



Research article

Challenges to the rapid identification of children who have been trafficked for commercial sexual exploitation



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ABSTRACT

Child trafficking for commercial sexual exploitation (CSE) is a complex phenomenon, requiring multifaceted programs and policies by various stakeholders. A number of publications have focused on preventing this heinous crime. Less attention, however, has been paid to the recovery and rehabilitation of children who have been traumatized as a result of being trafficked for CSE. This article focuses on the first step in the protection and recovery process, which is to ensure that procedures are in place for their identification, so that they might access timely and appropriate assistance. It highlights three situational and two child-related challenges to identification. In addition, it describes the additional victimization experienced by children who are wrongly arrested for crimes associated with prostitution or illegal border crossings, rather than being identified as victims. An extensive literature review was conducted, and included academic publications, as well as governmental and non-governmental reports. In addition, field-based qualitative research was undertaken in South and Southeast Asia, and involved interviews with representatives from United Nations and governmental agencies, non-governmental organizations (NGOs), and aftercare recovery programs.

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The first step in the recovery process for child victims of trafficking is to ensure that procedures are in place for their rapid detection to facilitate timely and appropriate assistance (Abu-Ali & Al-Bahar, 2011; Brunovskis & Surtees, 2012a). Identification relies on those who come into contact with victims being aware of the issues surrounding trafficking, and the importance of their proactive action (Alvarez & Alessi, 2012; Hodge, 2014). When children are identified, it is often by police or immigration officials (Aborisade & Aderinto, 2008; Brunovskis & Surtees, 2012a; Gjermeni et al., 2008; Macy & Graham, 2012). Despite the existence of obligations and policies to ensure their identification, most victims of child trafficking are not formally identified through official channels (Greenbaum, 2014; Okech, Morreau, & Benson, 2011; Rigby, 2011). Many children who are not identified continue to have their human rights violated, and the protection services they so desperately need are not provided (Bokhari, 2008; Gozdziaik & MacDonnell, 2007). In addition, traffickers continue to exploit, and their crimes are neither documented nor prosecuted (Rafferty, 2013a; Reid, 2013; Shaw, 2013).

This article highlights situational and child-related challenges to the timely identification of children who have been trafficked for commercial sexual exploitation (CSE). The situational challenges include: the changing face of child trafficking; governments have not taken full ownership of the problem; and lack of awareness by those who come in contact with victims. The child-related challenges include: psychological barriers; and their wish not to be identified. Identification failures, and the additional victimization experienced by children who are not appropriately identified as victims, are also discussed.

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Methodology

This article weaves together information collected through an extensive review of the literature on child trafficking for CSE with additional information collected during interviews with field-based personnel in South and South-East Asia. The literature reviewed was extensive and included academic publications, as well as governmental and non-governmental reports. Journal articles were identified through a comprehensive review of the literature using various relevant social science databases, including EBSCO, ERIC, PsychINFO, PsychARTICLES, ProQuest, MEDLINE, SocIndex, and Google Scholar. Some articles were identified through a general search of the databases listed above and others were found through the reference lists of relevant publications. Government and non-government reports unavailable on scholarly databases were identified through Google searches, websites linked with the United Nations (U.N.), archival records on government websites, and the websites of international providers of aftercare services for children who have been trafficked. Additional noteworthy documents were identified during various forums which I attended as a representative of a non-governmental organization (NGO) at the U.N. Lastly, reports were identified during interviews with key informants (described below). The final selection of articles and reports relevant to the topic of identification methods included 77 publications, ranging from 1989 to 2014. These publications were used to develop a summary of key barriers to identification of child victims of CSE, and to enable me to frame the relevant topics to include in my interview protocol described below.

Information collected through the literature review was further explored during field-based interviews conducted during my year long sabbatical (2013–2014), which included visits to Cambodia, India, Laos, Nepal, Thailand, and Vietnam. Informants included representatives from governments, U.N. agencies, NGOs, and aftercare recovery programs. The criteria for recruiting interviewees were not scientific (e.g., a random sampling of agencies and/or personnel). In view of the challenges this would present, a sample of convenience was obtained. I began by attempting to elicit support in advance of my travels from various U.N. agencies, including U.N. Women, UNICEF, International Labour Organization (ILO), and the International Office for Migration (IOM). In addition, I contacted the major international NGOs involved with the provision of aftercare services for child victims (e.g., ECPAT: End Child Trafficking and Prostitution; International Justice Mission; Friends International, World Vision). Both U.N. and NGO representatives were informed of my project and asked for their assistance contacting field-based personnel who were involved with child trafficking. In response to my request, I was provided with names and contact information for key personnel involved with aftercare programs in various countries. They included at least one U.N. staff member in each country ($n = 10$) and 20 representatives from NGOs. These representatives were subsequently contacted (via e-mail) and an opportunity to meet with them while I was in their respective countries was requested. Meetings were subsequently arranged with each person contacted ($n = 30$), or their designated representative. These key informants, in turn, introduced me to field-based staff in various locations. Overall, I met with 213 people from the six countries and included representatives from U.N. agencies ($n = 22$), governments ($n = 12$), and aftercare programs ($n = 179$).

Interview protocols were developed in advance and focused on (a) identification; (b) service needs; (c) intake and assessment procedures; (d) interim and psychosocial support; and (e) continuing care and reintegration. Prior to my departure, I had obtained informed consent for my interview questions from my University affiliation, and I had hoped to get each interviewee to respond to a series of questions and prompts. It was difficult, however, to adhere to the protocol given time constraints of the interviewees. Some interviews lasted for 10 min; others lasted for an hour or two. In some cases, individual interviews were conducted. In other cases, the structure was much less formal and involved a group meeting of two or more people. Some interviewees were extremely knowledgeable with many years of experience (e.g., regional representatives for U.N. agencies or executives from International NGOs), although all interviewees had pertinent information to offer. Despite the challenges, everyone was supportive of the research project and welcomed my quest for information about identification challenges (and other issues associated with aftercare programs that are covered in other articles). In each case, informants were asked to describe the specific barriers to the timely identification of child victims. This information was subsequently expanded upon, by highlighting specific findings from the research literature. These pieces of information were then put together to get a complete picture of the entire issue. In addition, some key informants provided me with supplemental literature that expanded upon issues discussed during the interview. This article weaves together the barriers that had been previously identified in the research literature with information obtained from key informants, including the supplemental literature they provided. The information collected and presented here will provide a vital base for future research on this often overlooked topic involving the psychosocial recovery of child victims of trafficking.

Findings

Situational challenges to timely identification

In the past, discussion of factors associated with identification of victims of child trafficking have focused on: (a) the clandestine nature of the crime; (b) the fact that it is a criminal activity and lawmakers and public officials find it difficult to acknowledge the magnitude of the problem; (c) uncoordinated data collection and statistics riddled with methodological problems, making it hard to evaluate the validity and reliability of available data; and (d) the lack of a precise, consistent, unambiguous and standard operating definitions as to what constitutes the act of trafficking, trafficker, trafficked person and child (cf. Rafferty, 2013a, 2013b). Although these challenges remain, information obtained from the field-based interviews suggests that the environment of CSE has shifted somewhat and the increasingly clandestine nature of the crime

further hinders the identification of child victims. The following section highlights three situational challenges to the timely identification of young victims.

(1) The changing face of child trafficking. A majority of the key informants reported that identification has gotten more difficult in recent years because the face of trafficking has changed from being primarily brothel-based, to entertainment-based establishments, such as beer gardens and karaoke bars (KTVs). Brothels continue to exist in many places, but they have become more concealed and often front as some other form of business (e.g., café, hair salon). In some cases, pimps show pictures of young girls to prospective “clients” and transport the girl to their buyer. In Nepal, for example, the key informants consistently noted that thousands of unemployed girls travel to Kathmandu in search of work and ultimately find jobs in dance bars, massage parlors, and cabin-style restaurants, where they are hired to serve food and beverages. These establishments are registered as ordinary restaurants, while operating illegally as key supply sites for both internal and cross-border trafficking (e.g., to brothels in India). In order to evade criminal liability, these establishments do not generally offer sexual services on their premises. Instead, they require customers to pay a price in advance to take a minor away from the premises for sex. This is often referred to as a “bar fine” or “early work release”. Most interviewees noted the diminished capacity of police to gather evidence when sexual services are no longer being offered on the premises. Establishment owners evade responsibility for what customers do with girls once they leave the premises (Shaw, 2013). In addition to being known as prime locations for the purchase of sex, most interviewees spoke of the abusive conditions in these establishments, their impact on girls who are dependent on tips and fearful of losing their jobs, and how some bosses force girls into CSE in order to maintain their employment.

A majority of interviewees reported that the shift in strategies being used by traffickers pose additional challenges for law enforcement and the public justice system because they allow for evasion of the law. This evasion is due to either the inability of police to shift their protocols and investigative methodologies quickly enough to respond to the changing environment, or existing policies are inadequate as criminals find ways to evade criminal liability. Some interviewees noted the need for enhanced focus on formulating new regulations to investigate cases of sexual exploitation at these establishments; they also suggested that regulating these establishments might help to address the exploitation of children, while upholding the labor rights of older women who describe themselves as “sex workers”.

In addition to being a challenge to identification, the movement to underground locations might also be viewed as a result of strong and effective advocacy in some countries to stop the exploitation of young children. In Cambodia, for example, as a result of efforts exerted by the local public justice system, there are fewer children being exploited now than in the past, particularly among girls age 15 and younger. Shaw (2013) reported that the prevalence rate for CSE among children (age 17 and younger) in 232 commercial sex establishments in Cambodia was 8.16%; the corresponding rate for young children (age 15 or younger) was 0.75%. The highest prevalence of minors was identified in brothels, followed by KTVs, beer gardens, massage parlors, and hostess bars. The highest prevalence of young minors was identified in KTVs. Another survey showed that the highest estimated prevalence of minors available for CSE was found in coffee shops (20.73%) that cater to Cambodian customers, and in KTV establishments (8.98%), that are frequented by both Cambodian and expatriate Asian customers. The lowest prevalence of minors was found in hostess (or dance) bars (1.88%), most commonly frequented by Caucasian customers (Van der Keur, 2013).

(2) Governments have not taken full ownership of the problem. This section highlights four issues linked with the finding that governments have not taken full ownership of the problem, including non-compliance with human rights mandates; non-compliance with international definitions of “child” or “trafficked”; greater focus on cross-border vs. internal trafficking; and little recognition that boys can be victims. Although these issues have received some attention in prior research, the majority of key informants reiterated the ongoing failure to serve child victims as a result of government neglect.

(a) Non-compliance with human rights mandates. A majority of key informants noted that efforts to identify children are compromised by the absence of adequate government involvement, lack of targeted focus by police, and inadequate procedures. According to one aftercare provider in Nepal, “The commitment of government to end girl trafficking is limited to only talks, speeches and signatures.” Deficiencies in the legislative process have also been identified by the United Nations Office on Drugs and Crime [UNODC] (2014), which reports that nine countries lack legislation altogether – and 18 others have only partial legislation, covering only some victims, or select forms of exploitation. Most key informants also noted the endemic corruption at all levels of government, including the political, criminal, and economic ties that perpetrators have to government officials (United States Department of State, 2015). Some informants reported that many rescue and prosecution efforts are thwarted due to police corruption and impunity among government officials. In some cases, police have tipped off brothel owners prior to a rescue operation, enabled traffickers to escape, or returned children to brothels following their escape/rescue, often for a reward (Pandey, Tewari, & Bhowmick, 2013). Others noted that prosecutors often refuse to issue warrants for anti-trafficking police to conduct rescue operations on entertainment establishments that do not allow sex on the premises. Furthermore, police often lack the legal authority to utilize undercover tactics or collect audio/video evidence of crimes, which has drastically limited their operational presence in CSE (Shaw, 2013). Finally, the number of convictions remains very low; many countries remain unable to appropriately respond to trafficking in persons (UNODC, 2014).

(b) Non-compliance with international definitions of “child” or “trafficked”. The 2000 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (“Palermo Protocol”) states: “A child has been trafficked if he or she has been recruited, moved or received for the purpose of exploitation” (U.N., 2000). It further stipulates (Article 3c) that since children cannot consent under international law it is a case of trafficking if the victim is a child, regardless of

whether or not fraud and deception are used. In other words, in contrast with the definition for adults, it does not matter if coercion or force has been used to traffic a child. The term ‘child’ is defined by the Convention on the Rights of the Child (CRC), Article 1 (U.N., 1989), as an individual under the age of 18.

Some children who are identified as potential victims are not recognized as victims of trafficking because their status as victims is not subsequently established. All too often, definitions are not consistent with international laws (Bokhari, 2008; Macy & Graham, 2012; Rafferty, 2013b). A majority of interviewees also noted that failure to identify child victims are linked with varying legal definitions and government policies and responses surrounding the definition of “trafficking” and “child”. In Cambodia, for example, the current law, adopted in 1996, on the Suppression of the Kidnapping, Trafficking and Exploitation of Human Persons is weak, punishing traffickers based on the age of the victim and only covering those below age 15. The ability to collect evidence is further compromised because the age of consent for sex is 15 (Shaw, 2013). In Vietnam, a child is a person under the age of 16 years; consequently, only cases of trafficking involving a person under age 16 will be considered as child victims (International Organization for Migration [IOM], 2012). Finally, the Indian Penal Code is age 15, but interviewees noted that existing laws are not comprehensive and may result in age disputes; 16 year olds can work as domestic labor. In addition, adolescents are lower priority than younger children because they are assumed to be able to protect themselves, and are considered as low risk (Lebloch & King, 2006). Pearce (2014) noted that those responsible for protecting children in the United Kingdom tended to view young people, particularly those aged 16–18, as consenting agents and to blame them for the abuse they experienced. Furthermore, the cultural understandings of “child” vs. “adult” has a diminished impact on the political resolve to respond urgently to older minors who are being sexually exploited, especially when their presence in sex establishments is viewed as consensual (Van der Keur, 2013).

Confounding the issues surrounding definitions of “child” is the incomplete definition of ‘trafficking’ in legal instruments, and official documentation in some countries. In addition to CSE, children are also lured into domestic servitude, labor exploitation, military conscription, armed conflict, forced marriage, false promises of schooling, illicit and illegal adoptions, sports (e.g., camel jockeys), street begging, organ extraction, agricultural work, and petty theft (Rafferty, 2013a). A majority of interviewees, as well as published research, note the uneven focus on CSE, with less attention paid to children who were trafficked for other reasons. For example, victims who are working in hazardous or unhealthy conditions, and those who are recruited into unpaid domestic labor, are more likely to be unnoticed than those who are involved with CSE (Brunovskis & Surtees, 2012a). Finally, in some countries (e.g., India), the term “trafficked” is limited to the entry of children into prostitution (UNICEF, undated). In Vietnam, the term “trafficking in persons” means “selling and buying”, impeding the reporting of child victims, and excluding a much more diverse and comprehensive collection of acts, including slavery or exploitation. In some cases, the failure to adhere to international definitions has resulted in victims being inappropriately labeled and arrested as “child prostitutes” or “willing prostitutes” – a dangerous strategy that blames the victim and ignores the importance of control by pimps and others.

(c) Greater focus on cross-border vs. internal trafficking. Research indicates that victims of internal trafficking are less likely to be identified than those who are trafficked across borders (Bradley & Cockbain, 2014; Brunovskis & Surtees, 2013). A majority of interviewees also noted that governments do not routinely acknowledge internal trafficking. In Vietnam, for example, reports on domestic trafficking are not available from government organizations, although it has been established that children are being trafficked both internally and externally for forced labor (IOM, 2012). Furthermore, there is no policy for children who are trafficked domestically. In addition, children who were trafficked across borders must get a “certificate” from the embassy in the destination country certifying them as a victim of trafficking. Children who are unable to get the necessary “certificate” are ineligible for any trafficking related assistance upon their return to Vietnam.

(d) Little recognition that boys can be victims. The purposes of trafficking, as well as the dynamics, can differ greatly between adults and children, as well as between girls and boys. Little research, however, has focused on the trafficking of boys (IOM, 2012), although some have noted that boys are less likely than girls to be identified as victims (Dottridge & Jordan, 2012; Federick, 2009), and particularly boys who are trafficked outside of the sex industry (Brunovskis & Surtees, 2012a). Particularly likely to fall below the radar are male victims of labor exploitation, street begging, those who are forced to work on fishing boats, or in plantations or factories, as well as infant boys who are trafficked from Vietnam into China (IOM, 2012). A number of reasons have been put forth for the complexities affecting the identification of boys, including legal and cultural barriers. A majority of interviewees noted that governments generally focus only on those who were trafficked for CSE, paying attention only to girls and women, with no acknowledgement that boys too can be trafficked. On the other hand, some boys who have been sexually exploited find it harder to admit inexperience and to talk about their emotions (Lillywhite & Skidmore, 2006).

In some countries, National Plans of Action to Combat Trafficking are limited in scope – addressing only trafficking in girls and women – and condone the trafficking of boys and men (IOM, 2012). In the Greater Mekong Sub-region, for example, legal systems rarely recognize male victims of trafficking, and therefore do not provide a basis for the provision of support services (IOM, 2012). In India, Bangladeshi girls who are rescued from brothels are treated as victims in need of protection under Section 366B of the Indian Penal Code. Boys, in contrast, are declared as transgressors of law and incarcerated under Section 14 of the 1946 Foreigners Act. Furthermore, government shelters for victims of trafficking do not admit boys. The invisibility of boys was also noted among those who were interviewed in India, despite the routine sexual abuse of boys who are living on the streets (Banerjee & Roy, 2011; Desai, 2008). In Laos, there are no facilities for either boys or men. The lack of shelter capacity for males means that boys are imminently more at risk of revictimization, and the lack of access to care inhibits recovery from the abuse.

(3) Lack of awareness and action by those who come in contact with victims. A majority of interviewees reported that in addition to having too few people assigned to identify victims, the various legal and behavioral components of trafficking – force, fraud, coercion, and labor and sexual exploitation – are not well understood. Research also indicates that those who come in contact with victims (e.g., service providers, health care workers, police, educators) are not always sufficiently trained on the complexities of trafficking and how to identify victims (Diaz, Clayton, & Simon, 2014; Gozdzik & MacDonnell, 2007; Greenbaum, 2014; Kalergis, 2009; Lebloch & King, 2006; Pearce, 2011; Rigby, 2011).

Both education and training have been identified as viable solutions to address the challenges that impede the identification of those who are being trafficked (Dottridge & Jordan, 2012). With training, practitioners are able to better understand the definition and process of trafficking, and understand how to better address victims (Pearce, Hynes, & Bovarnick, 2013). When those who might identify children are not properly trained, children may be afraid to come forward and identify themselves as victims. Furthermore, there is strong potential for misunderstanding on both ends (victim and identifier) when working with children from different cultures (Rigby, 2011).

Child-related challenges to timely identification

In addition to the situational challenges described above, some children are reluctant to identify themselves as victims, even when others are attempting to help them (Bokhari, 2008; Rigby, 2011). The modified ecological approach by Widom (2000) provides a useful theoretical framework to understand the complexities associated with these child-related challenges because it recognizes the relationship between children and their environment, rather than examining the characteristics of either in isolation. It also highlights how children's behaviors are influenced by macro system or broader contextual factors, including poverty and economic inequality; the lack of access to education, decent work, and adequate standard of living; and prevailing gender-based discrimination and the social/cultural norms that fuel inequality (Rafferty, 2013c). The following section highlights child-related challenges including, psychological challenges, and the wish not to be identified or rescued.

(1) Psychological challenges. When children are trafficked away from their families, friends and communities, their development and survival are seriously threatened as they are forced to live in abominable conditions and stripped of their basic human rights to protection. Reported risks and abuses include physical, sexual, and emotional abuse; extreme violence; communicable disease; and forced or coerced use of drugs and alcohol. In addition, traffickers use a variety of coercive methods designed to destroy their hostages' physical and psychological defenses, create dependency, and limit chances for escape (Anderson, Coyle, Johnson, & Denner, 2014). The following section highlights three major psychological challenges to identification including, trauma bond, fear/lack of trust, and inhibition by shame/stigma.

(a) Trauma bond. The relationship between children and their abusers can be complex, often guided by the power of the abuser's seduction and manipulation. As a result, children may require counseling to help them to understand that they are being intimidated, coerced, and controlled, their misguided sense of loyalty, and that they are a victim of trafficking (Kalergis, 2009). Some victims are stressed because they feel helpless, isolated, and a sense of love and belonging to the perpetrator (Johnson, 2012). By identifying gaps caused by family dysfunction or past sexual abuse, traffickers can strategically provide safety, security, love, and belonging to establish a trauma bond and keeping the child vulnerable to the trafficker as a provider.

(b) Fear/lack of trust. Children who have been physically, sexually, and psychologically abused are often fearful to talk about their experiences because they have withdrawn emotionally, and compartmentalized their pain, in order to function in face of trauma (Greenbaum, 2014; Rigby, 2011). Children may also fear retaliation for themselves, or their families, by their traffickers (Bokhari, 2008; Johnson, 2012; Montgomery-Devlin, 2008). Christianson (2011) describes how defendants intimidated girls from Guatemala who had been forced into prostitution in the United States by threatening to beat them and kill their loved ones, or by placing a curse on them and their families if they tried to escape. Other strategies included manipulation of debts, physical and psychological abuse, and being locked in at night.

Other children are reluctant to fully disclose details of their trafficking given the fear of deportation, if they are from another country, fear of punishment and/or prosecution, distrust of law enforcement and public justice systems, or fear of the alternative being worse than their current situation (Aborisade & Aderinto, 2008; Aron, Zweig, & Newmark, 2006). Finally, some children are simply afraid of the person offering assistance. As noted by Aron et al. (2006), some traffickers present themselves as "helpers" so victims may also be concerned about other "helpers" and fear that they may also aim to exploit them. In addition, Deb, Mukherjee, and Mathews (2011) report that police collusion in some Asian countries impedes prosecution of perpetrators, which inhibits a child's likelihood of reporting being trafficked. Brunovskis and Surtees (2012a) interviewed both minors and adults who had been trafficking and reported, "Almost all respondents reported very negative and even violent encounters in their day-to-day dealings with the police" (p. 27). As noted above, this lack of trust can be due to abuses, as well as a culture of impunity and corruption, which undermine trust. This community-level trust of the public justice system is a critical piece of identification, as it makes identification a societal issue, rather than solely police.

(c) Inhibited by shame/stigma. As a result of cultural and social norms associated with CSE, some victims feel shameful about their experiences which also leads to remorse, regret, hopelessness, worthlessness, fear of stigma and family dishonor, and self-blame (Brunovskis & Surtees, 2012a; Chung, 2009; Johnson, 2012; Rafferty, 2013a; Rigby, 2011). Some cultures stigmatize girls who have been raped, as well as those identified as prostitutes. In India, for example, law enforcement officials had been made aware of the abuse experienced by only two of 120 girls who were receiving services in Kolkata

shelters following their sexually exploitation (Deb et al., 2011). Boys in a small village in Burma indicated that they would never marry any girl who left to work in a village in Thailand, due to the assumption that they had been raped (Chung, 2009).

(2) They do not wish to be identified or “rescued.” There are a number reasons why some children do not wish to be identified or “rescued.” However, as noted by Derks, Henke, and Vanna (2006), there is a fine line between consent and coercion, indenture, and trickery. In addition, Van der Keur (2013) notes that the term “voluntarily” should, especially in developing countries, be understood as “the choice for a person without choice”. Pearce (2011) notes the importance of child-centered practices, and the importance of responding to child victims of CSE, even if they spoke of “choosing” their circumstances. Thus, the importance of viewing these “personal choices” in light of Widom’s theoretical framework is crucial, as well as recognizing the complexities of the each child’s experience.

(a) They do not perceive themselves as victims. Some children do not feel that the terminology of “trafficking victim” applies to their situation (Brunovskis & Surtees, 2012a; Dodsworth, 2014; Gozdzia, 2008; Greenbaum, 2014; Reid, 2013). For some, their attitudes may have been shaped by economic, political, social, religious, and cultural factors. In Cambodia, for example, cultural norms often condone the buying of sex – some wives tend to know and accept that their husbands purchase sexual services. In addition, the age for sexual majority is 15 according to Article 239 of the Penal Code (Van der Keur, 2013). In other cases, youth report that they had agreed to sell or exchange sex as a favor for a romantic partner (e.g., to help a boyfriend pay bills), for financial reasons (e.g., a girl engaged in prostitution without a pimp), or for her own benefit or survival, (e.g., food, shelter, clothing) (Anderson et al., 2014; Greenbaum, 2014). In addition, some children may have been brainwashed to believe that they are willing participants, as a result of the psychological control strategies used by their traffickers (Aborisade & Aderinto, 2008; Kalergis, 2009; Surtees, 2014). Furthermore, some young victims do not have a real concept of what is acceptable treatment; some children are coerced by their perpetrators into believing that they are not being abused, or exploited, or were told that this is a way of life (Montgomery-Devlin, 2008; Rigby, 2011). Others are unaware of their rights as human beings (Macy & Graham, 2012). Finally, some children get sucked in. As noted earlier, some children get jobs in entertainment-based facilities and gradually become exploited and come to accept their life circumstances. Many key informants in India, for example, stated that children adapt, noting that they make a lot of money and that they have experienced dire poverty, hunger, and abuse from their families (Sen, 2013). According to one government official in Laos:

They earn a lot of money and are able to send it home to their families. They told us they have freedom to travel and the owner takes good care of them – if the owner does not take good care of them, they are free to go to a different place.

For children, the definition is clear: all children involved in CSE are considered trafficked, as children are unable to consent to prostituting themselves. Consequently, it includes children (often runaway or children who have been thrown away) who are engaged in “survival sex” (the engagement in sexual acts in exchange for shelter, food, money or other basic necessities) (Greenbaum, 2014). A recent study involving minors who had been prostituted in the United States, found that only 10% had a pimp at the time of research, only 1.6% lived with a pimp, and 47% reported not knowing a single pimp. Furthermore, pimps were responsible for initiating only 8.1% of the minors into sex work; minors were initiated by their peers 47% of the time, and by customers 23% of the time (Marcus, Horning, Curtis, Sanson, & Thompson, 2014). As noted by Sidebotham (2013), however, “The fact that a young person may exercise some agency in engaging in sexual activity does not mean that they may not also be the victim of sexual exploitation, nor that they are necessarily culpable for any harm they may suffer as a result” (p. 152).

(b) Economic challenges & lack of alternative options. Some children do not wish to be identified for reasons that are related to poverty and the economic needs of their family. These young victims report the lack of viable alternative income-generating activities in their home communities, financial, or other obligations at home, the need to earn money to pay back debts, or that they had not saved sufficient money (Aborisade & Aderinto, 2008; Bokhari, 2008; Brunovskis & Surtees, 2008, 2012b). Some parents do not want their children to return because they have come to depend on the money sent home. As noted by Van der Keur (2013), “Although many children are forced to enter the sex industry, others are driven to it out of economic necessity, attracted by the high incomes they can earn” (p. 6).

In one noteworthy study, 89% of females in prostitution in nine countries reported that they wanted to escape, but that they had no other option for survival (Farley et al., 2003). Another study found that 90% of the women in brothels in Cambodia reported that they would leave if they had the opportunity to do so; 93.8% said they continued because they needed money for their families (Brammer & Smith-Brake, 2013). In addition, although 87.2% of minors engaged in prostitution in the United States reported wanting to stop, none of them stated that a controlling pimp was their reason for staying. Instead, the most popular issue was economic status, and other challenges, including restricted educational and employment opportunities, and housing; 61.4% were self-described as homeless (Marcus et al., 2014).

(c) Risk factors within the family/community setting. Some children do not wish to be identified because they cannot or do not wish to return home due to the ongoing prevalence of risk factors in the family and/or community (Desai, 2008; Greenbaum, 2014; Rafferty, 2013a). In some cases, the child’s parents or guardians were part of the trafficking cycle and returning them can increase their likelihood of being re-trafficked (Bokhari, 2008; Brunovskis & Surtees, 2013). Klatt, Cavner, and Egan (2014), for example, found that 25% of the children and young adults (ages 12–26) in their study had family or friends who were involved in their trafficking. A majority of interviewees also described the challenges they confront when

these children continue to be at risk for abuse and exploitation, and the absence of a national policy or procedure in such cases. For many others, the same challenging conditions that created vulnerability remain unchanged (e.g., poverty, socio-economic distress, lack of employment options, mother in brothel), placing them at risk of being re-victimized (Brunovskis & Surtees, 2013; Desai, 2008).

In some cases, family conflict is a major threat (Crawford & Kaufman, 2008); children may have ran away from abusive families and have no desire to go home. One study, involving Albanian children who had escaped from trafficking, found that only 4 of the 61 children interviewed wanted to return home to their parents; the remainder did not want to return because of family conflict or inability to meet their basic needs (Gjermeni et al., 2008). In another noteworthy study involving 175 children and young adults (ages 12–26) in the United Kingdom who had been trafficked for CSE, 64% reported that family dysfunction or family breakdown was a risk factor for their trafficking (Klatt et al., 2014). In addition, poverty was identified as one of the main predictors of family involvement in trafficking (Klatt et al., 2014). In another study conducted in the United States, 91% of the girls had experienced abuse in their home, 77% were previously involved with child protective services, and more than half had been in foster care (Williamson & Prior, 2009). Finally, a study of domestic minor sex trafficking across 10 cities in the United States, involving interviews with 297 victims, found that family played a major role in the trafficking process. Family members were found to exchange sex with their child for goods or money in all 10 locations. Sexual and physical abuse in the home or extended family was also a common risk factor, with 21% being victims of family molestation (Smith, Vardaman, & Snow, 2009). It is important to consider the victims notion of what home is. There are many times when returning home may not be the proper move to effectively reintegrate a child into society. As noted by Breuil (2008), “Home is not only where the heart is; it can also be a place of hurt” (p. 231).

Research also indicates that family risk factors must be viewed in terms of extreme poverty, cultural factors, and prevailing social, cultural, and gender norms. In Bangladesh, for example, families and community members are frequently directly or indirectly complicit in the trafficking of their girl children to India. As a result, girls are not welcome to return home due to their fear of reprisal from police or NGOs (UNICEF, undated).

Often, families or communities are complicit in the child's trafficking and refuse to identify the child. Fearing local stigma, some families of girls trafficked into prostitution refuse to accept the girl or admit her existence. Many families deny that the girl was trafficked in fear of reprisal from traffickers in the community. Some NGO respondents said that the presence of police in the investigation sometimes causes suspicion in the community, affecting the girl's eventual reintegration. (UNICEF, undated, p. 25)

Several interviewees in Cambodia discussed the virginity trade (“Virgin Sales”) as an appealing household strategy for economic advancement among very poor Vietnamese migrant communities in Phnom Penh. In Cambodia, for example, some men believe that sex with a virgin has a rejuvenating or purifying effect (Brown, 2007). The selling of virginity involves focusing on the needs of the family vs. the rights of the child and the use of cultural norms and narratives of duty and gratitude to improve the economic situation of the family (Lainez, 2012). Brown (2007) notes that subjection to this experience often paves the entry of girls into CSE. Demand for sex with young virgins is also a driver of this trade. There are many businessmen in Asia who are eager to exploit a virgin. The belief that sex with virgins can prolong lifespan has long been popular in Asia. Many older Asian men believe that sex with virgins gives them magical powers to stay young and prevent illness (Rafferty, 2008). In other cases, the shame, stigma, and embarrassment present as major barriers and children they will not be accepted if they return home. Based on their evaluation of the World Hope International Assessment Centre for girls and young women who were survivors of trafficking and sexual exploitation, Simcox and Marshall (2011) found that some girls indicated mixed feelings about returning home: “They reported feeling happy to be with their families but also afraid of stigma and whether they would be as safe as they were in the assessment center” (p. 8).

Identification failures and additional victimization

When children are not identified as victims of human trafficking the crimes against them go unreported, and they do not receive the psychosocial services that they need. Some children also confront additional victimization and ongoing denial of their human rights following their identification in exploitative settings because they are either arrested as criminals and detained in inappropriate facilities, or simply deported without being identified as a victim of trafficking or being offered any of the services that they need.

Some children are arrested as criminals & detained in inappropriate facilities. All too often, some victims of child trafficking for CSE are arrested because of illegal border crossings, being undocumented migrants, and for crimes associated with prostitution, and detained in juvenile justice facilities where the specialized care they need is not available (Gjermeni et al., 2008; Kalergis, 2009; Surtees, 2013). In contrast, victims of rape, or sexual abuse not involved with trafficking, are not subject to these harmful practices. In India, for example, a majority of interviewees reported that law enforcement agencies frequently detain child victims of trafficking as ‘illegal migrants’ under India’s Foreigners Act 1946, instead of victims under the Immoral Traffic Prevention Act 1956 and other legal instruments. Thus, the child is defined as a “perpetrator” rather than a “victim” and placed in criminal remand under jurisdiction of the Magistrate and the Juvenile Justice Board rather than in a Juvenile Justice Home under the local Child Welfare Committee (UNICEF, undated). In the United States, a recent review has noted that minors who are prostituted or sexually exploited in other ways are prosecuted as criminals in most states rather than being treated as victims. Consequently, many law enforcement officials noted that “Trafficked minors detained

by law enforcement frequently attempt escape at the first opportunity, only to be revictimized by their trafficker” (Reid, 2013, p. 82). Program staff in India also commented on this issue, “In this project, there has been incidence of minor girls being rescued at transit in West Bengal and booked as illegal migrants, one of them was sent to an adult correctional center where she committed suicide” (Sen, 2013, p. 15). These harmful practices are inconsistent with human rights standards:

As soon as the interviewing official determines that the child has been recruited, transported, harboured or received with the intent to exploit that child, AND the child has been exploited (any form to any degree), then there should be a preliminary determination that the child is a trafficked victim. As such, the child should not be held in detention and should be provided interim care, shelter and protections pending return. (UNICEF, 2009, p. 97)

The tendency to “criminalize” child victims rather than providing them with assistance perpetuates the stigmatization of girls, while failing to address demand for sex with children and this multimillion dollar industry; traffickers are rarely prosecuted (Andrews, 2004; UNODC, 2014). This policy also violates international law and UN guidelines pertaining to detention and arrest. The Handbook for Parliamentarians (Inter-Parliamentary Union (IPU) & UNICEF, 2005), for example, recommends that:

Under no condition should laws criminalize children. Those who have been trafficked or sexually exploited must be treated as victims, not as offenders. The law needs to include specific provisions guaranteeing that children will not face criminal penalty as a result of their being trafficked into illegal industries such as prostitution. Victims are not to be subject in incarceration, detention or other punishment. (p. 34)

Some are wrongly identified as irregular migrants and deported/pushed back. As a result of globalization, more and more young people are migrating (Czaika & Haas, 2014). Children who voluntarily migrate to another country may fall victim to trafficking either along their journey, or after they arrive at their destination. Voluntary child migration can lead to problems of proper identification for governments who do not know if the children they identify are irregular migrants or victims of trafficking. Brunovskis and Surtees (2012a), for example, note that mechanisms for screening and identification in many countries do not adequately identify irregular migrants, asylum seekers, and deportees. As a result, these children are simply arrested as illegal migrants and returned to their country of origin (Push Backs) with no regard for ensuring that their human rights are withheld, or ensuring that they are provided with the psychosocial supports they may need.

In some countries, coordination exists between agencies and children are transitioned into aftercare programs upon their return to their country of origin rather than being simply deported without assistance. In Nepal, for example, Maiti Nepal meets children who are being deported from India at the transit centers and transitions them to one of their aftercare programs in Nepal. In other cases, however, there is no such coordination. In Vietnam, aftercare services are available only for those who are returned officially and/or handed over at the border, despite the existence of both internal and cross-border trafficking (Trees, Nguyen Thanh, & Ban Hung, 2012). In addition, children must be officially identified and obtain a certificate declaring them as being a victim of trafficking. Trees et al. (2012) also estimate that only 20–30% of trafficked women returned to Vietnam through official channels, leaving large number of victims not being identified in the return process.

Discussion and conclusions

The first step in the protection and recovery process for child victims of trafficking is to ensure that procedures are in place for their rapid detection so that they might access timely and appropriate assistance. However, despite the existence of obligations, policies, and procedures to ensure their rapid identification, research has shown that most victims of child trafficking are not formally identified through official channels. Furthermore, less attention is paid to children who were trafficked for reasons other than CSE. For example, victims who are working in hazardous or unhealthy conditions, as well as those who are trafficked into domestic work, are often more easily overlooked than those who are involved with CSE. A failure to identify child victims correctly leads to a further denial of their human rights, and the support and protection services they need are not provided. In addition, traffickers continue to exploit and their crimes are neither documented nor prosecuted. Reports indicate that the number of convictions remains very low and many countries remain unable to appropriately respond to trafficking in persons.

In some noteworthy practices identified by interviewees, NGOs work collaboratively with the police to rescue victims. In addition to providing support for the child, the NGO staff act as witnesses in the prosecution of traffickers. The International Justice Mission (IJM), for example, is a human rights agency that brings rescue to victims of slavery, sexual exploitation and other forms of violent oppression. IJM lawyers, investigators, and aftercare professionals work with local officials to secure immediate victim rescue and aftercare, to prosecute perpetrators and to ensure that public justice systems – law enforcement, public prosecution, judiciary, regulatory agencies and social services – effectively protect the poor. In other cases, NGOs provide outreach and education services to enable victims to become aware of their rights and to access assistance. In Nepal, for example, Maiti Nepal locates services at or near border points in order to target high-risk groups; they also provide outreach activities in the community. In addition, as noted by Van der Keur (2013), trust between communities and the police can be built through community policing projects. Finally, education and advocacy at a community-level is vital to provide education, training, outreach, and to push for prevention and identification (Jordan, Patel, & Rapp, 2013).

This article identified a number of situational challenges that impede the timely identification of child victims, including the changing face of child trafficking and lack of responsibility on the part of governments. These challenges could be drastically minimized with greater commitments from governments, including becoming compliant with human rights mandates, implementing strategies to ensure safe migration; providing training to facilitate greater awareness by those who come in contact with victims, offering greater outreach – including media awareness campaigns designed to empower girls to come forward and to inform the general public about human trafficking. Most important, however, is for governments to implement strategies to combat demand for sex with children, to prosecute those who exploit children or facilitate their exploitation through corruption, and to end impunity for the crimes that are committed.

This article also identified a number of child-related challenges, and noted that the reasons why some children do not wish to be identified are quite complex. As a result, these challenges must be viewed in context – through recognition of the relationship between children and their environment, and the ways that broader contextual factors impact children's attitudes, beliefs, and behaviors. The reported challenges are related to the trauma bond that children have formed with their traffickers, their fear for themselves or their families, the stigma within family and community settings, the daunting economic realities of their lives in poverty, and the prevailing social, cultural, and gender norms that serve to discriminate against girls and condone violence against them. As noted above, some children come from rural areas with few, if any, opportunities for economic sustainability (e.g., little or no education, no jobs). For many others, the same challenging conditions that created vulnerability remain unchanged (e.g., extreme poverty, socio-economic distress, lack of family employment options, mother lives in brothel), placing them at risk of being re-victimized. In some situations of dire poverty, families and community members may be complicit in the trafficking of their children. Consequently these risk factors must be viewed in terms of extreme poverty and prevailing social, cultural, and gender norms. These complex realities underscore the need to strengthen prevention strategies to keep children from being trafficking. As noted by Rafferty (2013a), effective strategies to strengthen communities include: (1) national child protection systems; (2) enhanced economic opportunities; (3) promotion of gender equality; (4) strengthen partnerships: interdisciplinary collaboration and communication; (5) adequate training of law enforcement personnel and other front line staff; and (6) promote children's participation. In addition, given the extreme violence and fear experienced by child victims, there is a dire need for trauma-informed responses across sectors. An effective response to child trafficking would ensure that this approach is used across the full spectrum of intervention and service provision, from the way that law enforcement conducts interventions, to the way that victims and witnesses are supported in the legal proceedings (e.g., victim/witness testimony in criminal proceedings), to the way that aftercare programs (shelter-based care, medical services, counseling services, or a broad range of other services) are designed and implemented.

Finally, this article described how some children confront secondary victimization because they are not appropriately identified as victims. When victims are detained in inappropriate facilities as a result of being arrested for crimes related to prostitution and/or migration, or simply pushed back to their country of origin, their human rights are being violated and UN guidelines for their protection are being disregarded. In 2014, the [NGO Panel for the Global Study of Children Deprived of Liberty \(2014\)](#) reported that detention is a violation of child rights under the CRC (Article 37b) and is also fundamentally harmful for children, exposing them to conditions below international standards, and taking a toll on their physical and mental health.

In conclusion, this article has identified a number of challenges that must be addressed by governments to ensure to timely identification of victims of child trafficking. Without addressing these challenges, countless numbers of child victims will continue to have their human rights violated and be denied the protections they so desperately need.

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