



# BRIEFING PAPER ON SEXUAL EXPLOITATION OF CHILDREN IN

## Bangladesh

### WHAT ARE THE ECPAT COUNTRY OVERVIEWS?

*ECPAT Country Overviews comprehensively present all the existing research and publicly available data about sexual exploitation of children in a country. A detailed analysis of the legal and policy framework for addressing these crimes is also included. The overviews provide an assessment of achievements and challenges in implementation, existing counteractions, and suggest concrete priority actions to eliminate the sexual exploitation of children in the target country.*

Children in Bangladesh face increased vulnerability to sexual exploitation due to factors such as poverty, widespread physical violence and insecurity caused by extreme weather and natural disasters.

Despite great progress in recent decades, poverty remains an issue within Bangladesh with the World Bank reporting that the COVID-19 pandemic negatively impacted poverty - the rate rose to 18.1% living below \$1.90 a day in 2020. With a population the size of Bangladesh, this represents over 29 million people living in poverty.<sup>1</sup> Higher rates of poverty have been linked to increased risk of children in Bangladesh being exploited in prostitution,<sup>2</sup> trafficking<sup>3</sup> and child, early and forced marriage.<sup>4</sup> Children in Bangladesh also face widespread physical violence, which in extreme cases can lead to homicide and sexual violence. A report by Bangladesh Shishu Adhikar Forum highlighted 448 child homicides and

1005 cases of rape of children reported by newspapers in 2019.<sup>5</sup>

Vulnerability to extreme weather and natural disasters also increases the risk of sexual exploitation of children in Bangladesh. After Cyclone Sidr in 2007<sup>6</sup> and Cyclone Alia in 2009<sup>7</sup> research highlighted increases in the trafficking of children. Further, research conducted in coastal areas of Bangladesh that are particularly vulnerable to a range of extreme weather events and natural disasters showed that the prevalence of child marriages rose in these areas following climate related shocks.<sup>8</sup> In a response to the economic hardship caused by such disasters families may be motivated to permit early marriages.<sup>9,10</sup>

### DEFINING SEXUAL EXPLOITATION OF CHILDREN

*Child sexual abuse* refers to sexual activities committed against children (persons under 18), by adults or peers and usually involves an individual or group taking advantage of an imbalance of power. Force may be used, with offenders frequently using authority, power, manipulation, or deception.<sup>11</sup>

*Child sexual exploitation* involves the same abusive actions. However, an additional element must also be present – exchange of something (e.g. money, shelter, material goods, non-material things like protection or a relationship), or even the mere promise of such.<sup>12</sup> It can occur offline, online and through a combination of both.

# LEGAL AND POLICY FRAMEWORK

Bangladesh has ratified most major international conventions addressing the sexual exploitation of children and is party to additional international and regional frameworks. The country has also adopted national legislation that offers further protection to children from sexual exploitation crimes. For example, the adoption of the Prevention and Suppression of Human Trafficking Act in 2012 has effectively criminalised offences relating to trafficking of children.<sup>13</sup>

However, important limitations exist within the legal framework. Certain provisions within the legislation apply only to girls, resulting in a lack of protection for boys for crimes such as child rape and procurement of minors for prostitution.<sup>14,15</sup> Further, Bangladesh has not adopted specific legislation that prohibits the sexual exploitation of children in the context of travel and tourism.

## ONLINE CHILD SEXUAL EXPLOITATION

Access to the Internet in Bangladesh has been rising steadily, with the International Telecommunications Union estimating that the percentage of individuals using the Internet rose from 0.7% in 2000 to 24.8% in 2020.<sup>16</sup>

In 2021, research on 460 children in rural areas found that 21% received sexually explicit messages online and 17% received pictures or videos that contained sexual content.<sup>17</sup> Further, the National Center for Missing and Exploited Children reported 817,687 reports of suspected child sexual abuse material related to Bangladesh in 2020, an increase of 46.9% from the 2019 reports.<sup>18</sup>

The only law that provides some protection is the 2012 Anti Pornography Act.<sup>19</sup> Yet this broad act does not specifically address the impact on children, nor define child sexual abuse materials adequately. In addition, offences such as accessing, downloading and viewing child sexual abuse materials are not prohibited in any Bangladeshi laws. The legislation is also silent on the issues of grooming, (using technology or otherwise), and live streaming of child sexual abuse.

## CHILD, EARLY AND FORCED MARRIAGE

Child, early and forced marriage is a prominent problem within Bangladesh, with data from the period 2014 -2020 showing that 51% of women aged between 20-24 in the country were married by 18 and 15% by the age of 15.<sup>20</sup> Poverty, education rates and the continued practice of dowry all contribute to high levels of child marriage in the country.<sup>21,22</sup> Considering that child, early and forced marriage is both a form of, and a pathway to sexual exploitation of children,<sup>23</sup> high rates of child marriage in Bangladesh are likely to leave children vulnerable to a multitude of sexual exploitation crimes.

Although Bangladesh enacted the Child Marriage Restraint Act in 2017, it contains an exemption that allows children to marry under special circumstances at the direction of the court and with the consent of their parents.<sup>24</sup> The same Act also contains a provision that punishes children who marry.<sup>25</sup> Lastly, the legislation currently allows impunity for offenders who rape within marriage, including if a wife is over 13 years of age.<sup>26</sup>

## WAY FORWARD



Bangladesh amends its legislation to prohibit all conducts relating to child sexual abuse material, as well as creating offences for grooming children for sexual purposes and live streaming of child sexual abuse.



Bangladesh amends its legislation to set the minimum of age of marriage at 18 with no exemptions.

# GOVERNMENT COMMITMENT AND CAPACITY

Bangladesh does not have a national action plan specifically dedicated to the sexual exploitation of children. However, objectives relating to sexual exploitation are contained under the National Action Plan to Prevent Violence Against Women and Children 2013-2025,<sup>27</sup> National Action Plan to End Child Marriage 2018-2030<sup>28</sup> and National Plan of Action for Prevention and Suppression of Human Trafficking 2018-2022.<sup>29</sup>

Whilst sexual exploitation of children is partially addressed under these national action plans, they contain a stronger focus on child trafficking and child, early and forced marriage whilst specific actions that address exploitation of children in prostitution, online sexual exploitation of children and sexual exploitation of children in travel and tourism are not prominent.

## COORDINATION AND IMPLEMENTATION OF NATIONAL PLANS, POLICIES AND LAWS

Bangladesh's response to child protection is hampered by a lack of efficient coordination between the central government's Ministry of Women and Children Affairs and local government institutions who are not provided with adequate resources to ensure effective implementation of policies and plans.<sup>30</sup>

Although national plans do exist, there is a gap between the objectives set out and actual implementation.<sup>31,32</sup> Specifically regarding the National Action Plan to Prevent Violence Against Women and Children, Human Rights Watch reported that gaps in enforcement, coordination and awareness are limiting factors affecting successful implementation.<sup>33</sup> Reportedly, although the government sets out an overall children's budget, it does not provide specific budgets for the implementation of each action plan.<sup>34</sup> There has also been a lack of publicly available monitoring and evaluation activities conducted for the national plans.<sup>35</sup> This causes a lack of transparency and makes it very difficult to assess implementation of strategies relating to sexual exploitation of children.

## DATA COLLECTION ON SEXUAL EXPLOITATION OF CHILDREN

The Government of Bangladesh has not carried out widespread data collection on sexual exploitation of children since 2008.<sup>36</sup> This makes it difficult to assess the scope of the issue and hinders effective strategy design to tackle it.

Bangladesh does not make crime statistics of all offences related to sexual exploitation of children publicly available. More detailed data could be used to better understand prevalence in the country and how different populations are vulnerable. Better data allows better planning and delivery of targeted prevention programmes, and tailored responses to affected children.

## WAY FORWARD



Bangladesh updates and strengthens the implementation of national plans of action to incorporate and effectively tackle all forms of sexual exploitation of children.



Bangladesh improves the quality and detail of data related to child sexual exploitation so that it is consistent, disaggregated and categorised to better inform policy and programming responses

# CHILD PROTECTION CHALLENGES AND FRONTLINE RESPONSES

## SITUATION OF ROHINGYA CHILDREN

Since 2017, a substantial number of Rohingya people have lived in camps in Cox's Bazar, with reports from December 2021 indicating 451,662 children among the total population.<sup>37</sup> High rates of poverty within the camps and the fact that 40% of boys and 93% of girls were identified as not enrolled in secondary education<sup>38</sup> are likely to increase Rohingya children's vulnerability to sexual exploitation.<sup>39</sup>

Various sources have indicated that Rohingya children in Bangladesh are vulnerable to trafficking crimes.<sup>40,41</sup> Traffickers have been identified as deceiving families by providing false offers of employment,<sup>42</sup> a strategy that is appealing given the lack of livelihood opportunities within the camps.<sup>43</sup> Rohingya children are also vulnerable to being exploited in prostitution, with the International Organisation of Migration reporting in 2018 that girls from these communities were sexually exploited in tourist accommodation in Cox's Bazar.<sup>44</sup>

Rohingya children within the camps are also particularly vulnerable to child, early and forced marriage.<sup>45</sup> Due to poverty, families see marriage as a way of alleviating financial burdens.<sup>46</sup> Further, child marriage was found to be underpinned by religious factors, as interpretations of Islam mean that that some families saw the onset of puberty as the ideal time for girls to marry.<sup>47</sup> Research has also indicated a link between trafficking and child marriage, with offenders trafficking Rohingya children to Malaysia under the guise of marriage.<sup>48</sup>

In response to the vulnerability of Rohingya children, the government collaborated with a number of organisations to develop the Child Protection Sub Sector Strategy.<sup>49</sup> However, although it recognises that child marriage and trafficking are important risks for these children, it does not contain strategies specifically targeted at sexual exploitation. Its objectives are more generally focused on strengthening child protection systems, supporting child victims' access to justice and improving case management to effectively link children to required services.<sup>50</sup> The strategy would benefit from specific actions that address sexual exploitation.

## WAY FORWARD



Bangladesh implements effective programmes and life skill trainings that tackle the root causes of child, early and forced marriage and trafficking – such as poverty and lack of access to education– especially in the Rohingya community.



# ACCESS TO JUSTICE AND RIGHTS TO REMEDIES

With the enactment of the Children's Act in 2013, Bangladesh introduced a broad range of provisions that improved children's legal right to access to justice and to appropriate remedies. The Act provided for the establishment of Children's Courts throughout the country,<sup>51</sup> child friendly reporting mechanisms,<sup>52</sup> measures to ensure child friendly justice during trials<sup>53</sup> and rights for child victims to be provided with recovery and reintegration services.<sup>54</sup> However, despite these provisions being introduced almost a decade ago, clear difficulties persist in their practical implementation.

## IMPLEMENTING CHILD FRIENDLY JUSTICE

Bangladesh did not establish the first Children's Court until 2018, 5 years after the enactment of the Children's Act.<sup>55</sup> Multiple sources indicate that the required number of courts has not been established throughout the country.<sup>56,57</sup> Further, some of those courts that do exist are not equipped with an appropriate child friendly environment.<sup>58</sup> Although Bangladesh has 64 districts, UNICEF reported in 2020 that there were only 16 child friendly courts with staff trained in child rights.<sup>59</sup>

Reports indicated that the Child Affairs Desks in police stations in Bangladesh have not recruited enough staff and also do not have a suitable child friendly environment.<sup>60</sup> Anecdotal evidence suggests that children reporting sexual exploitation crimes at these desks have to retell their account of what happened several times to multiple different people.<sup>61</sup>

Child victims seeking justice for sexual exploitation crimes also face long delays within the justice system, with cases taking between 4 and 6 years to conclude.<sup>62</sup> This results in a long delay for children being able to access compensation and in some cases has led children to withdraw their case due to pressure from community members.<sup>63</sup>

## ACCESSING RECOVERY AND REINTEGRATION SERVICES

Although guaranteed by law, child victims of sexual exploitation face difficulties accessing recovery and reintegration services. Research by Human Rights Watch in 2020 noted a "glaring gap" between girls who used the national helpline and those who actually received the services needed.<sup>64</sup> Further, long delays exist for children using the helpline to be referred to services.<sup>65</sup>

Whilst Bangladesh has established Victim Support Centres, Human Rights Watch reported that they have limited capacity.<sup>66</sup> Anecdotal evidence also suggests that staff in these centres have not always received the proper training and are unfamiliar with child protection requirements when dealing with victims of sexual exploitation.<sup>67</sup>

## WAY FORWARD



Bangladesh delivers child sensitive justice by properly and separately establishing and ensuring functionality of Children's Courts and Child Affairs Desks, and by delivering expeditious trials for child victims of sexual exploitation.



Bangladesh expands funding and implementation of recovery and reintegration services for child victims of sexual exploitation, including supporting non-governmental organisations providing such services.

# ENDNOTES

1. The World Bank. (2021). [Overview: Bangladesh](#).
2. Md. Kamruzzaman & Md Abdul Hakim. (2016). Prostitution Going Spiral: The Myth of Commercial Child Sex. *International Journal of Biomedical and Clinical Sciences*. Vol. 1, No. 1, 1-6.
3. Aparajeyo-Bangladesh. (2020) [Annual Report](#). 30.
4. UNICEF. (2020). [Ending Child Marriage: A profile of progress in Bangladesh](#).
5. Bangladesh Shishu Adhikar Forum. (2020). [State of Child Rights in Bangladesh 2019](#). 21, 42.
6. Poncelet, A. (2010). [A Country Made for Disasters: Environmental Vulnerability and Forced Migration in Bangladesh](#). Environment, Forced Migration, Social Vulnerability.
7. IOM. (2016). [The Climate Change Human Trafficking Nexus](#). 6.
8. Asadullah, M, Islam, K, Wahhaj, z. (2021) [Child marriage, climate vulnerability and natural disasters in coastal Bangladesh](#). *Journal Of Biosocial Science* , Volume 53 , Issue 6 , 948 – 967.
9. Interagency Working Group on Sexual Exploitation of Children. (2016). [Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse](#). Bangkok: ECPAT International. 18.
10. *Ibid.*, 24.
11. Interagency Working Group on Sexual Exploitation of Children. (2016). [Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse](#). Bangkok: ECPAT International. 18.
12. *Ibid.*, 24.
13. Government of Bangladesh. (2012). [Prevention and Suppression of Human Trafficking Act](#).
14. Government of Bangladesh. (1860). [Penal Code](#). Article 375.
15. Government of Bangladesh. (1860). [Penal Code](#). Article 366A.
16. ITU. (2020). [Percentage of Individuals Using the Internet](#).
17. Interagency Working Group on Sexual Exploitation of Children. (2016). [Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse](#). Bangkok: ECPAT International. 18.
18. Mubassara et al. (2021). [Cyber Child Abuse in Bangladesh: A Rural Population-Based Study](#). *World Journal of Social Science*. Vol. 8, No. 1.
19. National Center for Missing and Exploited Children. (n.d). [By the Numbers. 2019 and 2020 Reports by Country](#).
20. UNICEF. (2021). [The State of the World's Children 2021: On My Mind – Promoting, protecting and caring for children's mental health](#). UNICEF, New York. 228.
21. UNICEF. (2020). [Ending Child Marriage: A profile of progress in Bangladesh](#).
22. Akter, S., Williams, C., Talukder, A., Islam, M. N., Escallon, J. V., Sultana, T., Kapil, N., & Sarker, M. (2021). [Harmful practices prevail despite legal knowledge: a mixed-method study on the paradox of child marriage in Bangladesh](#). *Sexual and reproductive health matters*, 29(2).
23. ECPAT International. (2020). [Summary paper on Child Early and Forced Marriage as a Form of, or Pathway to Sexual Exploitation of Children](#). Bangkok: ECPAT International.
24. Government of Bangladesh. (2017). [Child Marriage Restraint Act](#). Article 19.
25. *Ibid.*, Article 7.
26. Government of Bangladesh. (1860). [Penal Code](#). Article 375.
27. Government of Bangladesh. (2013). [National Action Plan to Prevent Violence Against Women and Children 2013-2025](#).
28. Government of Bangladesh. (2018). [National Action Plan to End Child Marriage 2018-2030](#).
29. Association for Community Development. (2022). Personal Communication.
30. *Ibid.* RAPID & UNICEF. (2020). [Policy Brief: The Situation of Children in Bangladesh](#). 7.
31. Human Rights Watch. (2020). [“I Sleep in My Own Deathbed” Violence against Women and Girls in Bangladesh: Barriers to Legal Resource and Support](#).
32. Association for Community Development. (2022). Personal Communication.
33. Human Rights Watch. (2020). [“I Sleep in My Own Deathbed” Violence against Women and Girls in Bangladesh: Barriers to Legal Resource and Support](#).
34. World Vision. (2019). [BANGLADESH Policy Progress to End Violence against Children](#). 7.
35. Association for Community Development. (2022). Personal Communication.
36. Masahiro Shoji, Kenmei Tsubota, (2021). [Sexual exploitation of trafficked children: Survey evidence from child sex workers in Bangladesh](#), *Journal of Comparative Economics*.
37. Inter Sector Coordination Group. (2021). [Joint Response Plan: Rohingya Humanitarian Response](#). 8.
38. Cox's Bazar Education sector. (2021). [Assessment of the Education Sector Response to the Rohingya Crisis](#). 26.
39. Human Rights Council (HRC). (2019). [Report of the Special Rapporteur on the situation of human rights in Myanmar](#), Human Rights Council, 40th Sess., U.N. Doc. A/HRC/40/6. 9.
40. *Ibid.*
41. UNHCR. (2021). Protection Sector Anti-Tracking Dashboard.
42. Caitlin McCaffrie (2019). [Displaced Rohingya Children and the Risk of Human Trafficking](#). *Journal of Human Rights and Peace Studies* 2019, Vol. 5 Issue 1, 47 – 67.
43. UNHCR. (2021). Protection Sector Anti-Tracking Dashboard.
44. IOM. (2018). [Rohingya Refugee Crisis Response: Situation Overview of Human Trafficking](#).
45. Centre for Reproductive Rights. (2018). [Ending Impunity for Child Marriage in Bangladesh: Normative and Implementation Gaps](#). 8.
46. Melnikas, A.J., Ainul, S., Ehsan, I. *et al.* (2020). Child marriage practices among the Rohingya in Bangladesh. *Conflict and Health* 14, 28.
47. *Ibid.*
48. Fortify Rights. (2019). [Malaysia: End Child Marriage, Protect Rohingya Refugee Girls](#).
49. Cox's Bazar Child Protection Sub Sector. (2021). [Child Protection Sub Sector Strategy](#).
50. *Ibid.*
51. Government of Bangladesh. (2013). [Children's Act](#). Articles 16-17.
52. *Ibid.*, Article 53.
53. *Ibid.*, Article 54.
54. *Ibid.*, Article 84.
55. Daily Observer. (2019). [Implementation of the Children's Act Required](#).
56. RAPID & UNICEF. (2020). [Policy Brief: The Situation of Children in Bangladesh](#). 14.
57. Association for Community Development. (2022). Personal Communication.
58. *Ibid.*
59. UNICEF. (2020). [UNICEF welcomes release of children from detention](#).
60. RAPID & UNICEF. (2020). [Policy Brief: The Situation of Children in Bangladesh](#). 22.
61. Association for Community Development. (2022). Personal Communication.
62. *Ibid.*
63. *Ibid.*
64. Human Rights Watch. (2020). [“I Sleep in My Own Deathbed” Violence against Women and Girls in Bangladesh: Barriers to Legal Resource and Support](#).
65. Association for Community Development. (2022). Personal Communication.
66. Human Rights Watch. (2020). [“I Sleep in My Own Deathbed” Violence against Women and Girls in Bangladesh: Barriers to Legal Resource and Support](#).
67. Association for Community Development. (2022). Personal Communication.



ECPAT International

328/1 Phaya Thai Road, Ratchathewi, Bangkok, 10400 THAILAND  
Tel: +662 215 3388 | Email: info@ecpat.org | Website: www.ecpat.org



Aparajeyo-Bangladesh

Working with disadvantaged Children, Youth & Women