



MALE SEXUAL ABUSE IN SAARC COUNTRIES

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ABSTRACT

Sexual abuse, a term very common yet when heard, people do not confine the ambit of this offence to the female gender of society. Yes, it's a matter of fact that females are the majority of victims of sexual abuse but male gender is no exception to it. It is evident that in a patriarchal society where female counterpart has been viewed as a weaker gender, sexual abuses with men have been remarked as unthinkable. Since the ancient times, female have been a prominent victim to certain offences that now even when the tables have turned, it is difficult for them to associate such offense to the male section of the society.

Sexual abuse in a layman language can be defined as "intentional sexual touch to the other person without that person's consent, by way of force or coercion". This definition of sexual abuse applies to both male and female genders equally. While men are physically stronger than their female counterparts, they have equally seen to be the victim of offense of sexual abuse.

This paper seeks to establish male as a prominent victim of sexual abuse in the SAARC Countries, it aims to decentralize the abuse of sexual assault only to the female gender. It is solely based on research, legislation, programs, policies, and responses to the male sexual abuse in the South Asian region.

This paper confines the discussion of male sexual abuse particularly in SAARC Countries not only because it is geographically in pace but because it shares common concerns. Keeping aside the main issues such as terrorism, piracy, combating corruption, cyber crimes, the crimes against the human body have also anticipated being common, more or less in certain south Asian countries.

DEFINITIONS:

While acknowledging that the following terms have been interpreted in numerous ways, in this research paper, the following definitions are used:

THE INCLUSIVE TERM "SEXUAL ABUSE"

Sexual abuse, which is commonly also referred to as molestation ranges from child sexual abuse to forced sexual behavior such as rape. It involves child trafficking, indecent exposure, being a target to exhibitionism, child pornography, stalking. In extreme form it may result into pedophilia and pederasty. Sexual abuses in the mentioned forms have not been an exception to the male gender. It is worth mentioning that though the offence of sexual abuse can be in various forms, it is never the victims fault.

CHILD TRAFFICKING

Trafficking shall be defined as "recruitment, transportation, transfer, harboring or receiving of any person for the purpose of exploitation, either within or outside the country"¹.

A child means "every human being below the age of 18 years, unless, under the law



applicable to the child, majority is attained earlier”².

Child Trafficking means a child for sale. Such a heinous offence is carried out for the purpose of slavery, forced labor, sexual exploitation, drug trade. Children may also be trafficked for the purpose of adoption. However, it must be noted that there is no universally accepted definition of child trafficking for the purpose of sexual abuse. There may be various causes for the existence of such crime ranging from poverty, lack of resources to voluntary migration.

1. Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Conventions against Organized Crimes, article 3, United Nations, New York, November 2000.
2. Convention on the Rights of Child, United Nations, New York, November 1989

Accordance to relevant provisions of national law and who is rendered incapable of understanding the true nature of the act is Child sexual abuse. Child sexual abuse can be witnessed in various forms:

- Masturbation in presence of a minor of forcing a minor or forcing the minor to masturbate
- Obscene phone calls, text messages or any digital interaction
- Producing, owning, or sharing pornographic movies or images of a child
- Intercourse
- Sex of any kind with a minor, including vaginal, oral, or anal
- Any other sexual conduct harmful to child’s mental, physical or psychological well being

According to the Council of Europe Convention on the protection of children

against sexual abuse or exploitation (articles 18-23) the definition of sexual exploitation of children includes child prostitution, child pornography, intentional causing for sexual purposes, of a child who has not attained the legal age for participation in sexual Activities.

CHILD PORNOGRAPHY

Child pornography means using a child to obtain sexual stimulation. It is produced with the direct involvement of the child. Abuse of child occurs during the lascivious exhibition of child genitals or public area which is recorded in production of child pornography. It may use variety of media platforms including magazines, videos, photos, drawing, film, sound recording, and animation.

The Council of Europe Convention, article 20, paragraph 2 defines ‘child pornography’ as “Any material that visually depicts a child engaged in real or stimulated any sexually explicit conduct or any depiction of a child’s sexual organs for primarily sexual abuse”

Child Pornography is a prohibited act under various national laws of SAARC Countries. It is a penalized offense under the law. “It is duty of the law to protect the innocence of the child and make efforts to prioritize child’s physical, mental and psychological welfare”

ARENAS OF ABUSE IN SOUTH ASAIN COUNTRIES

THE HOME

Male sexual abuse has been widely reported against people who are in fiduciary relationship with the victim. In the cases of



sexual abuse at home, most cases go unreported. Sexual abuse at home is not only a forceful misuse of the body but also abuse of trust. Father, Brother, Sister, uncle and aunts who are responsible for the well being of child use its vulnerable position for fulfillment of sexual desires.

Children have natural tendency to inform family regarding any act of discomfort, they come across. However, if such act is done by a person within the sphere of fiduciary relationship, the child suffers from mental torment and helplessness. It is also worth mentioning that due to fear of loss of honor of the family or the family member ending up in jail are the main reasons why such offenses are unreported.

Sri Lanka is the state among the other SAARC Countries, where boys appears to be more at risk of sexual abuse than girls at home.³

3. National Child Protection Authority, 2003 “Many Children are abused and Neglected in Sri Lanka”

WORKPLACE :

While most of the sexual harassment cases involves women victims, male have been no exception to such offense. Sexual Harassment at workplace can be defined as “Unsolicited request for sexual favors, and any verbal or physical

Conduct of a sexual character that is likely to affect an individual’s employment, unreasonable interference with an individual’s work performance; or creates a hostile work environment”. Employees have the right of protection against sexual abuse

irrespective of their gender. Perpetrators of sexual abuse committed at workplace can be co- workers, supervisors, company owners; they can be both men and women. There is no exact statistical information on how many men are sexually harassed at work, and how many of these men actually initiate legal proceedings for sexual harassment. Male Sexual abuse at workplace goes unreported due to the fear of being mocked by the co-workers, or being harassed by another man implicates their own sexuality.

On the other hand, Male Children with absence of caregivers and protectors are under absolute authority of the employer and are more likely to face the torment of sexual exploitation from their employers. Children may also suffer sexual abuse from police officers, Customers, Labor workers⁴

EDUCATIONAL SETTING:

Sexual Abuse in South Asia is a contemporary offense. While teachers have much influence and close proximity to children, sexual abuse in schools occurs at a high anticipated rate.

4. International labor organization , 2006 “ violence against children at work place”

Peers are also identified as culprit of a sexual act. Though not much has been reported regarding male sexual abuse in educational institutions, the fact is that, it is highly prominent. The Majority of Male sexual abuse in the primary and secondary school setting occurs in “Empty hallways, classrooms⁵. While each child may be a victim to sexual abuse at school, some may be more.



Such Criminal act against the innocent goes unreported as children feel that no elder would believe them, Children have also been noticed to deny such act of abuse for fear of being shamed by peers. There is no available evidence that reveals that whether boys or girls face more sexual abuse in school settings in South Asia.

At the same time, Teachers in fiduciary relationship with the children have optimal potential to identify sexual abuse faced by the students, whether the source is school, community or home. Presently, in India, each educational institute has a counselor which not only addresses the educational goals of students but also help them to maintain their psychological well-being.

In a study among 811 adolescents in grade 11 in Goa, a state in southern India, boys were more likely to report that someone had talked to them about sex or forced them to touch the perpetrators.⁶

INSTITUTIONAL SETTINGS:

In institutional settings such a orphanage, day care homes, juvenile detention facilities, home for children with disabilities; maltreatment , violence and abuse is an emerging arena of concern.

5. For example, see sahil, 1998, "Child sexual abuse and exploitation in Pakistan" , Breaking the Silence Group.
6. International labor organization , 2006 " violence against children at work place.

With the absence of protectors or guardian, the children have proved to be vulnerable to sexual abuse. In culture of abuse by staff at orphanages, older children also learn to bully

and sexually assault the young. Poor infrastructure of orphanages, cramped accommodation, failed adoptions and severe rate of abandonment also contributes to vulnerability of children to the perpetrator.

According to Supreme Court of India, over 11 million children were abandoned in 2013. Children with disabilities may be at higher risk for sexual abuse than children without disabilities. As per the United Nations report 'Tackling Violence in Schools' 2011, states "Powerless social association and stigma faced by children with disabilities make them highly vulnerable to violence and exploitations". A 2013 report by the Asian Centre of Human Rights (ACHR), "India's Hell Holes: Child Sexual Assault In juvenile justice homes ... have becomes India's hell holes where inmates are subjected to sexual abuse and exploitation, torture and ill treatment". In prison weaker or younger children may be subjected to sexual assault in exchange of "protection". There is no data indicating the abuse of boys in institutions in South Asia. "The weaker, the offender, the abandoned- all must have be protected from any kind of abuse and exploitation".

While institutional directors have recognized the need of counselor to help children report any case of sexual exploitation, there is no such decrease in crime of sexual exploitation against children in south Asia.

THE COMMUNITY:

The community may influence the action against the sexual exploitation. If perpetrator is an individual of political influence, community leader, police officer or any other individual in power in the community, it may lead to victimization for fulfilling the pursuits of sexual desires. In such scenario, retaliation is influenced by the fear of social ostracism.



HOMELESS ON STREET

It is of no doubt that children who are separated from their families or who are orphans living on the street are more prone to the acts of sexual exploitation. Such children have no registered record and hence are easily abducted for the purpose of prostitution. Studies indicate that children living on the street engage in sexual activities within their communities. Such children are also more likely to contract the HIV/AIDS. Children, under the age of 18 years contribute to 37% of India's population with large proportions experiencing great deprivations such as lack of access to basic nutrition, healthcare and shelter.

CHILDHOOD IN BROTHELS

Children of sex workers in south Asia spend their childhood in brothels where they witness sexual acts since a very young age. Such children may be prepared to enter prostitution by modeling their Parents. There is little or no evidence which proves indulgence of male child into prostitution. However, they may end up working as guards, pimps in community brothels.

MALE CHILD PORNOGRAPHY

Among the Eight South Asians Countries, Male Child pornography has been highly witnessed in India and Sri Lanka. With the emergence of information and technology act in India, online pornography witnessed a raise in child pornography. It is noticed that in mentioned countries the perpetrator are foreign nationals. However, on male child pornography research is lacking and there is no accurate statistics regarding the same.

COUNTRY PROFILE: NEPAL

Nepal's laws can be seen in context of traditional view of sex in which males are aggressive and assertive and females are passive and thus this makes women a normal prelude to sexual behavior. Just like any other existing law, the law relating to offense against body, is a product of society.

Article 219 of the Nepali Criminal Code which defines "Rape" as ; *jabardasti karani* which means forcible Sexual Penetration . The Law of Nepal follows the traditional view and hence views force and penetration a necessity to constitute the offense of rape. There is also exclusion of boys, men and gender and sex minorities from Article 219, it is exclusionary, archaic and violation of Constitutional right of equal treatment of law.

Article 219(2) Defines Rape as " sex with a women without consent or with the consent of the child under 18 years", thereby the law makers and presumed that it's the man who is to be commit the offense of Rape, man here is seen as an offender not a victim. There is no presumption of reciprocal act.

Furthermore, Article 226 of the Nepali Criminal Code stipulates that "No one should have unnatural sex with another person without consent", that protects male child victim of rape. The laws of Nepal are formulated by the Patriarchal Structure that governs the country and the institutions within it, and therefore are incompetent to protect male from any kind of Sexual Exploitation".

CHILD LAWS

Nepal is a state where 40% of the country's population constitutes Children⁷, it also has the highest proportion of working children in the world which recalls the need of the strong legislation to protect the children from any form of sexual exploitation. The Government



of Nepal has ratified various international laws such as United Nations Convention on the rights of child;

7. United Nations Statistics Divisions, 2008 SAARC Convention on preventing and combating trafficking in women and Children for Prostitution, Optional Protocol on Sale of Children, Child Prostitution and Child Pornography and adopted them in their domestic laws. It must be noted that in conflict of existing domestic laws and ratified international treaties, treaties take precedence.⁸

The legislations addresses the sexual exploitation of children through the Human trafficking and transportation(Control) Act 2007; Children’s Act 1992; Some Public Offenses and Penalties (1970); Open border agreement 1950. The Research of laws in Nepal evidently show that the laws to protect male child from sexual exploitation are more observed by the country then the necessity of protection of male adult from the same act. The laws in Nepal that address child pornography do not specifically define or prohibit Child pornography, the prohibition focuses on protecting the public from obscene material than to penalize sexual inflict upon Children.

NON- GOVERNMENTAL ORGANISATION

Mental Organization such as NGO Maiti Nepal and Counterpart NGO in India have helped to improvise the scenario, numerous child clubs have been formed in rural areas, providing a structure for children to gather mutual support and discuss issues of sexual abuse and exploitation. It is observed that participation of children in advocacy against sexual abuse and trafficking has lead to

empowerment to confront such abusive situation and to communicate dialogue with parents, teachers, and guardians.

CWIN was the first Non Governmental Organization to address the concern of sexual abuse of boys along with girls. It has established Child Helpline with the assistance of Child Helpline international, which provides children with

8. ECPAT and Plan International 2004 , “ Report on laws and legal procedures concerning the commercial sexual exploitation of Children in Nepal”

emergency response in case of sexual abuse and exploitation in Katmandu Valley and the cities of Biratnagar and Pokhara. It provides boys with medical care, psychological counseling, night shelter, health clinic, educational support, transit homes for children at risk.

A network of NGOs based in Kathmandu, the Children at risk networking groups, conducts research and disseminates information of Child Sex Abuse. Bal Bikas Samaj, Child rights organization in the City of Biratnagar, conducts awareness raising programs on child rights and child sexual abuse to child clubs in rural areas. There is lack of Statistics and legislations particularly addressing Male Sexual abuse throughout the state of Nepal. The Country needs a shift from traditional view of crime to modern view and the need of amendments to fit the changing scenario.

COUNTRY PROFILE: PAKISTAN

In a Country like Pakistan in south Asia, Combination of inadequate literacy, poverty, extensive child labor creates a situation vulnerable to child abuse and exploitation. Nearly one third of population lives below



poverty line and half of the population are children aged below 18 years, Pakistan as a country has low literacy rate. In such circumstances the vulnerability to exploitation is powerful and the need to protect children is the need of hour.

Pakistan has a patriarchal society where cultural silence has shove individuals into reporting offences such as male sexual abuse. The laws against sexual exploitation are female centric with no recognition of male sexual abuse as an offense against the human body. There is little mechanism of reporting in Pakistan hence there are no statics as to male sexual abuse in the state. The legislations are incompetent to identify male sexual abuse as an offense and to provide specific relief to male counterparts. A report indicates that both boys and girls aged less than 15 years are equally vulnerable to abuse in Pakistan.

Pakistan has rectified International treaties such as Convention on Rights of the Child; the SAARC Convention on preventing and Combating Trafficking in women and children for Prostitution. Pakistan is a signatory to optical protocol on the Sale of children, Child Prostitution and Pornography. Pakistan has adopted the Stockholm Declaration on Agenda and Action in 1996. Pakistan was a part of ECPAT South Asia Region Meeting on online sexual exploitation of Children. Pakistan has national legislation to combat sexual abuse and exploitation. However, the laws are incompetent to tackle the large population of children aged less than 18 years.

The primary legislation in Pakistan tackling with issue of sexual abuse includes the Pakistan Suppression of Prostitution Ordinance 1961; the Prevention and Control of Human trafficking Ordinance 2002 and

subsequent rules of 2003 and 2004; the protection of women (Criminal laws Amendment) 2006; Pakistan Penal Code 1860; The Protection of Children Act 2009.

Just like Nepal, the legal definitions of Sexual abuse, Sexual Consent are inadequate, Pakistan legislation only Criminalizes Rape, the punishment of which is imprisonment or death. The legislations on pornography in primarily found in Pakistan Penal Code⁹; the ban on child pornography was much later introduced by Pakistan in 2011. In study of child sexual abuse in Rawalpindi and Islamabad, out of a sample of 300 children, 17% claimed to have been abused¹⁰.

Gender roles play an important part in the manifestation of child prostitution in Pakistan. A number of local newspaper and micro-studies have exposed incidents of child sexual abuse in the schools of Islamabad. In a child scandal reported in 2003, a boy of a boarding school in Peshawar were first abused and forced to have sex with their teachers and then later blackmailed into Commercial Sex¹¹

9. Section 226, Pakistan Criminal Code, 1860

10. Rasheed, Shaireen(2004) Childhood in South Asia: A Critical Look at the Issues, Policies and Programs

11. Commercial exploitation of Children: A situation analysis of Pakistan. Save the Children Sweden. Peshawar, Pakistan2005.

IN 2010, Save the Children launched a report, Commercial Sexual Exploitation of Children- A situation analysis of transport industry of Pakistan¹². Research disclosed that commercial sexual exploitation of boys in transportation terminals is happening at a large scale and in a institutionalized manner.



NON-GOVERNMENTAL ORGANISATION-

NGOs in Pakistan play an active role in helping and rehabilitating trafficking victims. WAR is a Non-Governmental Organization in Pakistan whose mission is to publicize the problem of Rape; the NGO has documented the severity of the rape problem in Pakistan¹⁴. In a research conducted by the provincial Coordinator of, Sahil, an NGO working since 1996, it was held that child sexual abuse rate in Pakistan as per 2019 continues to be 7 children per Day. Since 2010, Sahil, has run youth information and counseling sectors that provide HIV/AIDS information and prevention advice. LHRLA, in Karachi, AGHS Legal Aid Cell, in Lahore and SPARC, IN Islamabad, provide legal aid to abused and exploited Children. SACH in Islamabad provides shelter to children who have endured sexual violence.

COUNTRY PROFILE – AFGHANISTAN

The Islamic Republic of Afghanistan is a state where approximately 46% of the population lives below the poverty line. Afghanistan, according to UN Statistic is the Second Poorest Country in the world. The Country has among the lowest social indicators in the world, ranking 174 out of 178 Countries. The Country has suffered decades of foreign Military occupation and safety resulting in erosion of safety nets for Children. Afghanistan also holds a saddening record of a country which has the highest number of terrorist attacks on Schools.

11. Sexual Exploitation of Children in a transport industry. Save the Children Sweden 2010. Afghan Society is constructive and patriarchal, the structure and law of the state has proved to be incompetent to protect

females from sexual abuse and exploitation to the extent that male sexual abuse laws are unrealistic to imagine.

CHILD ABUSE

A report published by Unicef identifies Afghanistan as the “Worst place to be born in the world”, Children are subjected to extreme poverty and violence on daily basis. Child mortality, malnutrition, sexual abuse is common yet critical issues faced by children in the state of Afghanistan. About 1500 incidents of child abuse are reported each year, while large numbers of cases go unreported. Boys since a young age are expected to assume adult responsibilities which leads them to child labor, where they are prone to abuse and exploitation including trafficking. The statistics on the sexual abuse of boys in Afghanistan is scant. Military Conflict in Afghanistan has discouraged research work.

Afghanistan has ratified the convention on the Rights of the Child; the SAARC Convention on preventing and combating Trafficking in women and Children for Prostitution; Optional Protocol for sale of Children, Child Prostitution and Child pornography. The legislations and practices of Afghanistan into combating child abuse are complex because the state uses various customary laws, jurisprudence and sharia (Islamic) law. Within the domestic laws, the penal code 1976; Civil Code 1977; labor law of Afghanistan 1940 are most applicable laws to the abuse and exploitation of boys. Much later in 2019, the afghan government started implementing laws on protection of child rights.

CUSTOMARY LAW

“Bacha Bazi” is a custom in Afghanistan involving sexual relationship



between young adults and boys, who are called dancing boys. It is connected to sexual slavery and Child Prostitution. Bacha Bazi is widely practiced in parts of Afghanistan in 21st Century, research reveals that men involved in the practice of Bacha Bazi are powerful and well armed, thus it has been difficult to put a end to this to this torment.

RAPE LAW

Afghanistan currently does not have any law that directly addresses protection of rape victims. However, in Islam it is a sin to rape.

COUNTRY PROFILE - SRI LANKA

Male rape in Sri Lanka is a torment that is rarely spoken and widely practiced as evident by the “Freedom of Torture reports 2012 and 2015, the 2013 Human Rights Report, 2016 UN report on Sri Lanka. The International truth and justice report held that the arenas of male sexual abuse in Sri Lanka are rehabilitation Centre’s, army camps, prisons, detention Centre’s. Human rights investigation in Sri Lanka concluded that incidents of sexual abuse with male were a part of deliberate policy to obtain information, intimidate, and inflict fear. In Sri Lanka, the issue of male sexual violence is largely hidden and stigmatized. There is a lack of legal protection for men and boys against sexual violence which informs social attributes and contributes to an environment in which violations can take place with virtual impunity. Legal discrimination against men and boys is accurately reflected in Sri Lankan Laws.

RAPE LAWS

Sri Lanka does not recognize the possibility of male rape under the law. Men are defined only as perpetrators of rape. Article 363 of

the Penal Code starts with “a men is said to commit rape...” The prohibition of statutory rape applies to only girls under the age of 16 years and not to boys as read in section 363(e)

CHILD ABUSE

Sri Lanka has ratified the Convention on the rights of the child and the SAARC Convention on preventing and combating Trafficking in women and children for prostitution. It is a signatory to the protocol to Prevent, Suppress and Punish Trafficking in Persons. The legislations of Sri Lanka relevant to child sexual abuse include the Penal Code of Sri Lanka; The brothels Ordinance; National Child policy authority Act 1999; National plan to address sexual and gender based violence 2016-2021; National plan for protection and promotion of human rights 2017-2021.

The State of Sri Lanka can be seen moving towards legal implementation to curb child violence. However, there is no relief to male sexual abuse that is highly practiced in detention Centre’s of Sri Lanka.

COUNTRY PROFILE - BANGLADESH

Bangladesh has witnessed constant denial of male victimization of sexual assault, the country has highly traditional and patriarchal structure, that the popular conception is that men and boys are not raped or sexually harassed. An anthropological study of men’s experiences of sexual harassment in Bangladesh found that 1 out of 10 males encountered sexual harassment by another male or female. Various cases of male sexual abuse in Bangladesh have witnessed suicide by victims.



Bangladesh has ratified the convention on the Rights of the Child; the optional protocol on sale of Children, Child prostitution and Child Pornography; ILO Convention on the Worst forms of Child Labor; SAARC Convention on Preventing and Combating trafficking in women and children for Prostitution. The state laws addressing the sexual exploitation of children include the penal code 1860; The Children's Act 1972; Suppression of immoral traffic Act 1933.

The state laws of rape and sexual harassment are women- centric and do not provide any legal remedy for male sexual exploitation. Section 376 of the Penal Code 1860 reads as "whosoever commits rape shall be punished with imprisonment of life, or with imprisonment of either description of a term which may extend to 10 years and shall also be liable for fine, unless the women raped is his own wife..". The legal machinery views male as perpetrators, there is no provision of law in Bangladesh to provide justice to male sexual abuse.

NON-GOVERNMENTAL ORGANISATIONS

BRAC, a nongovernmental Organization in Bangladesh reported 713 incidents of rape and attempted children of rape. Bangladesh National women's lawyers association provides rehabilitation and legal support to girls as well as boy victim, it provides legal aid counseling, medical assistance, education , skill training. The organization has rescued 40 boys from trafficking, sexual exploitation and abandonment.

COUNTRY PROFILE- INDIA

India since the ancient time has witnessed grave exploitation and abuse of women from domestic violence, child marriages to gang

rape which at present still continue to operate as heinous crimes in the country with an increasing scale. With time, the root of rape as an offense has deepened in the country and humanity has been taken over by torment. However, there is not only an increase in crime against women; men have also emerged as a victim to sexual exploitation.

India, the world's largest democracy has a patriarchal structure where men are viewed as strong gender and women have been assigned the role of vulnerable and victim. According to PEW research statics 2014, 13% of men aged between 18-32 have experienced sexual harassment online.

There is no accurate statistics as to how many men are raped and sexually abused in the state. The constitution of India guarantees gender equality, however there are no domestic laws in India that deals with male rape and sexual exploitation as an offense against the human body.

India, via section 377 Indian penal code criminalizes any non consensual act between the individuals of LGBT Community as an act punishable with imprisonment up to 10 years and shall also be liable for fine.

India has been seen moving apart from the traditional view but the country requires establishment of gender neutral laws and abolishment of portraying of Male counterpart as the offender. 'Abuse and exploitation has no gender'.

CHILD ABUSE LAWS

India is a signatory to the United Nations conventions on the rights of the child 1992, optional protocol to CRC on sale of children, child prostitution and child pornography 2000.mSocial stigma and macho stereotypes



are the main reason why male sexual abuse cases go unreported in India.

The protection of children from sexual offences (POCSO) Act ,2012 is a gender neutral act that criminalizes offence of sexual assault, sexual harassment and child pornography, while safeguarding the interest of child at every process. It involves child friendly reporting, recording of evidence, speedy trial through special designated courts. It also makes abetment of child sexual abuse an offence.

Juvenile justice act 2000 also plays a crucial role in preventing sexual abuse and exploitation in detention, while catering to needs to care and development of the child who are in conflict with the law.

The immoral trafficking prevention act, 1995 deals with offences related to sexual exploitation of children for commercial Purpose.

Indian penal code, 1860 also criminalizes wrongful confinement, theft, abduction, buying, procuring and selling of minors for immoral purposes.

India as a developing country is seen to be committed to the prevention of male Child. However there is no legal provision to protect adult male from any kind of sexual assault.

Non government organizations such as save the child India, Arpan NGO, Prosthana India foundation are fighting child sexual abuse in India.

** The Republic of Maldives and the State of Bhutan are excluded from Country overview due to lack of information available.

RECOMMENDATIONS-

There would be no improvement if the legislation does not suit the changing needs

of the society; if the legislation does not match with the necessary implementation'

- The existing legislations must widen its ambit to include all possible scenarios of child abuse with its penalized punishment.
- The bodies established under the child protection legislations must be adequately funded ensuring uniform implementation of the act in the SAARC Countries.
- Allocate sufficient budget and resources for the implementation, monitoring and evaluation of child welfare and protection.
- Incorporate awareness rising in children to guide them towards protection from sexual abuse.
- Allocate enough funding to public awareness campaigns to address the root cause of child sexual exploitation and its prevention measures.
- Put in place mechanism to evaluate the progress of awareness rising .
- Incorporate awareness rising at school to establish gender neutrality in youth.
- Incorporate legislations to establish uniform laws while catering to the needs of all the genders in the state.
- Amend the penal code of all the SAARC countries to include male rape as a penalized offence.
- Amend the legal framework to involve male in sexual harassment laws.
- Amend laws to remove the social stigma of male as an offender and create gender neutrality.
- A helpline must be established for male sexual abuse victims, providing them with psychological and legal aid.



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- Amend the existing legislation of all SAARC Members to include a legal definition of "child pornography"
 - While religious and customary laws play a significant role in SAARC Countries, criminal penal code must be equally applicable to all citizens without any religious exceptions.
 - Research work must be facilitated by the Governments of SAARC Countries to widen the ambit of knowledge regarding child sexual abuse in the state.

CONCLUSION

Some Countries in South Asia are beginning to fill the lack of Legislation regarding Child Sexual Abuse and Exploitation of boys. However, all the South Asian Countries have absence of Male Sexual Abuse Laws due to their patriarchic Structure. There is a necessity to shift from traditional norms of law and emerge into legislation embracing Gender Neutrality.

