

# The African Child Policy Forum

The African Child Policy Forum is an independent, advocacy organisation working for the realisation of child rights. Founded in 2003, through the generous support of Plan International, the Forum is headquartered in Addis Ababa, Ethiopia. Its mission is to contribute towards the development and implementation of effective laws and policies to put African children on the public agenda. To this end, it will provide support where the political will exists and exert pressure where it is absent.

The work of the Forum is inspired by universal values, informed by global experiences and knowledge, and guided by the needs and conditions of African children.

Working in collaboration with other non-governmental organisations (NGOs), the Forum regularly publishes research that, along with its programmatic focus, aims to provide a forum for dialogue; contribute to improved knowledge of the problems that face African children; strengthen the capacity of child-rights and human-rights organisations; and finally, to assist governments, policy makers and NGOs in developing and implementing effective pro-child policies and programmes.

This publication and others published by The African Child Policy Forum are available online at: [www.africanchildforum.org](http://www.africanchildforum.org).

## **The African Child Policy Forum**

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# PREFACE

"In today's world, to be born female is to be born high risk. Every girl grows up under the threat of violence... This chronic condition of violence amounts to the most pervasive human rights violation in the world today."

Carol Bellamy,  
Former Executive Director of the United Nations Children's Fund (1995-2005)

According to the World Health Organization (WHO), as many as 40 million children under the age of 15 are victims of violence every year. Almost certainly, this statistic underestimates the problem and it is clear that violence against children is a serious cause of concern.

Some four years ago, in its resolution 56/138, the United Nations (UN) General Assembly, upon the recommendation of the Committee on the Rights of the Child, requested that the Secretary-General conduct an in-depth study on the issue of violence against children. The Secretary-General thus appointed in February 2003 an independent expert, Professor Paulo Sérgio Pinheiro, to direct the study in collaboration with the Office of the UN High Commissioner for Human Rights, the United Nations Children's Fund (UNICEF) and WHO. This report will be based on available evidence, information and a series of regional consultations.

Girls in Africa are particularly vulnerable to various forms of violence - both by virtue of their gender and because of the socio-economic and cultural conditions prevailing in their communities. African girls experience violence in the classroom, at home and in the community, and, in times of conflict and crisis, are special targets of violence.

The African Child Policy Forum believes that ending violence against girls in Africa is one of the most pressing challenges facing Africa today. Hence, this report which has been prepared to inform the discussions at the Second International Policy Conference on the African Child: Violence Against Girls in Africa (May 11 and 12, 2006). The report pulls together information from three sources: existing literature in violence against girls; thematic studies on five settings in which African girls experience violence; and retrospective surveys of young girls' experiences of

violence. This rich and revealing information has been analysed to give an overview of the magnitude of the problem, its causes and consequences, as well as the elements of a possible strategy for the way forward.

The report echoes the voices of African girls who have experienced violence - voices that often remain unheard. In doing so, it aims to enable them to reach policy-makers who can effect change on their behalf. Their voices are reinforced by the quantitative information from the surveys commissioned by The African Child Policy Forum to identify the magnitude of the problem of violence against girls. But it is important to remember that this report is not just a statistical synthesis and analysis. It is about real lives and about girls whose experiences of violence are very real; Josephine Wambui Mwangi from Kenya actually did receive a beating at school so severe that she died; 10-year-old Musa from Sierra Leone was really left to look after herself after rebels took her brother and sister away.

The report's purpose is not to dwell on how and why we are failing girls in Africa. Rather, it is a call for action - to acknowledge our individual and collective responsibility to protect all children and meet the challenge of ending violence against girls in Africa.

**Assefa Bequele, PhD**  
**Executive Director, The African Child Policy Forum**



C. HamWorld Vision

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## EXECUTIVE SUMMARY

Each year as many as 40 million children under 15 years old experience some form of violence. Many of them are girls and many live in Africa. For example, a study by The African Child Policy Forum in Ethiopia found that every girl interview had experienced some form of violence at one time or another and that more than 90 per cent of girls questioned in Uganda had experienced some form of sexual abuse. Girls throughout Africa experience physical, psychological and sexual violence in many forms and in various settings: in conflict and crisis situations; where they work or are trafficked to work; and even in the very places they should feel safest - at school, and in their homes and communities.

Although the international community now acknowledges the severity of the problem of violence against children and, to some extent the urgency with which it must be addressed, the particular vulnerability of girls to violence, and the social context that places African girls at risk, remains largely ignored.

The African Child Policy Forum believes that the issue can no longer remain hidden; that action should - and indeed must - be taken to address the abuses African girls face. This report, along with the Second International Policy Conference on the African Child on May 11 and 12, 2006, aims to enrich work on violence against children in Africa and to provide a framework for action.

*Born to High Risk: Violence Against Girls in Africa* synthesises information from three sources:

- ◆ Existing literature on gender-based violence and violence against children.
- ◆ Five thematic studies on violence against girls in specific settings that The African Child Policy Forum carried out in collaboration with the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children; the International Committee of the Red Cross; the International Labour Organization; the Uganda Child Rights NGO Network; and UNAIDS.
- ◆ Retrospective surveys of the of girls' experiences of violence in Ethiopia, Kenya and Uganda.

It provides strong foundations for future action by exploring the concept of violence and identifying what makes African girls especially vulnerable to various forms of violence.

The purpose of this report is not to judge who has failed in their duty to protect girls. It is a call for action from the girls themselves, whose voices - usually so seldom heard - reverberate throughout the study.

Girls in crisis situations such as conflicts and after natural disasters are targets of violence. For example, it is estimated that between 250,000 and 500,000 Rwandan women and girls were raped during the country's 1994 genocide. Across Africa - from Uganda to Liberia to Angola - girls as young as 12 have been abducted during conflicts and forced to fight, work as servants or become sexual slaves for combatants. Girls in refugee camps face similarly challenging conditions with high levels of violence. Teenagers from a refugee camp in Liberia explain that the people who should be working to protect them abuse their trust by forcing them to exchange sex for food.

But it would be a mistake to assume that girls face abuse only in such exceptional circumstances. Violence is widespread in the homes and communities of African girls:

- ◆ 31 per cent of girls questioned in a survey in Uganda had experienced sexual abuse.
- ◆ A survey in Ethiopia found that one quarter of rape cases were perpetrated by a male relative.
- ◆ In some regions of Nigeria, girls marry on average just after their 11th birthday.
- ◆ Around 130 million women and girls have undergone female genital mutilation, most of whom live in Africa.

Schoolgirls face violence in their classrooms and on their way to school; according to The African Child Policy Forum's retrospective survey, female teachers (16 per cent) were the main perpetrators of physical maltreatment on girls in Kenya; around 50 per cent of Malawian schoolgirls report that they have been sexually touched against their will. Although male peers are responsible for much of the sexual abuse that takes place in school, teachers carry out an alarmingly high proportion of the abuses: a national survey in South Africa found that 32 per cent of reported child rapes were carried out by teachers. Further:

- ◆ A survey in Ethiopia by The African Child Policy Forum found that 72 per cent of children had been slapped when at school.
- ◆ 67 per cent of schoolgirls surveyed in Botswana had been sexually harassed by their teachers.
- ◆ A 2005 survey in Cameroon found that 16 per cent of secondary students had been sexually abused.



Cutting across girls' experiences of violence is the lack of support they receive from their families and communities. The harm that is inflicted by the violent act is compounded by the lack of a forum for women and girls to share experiences and views - with each other, and with men and boys.

The impact of violence against girls is immense for both individual girls and for society. Girls experience health and behavioural problems and may go on to perpetuate a cycle of abuse. We should end violence against girls for their sake and to protect their most basic human rights, but also because the cost to society will be vast if we do not. The services needed when girls experience violence - including healthcare, and police and social services - are expensive and probably far more so than preventative measures.

Violence infringes fundamental human rights. It is unacceptable. We must speak out against violence against children; we should confront attitudes that tolerate it; we can no longer conceal its existence. It is inexcusable that one in every two girls in Mali and Ethiopia will marry before their 18th birthday; that thousands of girls are abducted to serve as soldiers, domestic servants and sexual slaves in Uganda; schoolgirls in The Democratic Republic of Congo are forced to trade sex for grades; and 6,000 girls will be genitally mutilated today. These are our children. They are our responsibility.

And so we call upon governments and civil society to act decisively and promptly. Every one of us must commit time and resources to ending the gross injustices that will continue to take place in every country across Africa until we raise our voices to end them. On this basis, we suggest the following actions as a way forward in addressing violence against girls in Africa:

1. Girls must be legally protected from violence. Governments should draw up national policies to protect girls and give them free and fair access to legal redress.
2. Education is fundamental to creating a non-violent society. Families, communities, national and international policy-makers, and those responsible for implementing policy at country-level can play an essential role in initiatives to raise awareness of the devastating impact of gender-based violence. Support groups enabling girls, women and men to speak out about violence in their communities and abuse they have themselves experienced can help to break the cycle of violence.
3. Lessons must be drawn from the successes of practical programmes that provide assistance to girls who have experienced violence. These can provide valuable insights for implementing similar support mechanisms across Africa.

4. Where member nations of the African Union have not yet ratified or implemented the African Charter on the Rights and Welfare of the Child or the United Nations Convention on the Elimination of All Forms of Discrimination against Women they should do so as a matter of urgency.
5. Comprehensive information is needed if governments and civil society organisations are to implement informed, effective programmes to address gender-based violence. Governments and civil society organisations must actively engage in collecting statistical data on gender-based violence and reviewing its structural causes.
6. Policies and strategies will remain ineffective if resources are not allocated to implement initiatives to combat violence against girls. Governments and the international community must demonstrate their commitment to ending violence against children by mobilising resources to meet programmatic and policy needs.
7. Increasingly, children are perpetrating violence against children. And so it is vital to involve children as part of any solution to address violence against girls.



# CHAPTER ONE

## THE CONCEPT OF VIOLENCE

There is no universally accepted definition of violence against women and girls. Some human rights activists prefer a broad-based definition that includes 'structural violence' such as poverty, and unequal access to healthcare and education. Others argue for a more limited definition in order not to lose the actual descriptive power of the term.

Violence is generally considered to be a violation of certain rights that every human being should have – namely the rights to life; security; dignity; and physical and psychological wellbeing. Article 1 of the United Nations Declaration on Violence against Women provides the following definition: "Any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or private life".

### 1.1 Generic Forms of Gender-Based Violence

Article 2 of the Declaration categorises generic forms of violence against women, as recognised by the international community. These include:

**physical:** punching, kicking, choking, stabbing, mutilation, disabling, murder

**sexual:** rape, unwanted touching or other acts of a sexual nature, forced prostitution

**verbal or psychological:** threats to harm a woman's children, destruction of favourite clothes or photographs, repeated insults meant to demean and erode self-esteem, forced isolation from friends and relatives, threats of further violence

**financial:** taking away a woman's wages or other income, limiting or forbidding access to family income, other forms of control and abuse of power.<sup>1</sup>

<sup>1</sup> 2000, 'Domestic Violence against Women and Girls', UNICEF, *Innocenti Digest* no 6.  
Available from: [www.unicef-icdc.org/publications/pdf/digest6e.pdf](http://www.unicef-icdc.org/publications/pdf/digest6e.pdf) (accessed April 5, 2006).

The majority of violent acts against women and girls combine physical, sexual and psychological violence.

Violence carried out against women and girls is essentially the control and coercion of a female. The United Nations Population Fund (UNFPA)'s definition of gender-based violence is a useful tool for developing programmes to address this:

"Gender-based violence is violence involving men and women, in which the female is usually the victim; and which is derived from unequal power relationships between men and women. Violence is directed specifically against a woman because she is a woman, or affects women disproportionately. It includes, but is not limited to, physical, sexual and psychological harm (including intimidation, suffering, coercion, and/or deprivation of liberty within the family, or within the general community). It includes that violence which is perpetrated or condoned by the state".<sup>2</sup>

This definition does not, however, address violence that is perpetrated against girls by other women and girls. Interventions to prevent such abuse taking place are vital if violence against

girls is to be prevented. It is essential to understand all the social dimensions and root causes of violence against women and girls in order to develop focused and responsive policies and programmes to deal with such violence.

The real nature and pattern of abuse and its impact on society is rarely explored. Abuse or violence committed against women and girls is often seen as a single act, such as a man beating his spouse in the privacy of their home. But abuse is not just physical. The Beijing Platform for Action gives an extensive definition of violence against women as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life."<sup>3</sup>

The Platform goes on to say that such violence encompasses, *inter alia*:

- ◆ acts that occur within the family or the general community, or are perpetrated or condoned by the state, including sexual abuse and marital rape
- ◆ violence that relates to exploitation
- ◆ sexual harassment and intimidation at work, in educational institutions and elsewhere.

<sup>2</sup> This definition was developed by the UNFPA Gender Theme Group in 1998.

<sup>3</sup> 2000, *Violence against Women Factsheet*, World Health Organization. Available from [www.who.int/entity/mediacentre/factsheets](http://www.who.int/entity/mediacentre/factsheets) (accessed April 5, 2006).

The Platform also stresses that violence or abuse is not just the physical act itself, but the threat or fear of violence as well. In all societies, women and girls are subjected – to a greater or lesser degree – to physical, sexual and psychological abuse. It is an issue that also cuts across lines of income, class and culture.

## 1.2 Structural Violence

There is another category – structural violence – which prevents women from exercising their fundamental rights. Closely related to economic violence, it is defined as any situation where a woman is disadvantaged solely because of her gender – particularly when she is deprived of fundamental rights, such as the freedom to exercise a profession, or to have a bank account of her own. These inequalities, which are often ingrained in societies, engender violence against women and encourage men and boys to perpetrate it.<sup>4</sup> Such forms of violence are part of the very fabric of society, and are self-perpetuating since they relate to differences and inequalities in society and the power structures that create and legitimise this inequality. Because it is less obvious and less direct than physical violence, its magnitude is often under-estimated.

A number of studies on the concept of violence have shown that the status of women and girls, and the violence they experience, are a product of various social institutions that have maintained, validated and even created systems that are structurally violent, albeit sometimes unwittingly. With their patriarchal values and shaped mentalities, institutions such as the family, the church and education systems help to foster relations of domination and violence. Ultimately, society defines clear roles for each gender, and individuals are conditioned accordingly.

Just as women and girls are subject to a socialisation process that moulds their social role – namely a role of subjection – so men experience pressure from their peers to fulfil a dominant role, and to a certain extent become victims of these pressures.<sup>5</sup> Thus, recourse to violence is a consequence of the relationship of male-female domination that exists in all social spheres. While occupying this dominant position, men must also constantly prove that they deserve it in some way, and they do so by asserting their virility. This virility must be validated by other men and generally takes the form of acts of violence or tests of virility such as joint rapes, initiation ceremonies and visits to brothels. This powerful image of virility

<sup>4</sup> March 2000, *Violence against Women in Europe*, Committee on Equal Opportunities for Women and Men.

<sup>5</sup> 1984, *Classes and Classifications Distinctions: A Social Critique of the Judgment of Taste*. Pierre Bourdieu, translated by Richard Nice, Harvard University Press, p 604.

disseminated by society creates and legitimises violence against women and girls, and may explain the inability of many men to recognise their own behaviour as violent. This is a phenomenon that will continue as long as men perceive that violence towards women and girls is 'normal.'

Violence against women, therefore, arises from a combination of biological, individual and psychological characteristics – and also is influenced by relational, community and societal factors. It is based on relationships of power and domination and the wish to control women, which stem from social structures that are themselves based on sexual inequality. There is no ambiguity in such acts of violence: they are intended to maintain the unequal relationship between men and women and to reinforce the subordination of women. Being female is the basis for this violence, which is tolerated by the majority of societies. And where such violence takes place, it is the individual who experiences it – rather than the person who actually inflicts injury – who is often viewed as the guilty party. Thus culture and tradition perpetuate the principle of male domination.

### 1.3 Are Child Labour and Domestic Labour Forms of Violence?

The question of whether child labour and excessive domestic work should be defined as violence against girls is controversial. It is important to distinguish between violence against children in the workplace and the exploitation of children at work. According to international standards, children are said to be victims of 'child labour' when they work below the minimum legal age (usually 14 or 15, sometimes 16), or are forced to work under hazardous conditions or in other situations defined as unacceptable for children under 18 years of age. International agreements urge immediate action to eliminate what they recognise as the 'worst forms of child labour', including:

- ◆ hazardous work;
- ◆ so-called 'unconditional' worst forms of child labour, such as slavery, trafficking, debt bondage and other forms of forced labour;
- ◆ the forced recruitment of children for use in armed conflict;
- ◆ the use of children in prostitution and pornography, and other illicit activities.

There are also situations where the two cases overlap: while not all children who are exploited in child labour will experience physical or other violence, some of the

worst forms of child labour are inherently violent. For this reason, the only adequate response to child labour is abolition.

In many cultures in Africa, girls are expected to be more involved in domestic work than boys, often to the extent that they are effectively domestic slaves. Girls are made to do all of the work in the home while boys are left to play. Roles in the home are often unfairly allocated – generally to the disadvantage of girls. Where a disproportionately heavy burden is placed on girls in this way, it is in direct violation of their right to be treated equally, as stated in Article 3 of the African Charter on the Rights and Welfare of the Child: “Every child shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in this Charter, irrespective of the child’s...sex.” Although the intention of burdening girls with domestic and care-giving tasks may not be to cause harm or maldevelopment, these are often the effects of such practices. Unfortunately, it is often women who are responsible for perpetuating this status quo.



ECHO GROUP

# CHAPTER TWO

## WHY ARE GIRLS PARTICULARLY VULNERABLE TO VIOLENCE?

Violence against women and girls is a fundamental violation of human rights and should be viewed as a crime. It is important that societies acknowledge that certain forms of violence are experienced mainly by women, young women and girls. Some of these, such as rape, domestic violence and incest, exist in the majority of cultures. Others, such as domestic slavery and female genital mutilation (FGM), are related to specific contexts.

At the 1993 World Conference on Human Rights in Vienna, it was observed that at least 60 million girls who would otherwise be expected to be alive are 'missing' from various populations, predominantly in developing countries, as a result of sex-selective abortions, infanticide or neglect.<sup>6</sup>

### 2.1 Societal Attitudes

Violence against women and girls is so much a part of society that those who experience it sometimes feel that it is their own fault. Many perpetrators of violence feel that their actions are justified by strong societal messages, which suggest that rape, battering, sexual harassment, child abuse, and other forms of violence are acceptable. Everyday images of men and boys perpetrating violence against women are shown in the news, on television, at the cinema, in advertising, and in our homes and workplaces. Violence is often depicted as an inevitable fact of life for women of all ages, races and classes.<sup>7</sup>

Such attitudes make women and girls more vulnerable to violence, and mean that they are less protected by society's structures and support systems. In many

<sup>6</sup> February 16-21, 2003, 'International Symposium on the Impact of Global Issues on Women and Children', Bangkok, Thailand.

<sup>7</sup> 1998, *Violence against Women*, The Boston Women's Health Book Collective, Touchstone, Simon & Schuster Inc.



cases, it is precisely these structures and support systems that make them more vulnerable. "The first major problem lies in societal perceptions and undertakings of what constitutes violence and violation. This is reflected in the near absence, in many countries, of laws and policies on age that specifically deal with violence against girls. A related problem is the law on age of marriage and age of consent for girls. In many countries these are lower for girls than for boys. Acts of sexual violence against young girls are often excused on the grounds that the man wanted to marry the girl (Tanzania, Zimbabwe)."<sup>8</sup>

According to one study,<sup>9</sup> girls who become pregnant before marriage can also be more vulnerable to violence. In the Gash-Barka region in Eritrea, pregnancy before marriage is viewed as a crime and pregnant girls may be made to leave home, beaten, stoned, or even killed. This type of violence is gender-specific since only women and girls become pregnant and there is no report that the boys and men who impregnate the girls are similarly treated. While some practices affect both boys and girls, they are often systematically violent only for girls. For example, although boys are also married at an early age, it is generally the girls who feel the harmful effects of the practice. Girls who are married as children face greater health risks and experience real physical violation and trauma through dealing with the strains of pregnancy and childbirth.

## 2.2 Using Girls in Times of Conflict and Crisis

In war and crisis situations, girls and women are often targeted as a means of breaking up the fabric of society: because of the role that they play in families and communities, they become seen as legitimate targets to be used to disintegrate societies. But the violence against girls does not end when a ceasefire is declared or peace deal signed. They are often ostracised by their communities for the role they assumed during a conflict, despite having had little choice in the matter. Usually boy combatants are eventually accepted by the community, while girls face the stigma that surrounds sexual exploitation.

## 2.3 Societal Practices

Many types of gender-based violence are prevalent around the world. Domestic violence is widespread in most societies and is a frequent cause of suicide among

<sup>8</sup> 2004, *Stop Violence against Girls in School*, ActionAid International, p 6.

<sup>9</sup> 2003, *Violence against Girls in Eritrea: A report to the Committee on the Rights of the Child*, World Organisation Against Torture.

women. While rape and other forms of sexual violence are also increasing worldwide, many of these go unreported because of the stigma and trauma associated with them and the lack of sympathetic treatment from legal systems. Many rapes go unreported to authorities – in South Africa, for example, less than three per cent of rape cases are reported. Usually, it is girls who experience rape.<sup>10</sup>

Other types of violence – such as trafficking, domestic slavery and female genital mutilation (FGM) – are either unique to African countries, or are particularly prevalent on the continent. This is due to culture and tradition, or because the current socio-economic context is conducive to violence against girls. Prevailing poverty leaves girls with little choice but to join the workforce, often under exploitative and sometimes violent conditions. A desire to escape poverty and access wider opportunities leaves girls vulnerable to traffickers: around the world two million girls between the ages of five and fifteen are introduced into the commercial sex market each year. At least 130 million women and girls – most of them in Africa – have been forced to undergo FGM or cutting. Another two million are at risk of this degrading and dangerous practice every year.<sup>11</sup> Although the practice is not unique to the continent, 28 of the countries where girls undergo FGM are African.

## 2.4 The Particular Vulnerability of Girls to Violence

It is not that boys in Africa do not experience violence in the home, family, community, at school or at work; but rather, it is girls that are often more vulnerable to violence in these settings. Cultural and structural factors in Africa often put girls at a severe disadvantage: programmes and interventions must therefore target such factors directly, in order to reverse this state of affairs.

<sup>10</sup> February 16-21, 2003, International Symposium on the Impact of Global Issues on Women and Children, Bangkok, Thailand.

<sup>11</sup> Ibid.

# CHAPTER THREE

## THE PREVALENCE OF VIOLENCE AGAINST GIRLS IN AFRICA

Although United Nations (UN) agencies and other international organisations track patterns of behaviour, attitudes and demographic change among girls and boys, they do not track rates of violence against girls. The problem of violence against girls in Africa cannot be properly addressed without first identifying where it takes place and who is responsible for it.

Violence against girls is prevalent in many situations where they are already being exploited, and while practices such as child labour may not be inherently violent, they place girls in situations where they are more vulnerable to violence. Other practices to which African girls are subjected are systematically and inherently violent – including the use of girls in conflict situations and trafficking.

However, violence against girls in Africa does not occur exclusively in such exceptional settings. A survey by The African Child Policy Forum of girls in Ethiopia, Kenya and Uganda found that violence against girls is predominantly carried out by the very people whose responsibility it is to care for them: their family and members of their local community.<sup>12</sup> Further, these settings often overlap. For example, in Burundian refugee camps, an increasing number of girls are married early in response to a perceived need to protect their honour in a post-conflict situation.<sup>13</sup>

<sup>12</sup> 2006, *Violence Against Girls in Africa: A Retrospective Survey in Ethiopia, Kenya and Uganda*, The African Child Policy Forum.

<sup>13</sup> 1996, 'The Effects of Armed Conflict on Girls', World Vision International – a discussion paper prepared for 1996, *The Impact of Armed Conflict on Children*, Graça Machel – expert of the Secretary-General of the United Nations. See also: 1998, 'Girls and War: An Extra Vulnerability', Black, M, in *People and the Planet*, vol 7.

## 3.1 Sexual violence

Although it is difficult to obtain comprehensive data on sexual violence, indirect evidence strongly suggests that many girls are exposed to child pornography, molestation, incest and prostitution. For example, a Ugandan survey by The African Child Policy Forum found that more than 90 per cent of girls questioned in Uganda had experienced sexual violence.<sup>14</sup> An Ethiopian girl confirms that sexual violence is prevalent where she lives: "In our community, a girl could not stay out of home after 8 p.m. She could face sexual violence."<sup>15</sup> Patient records at treatment centres for sex-related diseases, crisis centres, or maternity hospitals can be one such source of evidence: a 1988 study in Zaria, Nigeria, found that 16 per cent of female patients seeking treatment for sexually transmitted diseases were children under five years old.

Rape and other forms of sexual violence place girls at risk of contracting sexually transmitted infections, including HIV. According to the Joint United Nations Programme on HIV/AIDS (UNAIDS), HIV infection rates in Africa are more than five times higher among teenage girls than among teenage boys. South African health officials say adolescent girls are twice as likely to contract HIV as boys.<sup>16</sup> This reflects high rates of sexual activity, which is often coerced, among girls with older men – who have had longer exposure to the virus – as well as the fact that girls are more vulnerable to infection as the immature female genital tract is at risk of tearing during intercourse. The threat of male violence also reduces the ability of girls to protect themselves from sexually transmitted infections.

Violence against girls has a direct bearing on their reproductive and sexual health and rights, and is recognised by the World Health Organization as a priority public health issue. Dealing with such violence as a public health issue is one of the most pragmatic and effective ways to combat it.

Illegal abortions – often a result of sexual coercion and assault – present many serious gynaecological problems. Despite restrictive laws, pregnant teenagers often risk the dangers of unsafe illegal abortions. There is evidence that many young women die because they do not receive proper treatment in time to save them from the complications of an aborted pregnancy, as illustrated by the following case study.

<sup>14</sup> 2006, *Violence Against Girls in Africa: A Retrospective Survey in Ethiopia, Kenya and Uganda*, The African Child Policy Forum.

<sup>15</sup> Ibid.

<sup>16</sup> 2004, *Global HIV/AIDS Epidemic*, UNAIDS, p 11.

## Case Study: Veronica (age 14), Zambia

"Veronica was admitted to the...medical ward with a fever and diagnosis of malaria... On day 14...a gynaecologist examined Veronica because she was not responding to anti-malarial treatment...and found her to have large amounts of purulent-smelling vaginal discharge, fever and severe pallor... She was transferred to the gynaecology ward with a diagnosis of post-abortion septicaemia. She deteriorated with insomnia, persistence of fever, and abdominal pain... Veronica, age 18, died on [her] eighth day...[in] the gynaecology ward."<sup>17</sup>

Source: Center for Reproductive Law and Policy

Studies confirm that children who experience sexual abuse and sexual coercion suffer psychological effects that persist into adulthood. This psychological trauma is often manifested in physical problems such as pelvic pain, headaches, asthma, and gynaecological problems. These girls also endure long-term damage to their self-esteem and their sense of autonomy and, in some cases, serious depression. Consequently, they do not always make the best sexual and reproductive health decisions for themselves, and often are unable as adults to negotiate safe sex, or enjoy intimacy and relationships. Many accept victimisation as an inevitable aspect of being female.

Abused girls face a host of physical injuries, including chronic complaints such as headaches, abdominal pains, muscle aches, and sleeping or eating disorders. Battered women are more likely to experience persistent miscarriages and recurrent vaginal infections. They are likely to experience unwanted pregnancies and resort to illegal, unsafe abortions.

Girls are not always protected from sexual abuse in their home. An 18-year-old Ethiopian girl says, "I have been subjected to different forms of violence. However, the sexual abuse committed against me by my own father could not get out of my mind."<sup>18</sup> Girls who experience sexual violence in the home often find that their education is also affected. This is especially true for incest victims, as girls who become pregnant may be expelled from school.

<sup>17</sup> 1994, *Violations of Women's Reproductive Rights: A Selection of Testimonials from Around the World*, Center for Reproductive Law and Policy.

<sup>18</sup> 2006, *Violence Against Girls in Africa: A Retrospective Survey in Ethiopia, Kenya and Uganda*, The African Child Policy Forum.

These consequences can all be immensely damaging for individual girls, their communities and the countries in which they live. It is therefore vital that violence against girls is understood and addressed wherever it occurs.

## 3.2 Violence against Girls at School

**“Every child shall have the right to an education.”**

Article 11.1  
African Charter on the Rights and Welfare of the Child

**“I didn’t want to be in his class any more. I couldn’t bear to see him.”**

Despite having had her mother’s help to stop a teacher harassing her, the experience continues to have an impact on this young woman’s education.<sup>19</sup>

Children should not be subjected to violence in any place, for any reason. Schools – where children spend a large proportion of their time – should provide a safe and protective environment where they can be free to develop and form relationships outside of their family. Unfortunately, the reality for many schoolchildren in Africa is altogether different: both boys and girls suffer physical and psychological violence at school.

<sup>19</sup> 2006, *Suffering to Succeed? Plan Togo*, p 22.

## 3.2.a Physical Violence in Schools

A study by The African Child Policy Forum on the prevalence of violence against Ethiopian children discovered that 72 per cent of respondents had been slapped while at school, and 60.8 per cent had been hit with a stick.<sup>20</sup> These experiences are echoed by children across Africa, as illustrated in the following case studies.

### Case Studies: Physical Violence in Schools across Africa

#### Togo

"It was a Tuesday evening in 2005. The teacher asked a question; I replied; he asked the class if my answer was correct. Some said 'no' and some said 'yes'... He gave me the rubber whip, and asked me to hit those who'd said 'no'. I hit them, but because we're all classmates, I didn't hit them hard. The teacher took the whip from me and asked me if that's how one hits somebody. Then he hit me and beat me on my back until I was bleeding. My clothes were wet with blood and I was crying... When I told my mother, she didn't say anything, not even that she would go and see the teacher. I didn't tell my father because I'm frightened of him." Nine-year-old schoolgirl from Sokedé.<sup>21</sup>

#### Kenya

"Some of the teachers are beating us very hard here, and they are beating even the very small girls. It's very cruel. You can be beaten for anything: if you are feeling sleepy in class, or you are late, or dirty, or you have not done your homework, or you are given a test and you fall below the average, you may be beaten." Elizabeth, schoolgirl.<sup>22</sup>

#### Ethiopia

"One day, I was a little bit late for school. I was running fast to arrive on time. When I got to the gate of our school, I tried to sneak in. But the guard came from nowhere and severely beat me on my back with a big stick. I fell down. I fully recovered only after visiting the doctor." Seventh grade student.<sup>23</sup>

Source: Various

In some cases, violence against children in schools can be extreme. Human Rights Watch report the case of Josephine Wambui Mwangi from Kenya, who died after being caned by three teachers.<sup>24</sup>

<sup>20</sup> 2006, *Sticks, Stones and Brutal Words: The Violence against Children in Ethiopia*, The African Child Policy Forum, p 31.

<sup>21</sup> 2006, *Suffering to Succeed? Plan Togo*, p 30.

<sup>22</sup> 1999, *Spare the Child: Corporal Punishment in Kenyan Schools*, Human Rights Watch, p 34.

<sup>23</sup> 2006, *Sticks, Stones and Brutal Words: The Violence against Children in Ethiopia*, The African Child Policy Forum, p 48.

<sup>24</sup> 1999, *Spare the Child: Corporal Punishment in Kenyan Schools*, Human Rights Watch, p 42.

## 3.2.b Sexual Violence in Schools

While beatings are directed at both girls and boys, there are other forms of violence at school that seem to predominantly affect girls. The 2002 Human Rights Watch report *Scared at School*, found that girls in South Africa suffer from a number of forms of violence which, if not unique to female students, certainly have a greater prevalence amongst girls than boys. The report states: "This includes rape, sexual abuse, and sexualized touching or emotional abuse in the form of threats of violence."<sup>25</sup>

Violence of a nature that specifically targets girls is not limited to individual African nations or specific socio-economic groups. A survey in a district in Uganda showed that 31 per cent of girls questioned had experienced sexual abuse.<sup>26</sup> Similarly, 50 per cent of respondents to a 2005 survey of 1,493 school-aged girls in Malawi said that teachers or fellow schoolboys had touched their private parts without permission.<sup>27</sup>

Gender-based violence such as sexual harassment, including unwanted touching, teasing of a sexual nature, and sexual assault, seem to be common in African schools. Relationships at school often mimic those between adults – including their unhealthy aspects. In South Africa, where domestic violence is prevalent, schoolgirls have reported high levels of violence within their relationships with students. One 17-year-old is recorded as saying, "They [boys] think it is okay to hit girls. If you see your older brother smoking dagga [marijuana] and hitting his girlfriend you think it's okay."<sup>28</sup> Another girl from Soweto explains, "It is now a fashion to be beaten up."<sup>29</sup>

Article 19 of the CRC urges states to take all necessary measures "to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child." Yet for many African girls, sexual abuse is part of their school experience.

<sup>25</sup> There have been reports documenting instances of boys being forced to enter sexual relationships at school in Ghana and Zimbabwe, but the number of cases seem to be consistently lower than for female students (2005, *Unsafe Schools: A Literature Review of School-Related Gender-Based Violence in Developing Countries*, Wellesley Centers for Research on Women and DTS Consortium, p 5).

<sup>26</sup> 1996, 'Child abusers face mob justice', Sebunya C, *AIDS Analysis Africa* 6(3):15

<sup>27</sup> February 1, 2006, 'Abuse of women and Girls a National Shame,' IRIN. Available from [www.irinnews.org/report.asp?ReportID=51488&SelectRegion=Southern\\_Africa](http://www.irinnews.org/report.asp?ReportID=51488&SelectRegion=Southern_Africa) (accessed March 19, 2006).

<sup>28</sup> 2001, *Scared at School*, Human Rights Watch.

<sup>29</sup> Ibid.





A 1994 African Rights report calls the sexual abuse of girls at school “an extremely grave problem” in a number of African countries, including the Democratic Republic of Congo, Nigeria, South Africa, Sudan and Zambia.<sup>30</sup> In the 10 years since the report was published, little progress has been made. A 2005 survey in Cameroon found that 16 per cent of secondary students questioned had experienced sexual abuse, with 15 percent of these incidents occurring at school.<sup>31</sup>

Sexual abuse ranges from flirtation and jokes of a sexual nature, to coerced sex and rape. The impact of all sexual abuse on young girls should not be underestimated, and should always be taken seriously, however minor it may seem: as one young South African girl said, “It’s not flirting. It’s uncomfortable”.<sup>32</sup> Human Rights Watch states that “Left unchecked, sexual violence in schools has a negative impact on the educational and emotional needs of girls and acts as a barrier to attaining education...”<sup>33</sup>

### 3.2.c Perpetrators of School-related Violence

Any interventions to tackle school-related violence should also take into account the fact that such violence is not restricted to the school building. Long journeys to school can leave girls vulnerable to violence. Girls interviewed by ActionAid refer to “the painful matatu [taxi] ride”, where they are subjected to people touching them on overcrowded transport on their way to school.<sup>34</sup>

Poverty also leaves many families unable or unwilling to pay for school fees or other items their daughters need to go to school: and it is in this context that the phenomenon of sugar daddies – men who provide money or other resources in return for sex – has developed. The practice is now so prevalent that girls may regard it as normal: 50 per cent of girls questioned in a study in Kenya said that they received money or gifts from their partner when they first had sex,<sup>35</sup> and 22

<sup>30</sup> 1994, “Crimes Without Punishment: Sexual Harassment and Violence Against Female Students in Schools and Universities in Africa.” Discussion Paper No. 4, Hallam, S. London: Africa Rights cited in 2005, *Unsafe Schools: A Literature Review of School-Related Gender-Based Violence in Developing Countries*, Wellesley Centers for Research on Women and DTS Consortium.

<sup>31</sup> 2005, *Unsafe Schools: A Literature Review of School-Related Gender-Based Violence in Developing Countries*, Wellesley Centers for Research on Women and DTS Consortium, p 10.

<sup>32</sup> 2001, *Scared at School*, Human Rights Watch.

<sup>33</sup> Ibid, p 5.

<sup>34</sup> 2004, *Stop Violence Against Girls in School*, ActionAid International, p 6.

<sup>35</sup> 1995, *Sexuality among Adolescents in Kenya*. Wjau, W. and Radeny, S., Kenya Association for the Promotion of Adolescent Health.

per cent of primary schoolgirls surveyed in a Ugandan study expected to be given money or gifts in exchange for sex.<sup>36</sup> Such behaviour may be condoned by parents: one Ugandan respondent to The African Child Policy's Forum's survey on girls' experiences of violence says, "My parents encouraged me to go and sleep with the man."<sup>37</sup>

The majority of gender-based violence within schools in Africa is perpetrated by male peers. Youri's 1994 survey, which questioned 10,000 girls in sub-Saharan Africa about their sexual experiences found that, of the third who were sexually active, 40 per cent had been forced into their first sexual encounter, generally by a male student.<sup>38</sup>

However, research into gender-based violence in schools has highlighted another disturbing trend. A female student in Johannesburg described her experience of sexual harassment: "He made me and my friend sit right in front of him. He would say things to us. Like one of my friends walked by and took off her blazer, and he said, 'you go girl' because she has big boobs. There was a black girl in my hostel who had big boobs, and he told her she didn't need to get a boob job. You'd have to wear long pants because he would make bad comments, like 'nice legs,' or 'can we go out.'"<sup>39</sup> But she is not describing the behaviour of a fellow student: she is talking about a teacher.

The results of a national survey in South Africa reinforce the fact that teachers are responsible for an alarmingly high number of cases of sexual violence: 32 per cent of reported child rapes were perpetrated by a teacher.<sup>40</sup> The problem is not unique to South Africa: Botswana also has a culture of sexual harassment by teachers – 67 per cent of girls questioned in Rossetti's 2001 survey said that they had been sexually harassed by teachers.<sup>41</sup>

<sup>36</sup> 1996, *The World's Youth*, 1996, Noble, J., Cover, J. and Yanagishita M., Population Reference Bureau

<sup>37</sup> 2006, *Violence Against Girls in Africa: A Retrospective Survey in Ethiopia, Kenya and Uganda*, The African Child Policy Forum.

<sup>38</sup> 1994, 'Female Adolescent Health and Sexuality in Kenyan Secondary Schools: A Research Report', Youri, P., African Medical and Research Foundation cited in 2005, *Unsafe Schools: A Literature Review of School-Related Gender-Based Violence in Developing Countries*, Wellesley Centers for Research on Women and DTS Consortium.

<sup>39</sup> 2001, *Scared at School*, Human Rights Watch.

<sup>40</sup> 'The Epidemiology of Rape and Sexual Coercion in South Africa: An Overview', Jewkes, R, and Abrahams, N, *Social Science and Medicine*, cited in 2002, *World Report on Violence and Health*, World Health Organization, p 156.

<sup>41</sup> 2001, *Children in School: A Safe Place?*, Rossetti, S, UNESCO (Botswana), cited in 2005, *Unsafe Schools: A Literature Review of School-Related Gender-Based Violence in Developing Countries*, Wellesley Centers for Research on Women and DTS Consortium.



### **Case Study: Teacher's Attitudes Towards the Girls in their Care**

"In 1998, I was at a school near Vilakazi High School. When I arrived, there were no students. They had left because two teachers had been fighting. One of the teachers wanted to take a standard six girl for himself. Another teacher had said that it was wrong, and they were fighting. I couldn't believe it. I then had to go to another school nearby and I told them what had happened, saying that it was wrong for teachers to behave like this. One of the teachers there said to me: 'No. The department is not paying us enough money. So this is a fringe benefit. But standard six is too young: standard nine and ten is where we play.'" Social worker who visited schools in Johannesburg's townships.<sup>42</sup>

Source: Human Rights Watch

Parents must be involved in protecting their daughters from gender-based violence at school. Unfortunately, there are cases where families regard the sexual abuse of girls in a positive light: in southern Sudan, for example, families believe that by encouraging girls to become sexually involved with a teacher, they may be able to leverage financial compensation if she becomes pregnant.<sup>43</sup> Even where families do not actively encourage such violence, they do not necessarily protect their children from it: in Togo, the international NGO Plan found that village parents often are intimidated by teachers and may not confront them about violence against their children.<sup>44</sup>

### **3.2.d Ending Violence Against Girls in Schools**

Girls can also play a role in effecting change. The practice of 'sexually transmitted marks' is commonplace in Togo.<sup>45</sup> It also has been identified in other countries, such as The Democratic Republic of Congo. As Patrick Barkham notes, "[p]upils at a school get good grades if they sleep with their teacher: 8/10 if they agree not

<sup>42</sup> 2001, *Scared at School*, Human Rights Watch.

<sup>43</sup> 2005, *Broken Bodies, Broken Dreams: Violence against Women Exposed*, United Nations, OCHA/IRIN, p 77.

<sup>44</sup> 2006, *Suffering to Succeed? Plan Togo*, pp 32-3.

<sup>45</sup> *Ibid*, p 7.

to use a condom but only 6/10 with protection.”<sup>46</sup> Girls in Togo have established a support group, Arc en Ciel (see case study box) to challenge attitudes towards the sexual exploitation of schoolgirls.

### **Box 3.1: Addressing Sexual Violence in Schools**

#### **Guinea and Sierra Leone: Support at School for Refugee Girls<sup>47</sup>**

In 2001, UNHCR and Save the Children in UK released a report identifying the sexual abuse of refugee girls in West Africa by aid workers, peace keepers and teachers as a serious concern. In response, The International Rescue Committee recruited 340 female classroom assistants to work in schools in refugee camps in Kissidougou and Nzerekore in Guinea.

The aim of introducing classroom assistants to these schools is to prevent abuse of girls, promote their education and, given that teachers in Africa are predominantly male, to ensure that there are positive female role models in schools.

One classroom assistant sums up the success of the programme:

“Before they had many problems in the school like fighting, loving with teachers, getting pregnant, but now it is improving. Before the girls were going down, but now they are improving”

Due to the success of the programme in Guinea, the model was subsequently adopted in schools in Sierra Leone.

Source: International Rescue Committee

<sup>46</sup> 2006, 'Poverty Drives Women to Sex Work', Patrick Barkham in Kinshasa, Democratic Republic of Congo, *The Guardian Weekly* (January 6-12, 2006), p 28.

<sup>47</sup> 2005, *Addressing Abuse and Exploitation in Refugee Schools: Learning from the IRC's Healing Classrooms Initiative*, Kirk, J., and Winthrop, R., International Rescue Committee, and 2002, 'UNHCR remedial actions and Preventive Measures against Sexual Exploitation and Abuse of Refugees', Reliefweb. Available from [www.reliefweb.int/rw/rwb.nsf/db900SID/ACOS-64CV4W?OpenDocument](http://www.reliefweb.int/rw/rwb.nsf/db900SID/ACOS-64CV4W?OpenDocument) (accessed April 6, 2006).

## **Togo: Arc en Ciel Support Groups<sup>48</sup>**

The experience of being sexually harassed by a teacher can be very isolating for young girls. They can face jealousy from their male peers who believe girls have an unfair advantage over them in terms of gaining favour with teachers. When they do not succumb to a teacher's advances, they may also be the target of schoolmates' anger if the teacher takes out their frustration on the whole class.

A group of girls in Sotouboua, Togo decided to address this problem, and in September 2005 formed the Arc en Ciel group.

The group acts as a support network, allowing girls to share stories and experiences with the aim of reducing sexual harassment at school.

A member of the group describes the positive impact that joining the group has had on her life, saying, "When I was on my own, I couldn't do anything to protect myself. Now I understand about sexual harassment."

There are now Arc en Ciel groups in four secondary schools in Togo, which are supported by Plan Togo.

Source: Plan Togo

Despite promising initiatives like Arc en Ciel, girls are not always supported when they experience violence at school. The impact of this lack of support should not be underestimated; not only do girls suffer, but there is a danger that they will come to regard experiencing violence as normal, and in doing so may contribute to perpetuating it.

<sup>48</sup> 2006, *Suffering to Succeed?* Plan Togo. P. 25

## 3.3 Violence in the Community

**“Any custom, tradition, cultural or religious practice that is inconsistent with the rights, duties and obligations contained in the present Charter shall, to the extent of such inconsistency, be discouraged.”**

Article 1.3  
African Charter on the Rights and Welfare of the Child

**“In our community, girls face physical violence everywhere.”**

Ethiopian woman, age 19.<sup>49</sup>

Although girls in Africa face violence in many settings, it is within the home and community that inherently violent gender inequalities are more likely to lead to violence against girls and women. Together, they shoulder the burden of care-giving and domestic tasks – often at the expense of their education – and repeatedly are subjected to harmful practices that are rooted in traditional perceptions of their role in society, including FGM and early marriage.

### 3.3.a Son Preference and Gender-based Discrimination

**“Every child shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in this Charter, irrespective of the child’s...sex.”**

Article 3  
African Charter on the Rights and Welfare of the Child

**“Boys don’t do chores in the house. It is a girl’s job.”**

Cinthia (age 13), Democratic Republic of Congo<sup>50</sup>

<sup>49</sup> Respondent in The African Child Policy Forum’s (2006) study, *Violence Against Girls in Africa: A Retrospective Survey in Ethiopia, Kenya and Uganda*.

<sup>50</sup> 2005, *Should Boys and Girls be Treated the Same?*, Global Gang. Available from [www.globalgang.org/globalgossip/voicebox/boys\\_girls1.html](http://www.globalgang.org/globalgossip/voicebox/boys_girls1.html) (accessed April 5, 2006).

**“Due to morally damaging insults by people in my community, I have been compelled to feel inferior as a female.”**

Ethiopian woman, age 20.<sup>51</sup>

In Cameroon, Liberia, Madagascar, Senegal and across northern Africa, girls suffer from a preference for sons even before they are born. In some countries this strong preference for male children has led to female infanticide and selective abortion of female fetuses.

The cumulative impact of the abortion of females was powerfully demonstrated in Amartya Sen's groundbreaking work on the 'missing women'.<sup>52</sup> The results indicated that male-to-female ratios in China, south Asia, and northern Africa were higher than normal. Sen concluded that if gender ratios in these regions had not been skewed by selective abortion, there would be more than 60 million extra females alive today.

Closely related to gender-based violence is discrimination, which can be taken to life-threatening extremes. In poor communities, girls are neglected and even denied food, education and medical care. In Uganda, for example, some tribes believe that foods such as eggs and milk can cause women to become infertile.<sup>53</sup> Consequently, girls are denied these nutritious foods.

### 3.3.b The Burden of Domestic Work

Where girls are not neglected, they are often overburdened with domestic and care-giving tasks. For example, in Eritrea, girls are treated differently from boys once they reach the age of three or four: they are kept in the home, while boys are able to play outside. By the age of five, girls have begun to learn household chores, and they move towards their traditional domestic role, including “caring for their siblings, fetching wood and water, cooking, grinding, washing, and weaving

<sup>51</sup> Respondent in The African Child Policy Forum's (2006) study, *Violence Against Girls in Africa: A Retrospective Survey in Ethiopia, Kenya and Uganda*.

<sup>52</sup> 1988, 'Missing Women', Sen, Amartya. Available from [www.thp.org/sac/unit4/missing.htm](http://www.thp.org/sac/unit4/missing.htm) (accessed April 6, 2006).

<sup>53</sup> 2006, *Violence against Girls within the Community in Africa*, Ejayi, X, and Ayo-Odongo, S, The African Child Policy Forum.

baskets. Many families anticipate that the girl children will eventually leave their families to go to their husbands' families and therefore, the girls' families are hesitant to 'invest' in their education and future."<sup>54</sup>

This burden is a major determining factor in keeping more than 20 million girls out of school in sub-Saharan Africa. Its impact is immense: girls who do not go to school are more likely to become infected with HIV than those who do, while the children of mothers who went to school have higher levels of nutrition. Preventing girls from attending school should therefore be regarded as a serious form of violence. Failing to educate girls also has a negative impact on a country's economy. The World Bank believes that ensuring gender equality in countries where girls currently receive half the level of education that boys do, would increase per capita income by as much as 30 per cent.<sup>55</sup>

### 3.3.c Female Genital Mutilation

**“States Parties to the present Charter shall take all appropriate measures to eliminate harmful social and cultural practices affecting the welfare, dignity, normal growth and development of the child.”**

Article 21.1

The African Charter on the Rights and Welfare of the Child

**“I bled profusely for two weeks.”**

Kenyan girl<sup>56</sup>

Other practices that are sanctioned by African communities often have more immediate harmful effects on girls. In the next 24 hours, around 6,000 girls will undergo one such practice: female genital mutilation.<sup>57</sup> Although FGM is not

<sup>54</sup> 2003, *Violence against Girls in Eritrea: A report to the Committee on the Rights of the Child*, World Organisation Against Torture.

<sup>55</sup> 2000, Press briefing by St Andrews University. Available from [www.st-andrews.ac.uk/~res2000/press/knowledgebriefing.html](http://www.st-andrews.ac.uk/~res2000/press/knowledgebriefing.html) (accessed April 5, 2006).

<sup>56</sup> 2006, *Violence Against Girls in Africa: A Retrospective Survey in Ethiopia, Kenya and Uganda*, The African Child Policy Forum.

<sup>57</sup> 2006, *Long Way to go in Fight against FGM*, IRIN. Available from [www.irinnews.org/report.asp?ReportID=51579&SelectRegion=Horn of Africa,%20Middle East&SelectCountry=GLOBAL](http://www.irinnews.org/report.asp?ReportID=51579&SelectRegion=Horn%20of%20Africa&SelectCountry=GLOBAL) (accessed March 21, 2006).



unique to Africa, 28 of the countries where it is practised are African. Prevalence rates range from under five per cent in Uganda to 90 per cent or higher in Somalia, Guinea Conakry and Djibouti.

There are several types of FGM. The most extreme form, infibulation, accounts for around 15 per cent of all cases. It involves removing the clitoris and both labia, and sewing the two sides of the vulva together, leaving only a small opening to allow passage of urine and menstrual blood. Other forms include clitoridectomy where all or part of the clitoris is removed, or excision where the clitoris and inner lips are removed.

The procedure is sometimes referred to as circumcision, but should not be confused with male circumcision. Where male circumcision does not generally cause health problems for boys and men when carried out under clinical conditions, and may even reduce the risk of HIV transmission, FGM can cause serious damage, exposing young girls to high health risks and seriously affecting their quality of life.

Medical complications resulting from FGM can be severe. Infibulation involves extensive cutting and stitching and poses a significant risk of haemorrhage and infection. Immediate risks include haemorrhaging of the clitoral artery, acute pain and urine retention. As the procedure is often carried out in poor sanitary conditions, infections are common and may even result in death: it is believed that 10 to 30 per cent of girls subjected to the practice in Sudan die as a result.<sup>58</sup>

Long-term effects can include: obstructed labour, painful intercourse, psychological complications, chronic urinary tract infections, repeated reproductive tract infections, back and menstrual pain, and keloids (scar tissue that continues to grow).

In addition, the ability to experience sexual pleasure is effectively destroyed. Undergoing FGM also increases a woman's vulnerability to HIV infection during intercourse: the vulva frequently is scarred as a result of the procedure and easily can be torn. In some cases, complications can lead to infertility – a particularly devastating outcome for women whose value is perceived largely in terms of their ability to bear children.

Despite the severe harm FGM inflicts on girls, the practice continues due to strong beliefs within communities about the role of women. There is a perceived need to restrain girls' sexuality and many men in these cultures will not marry girls or women who have not undergone the procedure as they view them as unclean and

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<sup>58</sup> 2006, *Violence against Girls within the Community in Africa*, Ejorji, X, and Ayo-Odongo, S, The African Child Policy Forum.

sexually permissive. In some communities, the practice is linked to superstition: in Mali some communities believe that an infant will die if its head touches the clitoris during birth.<sup>59</sup>

In spite of strong opposition by religious leaders to the practice,<sup>60</sup> justifications for FGM on religious grounds persist. Kéré and Tapsoba articulate the challenge: "Many old Muslim women...claim that Allah does not listen to the prayers of an unexcised woman, who is described as *kiffra* (atheist)."<sup>61</sup>

**Table 1 – African Countries that have Legislated Against FGM**

Country	Year legislation against FGM was enacted <sup>62</sup>	Have there been prosecutions for practicing FGM?	National prevalence rate of FGM %	Year and source of prevalence rates
Benin	2003	No	16.8	2001 DHS <sup>63</sup>
Burkina Faso	1996	Yes	71.6	1999 DHS
Central African Republic	1966	No	43.4	995 DHS
Chad	2003	No	60	1995 UN report
Côte d'Ivoire	1998	No	44.5	1999 DHS
Djibouti	1994	No	98	Based on anecdotal evidence
Egypt	1996 (ministerial decree)	Yes	97.3	2000 DHS
Ghana	1994	Yes	9.15	1998 Gender Studies and Human Rights Documentation Center
Guinea	1965	No	98.6	1999 DHS
Kenya	2001	No	37.6	1998 DHS
Nigeria	1999-2002 (multiple states)	No	25.1	1999 DHS
Senegal	1999	Yes	20	1988 Environmental Development Action in the Third World
Tanzania	1998	No	17.9	1996 DHS
Togo	1998	No	12	1996 national survey: Unité de Recherche Démographique

Source: Various

<sup>59</sup> Fact Sheet No. 23: Harmful Traditional Practices Affecting the Health of Women and Children (online), Office of the High Commission for Human Rights, Available from [www.unhcr.ch/html/menu6/2/fs23.htm](http://www.unhcr.ch/html/menu6/2/fs23.htm) (accessed April 6, 2006).

<sup>60</sup> IRIN reports that many Muslim leaders regard FGM as defying the Koran's assertion that "[a]ny change to God's creation is an atrocity inspired by the devil." Available from [www.irinnews.org/report.asp?ReportID=50540&SelectRegion=West\\_Africa&SelectCountry=WEST\\_AFRICA](http://www.irinnews.org/report.asp?ReportID=50540&SelectRegion=West_Africa&SelectCountry=WEST_AFRICA) (accessed April 5, 2006).

<sup>61</sup> 1994, 'Charity will not Liberate Women: Female Genital Mutilation in Burkina Faso', Kéré, L. A and Tapsoba, I, in 1994, *Private Decisions, Public Debate*, Panos, p 50.

<sup>62</sup> 2005, *Women in an Insecure World*, Geneva Centre for the Democratic Control of Armed Forces, p 30.

<sup>63</sup> The DHS project is funded by the United States Agency for International Development. Randomly selected women and girls aged 15-49 from both urban and rural areas are interviewed for the survey. The surveys are available at [www.measuredhs.com](http://www.measuredhs.com) (accessed April 6, 2006).



Despite efforts to address the prevalence of FGM in Africa through legislation (see Table1), the practice persists. Indeed, there have been few successful prosecutions in countries that have legislated against FGM, and parents are still pressured to ensure their daughters undergo the procedure – generally by other women. Nevertheless, it is worth remembering that these women are not wholly uninfluenced by the society in which they live: as Abbe Rouamba, a priest in Burkina Faso's capital Ouagadougou points out, "The attitude of men, even if inactive, contributes to the perpetuation of this practice. They are as guilty as women."<sup>64</sup> There is a clear need to work with communities – and with women in particular – to end this practice.

### **Box 3.2: A New Ritual to Replace FGM**

Cutting Through Words is an initiative developed in partnership between rural families in Kenya and a national women's group, Maendeleo ya Wanawake Organization.<sup>65</sup>

The first 'Cutting Through Words' ceremony took place in the Kenyan village of Gatunga, east of Nairobi, in 1996. Using song and dance, girls from 30 families in the village appealed to their elders to stop circumcising them. The ceremony was largely successful, and few of the girls were subjected to FGM after it took place,

Girls prepare for a 'coming of age' celebration by spending a week in seclusion, when they can only receive visits from female relatives, their parents and girls who have already gone through the ritual. During this week they learn life skills that will help them in their future roles as women.

The rite has subsequently been carried out by a number of other Kenyan communities, including the Maasai in the Rift Valley Province and the Abagusii of Western Kenya.

Source: Women's ENews

<sup>64</sup> Ibid, p 51.

<sup>65</sup> 2005, 'New Ritual Replaces Female Genital Mutilation', Frederick Nzwili, *Womens' Enews*. Available from [http://lists.whathelps.com/wa.exe?A2=ind0509&L=wunm\\_listserve&T=0&F=P&S=&X=0FF66454AE4572C1CF&Y=mosie@infionline.net&P=16678](http://lists.whathelps.com/wa.exe?A2=ind0509&L=wunm_listserve&T=0&F=P&S=&X=0FF66454AE4572C1CF&Y=mosie@infionline.net&P=16678) (accessed April 5, 2006).

### 3.3.d Early Marriage

**“The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage.”**

Article 16.2

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

**“My parents arranged the marriage. I had no choice... I had my own feelings of course, but they were not allowed to come out.”**

Girl from Niger (age 16), who was married at 14 <sup>66</sup>

Despite the existence of laws in many countries to regulate the age at which individuals marry, child marriages are prevalent in many African countries, such as:

**Uganda:** legal age for marriage is 21, but more than one in every two girls are married before they reach 18.<sup>67</sup>

**Nigeria:** in some regions, including Kebbi State in the north, girls on average marry soon after their 11<sup>th</sup> birthday.<sup>68</sup>

Encouragingly, the age at which girls marry has risen in some countries, including Kenya, Senegal and Zimbabwe. However, many countries – including Cameroon, Côte d'Ivoire, Liberia and Mali – have seen little change, and in some West African countries, the marriage age has even dropped in recent years.<sup>69</sup>

<sup>66</sup> 2005, *Broken Bodies, Broken Dreams: Violence against Women Exposed*, United Nations OCHA/IRIN, p 70.

<sup>67</sup> 2001/1, 'DHS survey: Uganda' (online). Available from [www.statcompiler.com](http://www.statcompiler.com) (accessed April 6, 2006).

<sup>68</sup> 1998, *Final Report on National Baseline Survey of Positive and Harmful Traditional Practices Affecting Women and Girls in Nigeria*, cited in 2001, *Early Marriage: Child Spouses*, UNICEF, *Innocenti Digest* 7

<sup>69</sup> 2001, 'Early Marriage: Child Spouses', UNICEF, *Innocenti Digest* no 7, p 3.

**Table 2 – Women Married Under the Age of 18 in sub-Saharan Africa**

Country	Women aged 25-29 who married before their 18 <sup>th</sup> birthday % <sup>70</sup>
Burkina Faso	51.9
Cameroon	47.2
Côte d'Ivoire	33.2
Ethiopia	49.1
Kenya	24.6
Liberia	48.4
Malawi	46.9
Mali	65.4
Mozambique	57
Niger	76.6
Nigeria	43.3
Senegal	36.1
Uganda	54.1
Zimbabwe	28.7

Source: DHS surveys

## Reasons for Early Marriage

While a number of factors may contribute to a parental decision to arrange a marriage for their daughter at an early age, poverty is often a driving force, as guardians may feel unable to support young girls.<sup>71</sup> In a study of six West African countries, UNICEF also identified tradition and the idea that marriage ensures strong bonds between communities as significant factors in family decisions about when their daughters should marry.<sup>72</sup>

Fear of sexual abuse may be another trigger for early marriage. In Ethiopia, for example, the abduction of young girls is common. In some countries a belief persists that if a girl is engaged or married at a young age she will be protected from abduction or rape. For example, the Ethiopian Women Lawyers Association

<sup>70</sup> DHS surveys carried out between 1986 (Benin) and 2004 (Cameroon) identify the proportion of girls aged 20-24 years old who were married before they were 18. The surveys are available at [www.measuredhs.com](http://www.measuredhs.com) (accessed April 6, 2006).

<sup>71</sup> 2000, *Etude sur les mariages précoces et grossesses précoces au Burkina-Faso, Cameroun, Gambie, Liberia, Niger et Tchad*, Assani and Aliou, UNICEF WCARO.

<sup>72</sup> 2001, 'Early Marriage: Child Spouses', UNICEF, *Innocenti Digest*, no 7, p 2.

describe the case of a 14-year-old girl who was raped when “heading home, back from school without any fear of abduction *because she was already engaged*” (emphasis ours).<sup>73</sup> In many African countries men also are looking for increasingly younger partners as a response to the spread of HIV: younger girls are thought to be less likely to have been sexually active and, therefore, less likely to be HIV-positive.

## Consequences of Early Marriage

Early marriage and early pregnancy can have very serious effects on the health of young girls. One of the more damaging results of early child-bearing is vesico-vaginal or recto-vaginal fistulae. One study in Niger found that 88 percent of women suffering from fistulae were married between the ages of 10 and 15. This complication, which arises after prolonged obstructed labour, leads to the loss of full control of urinary or rectal functions. Given their lack of access to healthcare, most girls with this condition are unlikely to receive proper treatment. In the worst cases, many are divorced or abandoned and become social outcasts. Sixteen-year-old Aregash from Ethiopia experienced this rejection after spending three days in labour and delivering a dead child when she was eventually taken to hospital. She says, “When I returned home, my urine just started to flow. I stayed with my parents; my husband did not come to see me even once.”<sup>74</sup>

Young wives may also find it difficult to negotiate condom use, and therefore safeguard their sexual health. Combined with their increased vulnerability to damage during intercourse, it leaves them at greater risk of contracting HIV or other sexually transmitted infections.

There is also evidence to suggest that girls who marry before the age of 18 are more likely to suffer domestic violence. An extreme case in Nigeria involved a 12-year-old girl whose husband cut off her legs to stop her running away from him.<sup>75</sup> Some domestic violence may be a direct consequence of the marriage itself, as was the case for ‘Jamilla’<sup>76</sup> from Nigeria, who said: “I have nine siblings. My parents treated us very well. When I was 13, my father told me it was time to

<sup>73</sup> 2006, *Selected Cases Volume 2*, Ethiopian Women Lawyers' Association, p 1.

<sup>74</sup> 1994, ‘The Silent Shame: Obstetric Fistulae in Ethiopia’, Tseganesh Gudeta, in *Private Decisions, Public Debate*, Panos, p 98.

<sup>75</sup> 1989, *The Hidden Struggle*, London Race and Housing Research Unit, Mama, A, cited in 1993, *Servile Marriage: A Definition, a Survey, and the Start of a Campaign for Change*, Taylor, D, Anti-Slavery International.

<sup>76</sup> Many of the names used in this document have been changed to protect the girls' anonymity.

marry. The husband he had chosen was my 30-year-old cousin. I told my father I was too young, but he said I had no choice... When I went to live with my husband, his brothers and friends tied my arms and legs and dragged me to him, beating me. My husband just watched.”<sup>77</sup>

Ultimately, even without the health risks that are inherent in early child-bearing, and the additional vulnerability of child brides to domestic violence, early marriage denies girls their childhood. They are not given the opportunity to develop at their own rate in a supportive environment. Child marriage should, as such, be regarded as systematically perpetrating violence against girls.

### 3.3.e Community Attitudes to Violence

**“States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.”**

Article 39

United Nations' Convention on the Rights of the Child (CRC)

**“I was raped when I was still a small girl by a stranger... My family put a great mental damage to me by telling me that I willingly went to him.”**

20-year-old woman, Ethiopia<sup>78</sup>

<sup>77</sup> 2005, *Broken Bodies, Broken Dreams: Violence against Women Exposed*, United Nations OCHA/IRIN, p 108.

<sup>78</sup> Respondent to The African Child Policy Forum's 2006 *Violence Against Girls in Africa: A Retrospective Survey in Ethiopia, Kenya and Uganda*.

There are situations where a community may not be responsible for violent acts committed against girls, but their attitudes towards the girls compound what they have suffered. Lieutenant General Dallaire describes a visit he made to a demobilisation and reintegration camp for former child soldiers and bushwives in Sierra Leone, in his role as special adviser on war-affected children to the Canadian International Development Agency (CIDA): "In time the boys were generally accepted back into the community, but the girls were often shunned and abandoned, since in this male-dominated culture they were considered to have been permanently sullied by the uses to which soldiers put them."<sup>79</sup>

Around the world, people who experience violence often face insurmountable obstacles in trying to bring the perpetrators to justice. Many women are too intimidated by cultural attitudes and government inaction to seek redress for rape or other forms of abuse. Those who do often are confronted by a system that ignores, denies and even condones violence against women, and protects the perpetrators, whether they are state officials or private individuals.

In most African societies, the threat of social stigma also prevents young women from speaking out about rape and abuse. In Zimbabwe and Tanzania, rape cases are sometimes settled out of court, when the perpetrator either pays compensation to the girl's father or pays a bride price and marries the girl to avoid bringing public attention and shame to the girl and her family.

In other countries, women and girls who have been raped find that they are punished rather than receiving the support they need. One Sudanese girl, who was raped when she was 16 years old and rejected by her family and fiancé recounts, "When I was eight months pregnant from the rape, the police came to my hut and forced me with their guns to go to the police station. I stayed 10 days in jail and now I have to pay the fine."<sup>80</sup>

In Kenya, many factors affect the way cases are reported and what action is or is not taken. These include traditional practices, the low status of women, inefficient judicial systems, and intimidation of victims by the perpetrators of violence. Of even more concern are reports indicating that some police officers are the perpetrators of sexual violence against women and girls, or indirectly condone the activity by declining to treat it seriously as a criminal offence – sending a signal that such behaviour is acceptable. There also have been reports that the police are so indifferent to the problem that men and women are not segregated in Kenyan police cells, which may lead to sexual violence against females by male prisoners.<sup>81</sup>

<sup>79</sup> 2004, *Shake Hands with the Devil*, LGEn Romeo Dallaire, Vintage Canada.

<sup>80</sup> 2005, 'The Crushing Burden of Rape: Sexual Violence in Darfur', A briefing paper by Médecins Sans Frontières for International Women's Day, March 8, 2005, p 6.

<sup>81</sup> 2006, *Violence Against Girls in Africa: A Retrospective Survey in Ethiopia, Kenya and Uganda*, The African Child Policy Forum.



In their efforts to report violence, many girls are threatened by their aggressors. Unfortunately, many end up submitting to the threats and withdraw their complaint. In other cases, the girls are ridiculed by their community and trying to address the crime becomes humiliating. In addition, there are cases where the family or community do not necessarily condone violence, but allow it to continue through their reluctance to address it. The experience of one Kenyan girl who was sexually abused is indicative of this attitude. She says, "The man was arrested but released and no action taken since he was my uncle and a police officer."<sup>82</sup> Another Kenyan girl who told her parents about being sexual abused says, "My friends did not believe it and some relatives just laughed."<sup>83</sup> Sixteen-year-old 'Joan' from Zambia had a similar experience: 'Joan' who was thrown out of her home after eventually telling her mother that her stepfather had been abusing her since the age of nine.<sup>84</sup> In such circumstances, family or a community may feel ashamed or ill-placed to speak out if a girl has been abused physically, psychologically or sexually by the very people who should protect her.

This mind-set makes it particularly difficult to establish the extent to which violence is perpetrated against girls by members of their family. However, results of The African Child Policy Forum's survey in Ethiopia, Kenya and Uganda indicate that it may be a significant problem:<sup>85</sup> in Ethiopia, 23.1 per cent of respondents who had been forced to have sexual intercourse stated that a male relative was responsible, while in Kenya, 14.2 per cent of incidences where respondents had been forced to have sexual intercourse were perpetrated by male or female relatives.

While this issue remains shrouded in secrecy, it will remain unresolved and such incidents will remain all too common. Girls may even remain unaware that what they are experiencing is wrong. Thus, they may go on to perpetrate abuse against their own children or accept a situation that is damaging either to themselves or another female. As a respondent to a survey by The African Child Policy Forum's notes, "Violence is everywhere in the society and it is sad that some cases go unreported. I grew up in an extended family where dad's relatives were involved. At that time I did not know that I was being molested sexually by dad's relatives".<sup>86</sup>

In light of these issues, projects like that of Womenkind Worldwide (see Case Study: Working with Communities to Challenge Violence against Girls) that provide a space within the community for women and girls to speak out about violence they have experienced should be commended and replicated.

<sup>82</sup> Ibid.

<sup>83</sup> Ibid.

<sup>84</sup> 2002, *Suffering in Silence: The Links Between Human Rights Abuses and HIV Transmission to Girls in Zambia*, Human Rights Watch, p 30.

<sup>85</sup> 2006, *Violence Against Girls in Africa: A Retrospective Survey in Ethiopia, Kenya and Uganda*, The African Child Policy Forum.

<sup>86</sup> Ibid.

## Case Study: A Young Girl in Togo is Let Down by her Family and the Authorities

“A 13-year-old girl from a village near Aného complained to her mother in 2004 that she was being raped regularly both by her own father and her maths teacher. Both the father and the teacher admitted to the authorities that they had raped the girl, but neither was charged and brought to justice; the official papers report ‘the matter was resolved out of court according to the wishes of the parents’ (even though one of the parents was one of the rapists). The girl was tested for AIDS and subsequently left the village, and that was the end of the matter.”<sup>87</sup>

Source: Plan Togo



ECHO GROUP

<sup>87</sup> 2006, *Suffering to Succeed?* Plan Togo, p 30.

### **Box 3.3: Working with Communities to Challenge Violence against Girls**

Although community attitudes can often compound the harm caused to women and girls who have experienced violence, communities can play an essential role in addressing the problem.

Womankind Worldwide supports men and women in providing physical and emotional support to women and girls who have experienced violence, particularly in the home. Womankind provides training and support so that they can establish Community Based Action Teams.<sup>88</sup>

The programme also draws on the central role that culture and religion have in many African communities. Training is therefore provided for traditional and religious leaders.

Women have seen marked improvements in attitudes towards protecting women and girls from violence. Magazia from Ghana explains:

“I cannot believe that today I am sitting in a group with men, women and young women, together, talking about violence. When I was younger nobody talked about it. The only way you could tell, was in the morning you saw the woman with bruises and a sad face.”

By providing a forum for communities to discuss violence against women and girls, the project provides an opportunity for people to acknowledge that it is not acceptable. In doing so, it may help to address the cycle in which violence is perpetuated by both men and women because they have come to regard it as normal.

Source: Womankind Worldwide

<sup>88</sup> Information on Womankind Worldwide's Community Based Action Teams is available from [www.womankind.org.uk/reducing-violence.html](http://www.womankind.org.uk/reducing-violence.html) (accessed April 6, 2006).

## 3.4 Trafficking and Child Labour

**“States Parties shall take measures to combat the illicit transfer and non-return of children abroad.”**

Article 11.1  
United Nations' Convention on the Rights of the Child

**“My sister, Sally, was a victim of tourists seeking child prostitutes. She was 17 years old... [A Swedish tourist] asked if my sister was interested in working in Sweden for more money... When she arrived, the man picked up Sally from the airport and lodged her for a night. The following day, he took her to a lonely place, an area brothel. In the brothel, she met some girls between 14 and 18 years old from different countries. Three Gambian girls informed her that she was there to be a prostitute.”**

A Gambian girl describes her sister's experience of trafficking.<sup>89</sup>

### 3.4.a Trafficking

Trafficking in persons is defined by Article 3 of the Optional Protocol to the UN Convention on Transnational Organized Crime as follows:

“The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

“Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

<sup>89</sup> Available from [www.humantrafficking.com/humantrafficking/features\\_ht3/Testimonies/testimonies\\_mainframe.htm](http://www.humantrafficking.com/humantrafficking/features_ht3/Testimonies/testimonies_mainframe.htm) (accessed April 5, 2006).

More specifically, the Palermo Protocol defines child trafficking as: “the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

The US Department of State estimates that between 600,000 and 800,000 people are trafficked every year.<sup>90</sup> Approximately 80 per cent are women and girls are trafficked around the world, including:

- ◆ from Africa to other continents;
- ◆ between African countries;
- ◆ within their own countries without crossing any borders;
- ◆ into Africa from other places, including Thailand and Eastern Europe.

It is important to recognise that children – including girls – are trafficked within their home country or internally. Children are sent away from home to work in virtual slavery, often with complicity of their parents. In Burkina Faso, for example, girls are trafficked within the country to work as domestic servants and prostitutes.<sup>91</sup> In Cameroon, people are usually trafficked internally and children are particularly vulnerable.<sup>92</sup>

Despite its prevalence, relevant international treaties do not explicitly address this form of trafficking. The CRC makes a provision to protect children from child labour and, indeed all forms of trafficking of children. but there is an implication that it primarily addresses the issue of children who are trafficked across borders: “States Parties shall take measures to combat the illicit transfer and non-return of children abroad” (Article 11.1).

The Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography signals progress towards increased protection of children, particularly girls, by committing states to “prohibit the sale of children” (Article 1), where ‘sale’ is defined as “any act or transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration” (Article 2(a)). However, the Protocol’s stated concern over “at the significant and increasing international traffic in children for the purpose of the sale of children, child prostitution and child pornography,” suggests that trafficking is predominantly still regarded as involving the transfer of persons across borders.

<sup>90</sup> 2005, *Trafficking in Persons Report*, US Department of State, p 6.

<sup>91</sup> 2005, *Trafficking in Persons Report*, US Department of State, p 73.

<sup>92</sup> *Ibid*, p 78

### 3.4.b The Situation of Trafficked Children

Most children who are trafficked receive nothing in the way of remuneration or education, and little in the way of care. This forced movement of children often places them in situations akin to slavery. Those who work in situations of child labour are often put in similarly precarious positions – working long hours, often in dangerous circumstances, for low levels of pay.

### 3.4.c Who are the Traffickers?

Individuals who traffic children tend to be involved in organised crime, or are refugees or other individuals who exploit their connection with a child's family or community in order to traffic them. In many cases, though, parents arrange for their own daughters to be trafficked: a survey in Nigeria showed that at 28 per cent, parents constitute the largest individual group of people who arrange for girls to be trafficked.<sup>93</sup> Testimonials provided by girls in Togo to Human Rights Watch support this statistic. 'Kemeyao', 10, from Lomé says: "There was a woman who came to the market to buy charcoal. She found me and told my mother about a woman in Lomé who was looking for a girl like me to stay with her and do domestic work. She came to my mother, and my mother gave me away. The woman gave my mother some money, but I don't know how much."<sup>94</sup>

Parents who send their children away may be motivated by concern for their wellbeing. A villager from Afanyagan in Togo explains: "Some [parents] are badly intentioned, and they actually want to commercialize their children... and some think that in letting them go they're doing something good for their children."<sup>95</sup> This common desire of parents to ensure a better life for their children is one of the primary reasons why trafficking is so prevalent in Africa. Widespread poverty and the lack of opportunities for young people provide strong incentives to seek opportunities elsewhere – facts that the traffickers are quick to exploit.

<sup>93</sup> 2006, *Violence against Girls within the Home in Africa*, Inter-African Committee on Harmful Traditional Practices and The African Child Policy Forum.

<sup>94</sup> 2003, *Borderline Slavery: Child Trafficking in Togo*, Human Rights Watch, p 17.

<sup>95</sup> *Ibid*, p 18.

### 3.4.d Sexual Abuse of Trafficked Girls

Whilst boys, girls and adults can all be victims of trafficking, girls are more likely to be exposed to further violence, due to the nature of the work they are trafficked to carry out. Women and girls often are trafficked for sexual purposes; and traditional attitudes that, as the Institute of Migration (IOM) puts it, 'sexualise' and 'commoditise' young girls, which leave women and girls at a greater risk of being trafficked.<sup>96</sup>

The IOM estimates that approximately 1,000 girls aged between 14 and 24 are taken from Mozambique to work as prostitutes in South Africa each year.<sup>97</sup> They are usually sexually assaulted during their journey. Other documented cases include girls being trafficked from Malawi to the Netherlands to work in brothels run by Nigerian madams. These girls are subjected to further psychological violence, as a ritual is performed that threatens them with death by magic – to ensure they are too scared to leave.<sup>98</sup>

### 3.4.e Child Sex Workers

Girls also may become involved in the sex industry because they need to earn money. The World Organisation against Torture interviewed 93 girls who were involved in sex work for their 2003 report on child rights in Madagascar. Many of them cited the need to augment the family income as one of the main reasons for becoming involved in prostitution.<sup>99</sup>

Community attitudes towards prostitution mean individuals may be unwilling to admit that they are, or have been, involved in sex work. It is therefore difficult to obtain comprehensive data on the extent of the problem. The African Child Policy Forum's survey on violence against girls in Ethiopia, Kenya and Uganda revealed that 7.4 per cent of respondents in Ethiopia, 5.7 per cent in Kenya and 7 per cent in Uganda stated that they had been forced into prostitution by another person.<sup>100</sup> So although it is hard to get specific figures, it is clear that the number of girls engaged in prostitution – an inherently violent form of child labour – is not insignificant. These girls are at risk of contracting HIV and other sexually transmitted infections, and are vulnerable to physical abuse and psychological damage.

<sup>96</sup> 2003, *The Trafficking of Women and Children in the Southern African Region*, International Organization for Migration, p 6.

<sup>97</sup> *Ibid*, p 1.

<sup>98</sup> *Ibid*, p 2.

<sup>99</sup> 2003, *Rights of the Child in Madagascar*, World Organisation against Torture, pp 7-8.

<sup>100</sup> 2006, *Violence Against Girls in Africa: A Retrospective Survey in Ethiopia, Kenya and Uganda*, The African Child Policy Forum.

### 3.4.f Domestic Labour

Many girls involved in child labour – including a large proportion of those who are trafficked – work as domestic servants. Around 90 per cent of domestic workers in sub-Saharan Africa are girls. In addition to being denied an education, domestic workers face high levels of physical, sexual and psychological abuse. More than two-thirds of domestic workers questioned by the International Labour Organization for a small study in Ethiopia had experienced physical violence ‘often’ within the course of their work.<sup>101</sup> Two sisters who were trafficked within Togo describe being forced to make bread to sell by the woman they lived with. They add, “If we didn’t sell all the bread in one day, she would beat us with a stick.”<sup>102</sup>

It also is common for girls in domestic service to be sexually abused. A study of female domestic workers in Nigeria found that 85 per cent of the girls questioned were coerced into sexual intercourse with a male within the household where they worked. Some of them were as young as 10 years old.<sup>103</sup> With little knowledge about sexually transmitted infections, these girls are vulnerable to HIV infection.



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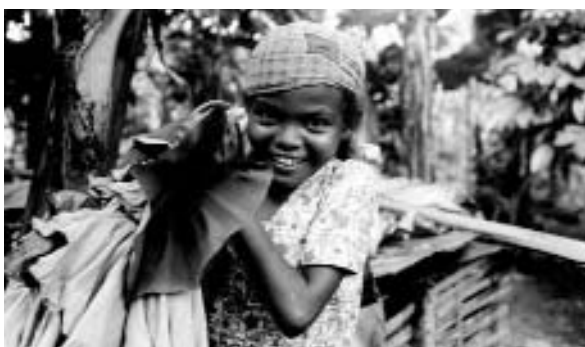
<sup>101</sup> 2002, *Ethiopia – Child Domestic Workers in Addis Ababa: A Rapid Assessment*, ILO IPEC, p 35.

<sup>102</sup> 2003, *Borderline Slavery: Child Trafficking in Togo*, Human Rights Watch, p 22.

<sup>103</sup> 2004, *The Female Child Domestic Worker: A Research to Document Implications of Sexual Abuse in Respect to HIV Infection in Amwuo-Odofin Local Government Area In Lagos State, Nigeria*, Abstract for the International Conference on AIDS 2004 (July 11-16). Available from [www.aegis.com/conferences/iaci/2004/D10017.html](http://www.aegis.com/conferences/iaci/2004/D10017.html) (accessed April 5, 2006).



Poverty is a driving force behind girls becoming engaged in child labour. Often they work because their families simply would not survive if they did not. Thousands of African girls earn money to support their families or themselves, often in highly exploitative conditions. While child labour does not necessarily involve the forced movement of children, it does by definition harm them in some way.<sup>104</sup> Unless these exploitative practices are addressed, girls will remain vulnerable to violence at the hands of employers, traffickers and the people they serve within the workplace.



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### **Box 3.4: Responses to Trafficking in Benin<sup>105</sup>**

Research by UNICEF and the government of Benin identified Agbangnizoun, Dogbo and Ze as areas of particular concern regarding the trafficking of children.

In response, village committees were set up in 1999 to raise awareness within communities, and monitor the number of children and any cases of child abuse in each village. The committee informs the police of any children who are discovered to be missing, and assists with the reintegration of children who return to their village having been trafficked.

Source: UNICEF

<sup>104</sup> See Section 1.2

<sup>105</sup> 2002, *Briefing on Trafficking in Children to the Congressional Human Rights Caucus*, UNICEF. Available from [www.unicef.org/media/media\\_9440.html](http://www.unicef.org/media/media_9440.html) (accessed April 5, 2006).

## 3.5 Girls in Crisis Situations

**“States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities... In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.”**

Article 38  
United Nations Convention on the Rights of the Child

**“They [the rebels] also punished my brother and my sister by taking them away. I had no idea what to do when I lost the people that had always taken care of me, and helped me throughout my life. All the problems we already had then suddenly became only ‘my’ problems.”**

Musa Turay (age 10) from Sierra Leone<sup>106</sup>

Many African countries – from northern Uganda and the Darfur region of Sudan in the east, to Côte d’Ivoire in West Africa - are currently engaged in conflict.

Every year, drought and floods force people to leave their homes. In Niger, for example, over three million people were affected by the food shortages in 2005, and many travelled to refugee camps.

Where individuals, families and communities are hit by conflict or natural disasters, it is usually the women and girls who are disproportionately affected. Levels of mortality from war injuries is higher for men than women – in 2000, an estimated 310,000 men died in Africa as a result of injuries sustained in wars, compared to around 77,000 women.<sup>107</sup> However, women and girls, left behind and displaced, are targeted by specific forms of violence – largely sexual in nature – during crisis situations.

<sup>106</sup> 2004, *The Force of Their Voice: Children and Armed Conflict*, Plan Netherlands, p 21.

<sup>107</sup> 2002, *World Report on Violence and Health*, World Health Organization, pp 282-3.

## 3.5.a Violence against Girls in Conflict Situations

### Case Studies: Girls as Targets of Violence in Conflict

Across the continent, young girls experience rape in times of conflict, as 'Evelyn' from Liberia recalls: "In 2001, I was captured in Lofa County by government forces. The forces beat me, they held me and kept me in the bush. I was tied with my arms kept still and was raped there. I was fourteen years old."<sup>108</sup>

Source: Human Rights Watch

'Bola' from Sierra Leone was 15 when she was interviewed by Physicians for Human Rights: "When they first attacked the village, we fled to the bushes... They held us, they cut some hands, they killed some, they forced us to be tied, we were taken to the bush where the sexual act was forced on us... Nine men raped me... After they had raped me to their satisfaction, they left me in the bush. I was beaten... Some around were amputated. I was not well."<sup>109</sup>

Source: Human Rights Watch

The scale and premeditated nature of sexual violence against girls in several recent wars, including Rwanda, where between 250,000 and 500,000 women and girls were believed to have been raped during the country's genocide in 1994,<sup>110</sup> has resulted in a major shift in the way International Tribunals on War Crimes regard such acts of violence. In the latest tribunals – on Bosnia, and Burundi and Rwanda – mass rape has been recognised and prosecuted as a legitimate crime against humanity.

<sup>108</sup> 2004, *How to Fight, How to Kill: Child Soldiers in Liberia*, Human Rights Watch, p 31.

<sup>109</sup> 2002, 'Qualitative Comments and Testimonials of Sierra Leonean Women and Girls', in *War-Related Sexual Violence in Sierra Leone*, Human Rights Watch, p 64.

<sup>110</sup> 2005, *Women in an Insecure World*, Geneva Centre for the Democratic Control of Armed Forces, p 145.

## 3.5.b Sexual Exploitation by Aid Workers

It is not only in conflict situations that girls experience sexual exploitation, but also in emergency situations caused, for example, by drought or floods. The high level of dependency on aid workers and peace keepers creates situations where it is difficult for girls to refuse sexual advances.

### Testimonies: NGO Workers Abuse their Positions

One teenager from Liberia explained: "It's difficult to escape the trap of those (NGO) people; they use the food as bait to get you to have sex with them."<sup>111</sup> A teenage mother in a Guinean refugee explains: "I have to sleep with so many men to make 1500, so that I can feed myself and my child. They pay me 300 each time, but if I am lucky and I get an NGO worker he can pay me 1500 at one time and sometimes I get 2000."<sup>112</sup> Another teenage mother from a Liberian refugee camp justifies her actions: "I sleep with different men, but mostly NGO workers because I have to eat and feed my child."<sup>113</sup>

Source: UNHCR and Save the Children UK

## 3.5.c Psychological Trauma

As well as the physical consequences of sexual assault such as cuts, bruises, broken bones and loss of consciousness, girls who have been raped or sexually abused in the form of coerced sex may also experience debilitating psychological trauma. They also face exposure to sexually transmitted infections, including HIV.

Rape survivors tend to have high rates of persistent post-traumatic stress disorder. Girls who are raped in conflict situations are unlikely to have access to support mechanisms that will enable them to cope with the physical and psychological effects of their rape.

<sup>111</sup> 2002, *Note for Implementing and Operational Partners by UNHCR and Save the Children-UK on Sexual Violence & Exploitation: The Experience of Refugee Children in Guinea, Liberia and Sierra Leone*, based on initial findings and recommendations from assessment mission (October 22-November 30, 2001), p 4.

<sup>112</sup> Ibid, p 11.

<sup>113</sup> Ibid, p 11.

Further, girls often suffer psychologically during crises. The psychological impact of witnessing wartime atrocities in particular can be immense. This is apparent in 15-year-old 'FK's account of the night rebels who came to her village in Sierra Leone:

### **Case Study: Rebel Attacks in Sierra Leone**

"The rebels found my three male relatives who were hiding under their beds. They stabbed them with their bayonets and then shot them. They raped me in my bedroom and then brought me into the living room. Three men and three women were also brought into the room. They were put in line and then the rebels gave them the choice between their life or their money. The rebels strip-searched each one and then killed them on the spot. The group was forced to watch as each was killed. One of the women was six months pregnant and slightly disabled. She was last in the row. When it was her turn, she was stabbed in the neck and fell down. The rebels started to discuss whether she was carrying a boy or a girl. They bet on the sex of the baby so they decided to check it. Kill Man No Blood split open her belly. It was a boy. One of the other rebels took the baby out and showed everyone that it was a boy. The baby was still alive when he threw it on the ground next to the woman but died shortly after... I saw six men who had just been amputated. Some had an arm cut off below the elbow, others above the elbow. They were screaming, 'Please kill us, don't leave us this way.'"

Source: Human Rights Watch<sup>114</sup>

## **3.5.d Girls who are Abducted by the Armed Forces**

Girls' involvement in conflict is not restricted to civilian roles: for example, it is believed that up to 30,000 girls were abducted by armed forces during Angola's civil war.<sup>115</sup> Angola's situation is not unique: across Africa, girls are abducted by armed forces for use as domestic workers, as 'wives' or sexual slaves for combatants, or as soldiers.

<sup>114</sup> Human Rights Watch interview, Freetown, Sierra Leone, May 25, 2000.

<sup>115</sup> 2002, *Peace in Angola Brings Critical Needs*, Christian Children's Fund, (June 11, 2002). Available from [www.christianchildrensfund.org/emergencies/angola\\_peace](http://www.christianchildrensfund.org/emergencies/angola_peace) (accessed April 5, 2006).

Many girls abducted by armed forces are used as servants. In Uganda, young girls are made to work long hours as *ting-tings*: cooking, washing, farming and carrying heavy loads. One girl, who was 12 years old when she was abducted by the Lord's Resistance Army in Uganda, explained to Human Rights Watch in an interview, "You must work all of the time. The moment you refuse to work, they will kill you or beat you to death."<sup>116</sup>

Other girls are sexually exploited by armed forces. It has been estimated that around 1,000 children have been born to girls abducted and held by the Lord's Resistance Army in Uganda, while testimonials from girls in other countries, including Liberia and Sierra Leone, show that the practice is prevalent across Africa.<sup>117</sup>

Girls are not immune to being forced to fight in such conflicts: many are forced into, or choose to take on the role of, combatants. Girl soldiers have been involved in conflicts in African countries including Burundi, Côte d'Ivoire, Somalia, Sudan and Uganda. As any combatant, these girls are vulnerable to physical injury and mortality, in addition to being psychologically affected by the actions they carry out.

## **Case Study: Forced to Join Rebel Forces**

### **Uganda**

Christine was forced by rebel soldiers to kill her own uncle: "They gave me a club and ordered me to beat my uncle to death or they would do it themselves. Then they would kill my brother and I. My brother was crying all this while. The commander hit me with a stick and shouted that I kill my uncle. I clubbed my uncle on the head until he died. The commander then told me, 'Now you have no one to go back to.' We continued the march."

Source: Daily Nation<sup>118</sup>

### **The Democratic Republic of Congo**

Mary, a 16-year-old demobilised girl soldier, says, "I feel so bad about the things I did. It disturbs me so much that I inflicted death on other people... I still dream about the boy from my village whom [sic] I killed. I see him in my dreams, and he is talking to me, saying I killed him for nothing, and I am crying."

Source: US Department of State<sup>119</sup>

<sup>116</sup> Human Rights Watch interview, Gulu, Uganda, February 4, 2003.

<sup>117</sup> 2002, 'Qualitative Comments and Testimonials of Sierra Leonean Women and Girls', in *War-Related Sexual Violence in Sierra Leone*, Human Rights Watch, pp 68-69.

<sup>118</sup> 2006, 'Shocking ordeal of child soldiers', Ambrose Murunga, *Daily Nation*, February 7, 2006.

<sup>119</sup> 2005, *Trafficking in Persons Report*, US Department of State, p 5.

### 3.5.e Vulnerability of Girls and Women in Times of Crisis

Girls are often left economically vulnerable after war or in times of crisis, and are open to abuse and exploitation. Girls who have been orphaned by conflict may end up living on the street. One Rwandan girl, Helen, suffered physical and sexual abuse before arriving at a centre for vulnerable children. In one incident, she was raped by a man who then set his dogs on her, while passers by and policemen watched.<sup>120</sup>

In times of crisis, power structures – both within refugee camps and in the community – also may expose women and children to harm. In 2005, for example, when millions of people in Niger faced starvation, men locked the grain stores in their villages and left the women and children to fend for themselves. Moira Eknes from the international NGO CARE, explains: “There is a tradition that women are more or less supposed to cater for themselves and take over their children.”<sup>121</sup>

Girls are, therefore, vulnerable to additional forms of violence in crisis situations, when compared to men and boys. Not only do they face physical injury and death as civilians and combatants, but they are sexually abused. This puts them at risk of contracting HIV and other sexually transmitted infections, and leaves them facing the complications inherent in becoming pregnant where resources are scarce due to the conflict situation. Sexual abuse also is likely to have a psychological impact on these girls, particularly when they return from conflict situations to communities where people consider them to be defiled by the experience and therefore, do not support them.

Many conflicts in Africa are civil, making it difficult for governments to effect policies that will protect girls from violence. However, where governments and communities do not attempt to mitigate it, the impact of violence against girls in conflict situations will be exacerbated. In other, non-conflict, crisis situations, it is vital that aid organisations and government agencies consider how best to protect girls when they plan their response to emergencies.

<sup>120</sup> 2003, *Lasting Wounds: Consequences of Genocide and War for Rwanda's Children*, Human Rights Watch, p 74.

<sup>121</sup> 2005, ‘Niger women “banned from grain stores”’, Martin Plaut, BBC News, August 24, 2005. Available from <http://news.bbc.co.uk/1/hi/world/africa/4179938.stm> (accessed April 5, 2006).



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### **Box 3.5: Supporting Girls who have Experienced Violence During Conflict**

Since 1995, the People's Voice for Peace has been working with men and women who have been injured or traumatised during the prolonged conflict between government forces and the Lord's Resistance army in northern Uganda.

Many women and girls have been sexually abused by combatants during the conflict and have been rejected by their communities. The People's Voice for Peace helps them to regain their dignity through providing counselling and healthcare services, and by helping them to establish income generating projects.

The NGO's founder, Rosalba Oywa, says, "Those we've helped are no longer the passive victims of war. They have turned themselves into agents for peace."

Source: Christian Aid<sup>122</sup>

<sup>122</sup> Information about Rosalba Oywa and the People's Voice for Peace is available from their partner organisation, Christian Aid at [www.christianaid.org.uk/world/where/eagl/partners/0502partners.htm](http://www.christianaid.org.uk/world/where/eagl/partners/0502partners.htm) (accessed April 5, 2006).



# CHAPTER FOUR

## CONSEQUENCES

Although the impact of violence against girls – both on the girls themselves and on society – varies according to the type of violence and the context in which it is carried out, it has a number of overarching consequences, which are listed in this chapter.

### **a) Denial of fundamental rights**

Essentially, violence against girls is a denial of their fundamental human rights. International human rights instruments – such as the Universal Declaration of Human Rights, adopted in 1948, the CEDAW, adopted in 1979, and the CRC, adopted in 1989 – affirm the principles of fundamental rights and freedoms for every human being. Both CEDAW and CRC are guided by a broad concept of human rights that stretches beyond civil and political rights to the core issues of economic survival, health and education that affect the quality of daily life for most women and children. The two conventions call for the right to protection from gender-based abuse and neglect.

The strength of these treaties rests on an international consensus, and the assumption that all practices that harm women and girls – no matter how deeply they are embedded in culture – must be eradicated. Legally binding under international law for governments that have ratified them, these treaties oblige governments not only to protect women from crimes of violence, but also to investigate violations when they occur and bring perpetrators to justice.

### **b) Undermining human development goals**

There is growing recognition that a country will not reach its full potential as long as women are denied the opportunity to participate fully in their society. Data on the social, economic and health costs of violence leave no doubt that violence against women and girls undermines progress towards human and economic

development. Women's participation has become key in social development programmes. By hampering the full involvement and participation of women, many African countries erode the human capital of half their population. True indicators of a country's commitment to gender equality lie in its actions to eliminate violence against women and girls in all its forms and in all areas of life.

### c) Health complications

Violence against girls leads to far-reaching physical and psychological consequences, some with fatal outcomes. While physical injury represents only a part of the negative health impacts on girls, it is the more visible aspect of violence against girls. Medical complications resulting from FGM can range from haemorrhage and infertility to severe psychological trauma. Sexual assaults and rape can lead to unwanted pregnancies, and the dangerous complications that follow. Girls who have been sexually abused in their childhood are more likely to engage in risky behaviour such as early sexual intercourse, and are at greater risk of unwanted and early pregnancies. Additionally, girls in violent situations are less able to use contraception or negotiate safer sex, and therefore run a high risk of contracting sexually transmitted infections, including HIV.<sup>123</sup>

The impact of violence on girls' mental health can lead to severe, and sometimes fatal, consequences. Battered girls have high incidences of stress and stress-related illnesses such as post-traumatic stress syndrome, panic attacks, depression, sleeping and eating disorders, elevated blood pressure, alcoholism, drug abuse, and low self-esteem. For some girls, being fatally depressed and demeaned by their abuser, there seems to be no escape from a violent situation except suicide.

### d) Social and behavioural problems

Children who have witnessed violence or have themselves been abused, often exhibit health and behaviour problems. They may have difficulties at school, or find it hard to develop close and positive friendships. They may try to run away from home or even display suicidal tendencies.

<sup>123</sup> 2005, 'Domestic Violence', Sushma Kapoor, *Innocenti Digest*, no 6, p 9.

### e) Perpetuating the cycle of abuse

Witnessing and experiencing violence as a child can also result in internalising violence as a form of conflict resolution. Often, a cycle of abuse continues where girls who are sexually abused in childhood are battered in adult relationships.

Girls who witness their mother being abused may be more likely to accept violence as the norm in marriage than those who come from non-violent homes. While many children from violent homes do not grow up to be violent, those who have witnessed violence in childhood are more likely to engage in violent behaviour as adults, both inside and outside the home.

### f) Socio-economic costs of violence<sup>124</sup>

There are costs of violence that go beyond the individual who has experienced it. These are referred to as socio-economic costs, and can be put into four categories:

**Direct costs:** expenses incurred on the value of goods and services used in treating, addressing and preventing violence – institutions such as the police, judiciary, medical or social services.

**Non-monetary costs:** the pain and suffering that people who experience violence and the persons with whom they associate have to go through – these can, in turn, lead to depressive disorders, alcohol and drug abuse and, in extreme cases, death.

**Economic multiplier effects:** reduced productivity, absenteeism, decreased labour market participation, lower earnings and decreased investment – impacting on macro-economic, labour and productivity factors.

**Social-multiplier effects:** impacts on interpersonal relations and quality of life; inter-generational transmission of violence and the erosion of social capital.

The effects and impact of violence, therefore, are felt not only by the individuals who experience it and their immediate family, but also by the community in which they live and the economy as a whole. Violence affects productivity and hinders economic development in the long run.

<sup>124</sup> 1999, *Violence in the Americas: A framework for Action in "Too Close to Home: Domestic Violence in the Americas"*, Buvinic M, Morrison AR and Shifter M, Morrison A R, Biehl M L (eds), InterAmerican Development Bank

# CHAPTER FIVE

## EXISTING STRUCTURES AND PROGRAMMES THAT PROTECT AFRICAN GIRLS

Although violence against girls remains prevalent in Africa, efforts have been made internationally, nationally and locally to address the problem. Some of these are listed and discussed in this chapter.

### 5.1 International Instruments to Protect Girls from Violence

#### Convention on the Rights of the Child (CRC)

The CRC addresses the issue of violence against children, including girls, and has been ratified by all African states except Somalia. It commits states to ensuring the highest levels of physical and psychological health for children, which can only be done by addressing violence. It provides further protection to children by addressing punishments and cultural and traditional practices that harm them, and directs states to implement measures to address trafficking, the sexual exploitation of children, child labour and the use of children in combat.

#### African Charter on the Rights and Welfare of the Child (ACRWC)

The ACRWC reflects the pressing need to consider the reality of Africa in order to address the needs of the continent's children: African children are increasingly

affected by the HIV and AIDS pandemic and by conflict, and many African children still have no access to education. It has been ratified by 36 of the African Union's 53 member states,<sup>125</sup> committing them to safeguard children's wellbeing and ensure that girls do not suffer discrimination, including by addressing the issue of violence against children.

## Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

Article 6 of the CEDAW commits states to protecting women from trafficking and sexual exploitation. Article 10.g states that provision should be made to reduce the drop-out rates of girls from school: if violence is a factor in keeping girls out of school, it must be addressed in light of this article. Article 16.2 also acknowledges the need to protect girls from child marriage, stating that: "The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage." Article 3 outlines women's rights to life, liberty and security of the person, as well as "the right not to be subjected to torture, or other cruel, inhuman or degrading treatment or punishment." Article 4 articulates the state's duty to condemn violence against women, including where such violence is condoned by tradition or religion, and outlines measures that can be taken to protect women.



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<sup>125</sup> Central African Republic, the Republic of Congo, Djibouti, Gabon, Guinea Bissau, Liberia, Saharawi Arab Democratic Republic, Somalia, Swaziland, Tunisia and Zambia are also signatories to the ACRWC, but have yet to ratify it.

## 5.2 Grassroots Interventions

There also are many excellent interventions on the ground, from Maendeleo ya Wanawake's *Cutting Through Words* project to end FGM in Kenya (see Box 3.2: A New Ritual to Replace FGM on page 35) and the use of classroom assistants in schools for refugee children in West Africa (see Box 3.1: Addressing Sexual Violence in Schools on page 28), to collaboration between UNICEF, communities and the government to combat the trafficking of children in Benin (Box 3.4: Addressing Trafficking in Benin on page 49).

## 5.3 Bridging the Gap between Policy and Practice

Despite the scope of such grassroots interventions and the international instruments that exist to protect women and children, violence against girls persists. It is not that girls slip between the treaties that make provision for children and those that protect women: if anything they should be doubly protected – by virtue of being children and female. What is missing is the political will to bridge the gap between these international treaties and the small-scale projects implemented by NGOs, communities and other civil society actors.

Where African countries have made laws to implement their international commitments, these are often not executed and the reality on the ground remains unchanged. For example, despite a minimum legal age for marriage of 21, more than one quarter of Zambian girls aged between 15 to 19 are married; and while Article 36(1)(e) of the Ethiopian constitution prohibits corporal punishment “in schools and other institutions responsible for the care of children,” teachers continue to use it to discipline children.

It is not enough to rely on the efforts of grassroots organisations and NGOs to combat violence against girls. Governments cannot simply indicate that they have ratified the various relevant international instruments as evidence of a commitment to addressing the problem. They must go beyond passing laws that legislate against violence towards girls – and work, together with communities, religious leaders, NGOs and other organisations implementing practical action, to address such violence if African societies are to become safe places for girls.

# CHAPTER SIX

## THE WAY FORWARD

Violence thrives in the absence of rule of law, democracy, respect for human rights and good governance. Where societies become complacent, a culture of violence may develop. It is more pervasive in societies where authorities endorse its use through their own actions.

Violence against women and children often remains unrecognised. Yet it is connected with violations of human rights, as well as legal, economic and public health issues. There is nowhere in Africa – or even in the world – where girls are untouched by some form of violence.

We condemn violence against girls as a violation of their rights as human beings – rights to life, safety, dignity, and physical and psychological wellbeing. The African Child Policy Forum proposes that the following three strategies be adopted to deal with the issue of violence against girls:

**Defining the problem:** identifying the nature and magnitude of the problem by collecting quantitative and qualitative data on the types of violence experienced by girls.

**Developing interventions:** using research to examine the nature of the problem of violence against girls to develop interventions, which must be evaluated to ensure that they are effective.

**Implementing the interventions:** identifying the individuals and institutions that can help implement the intervention, and building their capacity to do so.

The key, however, is to prevent violence before it occurs, as in the World Health Organization's (WHO) model described below. Where this is not possible, interventions should be employed.

The WHO's model is based on the following three types of interventions:<sup>126</sup>

**Primary intervention:** approaches that prevent violence before it occurs.

**Secondary prevention:** more immediate responses to violence including pre-hospital care, emergency services and treatment of sexually transmitted infections.

<sup>126</sup> *Violence Against Women*, World Health Organization, [www.who.int/entity/mediacentre/factsheets](http://www.who.int/entity/mediacentre/factsheets)

**Tertiary prevention:** long-term care in the event of violence – rehabilitation, reintegration, and mitigating the effects of trauma.

Source: World Health Organization

## **We propose the following interventions as a way forward:**

### **Policy and Legal Provisions**

Governments and policy-makers are urged to **draw up integrated programmes to combat violence against children**. These should enact legislation on all forms of violence, including domestic and workplace violence, and harmonise laws and procedures to establish a proper system of positive legislation that promotes and protects children's rights.

In the past, a number of governments, organisations and institutions have commissioned independent studies on violence against children. Such studies have come up with viable recommendations and effective solutions to address violence against children. However, the relevant governments, organisations and institutions have not taken adequate action. The onus is now on these bodies to **revisit the recommendations of their respective studies and take appropriate action, and learn from governments, organisations and institutions that have successfully implemented actions to prevent violence against girls**. Civil society organisations in particular can – and have - address the practical needs of women and girls who have experienced violence including providing shelter and counselling services.

**Law enforcement services and judicial procedures must be child-friendly**. This would involve the provision for ex-officio action by the authorities, in-camera (confidential) hearings, child-friendly benches in court and court benches made up equally of female and male judges.





## Education and Awareness

Policy-makers and civil society organisations need to **educate the public about the harmful effects of violence against girls by organising awareness-raising and advocacy campaigns**. Relations based on gender equality should be established through preventative initiatives.

**Training programmes should be established for the judiciary, law enforcement bodies and civic leaders who deal with children who have experienced violence.** Centres should be set up to support children who have experienced violence. Generally, these children will turn to civil society and non-governmental organisations. By maintaining a presence on the ground, they can directly address the consequences of violent acts and provide data on how interventions can be improved.

Intervention strategies should aim to **increase the involvement of children, young people and women in actions and programmes that seek to address violence against girls**. Activities like children's forums should be established so that they can talk about issues of violence that affect them and build peer support for each other. In doing so, girls will be given the opportunity to speak about their experiences of violence, and identify the fact that violence directed against them violates their fundamental human rights. In so doing, they can break the cycle of violence where women continue to perpetrate violence against girls. In addition children should also be targeted as violence against children by children is on the increase. It is a hidden problem that needs to be explored further.

## Legislation

All United Nations member states that have not yet ratified and implemented the **United Nations Convention on the Elimination of All Forms of Discrimination against Women** and members of the African Union who have yet to ratify the **African Charter on the Rights and Welfare of the Child**, should do so **as soon as possible**.

Governments should take action to address trafficking of girls within their national borders. Those that have not ratified the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography should do so. Such action must be supported at the national level by legislation and a framework for implementation.

## Implementing Laws

Countries should **establish national systems to collect gender-specific data that will highlight the nature, extent and prevalence of all forms of violence against girls**. This data should then inform the process of developing legislation and enable effective monitoring of violence against girls.

Governments and civil society organisations need to **review all forms of structural violence against girls**. They should draw up systems, programmes and legislation to address all existing forms of structural violence.

## Resources

Governments and economic policy-makers must **prioritise the allocation of resources**, and the international community must **mobilise new resources to address the needs and realities of women and girls**. Government officials at all levels must ensure that these resources are made available to programmes and initiatives aimed at addressing violence against girls.

Strong leadership is required at all levels to address gender inequality. Heads of state, government officials, policy-makers, and community and religious leaders must speak out strongly and urgently on the need to protect girls from violence and discrimination. Without strong leadership, political will, and the necessary funding, violence against girls will persist. Girls can no longer be regarded as victims: it is time to recognise and build on their strengths. Ultimately, strategies to address violence against girls cannot succeed unless they are empowered to claim their rights.

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