

# Criminal Abuse of Women and Children



## An International Perspective

Edited by  
Obi N.I. Ebbe and Dilip K. Das



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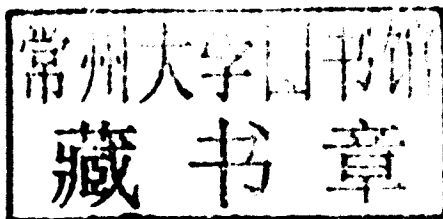


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# Foreword

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As is vividly illustrated throughout the pages of this book, abuse of women and children is not a problem unique to certain parts of the world. The exploitation of people, particularly women and children, does not stop at country or even regional borders. It transcends geographical boundaries, as well as economic, cultural, religious, political, and social divisions. It happens in developing countries and in developed countries. It occurs where there is economic destitution and where there is economic prosperity. This grievous reality highlights that so, too, must boundaries be transcended by measures targeted to prevent abuse, prosecute its perpetrators, and protect and assist its victims.

Responses targeted to end abuse of women and children and the impunity of those who abuse them begin with strong commitment from states. Essential to that commitment is the ratification of the United Nations Convention against Transnational Organized Crime and its supplementary protocols, including the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Air, and Sea. Central to the spirit of these instruments and essential to their meaningful implementation is strong cooperation between states as parties in the protection and assistance of victims of criminal abuse.

These considerations guide the work of the United Nations Office on Drugs and Crime (UNODC), which in this context is proud to introduce *Criminal Abuse of Women and Children: An International Perspective*, the work of more than 20 academics and practitioners from around the world. From the different perspectives and experiences of these contributors, we are taken through the historical context of criminal abuse of women and children. We are reminded that abuse is not only physical but also deeply emotional and psychological. We are shown the diverse socioeconomical, cultural, religious, political, and familial contexts in which people are victimized. We are reminded of the particular vulnerability of children to exploitation and abuse and the role that poverty plays in fueling that vulnerability. Power relationships between men and women, between the empowered and the disempowered, between employers and employees are explored. The relationship between increased consumerism and the commodification of people is flagged. We learn about the role that culture and religion can play in victimizing women and children and, conversely,

the role that they can play in preventing abuse and protecting vulnerable people. Revictimization is presented not only as the repeated abuse of a victim but also as the continued abuse through the trauma of stigmatization and ostracization.

We are also presented with key lessons in collectively responding to these issues. We learn the power of informal mechanisms to operate alongside criminal justice systems and of the need for multiagency responses to harness strong international partnerships. We learn of the essentiality of community-based policing built on trust between law enforcers and those they are committed to protect. We are reminded that legislative responses alone are inadequate when they are not substantiated with strong education of both potential victims and potential abusers, of men and women, of employers and employees, of adults and children, of law enforcers, prosecutors, and the judiciary.

Although UNODC may not unequivocally agree with all of the views expressed in this book, it strongly supports the valuable discourse that is generated as a result of their expression. Beyond this, UNODC hopes that such multidisciplinary and cross-cultural dialog on abuse of women and children may contribute to multidisciplinary and cross-cultural action against it.

**Anti-Human Trafficking and Migrant Smuggling Unit**  
**United Nations Office on Drugs and Crime**  
*Vienna, Austria*

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The Royal Canadian Mounted Police, British Columbia Institute of Justice, Office of the Solicitor General of British Columbia, Vancouver, and Abbotsford Police Departments (British Columbia), and, last but not least, University of the Fraser Valley (British Columbia) made it possible to gather all these experts under the auspices of the International Police Executive Symposium (IPES) at its 12th Annual Meeting in Canada (<http://www.ipes.info>). We convey our heartfelt gratitude to all of them for their generous hospitality and excellent arrangements for the meeting.

We are grateful to the United Nations Office on Drugs and Crime (UNODC) for the Foreword to this book, in which “it strongly supports the valuable discourse” and “hopes that such multidisciplinary and cross-cultural dialog on abuse of women and children may contribute to multidisciplinary and cross-cultural action against it.” We thank the Anti-Human Trafficking and Migrant Smuggling Unit of UNODC for this most valuable contribution. We are particularly grateful to Dr. Slawomir Redo of the Justice and Integrity Unit at the Governance, Security, and the Rule of Law Section at UNODC for his cooperation and support.

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# Introduction

DILIP K. DAS AND C. M. JESSICA LI

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## An Overview

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This book, *Criminal Abuse of Women and Children: An International Perspective*, presents the extent and causes of criminal abuse of women and children as well as how cases of abuse are handled in different parts of the world, particularly in Europe, Africa, Asia, the Middle East, and the Americas. The chapters from Australia (Chapter 18) and the United States of America (Chapter 19) do not directly address the primary concerns of the book, but they deal with some important issues connected with its theme. In 19 chapters, more than 20 academics and practitioners, through reviews, surveys, observations, interviews, and reviews of the literature, provide comprehensive analyses on forms of abuse and offer critical comments on the existing control measures for this phenomenon.

Readers will come across interesting cross-cultural, international perspectives on the topics discussed in the book, including the following:

- (1) Criminal abuse of women and children has been a disturbing phenomenon since ancient times; presently, it prevails in almost every corner of the world.
- (2) Each society has its unique causes for the criminal abuse of women and children; eastern and western societies appear to have totally different underlying forces for the same phenomenon.
- (3) The majority of the governments in the world have initiated prevention and control measures, but most of them are far from effective.

To tackle criminal abuse of women and children, numerous attempts have been made at cross-national or national levels. Human trafficking,<sup>1</sup> which involves a disproportionate number of female and child victims, has primarily focused on the criminal abuse of women and children. In response to this situation, the United Nations Office of Drugs and Crime (UNODC) formally launched in March 2007 a global initiative to fight human trafficking through raising the awareness of and fostering commitment to counter trafficking in persons, facilitating partnerships with governments and other related parties

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<sup>1</sup> According to the United Nations, human trafficking is the acquisition of people by improper means such as force, fraud, or deception with the aim of exploiting them.

to mobilize resources to support action, and implementing correspondent projects on local, regional, and international levels (United Nations Office on Drugs and Crime, 2008).

Although the abuse of women and children is prohibited in legal terms in almost every country in the world, it prevails everywhere. Every government has put forth some effort to combat this offense through prosecution, relief work for victims, offering training to the staff serving in the criminal justice system, education for vulnerable groups, and the like. Unfortunately, all these interventions are far from adequate to tackle this problem effectively. Its root causes, namely poverty and inequality of power, have not been sufficiently addressed. Furthermore, the phenomenon of “globalization” has indeed intensified this problem. For instance, the increase of immigration from the east to the west in Europe has resulted in prostitution businesses breeding rapidly. Consequently, more and more women and children who are sexually exploited and abused have been victims of human trafficking. In most African countries, inequality of power among the two genders forces women to remain at a disadvantageous position in society. Their dignity and other human rights are not guaranteed, and so they are at great risk of being physically and sexually abused. In some Asian regions, the concept of “shame” brings the victims other harms: being stigmatized and excluded by the society. What is missing when formulating prevention against and treatment for the criminal abuse of women and children is “social integration” and “alleviation of poverty,” which are regarded as prerequisites.

The book is organized into five parts, each containing several chapters. The first part provides an overview of the criminal abuse of women and children. The second part takes the perspective from Europe. The third part contains the perspective from Africa, and the fourth part adopts perspectives from Asia, the Middle East, and the Americas. The fifth part presents applied perspectives.

## **Theoretical Considerations**

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Obi N. I. Ebbe presents a general picture of the criminal abuse of women and children in the first four chapters of this book.

Chapter 1 provides definitions and historical antecedents of criminal abuse of women and children. Criminal abuse can be physical, emotional/psychological, and sexual, and it is defined differently in different societies. Through an overview and historical survey, Ebbe shows that this kind of abuse and exploitation is related to the subordinate social status of women and children. In both ancient times and the Middle Ages, women were treated as second-class citizens.

Chapter 2 offers explanations in regard to the abuse of women and children by relating it to political power, religion, personalities of abusers, family violence, and socioeconomic conditions of the victims of human trafficking. Recent social phenomena, such as poverty and social gaps, have intensified this particular type of offense.

Chapter 3 provides a detailed account of criminal abuse of children. In western societies, family disorganization and alcoholism in families are regarded as contributing factors to this problem. Conversely, people's maladjustment to social and economic conditions in both developed and developing countries, such as when alcoholism and drunkenness of adults become more frequent, makes exploitation of children inevitable.

Chapter 4 is a comprehensive introduction to control and prevention of criminal abuse of women and children. It refers to informal control mechanisms (for example, close kinship residential patterns allow relations and family members to immediately intervene when an adult is physically battering his wife, sister, son, or daughter), religious intervention, and the criminal justice system. Still, there are obstacles to effective control of this offense. For example, many third-world countries do not strictly enforce the laws because of corruption, and legalized brothels exist in some countries. As indicated above, these chapters are intended to present a theoretical overview of the phenomenon of abuse of women and children.

## Country Perspectives

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This book covers the various facets of abuse of women and children and the control measures in 14 different countries. The chapters about the United States and Australia do not directly address the issues relating to abuse of women and children but dwell more on police strategies that can be conducive to investigation and control of this sensitive phenomenon. The chapter on Bahrain, unlike the chapters from the 13 other countries, contains only good news. This small country in the Arabian Gulf claims to be free from the abuse phenomenon prevalent in the other countries.

In Chapter 5, Maximilian Edelbacher gives an overview of the criminal abuse of women and children in European countries, including Austria, Bulgaria, Finland, Germany, Greece, Hungary, Luxembourg, Macedonia, Moldova, the Netherlands, Norway, Romania, Croatia, and the United Kingdom. Inequality in power relationships between men and women, prostitution, gambling, illegal immigration, trafficking in women from Eastern Europe, and child pornography all accelerate the criminal abuse of women and children. The Council of Europe also admits that sexual exploitation is still at a high level in European countries. There are more than 600 brothels in Austria, and more than 90 percent of the women come from foreign

countries, especially from the former dependencies of the Soviet Union. Among the countermeasures based on policy, legislation, and criminal procedures adopted in Austria, the victim–witness protection programs are worthy of attention.

In Chapter 6, Robert F. J. Harnischmacher provides an alarming picture of child sexual abuse in Germany. In 2004, 20,000 children were recorded in police statistics as the victims of sexual exploitation and violence. Meanwhile, rape of women is prevalent in this country. Nevertheless, the author reminds us of the high “dark figure” of unreported crimes attached to this offense. Harnischmacher also makes a connection between this type of sexual abuse and the nightlife; women and children are traded to the “red-light scene.” In fact, with the extension of the European Union and the growing population of Europe, Germany has become a paradise for Eastern European criminal activities. The police experts estimate that, since 2004, more than 140,000 prostitutes from Eastern Europe are illegally in Germany. Regarding child sexual abuse, the author points out the clues evident in a child victim, such as physical, behavioral, and emotional signs. In response to this problem, the Federal Ministry of Justice has reviewed the existing range of punishment. More stringent penal assessment of cases of sexual abuse has been suggested.

In Chapter 7, William Hughes looks at the trafficking of women and children that mostly results in assault and rape in the United Kingdom. The precipitating factors that facilitate trafficking, such as cheap travel among European states, poverty, poor education, technological advances, lack of international cooperation, and so on, are mentioned. To crack down on trafficking, some strategies are advised: a strong legislative approach, support to victims, a multiagency operational response, preventive and reduction strategies, as well as overseas partnerships. However, some obstacles are anticipated; one of the most important ones is noncooperation of victims with law enforcement agencies. The traffickers can use various means to threaten the victims, such as reprisal against their families back home or exposing their illegal residence status. A proactive prevention approach, the National Intelligence Model, is supported by the author.

In Chapter 8, Gabriel O. Ndolo states that criminal exploitation of women and children is rampant in Kenya. The author looks at the nature and extent of criminal exploitation of these two most vulnerable segments of the population in this country, offers reasons that contribute to this phenomenon, and also examines the existing strategies to deal with it. The author believes that the more economic and status power one has, the greater is the likelihood of one exploiting others. Unless social and economic inequality between genders and the problems of poverty are substantially eliminated, the hardship that women and children bear can hardly be lessened. To keep property in their hands is the most effective solution.

In Chapter 9, Antoine Azonhoume investigates criminal abuse of women and children in Benin, a small West African country with a high illiteracy rate of 35 percent. According to Azonhoume, the Benin people, as a result of cultural and poverty factors, violate the most elementary human rights every day. For example, according to the custom of “levirate,” a widow is forced to take as a spouse a member of the family of her departed husband, and she is required to sleep near the dead body of her departed husband before the burial to show her honor. Also, different kinds of child trafficking have been taking place in this country. In addition to making improvements in the citizens’ economic condition and educational opportunities, it may be beneficial to restrict the number of children per family.

In Kenya, in Chapter 10, Vicky Karimi uncovers criminal abuse of domestic female and child workers in that country. As a result of poverty and lack of education, engaging in domestic work is probably the only way for children and women to earn a living. Power inequality between employers and employees contributes to physical and sexual abuse. In some cases, children go unpaid. The author calls for a correction of the misconception of traditional sexual division of labor, a forum for victims to express their suffering, abolishing child labor at the national level, education for employees and their employers, and a comprehensive study to assess the current status of this problem.

As discussed in Chapter 11 by Lindiwe Mtimkulu and a South Africa Police Service team, criminal exploitation of women and children in South Africa is rampant. The authors found from the previous research studies that women are more likely to be abused by their parents, spouses, and relatives than by strangers. Similar to the situations of other countries, poverty and unemployment are believed to be the facilitating factors. In addition, a consumerist lifestyle that promotes the importance of possessions can lead to gender-based violence. Even worse, the myth that the rape of a child or elderly woman can cure HIV/AIDS intensifies the extent of the problem. Substance abuse by parents also plays a part in this problem. The chapter ends with some responsive measures, including the empowerment of victims and better integration of the government departments in charge of justice, safety and security (police), correctional services, social development, home affairs, foreign affairs, and the national defense force.

As described in Chapter 12 by Agbonkhese S. Moses, Olufunke Justina Aruna, and Michael Folami, trafficking in women and children in Nigeria is a new form of slavery. In fact, according to a 2001 United Nations International Children’s Emergency Fund report, 80 percent of young women engaged in prostitution in Italy are Nigerians; around two million women and children are trafficked each year. The authors state that the low recorded arrest rates and inadequate successful prosecutions of traffickers are related to the low social status of women and children victims in Nigeria. This makes Nigerians

ignore the criminality of human trafficking. To tackle this problem, poverty alleviation is of urgent need.

In Chapter 13, according to chief superintendent Victor Luga, the nature and extent of criminal exploitation of women and children are wide in the Philippines. Some children who are sexually abused at home eventually end up as sex workers. Luga describes clear categorizations of the girls engaged in different prostitution activities, for example, street sex workers, *casa girls*, bikini bar girls, karaoke bar girls, high-class prostitutes and international prostitutes, prostitutes in schools, prostitutes through the Internet, and the like. To tackle this problem, the Philippine National Police has undertaken some measures, such as giving information, promoting gender sensitization, and providing training programs for police officers on the protection of women and children. The empowerment of victims and their families is regarded by the author as essential.

In Chapter 14, Yateendra Singh Jafa presents a frightening picture of the criminal exploitation of women and children in this largest democracy in the world. According to Indian police statistics, in 2001, every hour one woman was sexually harassed, four were molested, six suffered cruelty by husbands and their relatives, and two were raped. Meanwhile, considerable segments of the children in India are neglected and victimized. For instance, 50 percent of the children between the ages of 6 and 15 are out of school as a result of poverty and a lack of access to educational facilities. Furthermore, there were cases of abuse of women and children by police and civil servants. Although the Supreme Court of India and the National Human Rights Commission have initiated several measures, problems still exist. Responsive administrations, police support, effective justice delivery system, and prompt as well as adequate actions against the guilty government officials are perceived by Jafa as essential prerequisites to counter this evil.

In Chapter 15, Wang Su-Huan and Chang Ching-Li discuss multidisciplinary criminal case processing for sexual abuse cases. The authors point out that more than 95 percent of all victims of sexual abuse in the Taiwan area are women, and more than 90 percent of the suspects are males; the average number of this type of case is between 13,000 and 19,000 each year. They identify three major characteristics of sexual violence that happens in Taiwan, namely, (1) low report rate, (2) low conviction rate, and (3) high repeated offense rate. Most of the workers serving the criminal justice system attribute the low report rate to victims' worry about "the damage to personal reputation." In fact, according to traditional Chinese belief, female purity is completely damaged after sexual abuse. Victims suffer from impaired relationships with their social networks. In summarizing the features of "reducing repeat interrogation for victims of sexual assault," the authors emphasize that "people" are the biggest asset to gear up the prevention efforts for this offense.

In Chapter 17, Elena Azaola describes and explains the phenomenon of commercial sexual exploitation of children in Mexico based on a study using qualitative and quantitative data collection methods. This chapter outlines the characteristics of the exploited children, who are predominantly girls between the ages of 13 and 18, and the exploiters, who are mainly Mexican men and some foreigners. Their clients are, as noted, primarily Mexican men from all sectors, ages, and social conditions. Such factors as poverty, previous sexual abuse by a family member, and substance abuse are discussed. One point the author makes is that “deterioration in sociability” weakens the intergenerational cohesion that is likely to make children less resistant to sexual exploitation. She also says that restoration of social cohesion is of great importance.

In Chapter 18, John Murray advocates that, if the philosophy of community policing is abolished or diminished in Australia, an adverse effect on investigations into the criminal exploitation of women and children will become unavoidable. According to Murray, successful prosecutions depend on information; a community–police relationship that is based on mutual trust is more likely to uncover matters that are helpful in identifying sexual exploitation. Meanwhile, in terms of prevention, only community policing can allow the community to focus on the importance of notifying early warning signs of sexual exploitation.

In Chapter 19, John Paul and Michael Birzer point out the shortfalls brought by the rise of the “getting tough on crime” message in the United States, adding that it would probably reduce the sense of safety in the community. Therefore, they propose reengineering the paramilitary police culture. It can be done through (1) implementing community policing as a mechanism for trust-building initiatives, (2) ending the over-reliance on technology by the police, and (3) removing the aggressive and military-style crime-fighting image.

Different from other contributors, the author (anonymous) of Chapter 16 indicates that criminal exploitation of women and children in the Kingdom of Bahrain is not prevalent. Official statistics reveal that the majority of Bahraini children (92 percent) are registered at government and private schools. Most of the women engaged in prostitution are non-Bahrainis. In addition to legal protection, education and social care mechanisms and some protective factors are worth mentioning, such as a small population (only 700,000 citizens total), Islamic values and Arab customs dictating caring for females and children, the Bahraini women’s adherence to tradition that keeps them away from being involved in undesirable deeds, strong family ties that encourage parents to monitor their kids closely, and the fact that the country is free from undesirable influences of international prostitution networks.

In brief, this book will enable the readers to understand that abuse of women and children is a universal phenomenon. As such, it calls for concerted global action as a whole as well as action at every level: national, regional, and local.

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