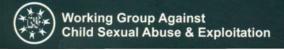
# COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN



A SITUATION ANALYSIS OF TRANSPORT INDUSTRY OF PAKISTAN





# Commercial Sexual Exploitation of Children A Situational Analysis of the Transport Industry of Pakistan

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A world that respects and values each child,

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A World where all children have hope and opportunity.

The Working Group against Child Sexual Abuse and Exploitation is working for;

Creation of a Society where all Children enjoy their rights as guaranteed by the UN Convention on the Rights of the Child and are free from all forms of sexual abuse and exploitation

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## **List of Abbreviations**

AIDS Acquired Immune Deficiency Syndrome

CRC Convention on the Rights of the Child

CSA Child Sexual Abuse

CSE Child Sexual Exploitation

CSEC Commercial Sexual Exploitation of Children

EI ECPAT International

FGD Focus Group Discussion

NGO Non Governmental Organization

NCCWD National Commission for Child Welfare and development

NPA against CSA/E National Plan of Action against Child Sexual Abuse and

**Exploitation** 

NWFP North West Frontier Province

PPA Pakistan Pediatric Association

STI Sexually Transmitted Infections

WG against CSA/E Working Group against Child Sexual Abuse and Exploitation

#### **Foreword**

The Commercial sexual exploitation of children (CSEC) to obtain benefits of different types is a phenomenon that can be traced back to the most remote stages of the history of mankind. Awareness and understanding on commercial sexual exploitation of children grew in a visible way after 1996. A number of important and related achievements were made in the years following the First World Congress particularly in terms of enactment of new international legislation, reform of national legislation in countries around the world and various research and programmatic initiatives undertaken by governments, NGOs and the private sector. At the international level, the *Optional Protocol on the sale of children, child prostitution and child pornography* (OPSC) was adopted and opened for signature in May 2000. Article 34 of the CRC establishes the obligation of the State Parties to protect children against all kinds of sexual exploitation and abuse and to take all necessary measures to prevent their sexual exploitation. The developments in Pakistan were construction of the Situation analysis of CSA and CSEc through large scale national studies; the development and adoption of the National Plan of Action for children and the signing of the Optional protocols.

CSEC exists in several overt and covert ways in Pakistan, as described by the "Situation Analysis of CSEC in Pakistan", published earlier by the Working Group against Child Sexual Abuse and Exploitation and Save the Children Sweden (2005). The processes by means of which children are recruited for this type of activity are complex and vary from place to place and situation to situation, although they always involve adults who obtain some economic or personal advantages. The same study mentioned the overt sexual exploitation of children in the transport industry, happening at large scale and in a rather institutionalized manner.

It was in the light of recommendations of the 2005 Study that the Steering Committee of the working group decided to explore the dynamics of CSEC in the transport industry, through a research in all the four provinces of the Country. We were moved by the desire to give visibility to this problem, not as an end in itself that ceases along with the interest to know, but as a means aimed at understanding the situation of these children in order to be able to design the measures necessary to avoid them suffering the irreparable harm that this kind of exploitation entails. It remains only to add that if this study contributes to making visible the children that are subjects of sexual exploitation, by making their reality comprehensible and, above all if it becomes a useful instrument for the authorities and organizations that can have an impact on modifying their reality, then it will have fully achieved its purpose.

Mehmood Asgher Country Director Save the Children Sweden Pakistan Tufail Muhammad Convener Working Group against Child Sexual Abuse and Exploitation

## Chapter 1 The Background

#### 1.1 Socio-demographic Background

Situated at the confluence of South and Central Asia, Pakistan is bordered by Iran and Afghanistan in the west, China on the north, India on the east, and Arabian Sea on the south. The land is geographically diverse with varying climatic conditions and wide ranging temperatures. The northern part of the country constitutes three of the highest mountain ranges in the World; the Himalayas, the Hindukush and the Karakorum. The Indus River, another prominent physical feature, traverses the entire length of the country and supports the country's complex irrigation system, which is the largest in the world. Carved out from British India in 1947 on the basis of Muslim nationhood, Pakistan itself was divided in 1971, when after a bloody war; the biggest ethnic group chose to secede and formed a nation-state of its own – Bangladesh. The Country is a federation of four provinces; Baluchistan, the North West Frontier Province (NWFP), Punjab and Sind. In addition there are the Federally Administered Tribal Areas, the Azad Jammu and Kashmir, Federally Administered Northern Areas, and the Islamabad Capital Territory. Pakistan is home to many unique linguistic and cultural identities; the predominant ones are Punjabi, Sindhi, Pukhtoon, Baluchi and Seraiki. The country is a parliamentary democracy and has 2 houses of Parliament. As a result of the devolution process, the district and local government system has also been introduced in the recent past.

Pakistan is the sixth most populous country in the world. The country has a total population of 163.76 Million in 2008-9<sup>1</sup>, with 68 % rural and 32 % urban distribution. Although its population growth rate has declined from over 3% in the 1960s and 70s to the present level of 1.8% per annum, it still remains unacceptably high compared to other developing countries. Children up to 18 years of age constitute almost 47 % of the total population. Since 1980, the country has been hosting the largest number of refugees in the world, from the neighboring Afghanistan. According to the UN Human Development Report (UNDP-2008), Pakistan is poorly placed so far as its human development is concerned. The Report allots Pakistan 146<sup>th</sup> position among 177 nations of the world. Pakistan didn't have an official poverty line for many decades and the subject was dealt with more as an academic exercise. It was later that the Planning Commission adopted an official poverty line of the 2350 calories per adult equivalence per day, which approximated to Pak.Rs. 786.56 per adult per month in 2000-01. On the basis of official poverty line, slightly less than one-third of Pakistanis lived below the poverty line in 2001<sup>2</sup>. According to Economic Survey 2008-9, the per capita income has risen to US \$ 1046. Based on the Federal Bureau of Statistics' and the Centre for Poverty Reduction and Social Policy Development (CPRSPD) data, the Planning and Development Division estimated a sharp decline in the headcount poverty ratio for 2007-08. However, these findings appear to contradict other assessments conducted subsequently, and which better reflect global and domestic price developments after June 2008. These subsequent

<sup>&</sup>lt;sup>1</sup> Economic Survey 2008-9Govt.of Pakistan June 2009

<sup>&</sup>lt;sup>2</sup>Economic Survey 2003-4,Govt.of Pakistan June 2004

assessments point towards a strong likelihood of a sharp increase in the poverty incidence in Pakistan as a result of unprecedented food inflation and transmission of international energy prices to domestic consumers.<sup>3</sup>

The overall unemployment rate in Pakistan is 5 %. There are certain inherent problems associated with employment in Pakistan such as low literacy rate and poor level of skills.46 per cent of the labor force has one year of education or less. The acceleration of economic growth, changes in work process and technology over the years requires higher skilled workers. There also occurs a mismatch between demand and supply of educated and trained manpower. Women and youth are the disadvantaged segment of the society as far as employment is concerned. Youth on the other hand find the markets saturated and opportunity is the problem again. Therefore, the educational enrollments, technical and vocational training capacity in the country and competitiveness have been the objective of Government policies and programs. Female literacy rate of the population stands at 43.6 percent, which is 68.2 percent in males<sup>4</sup>.

#### 1.2:General overview of the situation of children in Pakistan

Pakistan has a youthful population. About half of the population is under the age of 20 years. According to a survey conducted by the Federal Bureau of Statistics, 3.6 million children were engaged in labor in Pakistan. Another national survey found that 40 % boys and 25 % girls in the age range of 15-17 are working. The present educational state in Pakistan is woefully unsatisfactory and full of contradictions. On the one hand, there are dynamic, fast moving institutions, charging very high fees, while on the other, there are almost free or very affordable schools as well as religious seminaries. Primary education in Pakistan is characterized by low enrolment and high dropout rates. The number of schools in Pakistan, especially in rural areas is quite insufficient for the growing number of children of school going age. In the rural areas, more than one-third of all children do not even complete primary education and drop out. The net enrolment rate is only 46 and 38 percent for boys and girls of 5 to 9 years respectively. Despite Government's recent efforts to increase the accessibility to primary education by making it free and compulsory, a huge proportion of children drop out of school as education is found to be of low quality and too expensive for parents to afford. Mostly the school drop outs from the poor households end up on the streets and workplaces where they are exposed to all types of abuse and exploitation.

In Pakistan, there is no mandated system of reporting child exploitation, abuse and/or neglect. There is a paucity of reliable statistics and published data on the prevalence of CSEC and CSA in the country. Like other major public health and social problems, it is not easy to document the actual incidence or prevalence of child abuse. It is always difficult to obtain information on sensitive and highly stigmatized issues, and even more difficult when the victims are children who cannot narrate their woes. In such a socio-

<sup>&</sup>lt;sup>3</sup> Pakistan Economic survey, 2008-9

<sup>&</sup>lt;sup>4</sup> Pakistan Economic survey, 2008-9

<sup>&</sup>lt;sup>5</sup> Pakistan Child Labor Survey, Ministry of Labor, Ferderal Bureau of Statistics and ILO 1996.

<sup>&</sup>lt;sup>6</sup> Population Council, Pakistan office Population and Education-a Briefing paper - July 2004.

cultural setting, most cases of child abuse, particularly CSA, remain under cover and go unreported.

#### 1.3 CSEC of Boys in Pakistan

The commercial sexual exploitation of boys was scientifically documented by a situational analysis research conducted in 2004- 2005 by ECPAT International and its network member group in the country, the Pakistan Pediatric Association (PPA) at NWFP and the city of Lahore in the Punjab. Runaways, school dropouts and illiterate boys from poor and often abusive families were found to be at high risk. The main factors pushing these boys into prostitution are the need for food, clothing, shelter and money. The research noted that most boys forced into prostitution were sexually abused before they became involved in commercial sexual exploitation. Boys from the Afghan refugee community were found to be particularly vulnerable because of their extreme poverty and lack of protection and parental supervision. Peer pressure is another important factor, particularly in cases of boys with alternate sexual identities: zenanas and chawas (boys with transvestite and feminine characteristics) who make up the majority of boy victims of prostitution in Lahore. Markets, parks, shrines, bus parks, cinema halls and other public places are the pick up points where exploiters approach the boys directly or through pimps. Almost all exploiters are local Pakistani men, and they come from all age groups and socio-economic backgrounds<sup>7</sup>.

Research undertaken in 2005 by the Working Group against Child Sexual Abuse and Exploitation and Save the Children Sweden indicated that children in the transport industry, nomad children, children working in deep-sea fishing, children trafficked for camel jockeying, girls trafficked for marriage, "massage boys" and boys with alternate sexual identities are all to be found among the victims of commercial sexual exploitation of children (CSEC) in Pakistan. The research also indicated that the sexual exploitation of children occurs in many contexts, including in the red light district of Lahore, at some religious shrines and in schools. The report highlighted the existence of large scale, rather institutional, sexual exploitation of children in the transport and allied sectors.

#### 1.4 Road Transport Sector in Pakistan

Pakistan has a road network covering 258,350 kilometers including 176,589 KM of high type roads and 81,761 KM of low type roads. Total roads which were 292, 595 in 1995-7, increased to 258,350 KM by 2008-9, indicating an increase of 12.5 %. According to Pakistan labor Force Survey (2006-7), the transport sector directly employs 5.46 % of the country's labor force. The road transport sector Pakistan is unregulated and is almost wholly under private ownership and predominantly in the informal economy both as regards finance and labor. Road transport accounts for 91 percent of passenger traffic and 96 percent of freight traffic.

With an annual growth rate of seven percent for passenger traffic and six percent

<sup>&</sup>lt;sup>7</sup> Prostitution of Boys in Pakistan-PPA and ECPAT International, 2005

<sup>&</sup>lt;sup>8</sup> CSEC Situation analysis of Pakistan-WGCSAE and SC Sweden.2005

for freight traffic, road transportation is fastest growing sub sector, absorbing a large number of semi-skilled and skilled labor force and generating other employment opportunities. The sector contributes to the government revenues through taxes and duties on production and import of vehicles and parts, petroleum products and fees on ownership and operation of vehicles. The majority of children in the transport sector join as apprentices with drivers. Many more work in the allied sectors like auto-workshops and at small restaurants and inns on the highways and in the vicinity of bus terminals.

#### **CHAPTER 2**

#### STUDY METHODOLOGY

Commercial Sexual exploitation of Children comprises child sexual abuse involving a commercial transaction, through the exchange and/or perceived exchange in cash or kind to the child or third person/s. The child is treated as a sexual object and as a commercial object. Child sexual exploitation involves street-based and brothel-based sex work, trafficking in boys and girls for sexual purposes, child sex tourism and exposing children to and using children for the production of pornographic material.

#### 2.1 Objectives of the Study:

- Collect qualitative information (and quantitative when possible) on the nature, scope and manifestation of CSEC in the transport industry of Pakistan
- Identify key actors who affect and/or facilitate the prostitution of boys in the transport industry and study the socio-economic and legal context in which such persons maneuver;
- Recommend actions that can be taken at local and national levels to combat the CSEC in the transport and allied sectors based on findings

#### 2.2 Mapping of the Study locations

06 major cities cum transportation hubs were selected to carry out the study. Prior to the initiation of the field work; a mapping exercise of major truck terminals was undertaken at the following study locations:

- Peshawar
- Rawalpindi
- Lahore
- Ouetta
- Sukkur
- Karachi

The mapping was done through administering a questionnaire to key informants at these locations. The questionnaire was pre-tested and finalized at Faisalabad that was not included in the study. The results of the mapping exercise were thoroughly analyzed and discussed by the researchers and were used for developing the study instruments.

#### 2.3 Study Sample

Time Location Cluster Sampling (TLCS) method to recruit the study was used to select the study participants. Cluster sampling is useful when a sampling frame (a comprehensive list of eligible respondents) is not available but the list of clusters, where respondents congregate is available. The sampling frame consisted of all drivers, child helpers/cleaners (Less than 18 years age) and owners of the restaurants/hotels at or near the selected bus terminals. The eligible respondents were identified from those present on the day of Interview. The number of respondents in each category ranged from 25-30 per

site. A mix of convenience and snowballing method was used to recruit the study participants.

#### 2.4 Study Instruments

The study was undertaken using the following instruments:

#### 1- Questionnaires administration

Semi-structured questionnaires were administered to:

- Child helpers in the transport industry
- Bus/truck drivers
- Owners of hotels and restaurants at/near the bus terminal

#### 2- Focus Group Discussions with the key informants

02 Focus group discussions, one each with the Helper boys and Drivers, were held at Peshawar to get some in-depth qualitative information regarding the dynamics of CSEC in the transport sector.

#### 2.5 Data Types

Data gathered for the purpose of this study was of two types:

#### A-Primary data

Primary data was gathered through administering semi-structured questionnaires and focus group discussions

#### **B-Secondary data**

Review of secondary data sources: existing research studies and reports, policy documents, and international, regional and national legal instruments.

#### 2.6. <u>Data Collection</u>

A team of trained social workers and field interviewers undertook data collection, supervised and coordinated by members of the Working Group against Child Sexual abuse and Exploitation. The Interviewers were imparted 2-days training in data collection techniques, filling the study questionnaires, discussing sensitive issues related to male-to male sexual behavior, confidentiality and protecting participants from social and psychological harm. The work of all 06 teams was supervised by the Steering Committee of the Working Group against Child sexual abuse and exploitation. The break up of Interviews conducted at all study locations is given in Table-1.

Table 1- Break up of Interviews conducted

		Category of Respondents			
Organization	Location	Helper Boys	Drivers	Hotel Owners	Total
Pehchaan	Lahore	28	28	29	85
Sahil	Sukkur	30	29	30	89
SACH	Rawalpindi	26	28	21	75
PPA	Peshawar	29	29	30	88
Seher	Quetta	30	30	30	90
Azad Foundation	Karachi	26	26	26	78
Total	All locations	169	170	166	505

#### 2.7 Data Analysis:

The data analysis was done through a specially designed soft-ware. The final analysis, synthesis and report writing was done by the Lead researchers of the Working Group against Child Sexual abuse and Exploitation.

#### 2.8 Ethical Considerations

In accordance with the existing social and religious value systems, sex is a taboo subject in Pakistan and any discussion on sex related matters is considered as dirty and immoral. This context necessitated the development of strict ethical guidelines for this study. All participants were treated with dignity and respect, and participation in the study was voluntary. Confidentiality and the right to privacy were ensured. Verbal consent was obtained from all participants prior to their participation. Written consent was not sought because signed consent is incompatible with an anonymous study design, and may jeopardize the welfare of the participants.

Participants were able to end their participation in the research at any time during the process. Researchers made all efforts to protect children from physical, psychological, emotional and moral harm while they were participating in research. Researchers were sufficiently trained to provide psychosocial support to children in case a need arose.

#### 2.9 Definitions used

The conceptual framework for the study was the UN Convention on the Rights of the Child. Of particular mention is Article 34 of the CRC that reads:

States Parties undertake to protect children from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- a) the inducement or coercion of a child to engage in any unlawful sexual activity;
- b) the exploitative use of children in prostitution or other unlawful sexual practices;
- c) the exploitative use of children in pornographic performances or materials"

The definitions used in this Report are those proposed by International Organizations such as WHO, ISPCAN and ECPAT International or in the international instruments such as the Un Convention on the Rights, Stockholm Declaration, Yokohama Commitment etc.

- a) **Child:** Child is a term applied to a person 18 years of age or under as per the Convention on the Rights of the Child (CRC).
- b) **Violence against children:** The Report of the United Nations Secretary General's Study on Violence Against Children (Violence Study) drew on the World Heath Organization (WHO) definition: 'the intentional use of physical force or power, threatened or actual, against a child, by an individual or group, that either results in or has a high likelihood of resulting in actual or potential harm to the child's health, survival, development or dignity' (WHO, 2002; Pinheiro, 2006).
- c) **Child maltreatment:** Child abuse or maltreatment constitutes all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust, or power.
- d) **Child sexual abuse:** Child sexual abuse is evidenced by an activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person. This may include but is not limited to:
  - the inducement or coercion of a child to engage in any unlawful sexual activity;
  - the exploitative use of a child in prostitution or other unlawful sexual practices;
  - the exploitative use of children in pornographic performances and materials.
- e) Commercial Sexual Exploitation of Children: "The sexual exploitation of a child for remuneration in cash or in kind, usually but not always organized by an intermediary (parent, family member, procurer, teacher etc)". The child is treated as a sexual and as a commercial object.. In other words it is sexual abuse of children involving financial advantages for one or several of the parties intervening in the sexual activity that can be of two types: 1) involving the transfer of money from an adult to a child in exchange for

sex and, 2) involving provision in kind or services that an adult exchanges for sex with a child (i.e. shelter, food, protection, etc.).

- f) **Child prostitution:** act of engaging or offering the services of a child to perform sexual acts for money or other considerations with that person or any other person.
- g) **Child pornography:** the representation in films, prints, photos, audio or video recordings and computerized digital representations of children performing real or simulated sexual acts for the sexual gratification of the users, including the production, distribution and use of said materials.
- h) **Trafficking of children for sexual purposes:** the movement of children from one place to another within a country or from one country to another with the purpose of obtaining financial profits from their sexual activities. The use of force is frequently, although not always, a trait of this traffic.

## Chapter 3

## POLICY CONTEXT AND LEGAL FRAMEWORK

#### 3.1 International Context

#### 3.1.1 UN Convention on the Rights of the Child and Optional Protocol

Pakistan has ratified the United Nations Convention on the Rights of the Children (CRC) in 1990, which in its article 34 commits State parties:

"To protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, State parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent: (1) the inducement or coercion of a child to engage in any unlawful sexual activity; (2) the exploitative use of children in prostitution or other unlawful sexual practices; (3) the exploitative use of children in pornographic performances and materials".

Article 34 of the CRC pertains to the trafficking of children and notes that:

"State parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form".

The Optional Protocol (OP) on the Sale of Children, Child Prostitution and Child Pornography, adopted by the UN General Assembly and signed by the Government of Pakistan, further refines the protection of children from sexual exploitation, calling for national measures and law reform taken to make the sale of children, child prostitution and child pornography extraditable criminal offences. It defines all three forms. The OP gives the following definition of child pornography: "Any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation or the sexual parts of a child for primarily sexual purposes".

## 3.1.2 Stockholm Declaration and Agenda for Action

The First World Congress against the Commercial Sexual Exploitation of Children, held in Stockholm, Sweden, in 1996, for the first time put the issue firmly on the international political agenda. Co-sponsored by the United Nations Children's Fund, ECPAT International, the NGO Group for the Convention on the Rights of the Child and the Government of Sweden, 122 States including Pakistan were represented in Stockholm, as well as international agencies and non-governmental organization,

service providers, law enforcement agencies and corporate representatives among which the tourism industry.

At the end of the 5-day meeting, participants adopted a Declaration and an Agenda for Action to combat the commercial sexual exploitation of Children. The Agenda calls for "the development of national agendas for action and indicators of progress, with set goals and time frame for implementation, targeted to reducing the number of children vulnerable to commercial sexual exploitation of children and nurturing an environment, attitudes and practices responsive to child rights". The Agenda calls for better coordination between countries in eliminating CSEC and proposes data collection on victims and perpetrators. It further elaborates on sets of concrete recommendations for strategies to combat CSEC, categorized under Prevention, Protection, Recovery and Reintegration and Child Participation.

## 3.1.2 Yokohama Global Commitment

Organized by UNICEF, ECPAT International, the NGO Group on the CRC and the Government of Japan, the Second World Congress focused in particular on the progress in developing national plans for action and other national and regional policy and legal measures, and generated a rich body of experience and strengthened knowledge on issues around Commercial Sexual Exploitation of Children (CSEC) and CSA. At the end of the Congress, the participants adopted the Yokohama Global Commitment in which they re-affirmed their commitment "to developing national agendas, strategies or plans of action [...] and effective implementation of measures, including child-rights based laws and law enforcement". The Yokohama Global Commitment further expressed the commitment of the signatories to "addressing root causes that put children at risk of exploitation [...] through comprehensive measures including improved educational access to children especially girls, [...] physical and psychological recovery and social reintegration of child victims, and action to criminalize the commercial sexual exploitation of children [...] while not criminalizing or penalizing the child victims". The Commitment stresses "adequate resource allocation to counter commercial sexual exploitation of children", adequate measures to protect children from child pornography on the Internet and a deepened focus on awareness raising and community surveillance of CSEC.

## 3.1.3 <u>The Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents</u>

The World Congress III against the Sexual Exploitation of Children and Adolescents, representing governments, inter-governmental and non-governmental organizations, human rights institutions, ombudspersons, the private sector, law enforcement and legal community, religious leaders, parliamentarians, researchers and academics, civil society and children and adolescents was held in Rio de Janeiro, Brazil, (25-28 November 2008) to review developments and action taken in follow-up to the Stockholm Declaration and Agenda for Action 1996 and the Yokohama Global Commitment 2001. Another key objective was to identify lessons learned and key challenges and to commit to the

implementation of goals and targets of a Call for Action to prevent, prohibit and stop sexual exploitation of children and adolescents and provide the necessary support to children who have fallen victim to it. The Call for Action stressed the need to "increase efforts to address the sexual exploitation of children and adolescents through the development of comprehensive and integrated national child protection systems, including the necessary budget allocations and based on identifications of settings where children are most at risk that aims to protect children from all forms of violence and abuse". It further asked the signatory states to "strengthen existing national child protection services or establish new ones in order to provide all child victims of sexual exploitation, girls and boys, without discrimination, with the necessary economic and psycho-social support for their full physical and psychological recovery and social reintegration, and when appropriate, family reunification and interventions that support and strengthen families to mitigate the risk of further exploitation; such services to be provided by well trained multi-disciplinary teams of professionals".

#### 3.1.4 Preparatory Regional Meeting South Asia, 2001

In the process of preparing for the Second World Congress, South Asia regional consultation was held in November 2001 in Dhaka, Bangladesh. Governments of the region including Pakistan, young people, international and non-governmental organizations adopted the South Asian Strategy against Commercial Sexual Exploitation of Children and Child Abuse. The South Asia Strategy is comprehensive and elaborates on the specific concerns in the region. The Strategy identifies different groups of children especially vulnerable to CSA and CSEC, and reminds State parties of their obligation to develop "over the next two years" National Plans of Action and implement those. "These Plans should, through a consultative process, involving governments and civil society at all levels, including children as active participants, present clear timeframes for actions and define effective monitoring mechanisms. They should be revised on a timely basis in light of lessons learned in implementation." The Strategy further proposes very concrete strategies on the development of an effective and adequate legal framework, including training of law enforcement personnel, promotion of birth and marriage registration, child-friendly and gender-sensitive legal procedures. Finally, it proposes specific measures on creating partnerships with children and young adults by enabling their inclusion as equal partners in policy and program design to combat CSEC and enhancing their capacity through raising awareness.

#### 3.15 The South Asian Forum against Violence against Children (SAF-VAC)

There have been a number of regional level meetings and commitments from South Asian Governments to address CSEC and violence against children. At the South Asia Regional Consultation on the UN Study on Violence against Children, hosted by the Government of Pakistan in May 2005, the South Asian Forum against Violence against Children (SAF-VAC) was formed at ministerial level with commitments from the Governments of Afghanistan, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka, in collaboration with civil society organizations and children's groups. An SAF Secretariat was set up at Islamabad with the intention of rotating this post among the SAF member Governments every two years (currently housed at Katmandu, Nepal). One of the main

functions of the SAF Secretariat is to facilitate exchange of information and resources and conduct timely regional ministerial and technical meetings to monitor the progress of activities of the Forum. The first regional SAF meeting, which was convened in Pakistan in July 2006, focused on the physical and psychological punishment of children and early marriage. The meeting was also attended by representatives from the United Nations Children's Fund (UNICEF), United Nations Development Fund for Women (UNIFEM), Save the Children, PLAN International, ECPAT International, United Nations Population Fund (UNFPA), UNAIDS and others. A two-day Children's Forum was also organized to allow children to contribute to the Ministerial meeting. The Forum also organized a preparatory regional meeting on 27-29 August at Katmandu, prior to the World Congress III against the Sexual Exploitation of Children and Adolescents.

#### 3.1.5 ILO Convention 182 against the Worst Forms of Child Labor

ILO Convention 182, adopted in June 1999, was ratified by Pakistan. It calls for ILO members to take immediate and effective measures to prohibit and eliminate the worst forms of child labor, including "the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances." In line with the Convention, recently the Government has initiated a time bound program on the elimination of worst forms of child labor in collaboration with ILO and civil society organizations. This program is does not address the issue of CSA or CSEC.

#### 3.2 National Policy Context

#### 3.2.1National Plan of Action against Child Sexual Abuse and Exploitation

As a follow up to the Stockholm Declaration and Agenda for Action, the National Commission for Child Welfare and Development (NCCWD) of the Government of Pakistan constituted a Core Committee on Child Sexual Abuse to guide and assist the Commission on the implementation measures. The Core Committee consisted of experts, representing some of the leading national NGOs in the field of child rights and child sexual abuse. In September 2000, the NCCWD entered into a tripartite agreement with Pakistan Pediatric Association and Save the Children Sweden to initiate a broader consultative process to develop a National Policy and Plan of Action against Child Sexual Abuse and Exploitation. The task was again assigned to the Core Committee, on behalf of the NCCWD.

Before embarking upon the process of developing the National Policy and Plan of Action, the Core Committee had before it the premise that CSA/CSEC has economic, social, cultural and political roots. It relates to the family, the community and the nation and is also linked to other forms of child abuse and neglect. The issue thus needed to be addressed through a multi-sectoral, multi-disciplinary and participatory approach. As a first step, the Core Committee started the process of creating a network of individuals, organizations, institutions and governmental agencies with experience and expertise in the field of CAS/CSEC. The NCCWD was the nucleus of this non-hierarchical, inclusive and participatory network.

The Core Committee reviewed and analyzed the existing information and published data on child sexual abuse and exploitation in Pakistan. The biggest reference was the "Situation analysis of Child Sexual Abuse and Exploitation in Pakistan" carried out in 1999-2000, jointly by the leading national NGOs active in the field of CSA/E and child rights. The next stage of the process was consultation with all the stakeholders at Provincial level. A number of formal and informal meetings were held with the government departments, civil society organizations, academicians, parents and children. The input from all these consultations was duly deliberated by the Core Committee and incorporated into the draft Plan. At the end of six months, a draft National Policy and Plan of Action was developed. The process culminated in a 2 day National Workshop held on 27 – 28<sup>th</sup> February 2001 at Islamabad. More than sixty delegates representing government ministries, provincial governments, UNICEF and other UN agencies, International donors, non-governmental organizations and academic institutions attended this workshop. The meeting thoroughly discussed the draft policy and Plan of Action and made a number of amendments and recommendations. The Core Committee further deliberated all these amendments and recommendations and a final consensus draft was prepared and submitted to the NCCWD.

In Dec.2003, the NCCWD in collaboration with UNICEF carried out an "In depth assessment of the national developments post Yokohama in Pakistan, through implementation of the National Plan of Action against Child sexual abuse and exploitation and other initiatives". Besides others, the Assessment report recommended that:

- there is a need to insert new developments into the NPA, especially regarding the commercial sexual exploitation of boys and girls and new regional and national legal instruments and policies. The NPA was developed in the process of preparing for Yokohama World Congress and since then has not been further refined resulting in the absence of legal and policy developments and the expertise of important child rights partner organizations. Little attention has been given to the inclusion of children and adolescents in the development of the NPA.
- the NPA need be further discussed and refined especially considering the many developments both in terms of the (inter)national legal and policy framework and also taking into consideration new data on CSA and CSEC. National consultation with key stakeholders to be organized to finalize the draft NPA. The revised NPA should be put before the Federal cabinet for formal adoption.
- NCCWD and the Core Group should ensure the inclusion of child participation into
  the further development of the document, as well as in monitoring NPA activities.
  Child participation should be included in the document as a separate chapter. Specific
  activities to be suggested on the engagement of children in implementation of the
  NPA, such as the promotion of peer education and the establishment of a national
  monitoring mechanism for children on NPA implementation.
- Consultations with children and young people should be organized to receive their suggestions and feedback on the NPA. Pakistani child participants of the Dhaka regional consultation and Yokohama Congress and other children involved in NGO programs may be approached for this purpose

In line with the above-mentioned recommendations, the NCCWD, in collaboration with UNICEF, Save the Children Sweden and the Working Group against Child Sexual Abuse & Exploitation, carried out a participatory consultative process involving all stakeholders. A number of consultations were held with children and young people, victims of CSA/CSEC, at risk and disabled children to get their views on NPA. The whole process culminated in a 2 day National Consultation held on January 28-29, 2005 at Islamabad, involving concerned ministries and departments of Federal and Provincial Governments, NGOs and other stakeholders. The input from all the stakeholders were incorporated into the final document, formally adopted by the Federal Cabinet in May 2006, and merged with the broader NPA for children.

The NPA on Child Sexual Abuse and Exploitation has 5 distinct programmes; Prevention, Protection, Recovery and Rehabilitation, Participation and a Monitoring Plan. The strategic thrusts of NPA are political commitment, advocacy, awareness raising, capacity building, networking, social mobilization, and strengthening functional structures and systems to address CSA/CSEC. Following are highlights of the 5 programmes.

#### **Prevention**

Activities identified in the program component on Prevention are:

- Multi media awareness raising for general public;
- Development of culturally appropriate information, education and communication material on CSA and CSEC;
- Observance of a Universal Children's Day to focus on prevention of all forms of CSA and CSEC;
- Awareness raising through traditional and performing arts like drama, Street theatre etc.
- Capacity building of NGOs and professional groups like doctors, lawyers, teachers and Journalists thorough workshops and seminars
- Integration of children's rights, gender perspectives, child abuse, personal health and protection education in the teachers training and school curricula in a culture sensitive manner
- Awareness raising /sensitization of high ranking officials and members of the Parliament and Provincial Assemblies on children rights and issues surrounding child abuse and exploitation in the country.
- Sensitization of police and court officials on children's rights, relevant legislation and the need for special handling of children in police, legal and prison systems.
- Awareness raising on children rights and child abuse/exploitation for employers and children at the work place
- Community mobilization to develop local vigilance system against CSA/CSEC through the local government system.
- Establishment of school protection committees

#### **Protection**

The activities included under the program component protection are:

- Review of the existing legislation and development of new laws relating to child protection
- The purpose of these activities is to remove the inconsistencies in the definition of child and bring all children related laws in conformity with CRC and CEDAW
- Review and strengthen the enforcement of laws on child protection particularly those related to CSA/CSEC.
- Publicity of laws against CSA/CSEC
- Develop and implement a code of conduct for shelter homes
- Training of the law enforcement personnel including police, court officials, public attorneys, prison officials, lawyers and social welfare officers on improved legal and implementation mechanisms.
- Education of general public through publicity of laws concerning CSA/CSEC and structures for enforcing the laws.
- Conduct situation analysis on child pornography
- Protect computer literate children from pornography on the web.
- Monitoring of regional (SAARC and Gulf States) trafficking mafias and networks through enhanced vigilance and stricter border control

### Recovery and Rehabilitation

The activities included under the program component recovery and rehabilitation are:

- Develop a national core group of master trainers in the area of psychosocial recovery and rehabilitation of victims of CSA/CSEC
- Develop training package for service providers including doctors, psychologists, counselors, social workers and staff of shelter homes for children.
- Training of service providers to enhance their knowledge and skills and shape their attitudes.
- Establish multi-disciplinary child protection committees in all major hospitals of the country
- Support services for victim/survivors of CSEC/CSA
- Development of referral system for victims of CSA/CSEC in provinces and federal capital territory.
- Publicize the services available to victims of CSA/CSEC and their families
- Establish a documentation center on child sexual abuse and exploitation
- Establish and publicize support services for victims

#### **Participation**

- Consult children on their needs and priorities when developing priorities and developing projects based on this NPA
- Provide support, information and training to NGOs and other partners to enable them to support children's active participation in implementing and monitoring NPA.

- Increase awareness of children (including working children & children with disabilities) on their right to protection from abuse
- Develop guidelines and training modules that build children's capacity to participate, implement and monitor program activities
- Raise awareness of key duty bearers regarding children's right to participate through parenting programs, teachers training and media orientation.
- Monitor the effectiveness of children's participation in implementation of NPA

#### **Monitoring and Coordination**

- Strengthen the institutional capacity of the National Commission for Child Welfare and Development
- Establish a National Steering Committee to guide the implementation of NPA
- Establish NPA Monitoring and Coordination Cells at NCCWD, PCCWDs and at District governments
- Develop quantitative indicators to measure progress of NPA implementation
- Conduct studies on the impact of various program interventions

## 3.3National Legal Framework

#### 3.3.1 Overview of Legislation concerning Children

In Pakistan's legal system, protection of the child is anchored on the Constitution and family codes, pertaining to the social welfare of children and women inside the family The law considers the family as the fundamental unit of society. The Constitution of Pakistan declares that all citizens are equal before the law and are entitled to equal protection of the law. Article 3 of the Constitution provides for the elimination of exploitation. Several articles of the Constitution provide for the legal protection of the child against discrimination.

Pakistan has a comprehensive set of federal and provincial laws pertaining to children, all relating to different policy areas. As a general rule, federal laws override provincial laws pertaining to the same issue. Certain laws cover sexual exploitation and abuse of children, however no single law deals specifically with the different aspects of (suppression of) violence against children. In practice, the child rights violations regarding (sexual) abuse exploitation and trafficking (of children) is mostly covered by the outdated Penal Code, or the comparatively recent *Hudood* Ordinance. The complex question of age, brought about by the inconsistent legal definition of a child within and between the CRC, national laws, customary laws and cultural practices is still an unresolved issue. There are some child protection laws but enforcement is weak. Laws, which criminalize prostitution, make no distinction between adult and child. This not only places the burden of guilt on victims rather than perpetrators, but also doubly penalizes the children by treating them as adults in the legal system and subjecting them to punishment rather than support or protection. The recently promulgated juvenile justice system and Women Protection Bill are welcome developments.

### 3.3.2 Child Prostitution

The prevention of prostitution is a principle of policy as per clause 37 of the Constitution of Pakistan. Brothel and public soliciting for prostitution are illegal in Pakistan. It is illegal to procure, entice women, regardless of age, to engage in prostitution as well as profiting from a woman's prostitution. It is also a criminal offence under the Penal Code, which makes abduction, trafficking and procuring of children under the age of 18 for the purposes of prostitution punishable by 10 years imprisonment or fine or both. The Provincial Suppression of Prostitution Ordinance (1961) prohibits the attraction, attention by words, gestures, willful and indecent exposure of the body for the purpose of prostitution of a girl fewer than 16 years of age. The Ordinance prohibits brothels, and makes it illegal to keep or detain any woman against her will, at any place, with intent to force her to have sexual intercourse with any man other than her lawful husband. These laws apply to women and are irrelevant as far as the prostitution of boys is concerned.

Two provincial laws provide legal protection to children, although specifying different ages of a child. The Punjab Children Ordinance (1983) and the Sindh Children Act (1955) prohibit allowing children between the ages of 4 to 16 to frequent a brothel, or to abet, cause or encourage the seduction or prostitution of a girl under the age of 16 years, or encourage anyone other than her husband to have sexual intercourse with her.

Sodomy as a crime is covered by the Pakistan Penal Code in section 337, which states that "whomever, intending or voluntarily has carnal intercourse against the order of nature with any man, woman or animal shall be punished with imprisonment for life, or with imprisonment of either description for a term which shall not be less than two years nor more than ten years and shall also be liable to fine." The minimum sentence for sodomy is two years and the maximum ten years.

#### 3.3.3 Child Pornography

Child pornography is insufficiently covered by the national legal system since there is no specific legislation to combat it. Instead, child pornography falls under a general ban on obscene material. Clause 37 of the Constitution provides that the State shall prevent printing, publication, circulation and display of obscene literature and advertisements. Sections 292, 294 and 298 of the Pakistan Penal Code make it an offence to sell, let to hire, distribute, exhibit or circulate to any "obscene" literature, including any book, pamphlet, paper, drawing, painting, representation or figure. Apart from the fact that the laws do not define the term 'obscene', the punishment for crimes committed under these provisions are low, to a maximum of 6 month imprisonment or a fine or both. There is no specific law that provides protection to children in the case of being exploited to produce pornography or being exposed to pornography. Moreover, legal provisions have not been updated to include crimes relating to the development, distribution, possession or exposure to pornographic material on the Internet.

#### 3.3.4 Child Marriages

The Child Marriages Restraint Act (1929) prohibits the marriage of children under the ages of 18 for boys and 16 for girls. This law lacks proper implementation, and the traditional practice of early marriage for especially rural girls, including the large Afghan refugee population, is persisting. Moreover, as the Death, Birth and Marriage Registration Act (1890) is not widely adhered by, a large number of children remain unregistered at birth and many marriages are not registered, thereby hampering the legal protection of children, especially of girls. Under Dissolution of Muslim Marriages Act (1939), the girl whose marriage was arranged by her guardian can repudiate the marriage upon the attainment of puberty. In practice however, societal norms and legal complications make it virtually impossible for minors to repudiate a marriage.

## 3.3.5 Trafficking of Children

The Pakistan Penal Code criminalizes kidnapping, abduction, or inducing a woman to compel her to marriage; to procure a minor girl under 18; or to import a girl under the age of 21 from abroad with the intent that she may be or knowing that it be likely that she will be, forced or seduced to illicit intercourse with another person (section 366) with punishments up to ten years imprisonment – this law doesn't cover boys thus leaving them unprotected. Kidnapping of a child under 10 is punishable with death under the Penal Code. Section 370 criminalizes buying or disposing of any person as slave or dealing in slaves, and sections 399 and 340 prohibit wrongful confinement and restraint. The Constitution provides for security, safeguards as to arrest and detention, and the prohibition of slavery, forced labor as fundamental rights. Despite these legal provisions, in practice, most trafficking cases were tried under the Passport Act, which gives very low fines

A new Law was passed in 2002; "the Prevention and Control of Human Trafficking Ordinance" in order to more effectively curb human trafficking, including the smuggling of women abroad for prostitution and children for camel racing and sexual abuse. The Ordinance has been designed to control human trafficking from and through Pakistan. It lays down that purchasing, selling, harboring, transporting, providing, detaining or obtaining a child or woman through coercion, kidnapping, abduction or by giving or receiving benefit for trafficking for exploitative entertainment (sports, sex), is punishable between 10-14 years imprisonment and fine. An Inter-Ministerial Committee has been constituted to suggest ways and means to implement the Ordinance and to monitor enforcement.

#### 3.3.6 Employment of Children

The Employment of Child Act (ECA) 1991 defines a 'child' to mean any person who has not completed his fourteenth year. Prohibition Section 3 of the Act bans employment of under-14 children in occupations connected with transport by railways, cinder picking, cleaning of an ash pit or building operations in railway premises, catering at a railway station or on a train, construction of a railway station, working close or between railway lines, working in a port area, and manufacture or sale of fireworks. Part II prohibits

employment of children in 13 specific sectors. The Act prescribes the following regulations for child workers:

- No child or adolescent shall be required or permitted to work in any establishment in excess of such number of hours as may be prescribed for such establishment or class of establishments.
- The period of work on each day shall be so fixed that no period shall exceed three hours and that no child shall work for more than three hours before he has an interval of at least one hour for rest.
- The period of work of a child shall be so arranged that inclusive of the interval for rest, under subsection (2), it shall not exceed seven hours, including the time spent in waiting for work on any day.
- No child shall be permitted or required to work between 7.00 p.m. to 8.00 a.m.
- No child shall be required or permitted to work over-time.
- No child shall be required or permitted to work in any establishment on any day on which he has already been working in another establishment.

Most of these rules are being violated, widely and openly, as for children in the transport industry are concerned.

#### 3.3.7 Draft Child Protection Bill

Dear Mehmood Bhai- I would request for a one-page write-up on this Bill.

## **Chapter 4**

## Socio-demographic and Behavioural characteristics of Drivers

#### 4.1 Socio-demographic characteristics

Long distance truck/bus drivers are a mobile group, with a characteristic life style, unique to the profession. Tight delivery schedules result in long working hours, stress and fatigue. Social isolation, check points, harassment by officials, inadequate resting facilities increase stress. Some of the coping strategies, so far identified, include casual and commercial sex and substance abuse (UNESCAP, 2005)<sup>9</sup>. Possible consequences of such coping strategies are sexually transmitted infections (STIs), HIV/AIDS as well as road accidents. With continuous improvements in road infrastructure and increased transport facilities, the number of trucks traveling long distances is likely to grow significantly. Time spent away from home will increase, and so might social isolation resulting in different degrees of health risks.

#### 4.1.1 Geographic spread of Respondents

A total of 170 drivers were interviewed in all the 06 locations. Table 3.1 mentions the geographic spread of the respondents (Table-4.1).

**Table 4.1 Geographic spread of the respondents** 

Tuble 4.1 Geographic spread of the respondents			
Location	Number of Respondents	Percent	
Karachi	26	15.3	
Lahore	28	16.5	
Peshawar	39	17.1	
Quetta	30	17.6	
Rawalpindi	28	16.5	
Sukkur	29	17.1	
Total	170	100	

It is important to mention here, that geographic spread only mentions the place of interview and doesn't mean that the drivers belonged to that particular area.

#### 4.1.2 Age of Respondents

The Mean age of the drivers was 37.8 Years (Range- 21 to 60 Years), with the 31-40 years age group accounting for almost 42 % of them.

 $<sup>^9</sup>$  United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP). Trucker health along the Bangkok-Nong Khai highway. Bangkok: UNESCAP; 2005

## **4.1.3** Mother tongue of Drivers

The mother tongue of drivers is shown in Figure 4-2. The figure shows that the vast majority of drivers are ethnic Pushtuns (44 %), followed by Punjabis (22 %), Seraiki (11 %) and Sindhis (9 %).

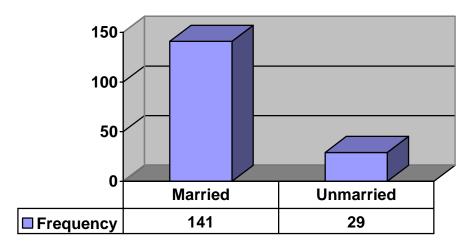
5% 2% ■ Balochi -1% 9% Farsi 6% Hindko 11% Pashto **■** Punjabi ■ Sarieky ■ Sindhi ■ Urdu 22% 44%

Fig-4.1.3: Mother Tongue of Drivers

#### **4.1.4 Marital status of Drivers**

The marital status of the drivers is given in Figure- 4.3

Fig 4.1.4: Marital Status of Drivers



The figure shows that the vast majority of drivers (83 %) were currently married.

#### 4.1.5 Number of Children

The married respondents were asked about the number of children. The Mean number of children was 4.9 (Range 0-9)

#### 4.1.6 Educational status of drivers

71 drivers (41.8 %) had never attended a school. The remaining 48.2 % had attended school for various durations (Table 3.3)

Table 3.3 Educational status of drivers

Number of Years Spent in School by Drivers			
Number of Years spent in school	Number of respondents	Percent	
0	71	41.76	
2	02	01.18	
3	05	02.94	
4	14	08.24	
5	22	12.94	
6	14	08.24	
7	08	04.71	
8	18	10.59	
9	06	03,53	
10+	10	05.88	
Total	170	100	

The Mean schooling of the drivers was 06 Years. Only 6 percent had completed 10 years (secondary) schooling.

#### **4.1.7 Experience as Drivers**

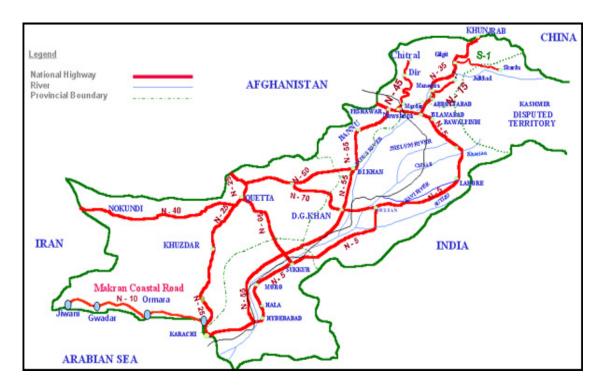
The respondents had a driving experience, ranging from 01-40 years. The Mean experience was 14 years. Almost 34 % of them had worked as helper boys with the long distance bus/truck drivers, before assuming their jobs as independent drivers. All drivers were plying on long-distance inter-provincial routes like Peshawar-Karachi, Quetta-Karachi, and Peshawar-Quetta etc.

#### 4.1.8 Travelling characteristics

Long distance drivers mostly ply on various sections of the National highway system, connecting the major town of Pakistan (Fig. 4.1.8). Motorway is not particularly popular amongst the truckers, due to lack of the kind of services, they look far. Nearly 30 % drivers spent eight (08) or more nights away from home in a trip. (Median-7) . The mean number of nights spent away from home each month was 21.5 days and 90% spent more than 18 nights away from home every month

The Road Transport Workers Ordinance 1961 was enacted to regulate the hours of work and other conditions of employment of road transport workers. The Ordinance stipulates a break of at least of 30 minutes after five hours of driving, limits total driving time to 8 hours per day and 48 hours per week, and allow for at least 24 hours of consecutive rest in a week. The Ordinance was amended in 1974 and the West Pakistan Industrial and Commercial Employment (Standing Orders) Ordinance 1968 was made to apply to every road transport services. The legislation, however, excludes transport workers operating in unregistered small and micro enterprises. Private transport companies with bigger fleet evade these law through various mechanisms devised in connivance with regulatory authorities. In any case, transport workers, due to literacy and information deficits, remain ignorant of both national laws and international standards. The ILO Hours of Work and Rest Periods (Road Transport) Convention (No. 153), 1979, that requires a break after 4 hours of driving, limits total driving time to 9 hours per day and 48 hours per week and recommends at least 10 hours of rest in each 24-hour period, is not yet ratified by Pakistan<sup>10</sup>.

<sup>&</sup>lt;sup>10</sup> Road transport workers in Pakistan, Zeenat Hisam, PILER, Karachi accessed on Internet 25-7-09



#### 4.1.9 Work satisfaction

The respondents were asked, if they were satisfied regarding their work as drivers. The results are shown in Table- 4.9

**Table-4.9Work satisfaction** 

Work satisfaction	Number of Respondents	Percent
No	66	38.8
Yes	104	61.2
Total	170	100.0

The results show that almost 39 % of the drivers were not satisfied with their work as drivers. During the FGDs, the most common reasons cited by the drivers for their lack of satisfaction were grueling work schedules, low income compared to the workload, security concerns, home sickness and sleepless nights. Some pieces of the concocted poetry, expressing feelings of the drivers on their vehicles, are given in the Box 4.9.A and 4.9.B

#### (Home sickness)

#### Dosto tum to Charsadde me rehgaye Aur mein GT road ki thokrein kha raha hoon

**Translation**: My friends, you are enjoying life at Charsadda and I am biting dust on the GT Road.

#### (Long journeys and tiring schedules)

Karachi buhat door hai Par jana bhi zaroor hai Rocket bhi majboor hai Sher Afzal Ustad ka Kiya qasoor hai

**Translation:** Karachi is very far away (from Peshawar). But must I go there. *Rocket* (the bus) too is helpless and has to go. But tell me; what is the fault of Sher Afzal, the driver.

#### **4.1.10 Income Satisfaction**

The state of respondents' satisfaction vis-à-vis their current income is shown in Table 4.10. It is apparent that the results are similar when compared to the work satisfaction.

Table 4.10 Respondents' satisfaction regarding their current income

Satisfaction with current income	Frequency	Percent
No	65	38.2
Yes	105	61.8
Total	170	100.0

#### **4.1.11:** Satisfaction with facilities at the bus terminals

The respondents were asked about their state of satisfaction, regarding the available facilities at the bus terminals. The results are shown in Table-4.11

Table 4.11 Satisfaction with facilities at the bus terminals

Satisfaction regarding		
facilities at the		
terminals	Frequency	Percent
No	53	31.2
Yes	117	68.8
Total	170	100.0

The Table shows that around one-third of the drivers were not satisfied with the existing facilities at the bus terminals. Some of the facilities mentioned were:

**Food and drinks:** The facilities for food and drinks are available on or near all terminals. The majority of respondents were not satisfied with the quality of food. While traveling, they preferred to take their meals on the roadside restaurants, rather than eating at the terminals.

**Rest and sleeping facilities;** Small hotels, inns and rest areas are available at or near all terminals but are not quite popular with the drivers. Although inexpensive, but these are not clean or comfortable.

**Toilets and wash rooms:** These are available at all terminals but are usually dirty and smelly.

**Facilities for vehicles maintenance:** All terminals have facilities for repair and maintenance of vehicles.

**Parking facilities:** All terminals have parking facilities, although charges apply. According to drivers, the main reason for staying close to the terminals is that they want to be near their vehicles.

**Hard drugs:** *Charas* (hashish) is mostly available at terminals for drivers. Alcohol can also be obtained through professional suppliers, well known to drivers. No one mentioned the use of any injectable drug.

**Commercial sex:** Commercial sex workers (CSWs), both women/girls and boys can be easily procured for sex at the bus terminals, mostly through agents/pimps. At some terminals boys sell sex under the garb of massage. A significant number of drivers told that they prefer sex with their own helper boys rather than strangers.

Almost all of them desired to have better and cleaner accommodation, wash rooms with facility of hot and cold water and arrangements for clean and well prepared meals.

#### 4.2 Behavioural Characteristics

#### 4.2.1 Entertainment/leisure activities undertaken

The respondents were asked that what entertainment/relaxation activities they indulged in commonly, while staying at the terminals or hotels. The responses are given in Table-4.2

**Table 4.2.A Entertainment activities undertaken (Total-170)** 

<b>Entertainment activities</b>	<b>Number of Respondents</b>	Percent
Rest, Sleep and eat	42	24.71
Smoking and use of hard drugs	23	13.51
Gossiping with friends	44	25.88
Watch movies	08	4.71
Sex with helper boys	18	10.59
Sex with other boys	24	14.12
Sex with women	26	15.29
Massage	14	08.24
Read books	26	15.29
Other	24	14.12
Nothing special	12	07.06

Some of the respondents mentioned more than one entertainment activities, depending upon the location and availability. Almost one third admitted to avail commercial sex or had sex with the helper boys, while staying in hotels or other rest places at or near the terminals.

When asked that what the majority of other drivers mostly do for leisure and entertainment, the responses were somewhat different (**Table – 4.2.B**)

**Table 4.2.B Entertainment activities undertaken by other drivers (Total-170)** 

Entertainment activities	Number of Respondents	Percent
Sex with Women sex workers	73	42.94
Sex with Helper Boys	24	14.12
Sex with other boys	76	44.71
Use of hard drugs	47	27.65
Massage and sex	07	04.12
Others	23	13.51

Almost 95 % of the respondents told that the main entertainment activity for other drivers was to have sex during the rest time at hotels. When further probed, on how the commercial sex workers are procured by the drivers, almost all respondents said that the hotel owners and pimps are the main suppliers. None of the respondents admitted the use of hard drugs but 28 % commented that other drivers used hard drugs.

The respondents were asked that what venues/spaces were used for the sexual activities. The spaces, where sexual activities were most often are undertaken, are given in Table-4.2.C

Table 4.2.C Spaces most often used for sexual activities (Total 162)

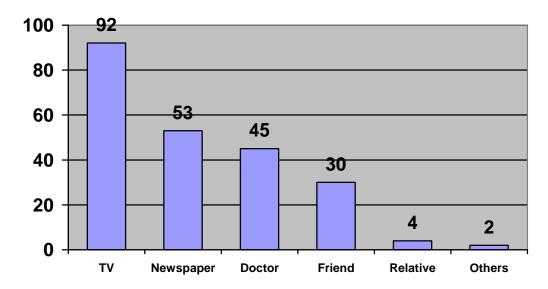
Spaces used for sexual activities	Number of Respondents	Percent
Hotels	78	48.15
Inside truck/bus/trawlers	76	46.91
Others	08	04.94

The results show that hotels and vehicles are the main venues used by the drivers for indulging in sex, either with their own helper boys or other CSWs. When asked that if they ever face problems with the local police, almost 56 % said that they never had any such problems. Others informed that some times the drivers may give some money to police men. However, none of them or their friends had ever been booked by the police for sex related offences.

#### **4.2.2 Information regarding Sexually Transmitted Infections**

75.3 % drivers said that they had some information regarding Sexually Transmitted Infections (STIs). They had received this information from various sources, but the most common source (92 %) was Television (Figure-4.2.2)

Fig.4.2.2 : Driver's Source of Information about STIs



17 respondents (10 %) told that they had, in the past, been affected by some STI. They were somewhat reluctant to volunteer further information regarding the nature of STI.

Only one third of the affected drivers received treatment from a qualified medical doctor. The rest went to *hakeems* and quacks for treatment. During FGD most of the participants said that the use of condoms is not very frequent by drivers; some of them used it while having sex with female sex workers.

## My way is highway

During an FGD at Peshawar, the truckers explained that the prevalence of unsafe sexual behavior amongst them, which includes unprotected sex with commercial sex workers, and sex with boys, is but an outcome and index of their loneliness. They admitted that sex is mostly done without "thinking", some times under the influence of *charas* (hashish). Without these "indulgences" their daily grind on the highways will only be harder to bear.

#### 4.2.3 Practice of hiring Helper boys

145 (85.3 %) of the respondents informed that it is a common practice for drivers to keep helper boys in their service. Most of these boys join the service at the age of 10-16 years. On the average, a Helper boy spends 6-10 years in the service, before he becomes an independent driver. During this period,he learns the skills of driving, traffic rules and vehicle' maintenance. It is on-the-job learning, where the driver assumes the role of a trainer. He is also supposed to perform other errands and odd jobs for the driver such as preparing tea, purchasing cigarettes and other items from the kiosks etc. In return, the helper boys are provided free meals, lodging and some pocket money or a fixed salary.

# Chapter 5 Socio-demographic and behavioral characteristics of Helper Boys

#### 5.1 Socio-demographic characteristics

#### **5.1.1** Geographic spread of Respondents

A total of 168 helper boys/men were interviewed in all the 06 locations. Table 5.1 mentions the geographic spread of the respondents.

**Table 5.1 Geographic spread of the respondents** 

Location	<b>Number of Respondents</b>	Percent
Karachi	26	15.5
Lahore	27	16.1
Peshawar	29	17.3
Quetta	30	17.9
Rawalpindi	26	15.3
Sukkur	30	17.9
Total	168	100

It is important to mention here, that geographic spread only mentions the place of interview and doesn't mean that they belonged to that particular area.

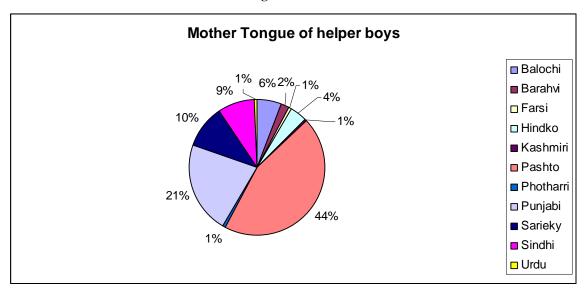
#### **5.1.2** Age of Respondents

The Mean age of the Helpers was 16.8 Years (Range: 13-22 Years). The 54 (32.14 %) respondents, who were more 18 years old, had joined as helpers when they were children.

#### **5.1.3** Mother tongue of the helpers

The mother tongue of the respondents is shown in Figure 5.1.3. The figure shows that the vast majority of helpers are Pashtu speaking (44.6 %), followed by Punjabi (22 %) and Seraiki (10.1 %) and Sindhi (8.9 %).

**Figure 5.1.3** 



## **5.1.4** Educational status of Helper Boys

Out of 168 respondents, 79 (47 %) had never attended a school. The remaining 89 respondents (53 %) had attended school for various durations (Table 5.1.4)

**Table 5.1.4 Educational status of the Helper Boys** 

Number of Years spent in school	Number	Percent
0	79	47.0
1	2	1.2
2	8	4.8
3	9	5.4
4	14	8.3
5	23	13.7
6	9	5.4
7	6	3.6
8	5	3.0
9	2	1.2
10	11	6.5
Total	168	100

The Mean schooling of the respondents was 2.86 years. 78 respondents, who left before completing 10 years of schooling, cited various reasons for leaving the studies. The main reasons quoted were poverty (43 %), harsh school environment (20 %), physical abuse at home (10 %) and the desire to learn a marketable skill (22 %).

#### **5.1.5** Experience as Helper Boys

The respondents had experience of working as helpers, ranging from 01-12 years. The Mean experience was 3.1 years. 7.7 % had been working as helpers for more than 10 years. A total of 49 (29 %) were married. For the vast majority of the boys, the main attraction of the job was to learn driving and be a driver in future. Usually boys 14 years and older are given the opportunity to learn driving skills. This on-the-job learning may go for 6-12 years, before they assume their role as independent drivers. Usually the helpers, who have blood relations to drivers, are given more opportunities for learning than others.

#### 5.1.6 Responsibilities as Helper

The Helper boys informed that they were supposed to perform a number of tasks. These include cleaning of the truck, doing minor repairs, changing flat tyres, loading and unloading cargo, arranging tea and meals for driver, and any other job assigned by the driver. Some of them also drive the vehicle, when the driver is sick or tired. 65 % of the respondents said that besides their own duties, they are also supposed to do other services for drivers. Only 02 respondents volunteered the information that having sex with the driver was part of their duties. This information was substantiated by majority of the participants of a focus group discussion held at Peshawar.

#### **5.1.7** Sources of income

The respondents were asked about different sources of income of helpers and other boys at the terminals and at the hotels in the close vicinity of terminals and on highways. They informed that on the average the helpers get Rs.2000 – Rs.5000/per month depending on their experience. They said that besides salaries, some of the boys earn extra money through massage and selling sex. They said that some good looking boys may earn more than Rs.10, 000 per month through commercial sex.

Other boys hanging around the terminals and working in the nearby restaurants and hotels on the highways were also earning by sell sex to drivers and other men who frequent these places. Female sex workers also operate in these areas and are usually procured through pimps or employees of the hotels. Some female sex workers usually stand at particular points on the highways, waiting to be picked up by drivers for sex.

#### 5.2 Smoking and use of addictive substances

Almost 66 % respondents reported smoking cigarettes while 10 % confessed that they also smoke *charas* (hasheesh). Only 02 respondents (1.2 %) told that they were addicted to alcohol and a similar number (1.2 %) reported the use of heroin. The boys told that buying hasheesh, heroin or alcohol is not a problem at the terminals. "We know the suppliers very well"; most of them remarked.

#### 5.3 Information regarding Sexually Transmitted Infections

63.7 % of the Helpers told that they had some information regarding Sexually Transmitted Infections (STIs). They had received this information from various sources, but the most common sources were friends and Television (Table-5.2)

**Table- Source of Information about STIs (Number -107)** 

Source of Information	Number	Percent
TV	67	62.62
Newspaper	27	25.23
Doctor	09	08.41
Friends	79	73.83
Others	11	10.09

Out of a total of 168 respondents, 11 (6.5 %) told that they had in the past been affected by some STI. The symptoms included itching in the genital area and discharge of pus in urine. The 02 boys reporting discharge of pus in urine volunteered the information that they had sex with other boys at the terminal. 07 of the infected helpers received treatment from a qualified doctor; the rest went to *hakeems*.

#### 5.4 Behavior of Police

The majority of respondents 70.8 % had no serious complaints against police-men. The rest (29.2 %) said that some times the behavior of the police men is rude and annoying. Some of them expect bribes and on some occasions would demand sexual favors from boys. Harassment by police and other agencies like customs is relatively more common on the highways where money is extorted on the pretext of paper and cargo checks.

#### **5.6 Work satisfaction**

The respondents were asked that if given chance, would they opt for another job, even if the wages were somewhat lower than their current earnings.

The responses are given in Table 5.4

**Table 5.4 Work satisfaction** 

Work satisfaction	Number of Respondents	Percent
Yes	113	67.3
No	55	32.7
Total	168	100.0

The results show that 32.7 % of the helpers were not satisfied with their work. The main reasons mentioned were hard duties, sleepless nights, low salaries and abusive behavior of the drivers.

### Chapter 6

#### **Conclusions and Discussion**

Commercial Sexual Exploitation of boys in general is not a new phenomenon in Pakistan and is being manifested in several overt and covert ways<sup>11</sup>. Though it is a violation of human rights and a serious crime, the commercial sexual exploitation of boys remains a silent scourge due to the socio-cultural attitudes and taboos associated with it. The practice of exploiting boys takes place in locales including streets, markets, bus terminals, hotels, restaurants, shrines, community settings and other places. Sexual exploitation or prostitution' does not refer to a uniform experience. Variables include employment relations, contexts, involvement of intermediaries, experience of violence, type of income (cash or kind), and degree of control (ranging from bonded labor to self employment). 'Outdoor' (street) prostitution is often distinguished from 'indoor' prostitution in which at least some of the transaction occurs in places such as brothels, hotels and homes. Further variations occur in the type of transaction, from direct money purchase to longer-term relationships, so that sometimes the line between prostitution and other practices, such as the sexual relationships between drivers and their helpers, is difficult to maintain. The clear definition of 'child prostitution' in the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2000) is 'the use of a child in sexual activities for remuneration or any other form of consideration' (article 2-b), and we should examine the issue under the light of this definition.

The causes of the commercial sexual exploitation of children are multiple and have interactive and dynamic relationships. Currently there is an ideological debate about the correct terminology to use to identify customers within the discourse on the exploitation of children in prostitution. During the Latin-American consultation for WCIII, it was suggested that the term 'client', downplays the criminal exploitation committed against a child and diffuses the duty-bearing responsibilities of adults. Thus it was proposed that the alternative term 'client/exploiter' should be employed. In other circles, acknowledging the often-confused continuum between child sexual abuse and the exploitation of children in prostitution, and recognizing the responsibility of all adults for the protection of all children, the term 'offender', or sometimes 'perpetrator', is used<sup>12</sup>.

The truckers of Pakistan live in a world of their own. Most of the truck drivers are easygoing, romantic, fatalistic, superstitious and appreciative of beauty and pleasure. The truck in Pakistan, most often, is a feminine. The inscriptions on the back of trucks, would call the truck a *dulhan* (bride) or *shehzadi* (princess). The trucks are usually colorfully

<sup>&</sup>lt;sup>11</sup> A Situation analysis of CSEC in Pakistan by Working Group against CSA/E 2004

<sup>&</sup>lt;sup>12</sup> Exploitation of children in prostitution-Thematic paper World Congress III against sexual exploitation of children and adolescents by Judith Ennew ECPAT International November 2008

decorated and painted in vivid bright multi-layered colors and fairy lights, which truckers believe have a talismanic function and promote good luck. These vehicles are mostly inscribed with romantic (erotic at times) verses and other slogans (nationalistic, patriotic, religious etc) on the *farmayesh* (desire) of the driver. Music, particularly the folk one, is another pre-requisite of this nomadic life on wheels.

The population of truck drivers in this study was mostly middle aged, with the majority being in their late thirties or above. The most predominant ethnic group was Pashtuns, followed by Punjabis and Seraikis. The vast majority were married and living with their spouses. The Helpers were mostly adolescents in their late teens and have a comparable ethnic background to the drivers. They were mostly from rural and semi-urban areas. Almost all the boys who participated in interviews and focus group discussions for this study were either illiterate or had dropped out of school at an early age. Earlier studies have also revealed that illiteracy, coupled with poverty and an abusive home and school environment are important factors behind the commercial sexual exploitation of children in Pakistan<sup>13</sup> The common practice of corporal punishment within homes, schools and work places, and lack of recognition of physical and psychological punishment as violations of human rights increase the vulnerability of children to sexual abuse and exploitation. The fact of having had to leave the family, most of the times as a consequence of the violence and rejection they suffered there, places these children in an unprotected situation that makes them vulnerable to all forms of abuse and exploitation. The economic stagnation and rising unemployment rates force families to put their children into work; often the places where children are most likely to find jobs are where they will also be exposed to the risk of sexual exploitation. The conflict situation and political instability has resulted in the delay of the implementation of development plans and policies, including those that support and strengthen national child protection systems. Lack of political will leaves a major gap in the creation of a protective environment for children, especially when families are under tremendous pressure and challenges to sustain basic livelihoods.

On the average, the truckers spend only 8-9 nights per month at their homes or permanent residences; rest of the time they are on the wheels. The grueling schedules and loneliness has its own manifestations. They want to be noticed, acknowledged and loved. A ubiquitous inscription on trucks- *Dekh magar piyar se* (Look at me, but with love) speaks volumes about their state of mind. Almost all drivers and a majority of the helpers were sexually active. The sexual exploitation of helper boys in the transport industry of Pakistan seems to be structural and endemic and is perceived to be a part of the professional arrangement. From the interviews and FGDs, it transpired that the drivers had no special sexual preferences. They were mostly bisexual, and though married, had sex with boys and female sex workers, depending on the availability and circumstances. The key informants (hotel owners) substantiated this information. They told that spicy food, smoking and sex were the main indulgences of truck drivers. They were of the opinion that most of the truck drivers had sex with their helpers and also other boys who frequent the terminals and roadside restaurants, to sell sex for money. Most of such sexual activity takes place inside the trucks or hotel rooms. Key informants also said that

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<sup>&</sup>lt;sup>13</sup> Situational Analysis of Prostitution of Boys in Pakistan (Peshawar, Lahore) ECPAT International 2006

police were well aware of what was going on at the terminal and adjacent establishments but turned a blind eye. The use of condoms was insignificant. Some of the respondents used condoms with female sex workers but never with boys. The high prevalence of smoking and substance abuse amongst drivers and helpers is also a matter of concern. It could be a consequence as well as a factor behind the enhanced vulnerability of children to sexual abuse and exploitation. Abuse of drugs and other addictive substances also damages their health, exacerbates their exploitation, and makes it more difficult for them to leave the exploitative environment. All young people go through physical, psychological, and social changes during their adolescent years. These changes are particularly difficult for children who are becoming adolescents while living in extremely difficult circumstances and for those who have been sexually abused and/or exploited. The lives of these sexually exploited children are filled with long term problems like poverty, powerlessness, psychological stress, lack of recreational opportunities etc and using drugs may provide them some escape and relief from stress and hopelessness. In these cases, humiliations matter less than obtaining resources that will ensure their supply of the substances they require. We found cases in which children with these characteristics have been induced to sexual exploitation by their peer group, which in this way also assures its supply.

Although no attempt was made to link ethnicity with the sexual behavior, but due to high representation of Pukhtuns in the study, some oblique references were made to link the sexual exploitation of boys with the strictly patriarchal Pukhtun culture. The argument was that male homo-sociability and homo-affectionalism exists in Pukhtun society and is socially tolerated. For many men, because women are just not accessible, romantic longings are at a distance, unfulfilled and often filled with sexual urgency. All this emotional and sexual energy have very few socially acceptable outlets. However, intense male friendships are formed within the homo-affectionalist framework, which include extensive touching, body contact and even sharing of beds. They termed the practice as an extension of *Bachabazi*, or the tradition of keeping of adolescent boys' for sexual services by rich and influential men. However the fact is that the practice is not limited to Pukhtuns only; it was equally prevalent amongst other ethnic groups.

The most important question is whether sexual relationship between a driver and his helper, by its very nature, is child sexual abuse or commercial sexual exploitation, or both? Most of the Helpers didn't like the relationship but were compelled and pushed by circumstances and dynamics of the profession. Whether we can say that these Helpers are 'prostituted children' implying that prostitution is something done to them and is linked in philosophical debates to the assertion that prostitution is always due to male violence typified by female (including child) inability to consent. Another point of debate is whether these drivers, who are also trainers and role models of their helpers, could/should be termed as abusers or/and exploiters? An important finding of the study was that some of the helpers themselves were having sex with other younger boys, and were thus both victims and exploiters. It could also be argued that the relationship is a mix of CSA and CESC. The study also demonstrates how unequal power relations between different age

groups will impact and affect children including to increase their vulnerability to sexual exploitation.

In summary, the sexual exploitation of children in the transport sector exposes them into multiple forms of violence at different levels. In the field of rights, it implies negation or the complete ignorance of almost all of them: the right to live with their families; the right to receive care and protection; the right to receive education; the right to freedom; the right to dignity; the right to security; the right to equality; the right to leisure and relaxation and the right to preserve their health and for it not to be continually and deliberately threatened by others. In other terms, as the exploitation operates on the body, on the sexuality and on the affective ties. It will definitively alter important spheres of the life of the victims and will completely change in the future their possibility of relating to their own bodies and to others with respect and affection, and it will also modify the way they would treat others. The hard evidence was there; most of the exploiters were former victims. Despite all these violations, the most unfortunate reality is that the state and society are unaware of their plight and sufferings.

## Chapter 7 Recommendations

The issue of the commercial sexual exploitation of boys in general, and those in transport industry in particular, is a serious one that has not received the adequate attention it deserves. The commercial sexual exploitation of boys is not understood, and its existence is not acknowledged. As a result, boys receive minimal social and legal protection. To give an effective response to the challenges, posed by the phenomenon of the sexual exploitation of boys, would require a coordinated action of different social players. In the light of conclusions of the Study, the following recommendations are suggested:

- The commercial sexual exploitation of boys should be officially acknowledged and
  provisions to protect boys need to be included in all the policies, programs and legal
  provisions throughout the country. The Government should work in partnership
  with non-governmental organizations to provide comprehensive rehabilitation and
  reintegration programs, with the active involvement of children and young people.
- With respect to prevention, a number of policy and social justice measures could help more or less directly to avoid more children going into the potentially vulnerable trades. Of particular importance are policies that will make it possible to ensure that children and young people stay on at school, while offering them at the same time training for employment and employment that is properly remunerated. Similarly, the policies and programs aimed at the attention of families who have problems with violence, addictions and/or sexual abuse should be introduced in order to avoid their children leaving the family environment and being susceptible to sexual abuse and exploitation.
- Special attention and prevention mechanisms need to be developed and implemented aimed towards at-risk and vulnerable groups of children, particularly children in the transport industry and allied sectors. Root causes that add to the vulnerability of boys need to be addressed through awareness and social mobilization programs. Examples of issues that need attention are vocational training, micro finance and livelihood opportunities in rural and other deprived areas for adolescent boys.
- Personal health and protection, gender and child sexual exploitation and abuse issues should be included in the formal school curricula. Within the school environment, the teaching programs should include information on the phenomenon of the sexual exploitation of children as a way to make them aware of a reality, and to warn them and inform them about factors that can increase risks and measures that can be taken should they be so exposed.

- Life-skills training packages for non-formal school settings should be developed to strengthen the ability of boys to protect themselves from abusive behavior and promote their interpersonal communication skills, critical thinking, confidence and self-esteem. Such programs will heighten their awareness and lessen the risk of them becoming victims of sexual exploitation. Activities may be initiated that aim at re-channeling the energies of boys and youth (particularly outside school) to productive endeavors such as sports and recreation, alternative modes of education, value clarification and livelihood skill development.
- Organizational efforts to respond to sexual exploitation of boys need to be more systematic, integrated and program-based. The latter requires the formulation of standard operating procedures and coordinated plans of action toward effective management and implementation of programs to protect boys from prostitution
- Provide training to professionals, including doctors, counselors, law enforcement
  officers and social workers so they can recognize signs of sexual exploitation and
  abuse and provide necessary treatment and counseling.
- The abuse of drugs needs special attention. Initiate specific activities, such as public awareness campaigns and targeted education/information campaigns for boys, through peer education and the strengthening of services and reintegration for drug addicted boys.
- Programs on the prevention of HIV/AIDS and STIs, especially tailored for the transport industry, should be developed and initiated by the Working Group against CSA/E and other civil society organizations. Interventions aimed at providing information about HIV/AIDS should be more specific regarding the modes of transmission and the methods of protections.
- Governments and NGOs also need to establish a network to help identify and counsel vulnerable children. Peer educators need to be trained and deployed as part of efforts to reach boys vulnerable to CSEC
- A national consultation with boys and young people should be organized to receive their suggestions and feedback on the NPA.. Specific activities should be suggested on the engagement of boys in implementing the NPA, such as the promotion of peer education and the establishment of a national monitoring mechanism for children on NPA implementation
- The Government should allocate more resources for implementation of the NPA against CSA/E and the NCCWD should strengthen its monitoring mechanisms
- The Government should expedite the adoption of Child Protection Bill and take necessary measures for the establishment of a structured Child Protection System in the Country.

