
HUMAN TRAFFICKING IN INDIA

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Abstract : Human trafficking is the global crime of twenty first century. It has increased significantly past two decades both globally and in south Asian countries. India is a source, destination and transit country for men, women trafficked for the purpose of forced labour and commercial sexual exploitation. Trafficking in women an obscene affront to their dignity and rights is a gross commercialization of innocent human lives, which perpetuated by organized criminals. In the existing social milieu and customs in India, vulnerability is a product of inequality, low status and discrimination and of the patriarchal authority especially for women and girl child. Women with no freedom of choice and option to lead a life helpless women in our society.

Key Words: Exploitation; Migration; Political instability; Trafficking

Introduction: Human trafficking is a multi-dimensional issue. It is a global disease of our time. This disease has historical parallels with the movement of people as commodities during the colonial slave trade. Due to persistent inequalities, women are more vulnerable to this practice which is a consequence of structured gender inequality in the form of violence. Trading in human beings and exploitation in varied forms by traffickers in human beings is one of the most serious forms of violation of human rights. Trafficking clearly violates the fundamental rights to life with dignity. The trading of human beings is thousands of years old and runs like a red thread through human history.

Definition: Human trafficking can be described as forcing of a person into any kind of exploitation sexual or labor or both, which is human rights violation and the fastest growing criminal industry in the world. It is important to note that the trafficking of persons is not limited to cases in which victims are transported across borders. Internal trafficking occurs domestically in every nation. Article 3 of the Protocol defines trafficking as: "Trafficking in persons" shall mean the recruitment, transportation, transfer, harboring 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 labor or services, slavery or practices similar to slavery, servitude or the removal of organs; According to a study conducted by Shakti vahini, in 2006, "Trafficking in India" 378 of the 593 districts in India are affected by human trafficking. 10% of human trafficking in India is International, while almost 90% is interstate. Andhra Pradesh, Karnataka, West Bengal, Kerala and Tamil Nadu are the states from where the maximum numbers of people are trafficked to other states. Intra states of Rajasthan, Assam, Meghalaya, Bihar, U.P, Karnataka, Tamil Nadu and Maharashtra states like Delhi and Goa are "receiver

states". Trafficking of women and children from North- Eastern states of India and the bordering countries in the North east is a serious issue but has so far not drawn public attention. Intra country trafficking has not been documented to the extent that cross border trafficking has been.(Swain,2004).Thousands of Indians labours who migrate willingly every year to the Middle East and, to a lesser extent, the United States, Europe, and other countries, for work as domestic servants and low-skilled laborers. In some cases, such workers are lured from their communities through fraudulent recruitment, leading them directly to situations of forced labor, including debt bondage; in other cases, high debts incurred to pay recruitment fees leave them vulnerable to exploitation, conditions of involuntary servitude, and physical and sexual abuse by unscrupulous employers in the destination countries. Nationals from Bangladesh and Nepal are trafficked through India for forced labor and commercial sexual exploitation in the Middle East. Some Indians have been investigated and convicted by foreign governments for human trafficking. (UNHCR,2011)The main targets are the people who lack job opportunities, in simple words- the poor, helpless people are the ones who are exploited the most. Causes The root causes of trafficking are various and often differ from one country to another. Trafficking is a complex phenomenon that is often driven or influenced by social, economic, cultural and other factors. Many of these factors are specific to individual trafficking patterns and to the States in which they occur. There are, however, many factors that tend to be common to trafficking in general or found in a wide range of different regions, patterns or cases. One such factor is that the desire of potential victims to migrate is exploited by offenders to recruit and gain initial control or cooperation, only to be replaced by more coercive measures once the victims have been moved to another State or region of the country, which may not always be the one to which they had intended to migrate. Some of the common factors are local conditions that make populations want to migrate in search of better conditions: poverty, oppression, lack of human rights, lack of social or economic opportunity, dangers from conflict or instability and similar conditions. Political instability, militarism, civil unrest, internal armed conflict and natural disasters may result in an increase in trafficking. The destabilization and displacement of populations increase their vulnerability to exploitation and abuse through trafficking and forced labor. War and civil strife may lead to massive displacements of populations, leaving orphans and street children extremely vulnerable to trafficking. These factors tend to exert pressures on victims that "push" them into migration and hence into the control of traffickers, but other factors that tend to "pull" potential victims can also be significant. Poverty and wealth are relative concepts which lead to both migration and trafficking patterns in which victims move from conditions of extreme poverty to conditions of less-extreme poverty. In that context, the rapid expansion of broadcast and tele communication media, including the Internet, across the developing world may have increased the desire to migrate to developed countries and, with it, the vulnerability of would be migrants to traffickers. Economic crises, recession period, Technological and communication advances, as well as open borders that facilitate the flow of goods also facilitate flow of humans also.

Tourism has had both positive and negative impacts on Indian society. Tourism promotes development, brings in foreign exchange, and facilitates cultural interaction and integration. But at the same time many tourists with opportunities to gratify their deviant sexual proclivities. In India Goa, a small state on India's western coast has become a sexual destination for many visiting tourists. They can cheaply accommodate their sexual interests. Not only Goa, but Kerala, Tamil Nadu, Maharashtra, Eastern coast parts of India most of Child sex tourism is growing and spreading into different regions of the world. In some States, social or cultural practices also contribute to trafficking. For example, the Devadasi system, which is culturally sanctioned practices and commercial sexual exploitation prevalence in India. One of the prominent features of these practices is that a girl from a family dedicated to a deity or an object of worship or to a temple. The institutions of dedicated young girls to temples or deities of worship happens to be a pan-Indian phenomenon. However it came under different names in different parts of the country owing to variety of cultures and traditions prevailing in different parts of the country. In ancient times it was a matter of prestige for temples to employ Devdasi in good numbers. Devdasi used to enjoy ritual sanctity and social eminence. But over a period of time the system was abused and degenerated to the extent that the Devdasi have become the victims of commercial sexual exploitation. The facts remain true even today as many research studies on the subject reveal that many women belonging to SC and ST are encouraged by upper castes to undergo initiation of ceremony, and accept the Devdasi way of life in order to gain access to desirable women of lower castes to appease their extra marital sexual needs. Later on these women are forced to take up the profession of prostitution in their native town or nearby cities. (Shankar Sen, 2009)

Prevention: There are varieties of prevention measures; however effective requires a comprehensive approach. Trafficking of women as it violates the rights and dignity of the individual in several respects. It amounts to violation of the right to life, right to dignity, right to security, right to privacy, right to health, education, right to self-determination, right to legal remedies and reprisal of grievances. More often than not, especially with reference to trans-border trafficking, the trafficked victim's right to be heard before decisions are taken on their behalf is also denied. The issue of 'statelessness' often leads to the denial of the right to return to one's country. It is a fact that the state, being held singularly responsible for the welfare of its citizens, has incurred substantial expenditure in addressing the issues related to trafficking. Rescue and rehabilitation programmes' and processes cost a lot of money. In 1998, the Indian Prime Minister approved a National Plan of Action to Combat Trafficking and Commercial Sexual Exploitation of Women and Children. The latter is concerned both with implementation of the ITPA and the rescue and rehabilitation of victims. A monitoring mechanism is intended to oversee implementation of the Plan from the district to the central level. The Central Advisory Committee on Child Prostitution monitors state implementation of the Plan of Action.

Notably, according to the United Nations Office on Drugs and Crime, the Indian Ministry of Home Affairs has initiated a comprehensive four-year anti-trafficking

scheme focusing on two important areas: (a) the development of a cadre of master trainers through training of trainers of the police and (b) the establishment of Anti-Human Trafficking Units across the country, the funds for which have been committed by the government. Another key anti-trafficking intervention is the UJJAWALA “scheme for trafficked women and children”, launched by the Ministry of Women and Child Development in December 2007. UJJAWALA, which focuses on females trafficked for the purpose of Commercial sexual exploitation, is concerned with the following: Prevention, Rescue, Rehabilitation, Reintegration and Repatriation. The Swadhar Scheme of the Ministry of Women and Child Development also seeks to address the needs of females in difficult circumstances, including victims of sex trafficking. The Immoral Traffic (Prevention) Act (ITPA) prohibit trafficking in persons (including children), criminalizes sexual exploitation and provides enhanced penalties for offences involving minors. The governments with the help of NGOs provide protective homes for trafficker. The central social welfare board provides financial assistance to NGOs to run development and care centers for children of trafficking victims. The department of Women and Child Development is responsible for implementing a plan of action developed in 1998 in consultation with NGOs and International Organizations.(Troubnikoff,2003)

Conclusion : The increase of trafficking worldwide implies a serious loss of women's human rights and continuing marginalization of women's role in society. The proliferation of this crime and its justification in the name of economic benefits reach the core of human injustice and must be eradicated. Expansion of employment opportunities for women in non-traditional sectors, consistent with market needs and demand, is essential to improving the economic status of women and girls and reducing their vulnerability to trafficking. Women entrepreneurship should encourage the essential for policy advocacy and support networks. Awareness and education recommended that any gender and rights training must embrace legal literacy particularly for women. The media has an important role to inform and educate the public through newspaper, radio and other modes of communication and should be targeted as a key partner in combating trafficking.

Reference :

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