

RESCUE OF TRAFFICKED WOMEN: A QUESTION OF EMPOWERMENT AND OTHER CHALLENGES

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Abstract: Despite of the extraordinary achievements made by women in the various fields, empowerment of certain women's sections is still a big question that needs to be paid heed. Here the issue of discussion is the empowerment of those women who are rescued from the vicious cycle of the heinous crime of trafficking. After the rescue, it is generally thought that women are freed from the various forms of slavery, such as sex exploitation, forced labour etc. that reduce them to being a commodity. But later, the question arises not just about their empowerment rather a better livelihood or survival in good terms that could provide them dignity. The other question is what kind of empowerment we envisage for those highly vulnerable women who need much time to recover from the traumatised experience. The very crucial question that has been raised is that after the rescue, women will not have to end up making baskets etc. and earning meagre wages since it does not seem to help in empower them for longer term.

Keywords: Human Trafficking, Trafficked Women, Integration, Rescue, Rehabilitation.

Introduction: Trafficking in human beings is a crime against or debasement of the dignity of humanity. It has been growing rapidly. The victims of trafficking are mostly women and children (to a lesser extent, men). The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which supplements the United Nations Convention against Transnational Organised Crime (also known as "the Palermo Protocol" 2000) has provided the definition of the term "Trafficking in persons" in its Article 3 that serves as a foundation for international action on human trafficking:

"Trafficking in persons" shall mean 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 [8].

Causes of Human Trafficking: The reduction of human beings to commodities (that are traded, used and abused), abject poverty (constrains free choice, earning power and survival), illiteracy or discriminatory practices in education that marginalise girls or women, human deprivation, persistent unemployment and migration are some of the root causes/reasons that foster human trafficking, in general. If we talk about women, particularly, their identities are reduced to their sexualised and objectified bodies. In other words, commodification of women's bodies as a sexual object. In the views of radical feminists, prevailing patriarchy in the

societies and men's prerogative to access to and control over women's bodies are the main cause of trafficking. Many times, economic necessity and the lure of higher earnings also compel women to migrate to different parts of the world and take up prostitution voluntarily [5] [7] [3].

Although, it is extremely difficult to measure and find exact/appropriate data, Global Report on Trafficking in Persons (2014) has found that 49 per cent of detected victims are adult women and 33 per cent are children [12]. In addition, among detected trafficking victims in 2011, 53 per cent were sexually exploited, 40 per cent were involved in forced labour (for example, in construction, farms, agriculture, manufacturing etc.), 0.3 per cent victims in organ removal and 7 per cent in other forms of exploitation (such as domestic slavery). Above facts make it clear that a large percentage of trafficked persons are exploited sexually, involving women/girls and children into forced prostitution. Highly frightened victims generally do not come forward because of their experience of horrible exploitation [12] [7] [5].

Empowerment: Empowerment of the rescued victims of trafficking has been seen as a way to get victims in the mainstream as well as a way of their emancipation from bondages. The human-rights perspective on trafficking emphasises on empowerment as the best possible way that can reduce or alleviate the vulnerabilities of trafficked persons [11]. But in almost every society, victims of trafficking, particularly those associated with sex work/prostitution, are openly reviled and face a myriad of problems. People keep derogatory attitudes towards them and it makes their integration into the mainstream societies immensely difficult. Particularly when it comes to women, integration seems harder since women are thought as vulnerable targets or docile. Prevailing stereotyping in the various societies

poses many challenges or creates hurdles in the empowerment of trafficked women. They are ostracised by their own families and entire communities [4].

It has generally been noticed that the majority of trafficked women comes from a lower socioeconomic backgrounds with low levels of education, nutritionally and medically deprived, tortured, beaten, raped, psychologically abused, with higher rates of HIV/AIDS and isolated. In addition, substance abuse also emerges as a problematic area in which substances such as drugs are given to victims (are forced to use) as a way to cope with perpetrators [6] [2].

Annette Lansink (2006) argues that to rescue women does not seem to present a solution but contributes to the production of the helpless victims [1]. It has been observed that despite of the arrest of offenders, victim women continue to feel beleaguered by the thoughts of harm even after the rescue and imbibe fear of their own arrest, deportation and law enforcement into their minds that leads to their segregation from the society. Due to this fear, shame and trauma, victim women of trafficking hesitate in disclosing their identities or jumbling with others and endure the pain. They remain psychologically victimised and despise themselves [10].

Here, one of the crucial points is that in the name of empowerment, women will not have to end up making baskets etc. and earning meagre wages after the rescue since it does not empower them for longer term. A better livelihood or dignified survival should be the main goal of rehabilitation programmes. In order to empower rescued women, skill based training can actually help. A skill that could provide them enough money.

In addition, reduction of exploitative practices in the work environment has also been considered a way of empowerment. There is an urgent need to stop the abuse of vulnerability since it is a form of psychological or non-physical coercion or threat [1]. It should be kept in mind that the emancipation of women from all forms of exploitation or abuses is the very first step in the process of empowerment.

Necessary Efforts and Conclusion: Human trafficking is not only the issue of international law and criminal law but also the issue of human rights, migration, labour law, morality and gender. It has emerged as a menace that is increasingly on the national agenda of governments everywhere [1] [4]. It has become so huge and difficult to curb. As trafficking is multi-dimensional, it can be tackled through multiple ways only.

Much attention is generally given to the creation of new laws as well as in ensuring the use of current laws in the prosecution of traffickers. A secondary priority is given to the protection of the interests of

trafficked. In fact, the interests of trafficked are prioritised only when victims agree to support in testifying the traffickers and their prosecution. Only after making a statement against the traffickers, victims are given a temporary right to reside in the country of destination. If they refuse/do not make a statement, they are sent back to their home country immediately [4].

It should be urged by the governments and nongovernmental organisations that victims of trafficking should not be treated as criminals after rescue. Moreover, they should not be deported back to the untenable situation that exposes them to reprisals by the traffickers and put them at risk of re-trafficking (as the US policies regarding the trafficking do, unless victims agree to testify against their traffickers). It has also been noticed that, in order to prosecute the traffickers, the system for protection regards the victims as a tool and use as a witness only. Willingness to testify against traffickers should not be the base of protection of the victims of trafficking by the national authorities. When victims of trafficking return to their home country, it should be addressed by the governments that they are not subjected to any harm regardless of the fact whether they testify against traffickers or not [4] [7].

Respect of human dignity or protection of human rights of rescued women should be the goal of each nation. The provisions laid down in international treaties such as the UN Trafficking Protocol (the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children or "the Palermo Protocol" 2000), the Council of Europe: Convention on Action against Trafficking in Human Beings (2005) and the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) cannot be successful, unless abide by the government and citizens of the country.

It should be ensured by the government of every country that any curtailment/violation of the rights of the victims of human trafficking could not take place since trafficking is a cause and consequence of gross violation of human rights [1].

Awareness regarding the rights of trafficking victims, to stop making disparaging remarks or making moralistic judgments should be spread since these derogatory remarks depict victims (who do sex work), particularly women, as a less human or passive "fallen women" deserving of abuse. It is highly condemnable [7]. In the era of Twitter, Facebook, WhatsApp, YouTube, etc., raising awareness is not an issue. Various education campaigns, seminars and training programmes can also be very helpful in it. Moreover, governments should provide much needed funds for the social and economic initiatives since no policy can be successful with the lack of resources.

It needs to be taken into account that housing with safe and positive atmosphere are necessarily required where rescued victims of trafficking could be rehabilitated that could help them in dealing with trauma or recover from the ordeal and could be saved from re-victimisation. It is worth noting that countries like Belgium and the Netherlands provide all victims a "breathing space"/recovery period of 45 days and 3 months, respectively. So that, victims could make the important decision of whether to testify against the traffickers or not [4].

However, it has been noticed that a lack of information regarding how trafficking victims can be reintegrated into society after being rescued or discovered still persists. A long-term and intensive care services are required for the integration of

victims [2] [9] [11]. For that, an effective model of reintegration for victims of trafficking is needed urgently as well as stronger compliance of countries to combat human trafficking and reinforcement of legal measures.

The immediate protection support system should also be established on necessary basis that could provide medical care, financial assistance, counselling or legal advice to the victims as well as right to work and language and integration courses etc. [4].

In sum, empowerment of victims of trafficking is as crucial as curbing human trafficking itself, which is a grave crime against humanity. Only rescue cannot help victims. It should also be paid heed that what happens aftermath in the lives of victims of trafficking.

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