

## MINORS SEX TRAFFICKING

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**Abstract:** In the paper we indicate worldwide issue minors sex trafficking, discuss risk factors that make some individuals more susceptible to this issue and ways how to prevent it. The multitude of programs and platforms now being employed worldwide to combat sex trafficking of minors appear to be addressing the symptoms of the issue rather than the underlying causes. The purpose of this paper is to increase attention to minors sex trafficking and further to bring positive change in resolving this issue. The method of content analyses is applied in the paper to provide information about sex trafficking of minors issue. Thus obtained information have served as the basis for fourteen summarized recommendations which are offered in this paper. Beside that, in this paper we offer three general recommendations which may positively prevent this issue in the future: greater awareness about minors sex trafficking issue, more funding support prevention, detection and control measures, as well as critical legal reform.

**Keywords:** human trafficking, trafficking of minors, sexual exploitation, child abuse, vulnerability

### 1. INTRODUCTION

Sex trafficking of minors is one of the most serious crimes, affecting the lives of minors worldwide. Despite the development of human society and rights, phenomenon minors sex trafficking is still the stigma in contemporary society. There is limited extant literature about this issue, and also the lack of a theoretical framework for both research and intervention. This can cause difficulties in prevention of this issue and present barriers to fair treatment within justice systems. Recognition that minors sex trafficking is significant global issue constitutes a need for guidelines and theoretical framework which can encourage researchers, policymakers and justice system to approach this issue more efficiently. In this paper we offer guidelines and theoretical framework summarized at one place, that provide better understanding and prevention of minors sex trafficking issue and proper way to conduct research into this phenomenon.

Minors sex trafficking is complex phenomenon that is often driven or influenced by various factors from one country to another. Dealing with this issue need multilevel analysis. At each level there is various setting factors in which the minor is embedded: socio-ecological, such as social norms, societal and environmental factors, relationships (extended and intimate), and personal characteristics (biological and psychological). Five experts in child maltreatment and child sex trafficking (Finigan-Carr, Johnson, Pullmann, Stewart & Fromknecht, 2019) have developed traumagenic „social ecological framework of child sex trafficking“ which is among other theoretical approaches presented in this paper. Service system (child protection, the juvenile justice and law enforcement, hospital or healthcare facilities, community mental health, schools etc) creates ways to identify and respond to victims. As Sprang and Cole noticed: „children and youth involved in prostitution have been traditionally identified as delinquents“ and they suggest „a child maltreatment perspective“ (Sprang & Cole 2018, p. 190) as the most appropriate way to increase service providers' awareness and capabilities to identify and appropriately respond to victims.

The paper focuses on the wide range of risk factors: structural, economic, socio-cultural and psychological to better understand the issue. Despite, many factors tend to be common to trafficking in general or found in a wide range of different regions, patterns or cases; research of minors sex trafficking should also meet the factors that differ from a “stereotypical ones”. Multilevel analyses provides a deeper insight into the issue.

Until the 12th of December 2000 most countries did not have adequate legal frameworks that criminalized trafficking. The development of the Palermo Protocol (Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children) establishes international crime control cooperation in combating trafficking and set the stage for a rapid proliferation of counter-trafficking laws. Since then international community has reached almost universal ratification and enhanced capacity to detect, prosecute and prevent trafficking in persons. The trafficking in persons is „multifaceted crime that calls for a multi-sectorial response“ (UNODC, 2002, p. 18). European Commission established the EU Anti-Trafficking day on 18 October every years since 2007.

First part of the paper explains the phenomenon, its complexity and manifestations. Second part of the paper offers a typological review of risk factors used to discuss human trafficking and trafficking of minors in many studies. This paper helps organize the complex and interacting factors that place minors at risk of exploitation. It also allows researchers and responders to contextualize the sex trafficking of minors within the multilevel framework. Adopting

a multilevel based approach, the paper highlighting the limitations of framework that narrow the focus to antitrafficking rather than taking a more holistic prevention approach. Finally, last part of the paper discussed implications for practice, research, and policy, as well as offers recommendations for future prevalence studies on sex trafficking of minors and human trafficking in general.

## 2. CONCEPTUALIZATION

Although found in every country worldwide minor sex trafficking remains a serious crime that implies serious forms of child abuse. By bringing visibility to this crime and better understand the factors of this phenomenon, this paper can assist to policymakers and researches in developing solutions capable of prosecuting offenders, addressing vulnerabilities and better support of victims. Although, minor sex trafficking is special type of human trafficking issue, there is need for answering what means trafficking in persons. According to the Palermo Protocol „trafficking in persons“ is: “the recruitment, transportation, transfer, harbouring, or receipt of persons by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.” (The United Nations Human Rights, 2000, Article 3).

Economic crises brought by COVID-19 pandemic increase unemployment and has been hit hardest the most vulnerable groups in poorest communities as well as in wealthy nations. „Children account for about one third of the detected victims of trafficking“ (UNODC, 2020, p. 9). Traffickers exploit victims in a variety of forms, mainly for sexual exploitation - „overall, 50 per cent of detected victims were trafficked for sexual exploitation“ (UNODC, 2020, p. 10), „38 per cent for forced labour, 6 percent were subjected to forced criminal activity and more than one percent to begging“ (UNODC, 2020, p. 10), while forced marriages, organ removals and other purposes were under one percent. In higher income countries, Europe and North America minors are trafficked mainly for sexual exploitation; 72 percent of girl victims (UNODC, 2020, p. 10), forced criminality or begging, while forced labour is „roughly 1 percent of total victims detected with 66 percent of boys“ (UNODC, 2020, p. 10 ). However, trafficking of children appears with much higher shares of detected child victims in low-income, underdevelopment countries, where poverty and a lack of equal opportunity are linked to the broader phenomenon of child labour. Children live in extremely poor households, especially vulnerable in West Africa, South Asia, Central America and the Caribbean, so predictions are that there this problem of child trafficking will grow. „Globally, one in every three victims detected is a child, but in low income countries, children account for half of the victims detected“ (UNODC, 2020, p. 4). Petit state: „Children are the ones who suffer the most and have less means of protecting themselves. Vulnerability is a silent social disease. Many societies live with it and do not take firm and sustainable actions to face it until the consequences erupt in violent and dramatic forms. Prevention means acting before this happens. It means preventing the social fabric from tearing apart“ (Juan Migel Petit in: Duger, 2015, p. 118).

Sex trafficking of minors occurs when a commercial sex act is induced by force, fraud or coercion and the victim is any person under eighteen years of age. Sex trafficking of minors is *complex* crime that may take many forms:

- pimp-controlled trafficking;
- gang-controlled trafficking;
- familial trafficking (trafficked by the family, generally familial dysfunction, poverty or drug addiction);
- “survival sex” (sex trafficking of minor without the control of a pimp in order to meet basic needs, such as food or shelter).

The sex trafficking issue is historically linked closely to the regulation of prostitution and pornography, so it is difficult to study or discuss them separately. Statistics showed that „between 70 and 90 percent of contemporary traffic in women and children in Europe and Asia is related to prostitution and other forms of sexual exploitation (mainly the pornography industry)“ (Lehti & Aromaa, 2006, p. 133). Regulation of prostitution closely effects human trafficking in general also as sex trafficking of minors. West (2003, p. 533) distinguishes three legal frameworks of regulation of prostitution in Western countries: prohibition- bans prostitution as a whole, legalization- prostitution is legal, as subject of special legislation through licensing, registration, and health checks, and decriminalization-prostitution and other forms of sex work are subject to general regulation by civil employment law and they are officially considered comparable to other lines of business.

Concerning the sex trafficking of minors should place „attention on higher level inequalities such as discrimination and poverty—which violate a child’s rights“ (Franchino-Olsen, 2021, p. 314) in order „to identify and correct the discriminations and unequal power distributions that fuel“ sex trafficking of minors and impede justice for victims (Rafferty, 2013). States mostly adopt two types of protections provided under the safe harbor laws: „The first category ensures that children are granted immunity from prosecution for prostitution, either through defining

commercially sexually exploited children as victims or by processing them through the juvenile justice system in a way that does not leave them with a criminal record.” (Polaris Project, 2014 in: Duger, 2015, p. 116). Share of children among total trafficking victims detected and patterns about the age profile of the victims, appear to change drastically across different regions. These differences may reflect at the same time varying juvenile justice system about minor sex trafficking issue in different parts of the world as well as different socio-economic conditions.

### 3. RISK FACTORS

In order to act and to prevent trafficking issue policymakers and researches need to understand better the factors that facilitate human trafficking (Table 1).

Table 1.. Percentage of cases by pre-existing factors that traffickers have taken advantage of (UNODC, 2020, 9)

Economic need 51%	Child with a dysfunctional family 20%
Intimate partner as trafficker 13%	Mental, behavioural or neurological disorder 10%
Immigration status 10%	Child deprived of parental care 9%
Limited education or knowledge of foreign language 6%	Physical disability 3%

\*Note: The same case may report multiple factors, therefore percentages may add up to more than 100.

The complexity of the research issue is best illustrated by numerous studies that indicate different major risk factors of sex trafficking of minors. The literature on the ‘risk factors’ have identified a wide set of conditions that leave minors vulnerable to sex trafficking:

1. structural - Informal social control influences; peer or family influences encompass with the personal traits determine particular life outcomes for an individual. Early life abuse and dysfunctions, such as negative childhood, poor home life, difficulty in school, early substance use, running away or being thrown away, minors as rape victims etc. appear as factors that placed minors at heightened risk of trafficking (Chohaney, 2016; Reid, 2012).
2. carier criminal paradigme – The age of entry in a juvenile detention system or a child protection system. According to Reid & Piquero (2014) consideration of these risk factors is way to understand the complex processes that lead to sexual victimization of minors.
3. negative emotional state during childhood (anger, depression, and fear) most likely lead to criminal behavior or sexual victimization(Reid & Piquero, 2014)
4. poverty, food insecurity, homelessness, economy insecurity place minors from low-power or marginalized groups in a vulnerable position (Edwards & Mika, 2017)
5. stigmatization, as Clayton et al. (2013) mentioned can lead to engagement in other stigmatized behaviors, isolation, which makes minors more vulnerable for sex trafficking and may lead them refusing help and services they need
6. lack of adequate legislation
7. political instability and bad local conditions – Lack of human rights, political instability, militarism, dangers from conflict, internal armed conflict, natural disasters poverty, oppression, lack of social or economic opportunity etc. may result in an increase in trafficking.
8. social-cultural factors – Traditionally some societies support entrusting poor children to more affluent relatives or friends. Also devaluation of women and girls in a society makes children and women disproportionately vulnerable to trafficking.
9. lack of political will and commitment to enforce existing legislation
10. lack of capacity and funding of private non-for-profit organizations provide essential and critical services to minor victims of sex trafficking.

### 4. MULTILEVEL FRAMEWORK

*Gray areas* of the sex trafficking of minors make it difficult to obtain reliable data. Human trafficking is complex issue, that is extremely difficult to measure. Research of this phenomenon should also focus on measurable aspects of human trafficking. Data used in many books on sex trafficking rely on data estimates. Due that there is need for evaluation program of victim services. Here are some weaknesses of dealing to this topic pointed out by different

authors. Some authors (McGaha & Evans, 2009; Fedina 2015) pointed to weak methodology of the reports and published books. Others (Fedina, 2015; Franchino-Olsen, 2021) pointed that majority of books on sex trafficking use „at least one of the three flawed sources of prevalence data without acknowledging any study limitations or flaws“ (Fedina, 2015, p. 188), without reservations and critical interpretations or misinterpret the data.

Franchino-Olsen suggests multilevel model to help and improve dealing with this topic. This model may help organization of risk factors into the three distinct levels:

1. Macro level (structural level): social norms, poverty, criminal activity in neighborhoods
2. Meso level (interactional): peer influence, family influence, compromised parenting or caregiven strain, conflicts with parents, family violence, involvement with child protection/juvenile detention
3. Micro (individual): child abuse and neglect, rape/adolescent sexual victimization, difficulty in school, running/thrown away, survival sex, mental health issues, substance use, early sexual initiation (Franchino-Olsen, 2021, p. 313).

Finigan-Carr et al (2019, p. 50-57) provide theoretical „traumagenic social ecological framework for child sex trafficking as underpinning for identification and protection of children and youth in child welfare who have been sex trafficked or are at risk of being trafficked“. They mentioned four levels:

1. Societal level - These include large, macro-level „processes serve to establish a dominant set of social norms“ that contribute to create a climate and the way it is this issue conceptualized and treated in our society. Broad societal factors, such as: „the culture of capitalism, federal and state legislation and policy regarding trafficking“, societal and community awareness of minor sex trafficking shape vulnerability to this social issue (Finigan-Carr et al, 2019, p. 50).
2. Community - This level concerns processes that are strongly influenced by the societal level. Social norms from the societal level effects at the community level. At this level, risk factors for the minors sex trafficking issue may include: socioeconomic status (i.e. poverty), social values and norms, and system involvement (child welfare and juvenile justice), discrimination/inequality, community violence and/or gang presence.
3. Interpersonal level/ Relationship - This level of analysis concerns various microsystems. Social norms are very important as the minor is exposed to and influenced by the home, friends, peer and community members views, beliefs, and behaviors. At this level, risk factors for the minors sex trafficking issue may include: dysfunctional family dynamics, child maltreatment, trauma bonding, deviant peer networks.
4. Individual/Intrapersonal level interpreters how ontogenic factors (e.g. age, gender, sexual orientation, race/ethnicity), abuse/trauma history, personal history, psychological, mental health problem, and run away/homeless status influence individuals behave and may increase their probability of becoming a victim of minor sex trafficking.

## 5. RECOMMENDATIONS

Key recommendations to create effective, targeted, and sensitive prevention programs and policies against sex trafficking of minors and wider against human trafficking:

- understanding the collection of risk factors. Franchino-Olsen (2021, p. 109) summarized implications for practice, policy and research of commercial sexual exploitation of children and domestic minor sex trafficking (Table 2) which may implement widely in dealing with human trafficking issue.
- policy and practice beside the harm caused via trafficking should concern wide range of effects, such as the trauma or other mental health issues, childhood abuse, marginalization and other difficulties that made someone vulnerable to trafficking
- preventing the corruption of public officials
- system support through training programs for all of whom care and interact with human trafficking victims (health-care workers, counselors, law enforcement etc.). Those programs may improve how to handle trafficking victims.
- synthesis of practice and theory; the integration of evidence-based data with theory frameworks and models provides meaningful insight regarding of risk factors
- raising awareness about the issue of human trafficking
- educating children and youth about the dangers of human trafficking
- collaboration between law enforcement and service providers
- multilevel approaching the problem
- border control
- fostering cooperation against human trafficking through regular updates of information between police and security services both on local and global level
- monitoring of human trafficking threats both in real (physical) and cyberspace
- reconsidering human rights to identify any gaps and possible corrections of the discriminations and unequal power distributions that fuel sex trafficking of minors and impede justice for victims

- severe punishment to organizers and accomplices.

**Table 2. Implications for Practice, Policy, Research (Franchino-Olsen, 2021, p. 109)**

Practice	
	Aid in identifying minors who have a potentially higher risk of experiencing CSEC/DMST
	Allow for provision of services to youth who are marginalized and potentially vulnerable
	Improve targeting of prevention programs and services to relevant populations
Policy	
	Improve protections for marginalized and at-risk groups of children and youth
	Improve and target training for groups that interact with CSEC/DMST individuals or those who may be especially vulnerable (including teachers, counselors, law enforcement, and health-care workers), in which training will increase awareness, teach how to handle disclosure, and provide trauma-informed care
Research	
	Investigate opportunities to interact with vulnerable minors and prevent potentially exploitation
	Initiate more research and in-depth analysis of aspects surrounding “nonstereotypical victims”

\*CSEC ¼ commercial sexual exploitation of children; DMST ¼ domestic minor sex trafficking.

The vulnerability may lie in the various damaging effects. We cannot allow the COVID-19 pandemic create instabilities that will elicit to put more minors in danger of being trafficked. Economy crises puts countering trafficking resources under pressure, but social protection responses must address trafficking risks. Three general recommendations are: greater worldwide awareness about minors sex trafficking issue, more funding support for prevention, detection and control measures, as well as critical legal reform of this issue.

## 6. CONCLUSION

The sex trafficking of minors is global complex issue that implies dynamic and interactional processes. Dealing with this issue demands a systematic, multifaceted commitment in policy, practice, and research. The international community is coming to the growing realization that sex trafficking of minors is much larger problem than a border and crime control. There are multiple influencing factors (structural, economic, political, socio-cultural, psychological etc.) that may increase trafficking. International community should pay attention on higher level inequalities such as discrimination and poverty, which daily violate a child’s rights all around the world. So, global community should advocate for action to remove these structural harms on each level of its existence (macro-global, meso-national and micro-family, individual). Approach to the sex trafficking of minors issue demands holistic and cross-discipline response and multilevel analysis.

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