



POSITION PAPER

Protection of Girls against Sexual Abuse in the Education System

Abuse of children in schools

Violence is widespread, and even in schools, where children should be safe to learn and develop, they are exposed to a wide range of violence and abuse – whether perpetrated by peers, in the form of fighting and bullying, or by teachers and staff, in the form of corporal or cruel and humiliating punishment. Sexual and gender-based violence and abuse is of particular concern in schools, and is increasingly highlighted as a major issue in Sub-Saharan Africa, including Mozambique. Numerous international and regional studies provide evidence on the nature and, to some extent, scale of the problem, including the United Nations Study on Violence against Children. In particular, research shows that sexual violence predominantly affects those who have reached puberty or adolescence and that girls face a greater risk of sexual abuse than boys.

International Human Rights Framework

Sexual abuse of girls in school is a clear rights violation, as established under international human rights instruments, specifically the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Mozambique, as a signatory to these international Conventions, has the obligation to ensure that their principles and provisions are integrated into national legislation, policies and programmes and that all relevant stakeholders are accountable for the realisation of children's rights.

Sexual abuse is not only a violation of a girl's physical and emotional integrity but also a barrier to the achievement of the Education and Gender Millennium Development Goals, since abuse, or the threat of abuse, will often discourage girls from continuing their education. Mozambique has made a commitment to achieving the Millennium Development Goals, and this commitment is reflected in the national poverty reduction strategy document, as well as in education policies and plans and the national gender strategy.

The Evidence Base

Key national studies have highlighted the issue of sexual abuse in schools and have provided some analysis, including estimates that 1 in 5 girls over 15 years of age have experienced abuse in school. It is clear, however, that improved quantitative data and more detailed qualitative analysis are needed to reach a fuller understanding of the scale and nature of the problem. At the same time, the covert nature of this rights violation makes it difficult to obtain these data – or



indeed to ascertain if progress is being made in reducing abuse, as children are often too afraid, ashamed or intimidated to report cases of abuse or parents may not see the relevance in reporting.

Sexual Abuse

Causes: Sexual abuse is the result of a combination of a range of factors. Research shows that no single factor can explain why certain people become victims and others perpetrators. Economic development, socio-economic status, age and gender are among the many risk factors. Gender discrimination and inequality render women and girls more vulnerable to sexual abuse and other human rights violations. Harmful cultural beliefs, attitudes and practices are also factors contributing to the phenomenon.

Consequences: This form of abuse against girls has many grave consequences, from physical injury and STD transmission to serious psychological and emotional damage. Stigma, early pregnancy or marriage may result in exclusion or drop-out from school. Without empowerment, these girls are likely to remain in the violence cycle.

Action: Mozambique has laws both protecting children and guaranteeing their right to education. The recent process of revising the relevant national laws has created an environment for change. The outcome has been substantive reform of key legislation, such as the Family Law and the Civil Code. Other bodies of legislation such as the Penal Code are still in the process of being reformed. Additional legislation on domestic violence and child trafficking is being drafted to fill identified gaps.

Ultimately, the **legal reform** process has led to the drafting of the Children's Act, an umbrella law to ensure the protection, respect and fulfilment of children's rights. This comprehensive document includes provisions against sexual abuse and on the right to education.

At the **policy level**, the Government is currently revising a national plan of action for the prevention of violence, abuse and exploitation of women and children to ensure that all aspects of child protection are reflected in the document. The Ministry of Education and Culture (MEC) has issued a decree against abuse in schools, however it is essential to monitor actual compliance. The national education and culture sector plan, the PEEC, outlines commitments to addressing abuse. MEC is currently focussing on addressing abuse through teacher and school director training, particularly targeting districts and schools where the issue is known to be a concern.

The Government is supporting **programmes** directed at building the capacity of relevant stakeholders - government and civil society – at all levels, including at the community level. The capacity of law enforcement officials has also increased and currently Mozambique has some 140 specialised police centres for women and children, in all provinces. Within the education sector, the general commitments of the sector plan need to be operationalised into concrete



actions within all relevant education programmes, including School Director training, School Council training and teacher training.

Civil society also plays a major role in the protection of women and children against all forms of violence and abuse. Organisations have supported line ministries to develop policies, legislation, strategies and programmes to combat violence and to assist victims. Most recently, civil society initiated the Campaign against Sexual Abuse of Girls in Education, bringing together all stakeholders, including Government and development partners.

The United Nations

The UN Agencies have the mandate to support national government and civil society to protect, respect and fulfill human rights and promote gender equality. Their work includes building the capacity of all stakeholders to ensure that these rights are reflected in legislation, policies and programmes, and that implementation is carried out in an effective and sustainable manner. UNICEF, as the lead agency for children, is mandated with the key role in child protection. UNESCO, the lead agency for education, plays a critical role in promoting the right to education in a quality learning environment.

The UN family has a united and clear understanding that all forms of violence against women and children are preventable and that no form can be justifiable or tolerated. The UN therefore affirms its commitment to support the Government of Mozambique to fulfill its roles and responsibilities to reduce the incidence of abuse of children in schools by:

- Assisting the Government, particularly to the Ministry for Women and Social Action (MMAS), the Ministry of Education and Culture (MEC) and the Ministry of Interior (MINT), to improve documentation and evaluation of gaps and weaknesses and actions required;
- Monitoring and reporting on the progress of MEC, supported by (MMAS) and Interior (MINT), to fulfil their responsibility to ensure the safety and wellbeing of children within the education system, as outlined in the education sector plan;
- Supporting MEC ensure that plans of action to prevent abuse are included in school development plans;
- Ensuring adherence by teachers to the Code of Conduct promoted by the National Teachers Union (ONP);
- Ensuring that the teacher training programmes and material include teachers' responsibilities to protect children;
- Supporting awareness raising programmes, by means of the School Council, in the school and community on both the causes and consequences of abuse – many of which occur outside of the school;



- Building the capacity of civil society to advocate, raise awareness and take action with the community to tackle abuse in ways that harness positive traditions and values;
- Supporting the Police, through the “Centros de Atendimento”, to provide child-friendly victim assistance during both the reporting and referral processes;
- Building the capacity for the Police to conduct outreach work to mobilise and sensitise communities on the causes and consequences of violence and the means for its prevention;
- Building the capacity of health workers to whom victims are referred to provide appropriate services, and to establish a two-way reporting system between the Police and the Health Sector;
- Ensuring that all stakeholders underline the link between sexual abuse and increased risk of contracting STDs, including HIV in their interventions.
- Build the capacity of the media to provide informed and responsible reporting on the issue in general as well as on specific cases.