are not seen as children but as objects that are bought, which is reflected in the following statement: “I don’t exploit anybody, I pay them. If I go off with a girl, I pay her. I am not exploiting anyone.”

The study also shows that despite the fact that all countries have legislation criminalizing sexual exploitation of children and protecting the child victim, a considerable number of the population mention lack of legislation and child protection policies as the main reason behind the sexual exploitation of children. This demonstrates that many people hold the authorities responsible for the situation, exempting responsibility of the general population in the solution and for denouncing the exploiters and protecting the children involved. The exploiters are also exempted from their responsibility for the problem.

From the above it is clear that to effectively prevent sexual abuse and exploitation of children it is essential to address the social tolerance that surrounds it. It is necessary to recognize that sexual abuse and exploitation is not only a social problem perpetuated by the adults abusing/exploiting the children, but by non-abusing adults through complicity, silence, denial and failure to take appropriate action.

4. Norms and sexual abuse and exploitation of children

All Central American countries have legal norms (enforced by sanctions) in place, criminalizing sexual abuse and exploitation of children, defined as persons under 18 years old, and ensuring adequate support to the victims. A moral norm (enforced by inner sanctions) also seems to be in place condemning sexual exploitation of younger girls who have not reached puberty, although the existence of such a moral norm would need to be confirmed through research. These legal and moral norms, however, do not seem to trigger a social norm (as defined by Bicchieri, see below) that sexual abuse and exploitation of children under 18 years old is unacceptable. Rather, sexual exploitation of girls who have reached puberty seems to be governed by a market norm.
This disconnect between the legal, moral and social norms, seems to stem from different perceptions of who is a child/children’s rights, of what constitutes abuse and exploitation of children, and of who is responsible for this abuse/exploitation. The legal norms define any person under 18 years old as a child, in accordance with the CRC, which has been ratified by all countries in Central America. However, it seems that this definition is not shared by all members of society, in particular the exploiters. Moreover, the legal norms define and classify sexual exploitation of children under 18 years old as a crime, in accordance with international standards. Again, this definition of exploitation is not shared by all members of society, particularly the exploiters who seem to consider the buying of sex as a market transaction governed by market norms. Lastly, while the legal norms place the responsibility upon the exploiter, society blames the victim - the child.

To address this situation it seems necessary to, in accordance with Mockus’ theory, harmonize the legal, moral and social norms. To achieve such a harmonization I argue that it is necessary to introduce a social norm to re-categorize behavior and trigger a new script in relation to sexual abuse and exploitation of children.

According to Bicchieri (2006), a social norm exists when there are conditional preferences which depend on empirical expectations - e.g. the individual prefers to conform to a rule when he/she believes that a sufficiently large part of the population conforms to a certain behavior when faced by the same situation, and normative expectations - e.g. the individual believes that a sufficiently large part of the population expects him/her to conform to a certain behavior when faced by the same situation. He/she believes this because they have observed other persons adhering to the rule when the situation arises.

To trigger this new social norm it seems necessary to re-categorize and introduce a new script and values and beliefs about who is a child, what constitutes childhood, and what is the status and rights of children in society. It is critical to reinforce and reach a consensus around that children have equal rights as adults, but because of their age and vulnerability they need support in achieving their rights. There needs to be a common understanding of that a child is a person who is in the process of emotional, mental and physical development and therefore needs special support and protection up until a certain age. This protection includes protection from all forms of harm, including sexual abuse and exploitation. In the Central American countries, the legal age of majority is 18 years old in all countries, wherefore until a person reaches that age, he/she is considered a child. Consensus around this script would result in a common understanding that it is unacceptable to sexually abuse or exploit any child under 18 years old. For example, this would mean that it is commonly agreed that sexual abuse or exploitation of a girl who is 16 years old is as unacceptable as sexual abuse or exploitation of a much younger girl, for example, a 6 year old, even though the 16 year old girl has reached puberty and the legal age of sexual consent.

Moreover, this new script would lead to a new understanding of what is abuse and exploitation of children, and who is responsible for this abuse/exploitation. It is necessary to reach a consensus that sexual relations with a girl who is 16 years old in exchange of money or other form of remuneration, is not a mere market transaction but exploitation of a child. It is also important to reach a common understanding of that any abuse or exploitation is the responsibility of the adult not the child.
These new scripts would result in a new understanding, common knowledge and social norm that sexual abuse and exploitation of children under 18 years old is unacceptable. The social norm would be reinforced by the empirical expectation that people (the individual) believe that most people think it is unacceptable and would not engage in it, and the normative expectation that people (the individual) expect that most people think it is unacceptable and ought not to engage in it. Not following the social norm would be sanctioned by informal sanctions such as shame, stigma, dishonor and ostracism, and the reporting of situations of abuse/exploitation. The establishment of this new social norm would ultimately help to prevent sexual violence against children to occur in the first place, since it would lead to a change in the empirical and normative expectations of not only the society, but the potential abusers/exploiters.

To establish or reinforce these new scripts, and the social norm that sexual abuse and exploitation of all children under 18 years old is unacceptable, it is also necessary to address the broader network of values and beliefs that surrounds the practice. According to Bicchieri (2006) social norms are embedded into scripts that are part of a complex network of values and practices. In addition to addressing scripts around childhood, abuse/exploitation and rights/responsibilities, it would be crucial to address deep entrenched scripts, norms and values around parent-child relationships, the status of children in society, the privacy of the family and family honour. It is also critical to address masculinity and gender roles, which are linked to the patriarchal and machismo culture in Central America upheld by both men and women. This includes beliefs and values around sex, including sex as a commercial transaction and treatment of girls and women as sexual objects to be consumed by men. It also involves addressing male power and reputation, and the status of men, women and children in society.

5. Critical evaluation of the work so far

During the past decade, UNICEF and other international organizations have supported the governments and civil society in Central America to address the issue of sexual abuse and exploitation of children. It is clear that part of the success in placing the issue on the public agenda in the region can be attributed to these programmes. This case study examines the first phase of UNICEF’s regional programme “A strategy to combat abuse, exploitation and trafficking of children in the Central American isthmus”, which was implemented from August 2003 to December 2006. The three year programme covered interventions in eight countries (Mexico, Belize, Guatemala, Honduras, El Salvador, Nicaragua, Costa Rica and Panama) but focused particularly on four countries: Guatemala, Honduras, El Salvador and Nicaragua. The interventions in the target countries focused on four areas of intervention, which together formed part of a comprehensive, integrated strategy focusing on strengthening laws, policies and services and mobilizing society for a change in attitudes and behaviors. Following is a brief description of the main activities under each area of intervention, and a brief analysis of these interventions to assess to what extent they incorporated key principles and strategies for achieving social change and addressing social norms.5

5 This analysis is based on the final programme evaluation as well as personal experience as regional programme coordinator for the programme.
1) Development of legal and institutional protection mechanisms for children and adolescents and the adaptation of the legal context in each country to international commitments. UNICEF engaged in intensive advocacy efforts with legislators and institutional decision makers for the ratification of international treaties such as the Optional Protocol on the sale of children, child prostitution and child pornography, and the enactment of legislation that criminalizes sexual exploitation of children and provides support to the victims. UNICEF also provided technical assistance to the development of policies in relation to child protection, at national and sub-national level. Moreover, efforts were supported to strengthen the institutional capacities of national authorities to implement the new laws and policies. This included support to national level coordinating commissions implementing plans of actions, establishment of specialized units within the police and prosecutor’s office investigating these crimes, and the strengthening of child protection services (including shelters and national helplines) for referral and reporting of cases.

2) Capacity building for improved child protection. UNICEF supported training of a large number of people from different fields to strengthen the capacity for the effective implementation of the new laws and policies. The capacity building took place at two levels: among national and local level duty-bearers responsible for guaranteeing the rights of children, and among the rights holders (children, parents, communities) to demand their rights. Achieving legal reform involved intensive dialogue and capacity building sessions with legislators and institutional decision-makers and their staff, as well as media. Implementing reforms called for equally intensive capacity building with national and local level stake holders such as the police, public prosecutors, judges and migration authorities, staff of social welfare ministries and NGOs providing services, health workers, teachers, the travel and tourism sector, mayors, child protection committees, community based organisations, parents and children.

3) Development of community protection systems. Parallel to the work at national level, UNICEF supported the establishment or strengthening of local networks dedicated to child protection. The goal was to raise awareness of sexual violence and assist the networks in formulating prevention strategies, policies and action plans and building capacity to assist victims and to identify and denounce cases of sexual violence. UNICEF reached these networks through work with experienced NGOs or local groups concerned with child rights. The groupings were usually composed of representatives of key local government authorities and institutions such as the police, the judicial branch, institutions charged to protect children, health and education departments, public and private service providers, civil society groups concerned with women’s and children’s rights, and concerned individuals and volunteers from the community as well as children themselves.

4) Promotion of effective awareness and information about child exploitation and abuse, and mobilisation of government and civil society leaders into action and cooperation for child protection. In each country, the processes of legal reform, institutional strengthening, informing and activating community-level networks and building capacity, all contributed to raising awareness and mobilising key actors and communities. In addition to this, specific efforts were made to inform and educate the general public of the new laws and risks and vulnerabilities of children to sexual violence. Information and educational campaigns were developed and launched at national levels, research and studies were undertaken and disseminated, and media was trained in ethical reporting on the issue.
Analyzing the programme, it is clear that the first phase incorporated several principles and strategies important for achieving social change and addressing social norms.

- All interventions formed part of a comprehensive, integrated strategy, which aimed at harmonizing legal, moral and social norms, in accordance with Mockus theory. Considerable efforts were made to introduce and build consensus around new legal norms and policies, as well as capacity for their implementation. At the same time, significant efforts were made to address attitudes and norms of the general public, through community level protection networks and discussions, and national awareness raising campaigns. All efforts were closely inter-related. For example, the introduction of new legal norms helped change attitudes in relation to sexual violence against children. At the same time, the changing of attitudes among decision makers was indispensible for achieving the legal and policy reforms. Moreover, much of the capacity building of staff focused on changing their beliefs and norms in relation to sexual violence against children, to ensure an adequate support to the victims.

- The programme applied a human rights based approach aimed at raising awareness and building capacity of different actors in society, both duty bearers responsible for guaranteeing children’s rights and rights holders demanding these rights. Efforts were made to engage the whole community and public debates and value deliberations were stimulated at all levels of society with a wide range of actors.

- In all instances the awareness raising, public dialogue/deliberations and capacity buildings were framed within a broader human rights discourse, based on children’s rights as enriched in the CRC and linked to broader development commitments such as the Millennium Declaration and the Millennium Development Goals. At the same time, efforts were made to empower individuals and communities with specific knowledge on children’s right to protection from sexual abuse and sexual exploitation. This included information on the risks and vulnerabilities of children to different forms of sexual violence, its consequences, how it can be prevented, the rights of victims, who is responsible for ensuring children’s protection, the importance of reporting cases, and the content of the new laws.

- Efforts were made to reach as many people as possible to raise awareness around sexual violence against children. Numerous events and trainings were held at sub-national, national and regional levels to disseminate the information and mobilize a wide range of duty bearers and rights holders. This led to the establishment of different networks of professionals and activists at country and regional level, who continued to exchange information after these events. Networking was also facilitated through different study tours and exchange of experiences between organizations, networks, municipalities and professionals, within the country and across borders.

- The local child protection networks played an important role in reaching as many people as possible in the community and stimulate community dialogue. The discussions and dialogue many times resulted in the development of concrete actions plans, which committed communities and other stakeholders to address the issue. Similar action plans were also often developed at national and sub-national levels, as a result of the capacity buildings and efforts to coordinate policies.
6. Changes in practices and recommendations for future programmes

In a second phase of the programme, it would be important to continue to adopt the comprehensive, integrated strategy to address sexual violence against children that was applied in the first phase. It is necessary to consolidate the gains achieved in the strengthening of laws and policies, and the institutional capacity to implement them, in particular if there is an increased recognition of the problem, which results in more demand on response services. At the same time, it is critical to sustain the momentum gained in the mobilization of society to address sexual violence against children. To effectively prevent sexual violence from occurring in the first phase, it is critical to address the root causes and introduce new scripts and norms in relation to sexual violence against children. It would also be important to continue to address both sexual abuse and sexual exploitation of children simultaneously in the programme, since these forms of abuse are closely interrelated, and since the value systems behind seem to be similar.

The programme evaluation of the first phase recognized that provoking a change in attitudes and behaviours that perpetuate sexual abuse and exploitation of children is a key challenge. It also acknowledged that ongoing work to disseminate information on both children’s rights and the right to protection from sexual violence is required, with a special emphasis on gender roles, gender discrimination and masculinity.

To effectively address this, and to introduce a new social norm which will help to prevent sexual violence, it is necessary to gain a deeper knowledge about the moral and social norms and scripts related to such violence. It is important to understand people’s expectations - both empirical and normative - in relation to sexual abuse and exploitation of children. It is also critical to gain a better understanding of society’s perceptions of childhood, the status of children in society, perceptions around abuse/exploitation and the responsibility for such abuse/exploitation. At the same time, more knowledge and understanding is needed of broader beliefs and value systems in society such as masculinity, gender roles, roles of parents and children, family honour etc. To this end it is suggested that research is undertaken in each country and at regional level assessing and analyzing these norms and value systems. Such research would guide the interventions in the second phase of the programme and provide a baseline against which results may be monitored. A specific monitoring and evaluation framework should also be set up in collaboration with partners, at regional and country level, to track progress of the programme. It would be particularly important to ensure that indicators assess norms in relation to sexual violence against children and how these are addressed through the programme.

It would also be important to review the content and methodology for the awareness raising efforts, capacity building and the work with the local child protection networks, based on the knowledge generated through the research, to assess if they adequately addressed norms and broader value systems in relation to sexual violence. It is also critical to assess if the methodology used, allowed for thorough value deliberations and discussions to reach a consensus and common understanding around these issues. Finally, it is essential to understand to what extent these processes were ‘owned’ and led by the communities, or to what extent they were imposed by external partners/actors.

A review of the key messages used in the awareness raising efforts and educational campaigns is also needed. While some have focused on the importance of laws and the reporting of sexual violence against children, others, in particular the campaigns developed with the travel and
tourism sector have focused on positive values of children. It would be important to assess the impact of these messages to understand how to best address norms and value systems in relation to sexual violence against children. The information generated through the suggested research would be an important source for the development of effective and culturally sensitive messages and education campaigns.

While the first phase of the programme engaged a wide range of actors from different sectors and multiple levels of society - both national and community level - the programme evaluation recognized that a key challenge is to continue, consolidate and scale up the work done at community level. While the important role of the local child protection networks was acknowledged, it was recognized that reaching and supporting these networks and equipping them with information and tools to carry out this work is very time-consuming. It was also recognized that the sustainability of these efforts is a challenge once international cooperation withdraws. However, it was stressed that the number of such groups reached needs to be increased dramatically to achieve significant impact, given the scale of sexual violence against children. To address this challenge it seems important to re-examine with whom we work and how we reach these actors and networks. To this end it might be helpful to undertake a network analysis to assess if we work with the right actors and groups, both at an institutional and community level, or if we need to reach new actors, groups and networks.

Finally, it would be important to also look at the value systems within UNICEF in relation to sexual violence against children, considering the fact that staff represents many different nationalities, cultures and professional backgrounds. It would be important to openly discuss this to ensure that we have a common understanding and consensus on how to best address this sensitive issue.

7. References


