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CHILD SEXUAL ABUSE IN PAKISTAN; ITS CAUSES, CONSEQUENCES AND PREVENTIONS

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Muhammad Afaq Khan:	Associate Lawyer, Ministry of Law & Justice Email: mrafaqi786@gmail.com
Humaira Noor:	Associate Lawyer, Ministry of Law & Justice nhumaira1999@gmail.com

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Abstract: Children are not objects to be used or misused neither are they broken toys to be discarded (Holmes & Holmes, 2002). Although child abuse is a global issue, the situation in Pakistan is particularly concerning. According to a research by a nongovernmental organisation, sexual assault of minors occurred in Pakistan on average 12 times every day in 2023, or one every two hours (Hussain, 2023). A child's health and general personality are negatively impacted by the severe physical and psychological effects of child sexual abuse. While anxiety, terror, or post-traumatic stress disorder are frequent long-term effects, shock, dread, or disbelief are common instant reactions to sexual abuse. The consequences of sexual assault on victims are severe, long-lasting, and have an enormous effect on our society.

Keywords:

Child Sexual Abuse; Sexual Exploitation; Child Protection Laws; Psychological Effects; Physical Effects; Preventive Measures; Pakistan Penal Code; Khyber Pakhtunkhwa Child Protection and Welfare Act 2010; Case Law; Child Rights; Parental Responsibility; Criminal Justice in Pakistan.

INTRODUCTION

Children are not objects to be used or misused neither are they broken toys to be discarded (Holmes & Holmes, 2002). Although child abuse is a global issue, the situation in Pakistan is particularly concerning. According to a research by a nongovernmental organisation, sexual assault of minors occurred in Pakistan on average 12 times every day in 2023, or one every two hours (Hussain, 2023). A child's health and general personality are negatively impacted by the severe physical and psychological effects of child sexual abuse. While anxiety, terror, or post-traumatic stress disorder are frequent long-term effects, shock, dread, or disbelief are common instant reactions to sexual abuse. The consequences of sexual assault on victims are severe, long-lasting, and have an enormous effect on our society.

Article 377A of Pakistan Penal Code Child Abuse Amendment Act child is defined as a person under the age of eighteen who has experienced sexual abuse from another person by engaging in sexual behavior with them, whether or not they consented. Since child sexual abuse is a major problem and taboo, victims are frequently frightened to come forward and efforts to raise awareness of it are frequently suppressed. Many people in the community do not speak out against child sexual exploitation and sexuality at all. Children who experience sexual abuse will benefit from this research because they will be protected and accorded their legal rights.

Child Abuse:

The term "child abuse" is typically used to refer to an act that varies from acceptable social norms. It can include;

- Physical abuse is when a kid is purposefully subjected to force that can cause harm, such as hitting, burning, shaking, choking, etc.
- In addition to violent sexual assault, sexual abuse includes other sexual behaviours, including inappropriate touching, that the kid is not yet developmentally ready for, does not completely comprehend, and cannot provide unambiguous consent for.
- Emotional abuse refers to assaults on a child's self-esteem, such as persistent humiliation, teasing, or intimidation, as well as seclusion.

Child Exploitation:

Exploitation is the maltreatment of a child where there is monetary gain or where the offenders gain in some other way, such as politically, socially or otherwise. Exploitation constitutes a form of coercion and violent behaviour, detrimental to the child's physical and psychological health, development, and education.(Exploitation and Abuse)

Sexual Abuse and Sexual Exploitation:

When a child is exposed to the sexual pleasure of an adult, older adolescent, or another person in a position of authority, it is considered sexual abuse and exploitation of children. A type of sexual abuse known as "sexual exploitation" happens when a youngster has sex, typically under coercion or manipulation, in exchange for money, drugs, food, or housing. (Thomson, 2008)

Child Sexual Abuse:

"Child sexual abuse" is a form of child abuse that happens when an adult or older adolescent mistreats a child. Effective policy-making, substantive discussion on the subject, the creation of particular CSA laws, and successful prevention initiatives all depend on a legal definition of child sexual abuse.

"The involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to or for which the child is not developmentally prepared, or else that violates the laws or social taboos of society," is the broad definition of child sexual abuse and neglect given by the World Health Organization (2006) in cooperation with the International Society for the Prevention of Child Abuse and Neglect. Adults or other children who, because to their age or developmental stage, are in a position of authority, trust, or responsibility over the victim may sexually abuse children. (WHO, 2006)

Acts Which Amount to Child Sexual Abuse:

Touching and non-touching are the two basic types of child sexual abuse.

Examples of touching include putting objects or body parts in a child's mouth, anus, or vulva for sex, forcing a child to touch someone else's genitalia, and stroking a child's genitalia. Non-touching abuse includes showing a child pornography, exposing a person's genitalia to a child, engaging in sex trafficking or prostitution, photographing a child in a sexual position, forcing a child to see sexual acts live or on camera, and watching a child undress or use the restroom. (preventchildabuse, 2022)

According to The Khyber Pakhtunkhwa Child Protection And Welfare Act, 2010, "sexual abuse" means employing, using, forcing, persuading, inducing, enticing, or coercing

any child to engage in, or assisting any other person to engage in fondling, stroking, caressing, exhibitionism, voyeurism or any obscene or sexually explicit conduct or stimulation of such behavior with or without his approval, either alone or in combination with other actions. (THE KHYBER PAKHTUNKHWA CHILD PROTECTION AND WELFARE ACT, 2010).

Asking or coercing a child to engage in sexual activity, exposing a child's genitalia indecently, showing pornography to a child, engaging in actual sexual contact with a child, making physical contact with the child's genitalia or merely observing them without making physical contact, or using them to produce child pornography are all considered forms of child sexual abuse. (Arinze-Umobi, 2010)

Following are some other acts which amount to child sexual abuse;

- When an adult makes sexually suggestive or graphic comments to a youngster,
- When an adult exposes their genital organs to a child,
- When an adult gets sex from viewing children in the nude,
- Incest, forcing or encouraging a youngster to read or watch porn, giving a child sexual books, images, or films,
- Using the child to create obscene images, movies, etc.
- Pressuring a youngster to engage in prostitution;
- Kissing a child who has sexual desires;
- Abusing a child by forcing them to fondle their genitalia or breasts
- Promoting a child's sexual behavior, including masturbation
- Urging or coercing a child into oral sex which involves utilising either the child's mouth or one's own.
- Vaginal penetration
- Sexual assault by a fighter or peacekeeper during a conflict, displacement, or natural disaster.
- Anal penetration(Gillani, 2009)

A caregiver or family member sexually abusing a child at home is just one example of the many abusive behaviors that fall under the broad categories of sexual abuse and exploitation. raping a child, having sex with a child and threatening to keep it a secret, or forcing a youngster to have sex in return for food, money, or favors; sexually abused by an

adult, gang, or a neighborhood peer while traveling to or from school; groomed or sexually exploited online by an adult or older child; trafficked domestically or internationally for the purpose of sexual exploitation, occasionally by organized groups of child sex offenders; or sexually abused by an adult in a position of trust or authority, such as a pastor, police officer, care worker, or sports coach; or

Intra-Familial Child Sexual Abuse:

The most secretive and challenging sort of abuse for children to expose is sexual abuse that occurs within family situations, where it frequently goes unreported. Disclosure of abuse by a sibling may be extremely challenging.

Since the abuser will attempt to lower the risk of exposure by threatening the child, telling them they won't be believed, or holding them responsible for their own abuse, the youngster may not even realize what is occurring or that it is wrong. Many kids are unaware that they have been sexually abused.

Case Laws:

Imran Ali Case (2018) – Zainab's Murder Case

Case Background:

Imran Ali raped and murdered 7-year-old Zainab Ansari in Kasur.

Verdict:

Found guilty and given the death penalty (in 2018). Impact: Led to nationwide outrage and the passage of the Zainab Alert Act.

The Zainab Alert, Response and Recovery Act, 2020: Enacted after the brutal rape and murder of Zainab Ansari (2018), this law mandates swift police response to missing child cases and stricter punishments for offenders.

The Anti-Rape (Investigation and Trial) Act, 2021:

Introduces special courts, expedited trials, and harsher penalties (including chemical castration) for rape offenders, especially in child abuse cases.

Child Abuse Laws under the PPC (Pakistan Penal Code):

Section 292B (Exposing child to seduction, etc.)

Section 377 (Unnatural offences, often invoked in child abuse cases)

Sections 371A to 371C (Prostitution and child trafficking)

Iftikhar Ali v. The State, 2022:

Famous Pashto singer Nazia Iqbal of Rawalpindi claims that their maternal uncle raped and sexually assaulted their two daughters, Meena, 12, and Fizza, 8, for several months. The singer revealed that her daughters would frequently berate her for their uncle's "bad actions" with them and for showing them scary movies while threatening to kill them if they told anyone. "the girls underwent a medical examination and initial reports confirm that both girls were subjected to sexual abuse".

Nazia was first compelled to keep her daughter's sexual assault by her brother a secret out of respect for their family. However, Nazia's mother is reportedly urging her to pardon Iftikhar for his horrible crimes ever since the death penalty judgement was announced.(Iftikhar Ali v. The State, 2022)

Chacha T20':

Mehar Muhammad Zaman, nicknamed 'Chacha T20' or Uncle T20 Cricket, in Hafizabad city of Punjab has confessed to committing sexual acts with his two biological daughters for the past several years.(Ali, 2017)

Cascade of Child Sexual Abuse in Kasur (2015)

Case Background: Hundreds of children were abused and blackmailed in Hussain Khanwala village, Kasur.

Verdict: Multiple accused were arrested, but delays in prosecution highlighted systemic flaws.

Result: Prompted calls for improved child safety measures.

Case of Sahiwal Child Abuse Case Background:

A 10-year-old boy was abused by a seminary teacher.

Impact: Spotted instances of abuse in religious settings.

Lahore Motorway Rape Case (2020)

Though not a child abuse case, it led to stricter laws affecting child abuse trials.

Causes of child sexual abuse:

Mainly there are two factors which may cause the child sexual abuse i.e. the internal factors and the external factors.

The Internal Factors:

Internal factors are factors that refer to crimes that originate within the perpetrator, in the form of;

(1) **Psychological state of the offender**, A person is considerably more likely to abuse and neglect others if they have depression, a mental disease, or paedophilia (sex interest in children). Due to his mental state, he has sexually abused youngsters and lacks self-control over his urges. This disorder shows itself as atypical sex circumstances and is impacted by a deviant sexual orientation. This situation usually results from the offender's incapacity to properly regulate his sexual desire, or in this instance, from his incapacity to counteract the internal sexual arousal that triggers the offender's inappropriate sexual behavior against the child.

(2) **The biological condition of the offender**: The biological factor in question is the unfulfilled or inappropriately channeled need for sex, which causes the offender to vent their frustrations on the child.

(3) **Poor health problems of children**, compared to other children, those who have a poor mental state, a learning handicap, or a physical disability are more likely to report childhood sexual abuse.

External Factors:

The following kind of external factors are those that are not related to the offender:

Economic factors, such as a person's poor income and standard of living, have a big impact on the incidence of criminal activity. This is because it's assumed that a standard of living also results in a low level of education.

Poverty:

Child sexual abuse is gravely influenced by poverty. Poor families account for the majority of sexual abuse instances. Children are made to labour when their parents are unable to provide for their fundamental requirements. Girls, for instance, are required to work in homes, whereas boys are required to work in places like shops where they could be

easily sexually exploited. It is not true that all incidences of child sexual abuse come from poor homes; some also originate from middle-class and affluent families. Children who are in need and are poor fall prey to adult abusers who appear to aid them but actually exploit them.

Lack of Education:

A child's education determines their destiny, and they would suffer greatly without it. Since institutions like schools and social services do not safeguard uneducated children, they are more susceptible to abuse. Adult education is also crucial since, the less educated a person is, the more inadequately equipped they are with knowledge. Because of this, the perpetrators do not consider how sexual assault against minors may affect them as well as the victim.

Unemployment:

Unemployment is a common cause of child sexual abuse. Sexual abuse is one type of abuse that can be utilized as a coping strategy for stress related to unemployment. Heterogeneous effects indicate that young children are more affected by unemployment. All forms of abuse will eventually increase if unemployment increases by even one unit.

Homelessness:

Children who are homeless are far more likely to have been sexually abused. Some of them are abused sexually while they are very young. Domestic violence, sexual abuse, and other forms of harshness in relationships are commonplace among these homeless children.

Environmental Factors:

Environmental factors can have an impact on sexual abuse of children within the family. This is because criminals have an advantage when operating in a confined setting because they can do so without drawing attention to themselves.

Acquaintances: Children trust the person they know and even if they find their behaviour uncomfortable, yet they are unable to stop them.

Age of Parents: While parenting their child, parents' ages play a significant role. Children are at considerable risk if the parents aren't old enough to properly protect and care for them. The needs of their children are not effectively met by them because they are unsure of how to respond in certain situations. As a result, it can potentially lead to sexual abuse.

Lack of Morality and ethics: Sexual assault against minors often stems from immoral behaviour on the part of the perpetrator. The moral is an important tool for teaching about

virtues and is a major factor in influencing behaviour, therefore if someone lacks good morals, they are more likely to act in evil manner. This occurs when the perpetrator's morality has vanished, just like in situations of sexual assault against children that take place both inside and outside of the family.

Vulgar social media contents: Access to pornographic content on social media via the internet network is becoming simpler with the growth of the current era of globalisation. This is problematic because sexual content can stimulate and affect viewers, leading to addiction. The addiction caused by the power of sexual scenes received by the brain is alike to consuming cocaine contained in drugs. (Gupta & Garg, 2020)

Implications of Child Sexual Abuse:

Child sexual abuse and exploitation have a detrimental effect on children's personalities and health. In addition to the negative effects on physical health, such as high body mass index, difficulties giving birth, drug or alcohol misuse, anxiety, despair, psychological trauma, and self-harm, the harm also includes the impact on criminal conduct, missing classes, and reduced educational achievement. Other types of abuse or violence are more likely to be experienced by a child who has been sexually abused or exploited. Problems with intimacy, relationships with family, partners, and kids, as well as socioeconomic fallout like homelessness and unemployment, can all have long-term effects.

Psychological Effect:

Sexual abuse of children can have both short-term and long-term psychological effects on the victim. According to Aangan's (2002) analysis of 200 letters from victims and survivors of CSA, the effects of CSA include feelings of guilt, depression, fear, shame, lack of confidence, anxiety, suicidal ideation, helplessness, amnesia for abuse memories, low self-esteem, general psychological distress and disorders like somatization, neurosis, chronic pain, sexual behavior, school/learning issues, and behavioral issues like substance abuse, destructive behavior, adult criminality, and suicide. (Arinze-Umobi, 2010) and problems in interpersonal relationships. CSA may also lead to girl's delinquency and women crimes (Siegel, 2003). Fifty percent of women psychological health clients are CSA survivors (Bryer, (1987)).

The victims of CSA have multiple mental health problems mostly they are diagnosed as having borderline personality disorder (Laporte, (1996)) ,post-traumatic stress disorder (PTSD), schizophrenia, conversion disorder, borderline personality disorder,

Physical effects:

In addition to having a higher chance of developing lifelong mental health issues, those with CSA are also more likely to experience physical health problems, such as internal organ damage, bleeding, and cuts. Chronic pain, STIs, sleep disorders, adult-onset arthritis, fibromyalgia, chronic fatigue, diabetes, circulatory, digestive, respiratory, musculoskeletal, reproductive, urinary, and neurological disorders are just a few of the many symptoms that these people frequently experience and that are frequently medically inexplicable. (Sigurdardottir & Halldorsdottir, (2018))

Pakistani Laws on Child Sexual Abuse:

The National Commission for Child Welfare and Development (NCCWD) was founded by the Pakistani government in 1979. The Convention on the Rights of the Child (CRC), a legal treaty protecting children's rights that establishes standards in civil and social services, health care, education, security, and legal services, was ratified by the Pakistani government, marking the next significant milestone in the history of child welfare. This was the next major turning point in the history of the field. Since then, there has been an increase in the country's conversation around children's rights.

The National Plan of Action (NPA) for Child Protection was developed to address child labor, education, child mortality, housing, poverty, child pornography, prostitution, child exploitation, and child sexual abuse. In order to establish an institutional framework for preventing child abuse and shielding children from it, a child protection statute was drafted in 2006, and rehabilitating harmed children. Approval of this law is also pending. The government may, if necessary, announce the establishment of one or more Child Protection Courts (CPC) under the Punjab Destitute & Neglected Children Act 2007 (Section 22), which created the CPC system.

The Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010.

48. Child pornography penalties. "Anyone found guilty of child pornography faces a minimum sentence of fourteen years in prison, with the possibility of a twenty-year sentence,

as well as a fine of at least two million rupees, with the possibility of a seven million rupee fine."

53. "Anyone found guilty of sexual abuse faces a life sentence or a term of imprisonment that can last up to ten years but cannot be less than two years, as well as a fine of up to five million rupees."

Bill to Hang Rapists in Public:

Despite resistance, a Senate subcommittee approved the public hanging of rapists by a bill by majority vote. The purpose of the bill, which was put out by Jamaat-i-Islami Senator Mushtaq Ahmed, is to change Schedule-II of the Criminal Procedure Code (CrCP) and sections 375, 375A, and 376 of the Pakistan Penal Code (PPC). These measures to eliminate section D and institute public hangings for rapists were examined by the Senate Standing Committee on Interior, which was chaired by Senator Mohsin Aziz. (Shahid, 2023)

Preventive Measures:

The goal of primary preventive techniques is to stop sexual abuse or exploitation before it occurs. The three basic prevention tactics listed below could be implemented:

- those that focus on education or mobilization to alter societal expectations, viewpoints, and conduct;
- Situational prevention to establish secure surroundings; and
- Prevention via lowering vulnerabilities and dangers and empowering people.

All three strategies are probably required for an efficient prevention strategy, and good study data has been identified for combination interventions, which primarily target teenagers in the community or in schools. Instead of tackling child sexual abuse and exploitation directly, many primary preventive measures focus on HIV and AIDS prevention, interpersonal/dating violence, parenting, or violence against women and girls that is predicated on gender. The area where multi-component, multi-layered approaches have arisen to prevent gender-based violence among teenagers has seen the most positive advancements. Individuals are the focus of environmental/situational safety, relational skills, gender equality, economic empowerment, and expanding organizational protection measures. There aren't many assessments of primary prevention for child sex offences. (Radford, 2020)

The most effective programming for influencing children and young people's behaviour and attitudes are those that are high quality, participatory, gender- and age-appropriate. Safety education for parents and their children between the ages of 4 and 9 may concentrate on subjects like body parts, relationships with peers and trusted adults, recognizing inappropriate touching or other forms of sexual behavior, including online, and who to talk to about it in order to create safe environments for younger children. Programs may cover topics including gender equality in peer, family, and intimate relationships, sexual victimization and perpetration, and consent and respect for older children (ages 10+). Men and boys as well as communities can be included in bystander intervention, community engagement, and mentoring programmes to avoid violence.

Preventive Measures by Parents to Control Child Sexual Abuse:

As child sexual abuse is rapidly going through and creating huge threat to new generation, it is necessary for an adult to teach their children the basic skills for protecting themselves from the evils, following are some basic tips:

1. By actively participating in your kids' everyday activities. Ask them about their activities and the individuals they interact with, and stay informed. Always be on the lookout for potential issues.
2. Pay attention to the "tutoring" behaviors of those who are close to your child. Giving gifts or money for no specific reason, ignoring your child's need for solitude (e.g., in the restroom), or regularly looking for ways to spend time alone with them are all warning indicators.
3. Verify your ward's participation in various teams, organizations, and groups while limiting the amount of time that children and adults spend together one-on-one. Always ask about how volunteers and employees have treated you.
4. Be frank enough with your ward to make them bold enough that they can share each and every moment of their life and especially the barriers and hurdles that bothers or confuses them.
5. Individual bodily parts Since they are fundamental life lessons, children are frequently taught how to apply them and how they differ from one another. Accurately naming the private bodily parts.
6. To allow children to make decisions about their bodies, provide them age-appropriate privacy and teach them to say "no" when they don't want to be touched by others, even in nonsexual ways.
7. By teaching them self-care skills (like showering or using the restroom) so they won't require help from older children or adults.
8. The difference between positive and negative surprises (those that make the child feel anxious or threatened, such as birthday surprises).
9. Constantly monitor children's usage of technology, including cell phones, social networking sites, and messaging applications. Formally review contact lists on a regular basis and ask about everyone you don't know.
10. Trust your instincts! If leaving your child with someone makes you uneasy, don't do it. If you are concerned about possible sexual abuse, ask questions.
11. If your child discloses abuse, stay calm, listen carefully, and never assign blame.

Self-protection Programme for Children; I have the right to feel safe:

In Latin America and Africa, children aged 7 to 12 can participate in a 10-week program called "I Have the Right to Feel Safe" that teaches them how to defend themselves from child sexual assault. The NGO Fundacion Azulado, which collaborates with educators, parents, and kids to prevent violence and sexual assault and promote healing, modified and developed it for use in Ecuadorian schools. One of the most important parts of a bigger approach to reduce the risk of child sexual abuse is teaching children how to protect themselves and where to obtain help. The program's instructors are trained by a psychologist, and Fundacion Azulado members offer mentorship to assist teachers in carrying it out successfully. The program's objectives are to help children develop a personal safety network of trustworthy adults, boost their self-esteem, teach them how to distinguish between appropriate and inappropriate touching, steer clear of dangerous situations, practice saying "no," report abuse, and realize that abuse is never a child's fault. An RCT with 4932 children found that children who participated in the training experienced significant increases in their knowledge levels. At baseline, right after, and six months later, the program participants' scores were compared to those of a wait list control group. (Bustamante, Andrade, Mikesell, Cullen, & Saavedra, 2019)

Recommendations:

- Awarding the death sentence to the abusers would undoubtedly develop terror and would be detrimental for like minded persons.
- Parents also need to learn how to look out for and interact with their children.
- For the purpose of instilling the spirit of child safety, such awareness campaigns must be held on a large scale throughout Pakistan's rural and urban areas.
- The government must develop and spread awareness campaigns to ensure children's safety in academic institutions, places of religious instruction, public spaces, and even in families.

Conclusion:

Child's sexual abuse is a form of child abuse in which an adult or older adolescent abuses a child for sexual gratification. It has grave physical and psychosocial consequences which badly affect the health and overall persona of a child. Although early reaction to sexual assault are frequently shock, panic, or denial, while common long-term effects include anxiety, dread, or post-traumatic stress disorder. Sexual assault has serious, enduring effects on its victims, as well as having an enormous negative impact on society.

Children are the future of our society that is why they should be protected from those who want to harm them. The protection of children is covered by numerous national and international laws, yet this problem requires the creation of more strict regulations. Instead of specifically addressing child sexual abuse and exploitation, many key preventive measures focus more on HIV and AIDS prevention, dating violence, violence against women and girls, gender-based violence, or parenting. The field of avoiding teenage gender-based violence has seen the most promising developments, with the emergence of multidimensional, multi-layered interventions.

The death sentence for abusers would undoubtedly increase dread, but parents also need to learn how to look out for and speak with their children. To instill the spirit of child safety, such awareness campaigns must be carried out on a large scale in Pakistan's rural and urban areas. Government must create and spread awareness campaigns for children's safety in educational institutions, religious settings, public spaces, and even in homes. For the safety of our children, discussions about child abuse must no longer be considered taboo. Instead, they should be encouraged.

Our children are our greatest treasure. They are our future. Those who abuse them tear at the fabric of our society and weaken our nation. (Mandela, 1997)

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