



## COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN: A MENACE

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### Introduction

What is the Commercial Sexual Exploitation of Children?

The Indian Penal Code defines sexual exploitation of children as: forced or unwanted sexual behaviour towards children, Inclusive of outraging the modesty of a child, rape, sodomy etc.

Commercial Sexual Exploitation of Children is mostly element of trafficking. Child trafficking can be defined as any person under 18 who is illegally recruited, transported, transferred, harboured or received by threats, force, and coercion or inducing fear for the purpose of exploitation, either within or outside a country. Child trafficking is a common malpractice in India and also in many parts of world. Child exploitation is done for several reasons. Some of the primary reasons are **Sexual exploitation**. Children, especially girl children are lured into moving to another city and are forced into prostitution, sex tourism and pornography.

Now a day's we read or see many times about child rape and child sexual exploitation in the news papers or news channels daily. India leads the world as a country with maximum cases of child sexual exploitation. Statistics show that in India, every 15 minutes, a child under 16 years of age is raped. Parents of sexually abused children are scared to tell anyone due to fear of being shamed in society. It is not true that only strangers commit this crime. It can also be committed by members of the family, relatives and even neighbors. According to a survey, 90% of people sexually exploiting children are known to the children or are people whom the children trust. There have been many instances where the father himself, cousin

brothers, uncle or neighbors have sexually exploited children. This shows that children need protection even while at home. They are afraid to mention this to anyone when it happens, probably out of fear of not knowing what has occurred. Sexual exploitation is not rape alone. There can be many forms of sexual exploitation like clicking indecent photographs of children, making children watch pornographic content, physically teasing them, etc. The trauma of sexual exploitation in children sometimes impacts the children through life; they become guilty, fearful, lonely and worried.

**Sexual exploitation** is defined as an actual or an attempted abuse of someone's position of vulnerability (such as a person depending on you for survival, food rations, school, books, transport or other services), differential power or trust, to obtain sexual favors, including but not only, by offering money or other social, economic or political advantages. It includes trafficking and prostitution.

**Sexual abuse:** means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. It includes sexual slavery, pornography, child abuse and sexual assault.

Commercial sexual exploitation of children occurs when individuals buy, trade, or sell sexual acts with a child. Sex trafficking is “the recruitment, harboring, transportation, provision, or obtaining of a person for the purposes of a commercial sex act.”<sup>1</sup>

The commercial sexual exploitation of children is a global problem that could be happening right in your neighborhood. The commercial sex industry victimizes girls, boys, and transgendered youth. Children who are involved in the commercial sex industry are viewed as victims of severe forms of trafficking in persons, which is sex trafficking “in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age.”<sup>2</sup> A commercial sex act is “any sex act on account of which anything of value is given to or received by any person.”<sup>3</sup>

### **Common grounds of ‘How a child becomes a victim?’**

Pimps and traffickers target vulnerable children and lure them into prostitution and other forms of sexual exploitation using psychological manipulation, drugs, and/or violence. Any child may be vulnerable to such a person who promises to meet his or her emotional and

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<sup>1</sup> Victims of Trafficking and Violence Protection Act of 2000 [United States of America]. Public Law 106-386 [H.R. 3244]. 28 October 2000. Section 103(9).

<sup>2</sup> Ibid., Section 103(8)

<sup>3</sup> Ibid., Section 103(3).

physical needs. A trafficker/pimp's main purpose is to exploit the child for monetary gain. Often traffickers/pimps will create a seemingly loving and caring relationship with their victim in order to establish trust and allegiance. This manipulative relationship tries to ensure the youth will remain loyal to the exploiter even in the face of severe victimization. These relationships may begin online before progressing to a real-life encounter.<sup>4</sup>

How victims are targeted – Pimps are predators who seek out vulnerable victims, particularly runaways or children experiencing trouble at home. They know these children have emotional and physical needs they perceive are not being met and use this to their advantage. Pimps find victims at a variety of venues such as in social-networking websites, shopping malls, and schools; on local streets; or at bus stations. While pimps often target children outside of their family, a family member may also prostitute a child.

Tricked – Pimps are willing to invest a great deal of time and effort in their victim to break down a victim's natural resistance and suspicion – buying them gifts, providing a place to stay, promising a loving relationship – before revealing their true intent. Frequently victims do not realize the deceptive nature of their trafficker's interest in them, viewing their pimp as a caretaker and/or boyfriend.

Traumatized – A pimp's use of psychological manipulation (causing the child to truly believe the pimp loves and cares for his or her wellbeing) coupled with physical control (threats, violence, or drug addiction) can make a victim feel trapped and powerless. This "trauma bond" is difficult to break and long-term treatment and counseling for victims is required.

Despite the seriousness of the problem, the incidence of commercial child sexual exploitation is difficult to measure. Empirical research has not conclusively defined the scope of the problem today. Below, however, are some significant findings from past studies.

Statistics reveal

- Pimps mostly prey on victims as young as 12 to 14 years old.
- One study estimates as many as 325,000 children in the U.S, and Mexico are at risk each year for becoming victims of sexual exploitation.<sup>5</sup>
- A history of physical and sexual abuse is often common among victims.<sup>6</sup>

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<sup>4</sup> Commercial Sexual Exploitation of Children in the U.S., Canada, and Mexico, op. cit., n. 4, page 131.

See also. Greene, S. Ennett, and C. Ringwalt.(1999) "Prevalence and correlates of survival sex among runaway and homeless youth." American Journal of Public Health. 89(9) page 1406.

<sup>5</sup> National Report on Domestic Minor Sex Trafficking: America's Prostituted Children. Washington, D.C.: Shared Hope International, 2009, page 30.

- One study estimates 30% of shelter youth and 70% of street youth are victims of. Canada commercial sexual exploitation. They may engage or be coerced into prostitution for “survival sex” to meet daily needs for food, shelter, or drugs.<sup>7</sup>

#### Barriers for victims

Psychology of Victimization – Pimps may use force, fraud, or coercion to virtually enslave their victims. Juvenile victims have been controlled by threats of violence to their family; pornographic images taken and used for blackmail or stigmatization; physical, verbal, and sexual abuse. Child victims may be gang-raped to desensitize them to sexual activity prior to victimizing them in prostitution. Victims are taught to not trust law enforcement and may have experienced negative encounters with law-enforcement officers. Victims often remain with pimps out of fear of being physically harmed, having another victim endure physical harm, or a threat to their family members. Pimps have been convicted of plotting to murder cooperative victim witnesses and for the homicide of victims, further instilling fear.

“Trauma Bonding” – This is also common among child victims exploited for commercial sex. The child experiences a strong link to the pimp/exploiter based in what the child perceives as an incredibly intense or important relationship, but one in which there has been an exploitation of trust or power. Emotional bonding is a learned tactic for survival and can be common between exploited children and the exploiter. Advocacy groups working directly with this population note reframing the trauma bond with a pimp/exploiter can take months of therapy and/or residential treatment for the child. Post Traumatic Stress Disorder (PTSD) is very common among children exposed to sex trafficking and commercial sexual exploitation and may be characterized by such symptoms as anxiety, depression, insomnia, irritability, flashbacks, emotional numbing, and hyper-alertness.

Victims of commercial child sexual exploitation often have unique needs given the frequent nature of multiple acts of sexual exploitation or violence, by multiple offenders, over potentially a sustained period of time.

#### **Indian scenario**

National Crime Reports Bureau (NCRB) released statistics from 2020 report sexual crimes against children and a rise in cases reported under the Protection of Children against Sexual Offences (POCSO) Act

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<sup>6</sup> R. Estes and N. Weiner. Commercial Sexual Exploitation of Children in the U.S., Canada, and Mexico. University of Pennsylvania, 2001, page 144.

<sup>7</sup> National Report on Domestic Minor Sex Trafficking, op. cit., n 4., page 31.

In 2020, the maximum number of cases involved kidnapping and abduction (42.6%), followed by the Protection of Children from Sexual Offences Act, 2012 (38.8%) including child rape. Reports of POCSO cases have increased steadily since 2014 (except for a slight dip in 2017) – reaching 47,221 cases in 2020. Of the total reported child victims under POCSO, 99% were girls in the age group of 12-18 years

Fact: Sex trafficking need not involve actual movement of the victim.

Pimps may earn hundreds of thousands of dollars every year from selling minors.

75% of child victims engaged in prostitution are under the control of a pimp.

### **What are potential indicators of trafficking and exploitation?**

- History of emotional, sexual, or other physical abuse
- Signs of current physical abuse and/or sexually transmitted diseases
- History of running away or current status as a runaway
- Inexplicable appearance of expensive gifts, clothing, or other

It is likely that there is significant under-reporting given the social stigma against boys and their families speaking up on child sexual abuse. In 94.6 % of cases of child sexual abuse, the perpetrators were known to child victims in one way or the other; in 53.7 % of cases they were close family members or relatives/friends. The conviction rate for POCSO cases has increased, but the number of cases pending is still very high.

Sexual violence is a problem for a significant number of girls and boys, and that more research and data collection could help clarify the extent of the incidence

Though prevalence data on violence against boys and girls remains a challenge in India, there is significant evidence of intimate partner violence commonly experienced by women. One in three (34 %) women (aged 15-49) married or in union has experienced physical, sexual or emotional violence by their husband or partners. Among ever-married women (age 15-49) who have experienced sexual violence, 92 % report their husbands as perpetrators. Also 52 % of women and 42 % of men believe that a husband is justified in beating his wife in at least one of seven specified circumstances. This data helps to illustrate the how gender-based violence can constrain the movements of women and girls

### **Violence online**

A relatively new threat to the safety of children has emerged with the rapid expansion of internet communication technologies (ICTs) where 60 % of online users in India are children and young people

One in three children in India reported that they experienced cyber bullying. Of these, more than half the respondents were not aware of services to report online violence as per this global poll report<sup>8</sup>

According to a recent report at least 25,000 images of child sexual abuse were uploaded every day from India. This amounts to 12 % of the child sexual abuse images circulation globally being generated in India<sup>9</sup>

There is a higher vulnerability of girls to online violence. In a survey conducted in 2016, 58% of respondents, largely women, reported having faced online aggression via trolling, bullying, abuse or harassment. In addition, girls are at risk of being prevented more often from using devices, among others to tackle the risk of them engaging with strangers. A particularly vulnerable group requiring special protection are, children living in institutions including residential schools for tribal children. Though data is considered to be incomplete, a national mapping done by MWCD<sup>10</sup>/Child line in 2016, identified 3, 70,227 children in need of care and protection and at least 9,589 in child care institutions.

Children's vulnerability to violence increases when they are without parental care and a study in 2018 identified as many as 1,575 victims of sexual abuse (1286 girls and 286 boys) of children in institutions. In the past few years, there have been many reports of child deaths, violence and neglect in tribal ashram shalas which are residential facilities for tribal children. It is important to ensure a safe, violence free inclusive environment for tribal children who belong to the most vulnerable section.

**During Pandemic:** Pandemic has (COVID-19) exacerbated four other existing pandemics like malnutrition, poverty, violence, and mental health issues. Given the high levels of poverty in the country, the socio-economic impacts of COVID-19 are likely to put many vulnerable families on the brink.

Extended periods of lockdown have also added to the heightened vulnerabilities to Gender based Violence (GBV) and VAC for those already at risk, many being trapped with their abusers and not able to access help or services. Mental health and violent discipline are emerging as concerns due to children's routines being disrupted and other economic and stress factors for families.

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<sup>8</sup> In a 2019 UNICEF U-Report poll

<sup>9</sup> by U.S. National Center for Missing & Exploited Children (NCMEC)

<sup>10</sup> Ministry of women and child development

On account of extreme economic distress, families will likely resort to negative coping mechanisms leading to an increase of child labour, trafficking, pushed on to the streets or railway stations. More children may undertake unsafe migration; and also, current situation may lead to an increase in numbers of children entering institutions or in contact with the law.

### **Conclusion**

Childhood sexual abuse is associated with a broad array of adverse consequences for survivors throughout their lifetime. As a result of more rigorous research studies in this field our understanding of the impacts of childhood sexual abuse is becoming more nuanced and a robust body of research evidence now clearly can demonstrate the link between child sexual abuse and a spectrum of adverse mental health, social, sexual, interpersonal and behavioural as well as physical health consequences. To tackle the issue, the strongest links have been found between child sexual abuse and the presence of depression, alcohol and substance abuse, eating disorders for women survivors, and anxiety-related disorders for male survivors. An increased risk of re-victimization of survivors has also been demonstrated consistently for both men and women survivors. Some more recent research has also revealed a link between child sexual abuse and personality, psychotic and schizophrenic disorders, as well as a heightened risk for suicide ideation and suicidal behavior

Many questions still remain unanswered. For example, we need to better understand the experiences of girls and boy victims of child sexual abuse particularly within the context of institutional cases of child sexual abuse and the impact of such experiences on key areas of victims' functioning

Future research in this area needs to continue to tease out gender differences in victims' experiences of childhood sexual abuse, the impact of mediating variables on survivors' future functioning and their adjustment in all spheres of their life. This understanding will assist in the identification, treatment and prevention of child sexual abuse. Importantly, this knowledge is important to survivors of childhood sexual abuse being able to disclose their experiences in a safe and supportive environment and gaining access to effective services and the support they need to deal with those experiences and all its effects