

Sexual abuse of children: an emerging social problem in Galapagos ¹

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Sustainable development exists when economic growth is accompanied by rational use of resources and enforcement of human rights. It is unsound to evaluate conditions or discuss the future of Galapagos while taking into account only one or two of these pre-conditions. It is imperative that economic development be carried out in a way that is consistent with the unique environment of the islands and that it is accompanied by an honest and timely attention to the wellbeing of Galapagos society.

According to national statistics related to poverty and access to education and health services, etc., the standard of living in Galapagos is one of the highest in Ecuador. In addition, Galapagos is the province where rights of children and adolescents are most highly protected (Observatorio de los Derechos de la Niñez y la Adolescencia; UNICEF, 2006.). That being said, an urgent hidden problem exists in the islands, one not found in the statistics: sexual abuse of children.

Sexual abuse of children and adolescents is frequently concealed or denied, and is often invisible to society. Using coercion or intimidation, aggressors silence their victims, who often refuse to denounce their abusers. The consequences of sexual abuse are serious; the effects of the aggression are deepened when the victims are stigmatized, rejected, or misunderstood. For this reason, attention to child and adolescent victims must be timely and integrated. Emergency treatment must include medical, psychological, social, and legal attention.

Although Galapagos may have fewer problems than continental Ecuador, the worst case of sexual abuse against Ecuadorian children occurred in the archipelago. In 2003 the criminal acts perpetrated by the Burdett Cedeño couple were publicly exposed. Over a period of several years these individuals committed acts of rape, child pornography, illegal administering of drugs, and corruption of minors, which may have affected hundreds of children from the province and other parts of Ecuador. To date there have been

¹ This article was researched and written with the collaboration of technicians of the Decentralized Territorial Unit of the National Institute of Children and Families (INNFA) in Galapagos.





Photograph: Diego Añazco

16 court cases, nine of which ended with sentences ranging from 12 to 25 years. If these sentences were served consecutively, these criminals would remain in prison for the next 196 years. However, Ecuadorian law does not allow for consecutive sentencing, so their total incarceration will be 25 years.

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The serious nature and magnitude of the Burdett Cedeño case provided the catalyst for legal reforms to establish harsher sentences for criminals and to define other types of offenses such as physical abuse and sexual exploitation. Currently no case of sexual abuse in the islands approaches the magnitude of the Burdett Cedeño cases. However, the data show that far

from disappearing, the number of reported incidents has actually increased.

Our analysis focused on Santa Cruz because of the availability of information. The data show that the number of cases of child sexual abuse reported in the last four years has increased. This increase may have two explanations: more victims are now deciding to accuse their aggressors or there are simply more cases.

Both national and international legislation² state that children and adolescents have the right to be protected from all types of sexual abuse and exploitation. The difference between these two offenses is that sexual exploitation implies an economic benefit to the aggressor while sexual abuse does not. Sexual exploitation includes prostitution and child pornography.

Article 206 of the Code for Childhood and Adolescence (CCA) states that each canton or county should have a functioning County Board for the Protection of the

² The principal legal bodies that are currently applicable include the Convention on the Rights of the Child adopted in 1989 by the General Assembly of the United Nations and the national Children and Adolescents Code of 2003.

Rights of Children and Adolescents (CBPR) responsible for “looking into cases of threats to or violation of the rights of children and adolescents within their jurisdiction and carrying out the measures necessary to protect the threatened rights or restore violated rights.” Santa Cruz has a population of 3921 people under 18 years old (INEC, 2006). Between 2005 and 2007, the CBPR of Santa Cruz received 358 reports of violations of the rights of

children and adolescents. The most common offense is physical abuse followed by negligence (Table 1). On an international level, reported sexual offenses tend to be statistically low (Save the Children, 1998), with an estimate that only 20% of abuses against women and 10% of abuses against men are actually reported. The rest of the victims continue to live their abuse in silence.

Table 1. Cases received by the County Board for the Protection of Rights of Children and Adolescents of Santa Cruz between 2005 and 2007³.

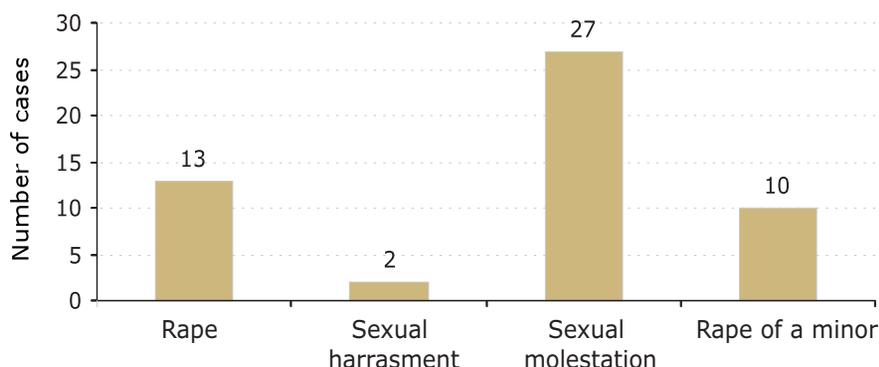
	Physical Abuse	Negligence	Sexual offenses	Others	Total
2005	9	12	2	1	24
2006	55	41	8	24	128
2007	60	52	21	73	206
Total	124	105	31	98	358

Source: CBPR of Santa Cruz.

Judicial procedure requires that the District Attorney be informed of all cases of sexual abuse or offense, resulting in a higher total number of offenses than the number received by the CBPR. The District Attorney of Santa Cruz has received notification of 50 cases of sexual offenses in the last three years: 13 in 2005, 13 in 2006, and 24 in 2007. However, between August and December 2005, the record does not provide details of types of cases so there may be more cases of sexual abuse in that year.

The National Institute for Children and Families (INNFA) has a technical team to respond to cases of physical abuse, negligence, and sexual abuse through social, legal, and psychological assistance for victims and their families. From 2005 through the first three months of 2008, this team responded to 52 cases. Of these, sexual molestation was the most frequent (27 cases), followed by rape (13 cases), and rape of minors (10 cases) (Figure 1).

Figure 1. Cases responded to by INNFA between 2005 and 2007⁴.



Source: INNFA.

³ Mistreatment includes physical, psychological, and institutional acts against children and adolescents. Negligence is the act or omission of acts that result in the violation of the rights of children and adolescents. Sexual offenses include rape, sexual molestation, rape of minors, sexual harassment, and sexual exploitation.

⁴ The types of crimes are those established by the current Criminal Code.

In terms of age of victims, 50.9% are younger than 12 years, 7% are under six years, and 49.1% are between 12 and 17 years old. Clearly, sexual offenses affect victims of all ages.

Of all sexual offenses reported, 81.8% of the victims are female. Males represent 18.2% of the victims who have reported offenses and all are under 15 years old. The low incidence of reports of abuse among young males may reflect a greater tendency to hide the abuse due to myths and prejudices regarding masculinity (for example the fear that they will be marked as homosexuals).

On the other hand, most reported aggressors are male and are well-known to the victim. In 95% of the cases, the relationship with the victim was that of friend, neighbor, teacher, or boyfriend and the violation occurred within the daily environment of the child.

Galapagos falls under the legal jurisdiction of the Province of Guayas. This requires that both victims and witnesses travel to Guayaquil for legal proceedings. The cost of traveling to the mainland combined with court summons that do not always specify a date and time, often make it difficult to appear in court and increase the risk that the criminals go unpunished. For this reason, one of the most important steps needed to reestablish the rights of children and adolescents in the archipelago is to establish a Criminal Tribunal and court specialized in the rights of children and adolescents in Galapagos.

We must be aware of what is occurring in Galapagos, given that sexual abuse against children and adolescents is a very serious crime and unfortunately something that many children and adolescents in our community are experiencing. This crime affects children during their formative years making this more than just an ethical and moral offense; it is also a factor that negatively affects the communities.

Providing children and adolescents a healthy environment that allows them to grow and develop healthy, safe, and happy should be a priority. To achieve this, those of us who live in the islands must understand what is happening around us. We must ensure that the necessary steps are taken to prevent these types of crime from occurring. The institutions established to protect the rights of children and adolescents, judicial authorities, and both public and private institutions in Galapagos must truly and without discussion assume the responsibility for the interests of children established in Article 11 of the Code for Children and Adolescents in all of their decisions and in the development of their annual plans and programs and the design of public policies.

4 The types of crimes are those established by the current Criminal Code.