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TACKLING HUMAN TRAFFICKING

Gist of **RStv** Debate
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TACKLING HUMAN TRAFFICKING

INTRODUCTION

- Trafficking is like a modern form of slavery. It's an organised crime. 21 million people are trafficked in year 2019 as per reports.
- The magnitude and scale of the problem is enormous considering huge underreporting, and the scale of industry which is around 154 billion dollars.
- The Office of the United Nations High Commissioner for Human Rights warned the world that the Covid-19 pandemic would lead to a major increase in human trafficking.
- India's Home Ministry responded by issuing an advisory to its state governments earlier this month, with clear instructions to set up or improve local anti-trafficking networks.
- The Ministry has written to states and Union territories to expedite the setting up of new anti-human trafficking units (AHTUs) and upgrade the infrastructure of existing ones to 'combat and prevent' human trafficking.
- The AHTUs are an integrated task force to prevent and combat the menace of human trafficking.
- Trained representatives from the police, department of women and child development, other relevant departments and renowned non-government organisations are part of the unit which was first established in 2007.
- While the Central government has provided financial assistance for setting up physical infrastructure in these units, it is the responsibility of various states to depute suitable manpower to manage them.

EDITED EXCERPTS FROM THE DEBATE**What is the severity of the problem of Human Trafficking at the Global level?**

- Several report shows that the trafficking is occurring between the countries, however, the UNODC report 2019 shows that 60% of the trafficking occurs internally in a country.
- As per the United Nations Office on Drugs and Crime (UNODC) report, 90% of the sexual victims are women and girls. It also says that in the South Asia region, 85% of the victims are exploited for forced labour.
- The human trafficking is the third most challenging crime in the world in terms of turnover and human misery. First being drugs and second are weapons.

**What is the Situation of Human Trafficking in India?**

- In India, the most affected state in human trafficking is West Bengal followed by Chhattisgarh, Assam, Jharkhand etc. The Sundarbans area of west Bengal is most affected human trafficking area.
- The trafficking in India occurs for several reasons such as for sex, surrogacy, forced labour etc. It occurs due to the poverty as well as absence of strict law in India.

Human Trafficking

- Human trafficking involves recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, for the purpose of exploitation.
- Exploitation 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.

**What are the challenges and the root cause of Trafficking?**

- Poverty is a cause behind child trafficking. Some parents sell their children, not just for the money, but also in the hope that their children will escape the situation of chronic poverty and move to a place where they will have a better life and more opportunities.
- Social or cultural practice of devaluing women and girls in society, thus making women disproportionately vulnerable to trafficking.
- Other causes are porous nature of borders, corrupt Government officials, the involvement of international organized criminal groups or networks and limited capacity of or commitment by immigration and law enforcement officers to control borders.
- The desire of potential victims to migrate is exploited by offenders to recruit and gain initial control

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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 reasons behind migration are poverty, oppression, lack of human rights, and lack of social or economic opportunity, dangers from conflict or instability and similar conditions.
- When victims are rescued by the police agencies, they are kept in custody for several years without being rehabilitated into the mainstream society. This is because there is no bound trial and rehabilitation mechanism in the law for rescued victims.
- Current legal and institutional framework emphasis more on post-crime scenarios. As a result, there is a continued increase in the number of trafficked victims.
- There is a vast nexus of traffickers which are very much penetrated into the very basic activities of daily life. Like, when girls go to mobile recharge centres, the network of mobile recharge centre owner with traffickers circulates the number of the girl to the trafficker and it get easy for him to pull her into the trap.



What we have been doing to address the problem and how successful we are in our endeavour?

- India has been a late starter in the area of trafficking. Justice J S Verma Committee was the first to suggest the insertion of Section 370 IPC, dedicated to trafficking crimes. For the first time, we had a dedicated section.
- Ministry of Home Affairs under a Comprehensive Scheme has released fund for establishment of Anti Human Trafficking Units for 270 districts of the country.
- To enhance the capacity building of law enforcement agencies and generate awareness among them, various Training of Trainers (TOT) workshops on Combating Trafficking in Human Beings for Police officers and for Prosecutors at Regional level, State level and District level were held throughout the country.
- In order to train and sensitize the trial court judicial officers, Judicial Colloquium on human trafficking is held at the High court level. The aim is to sensitize the judicial officers about the various issues concerning human trafficking and to ensure speedy court process.
- India has ratified the United Nations Convention on Transnational Organised Crime (UNTOC) which has as one of its Protocols Prevention, Suppression and Punishment of Trafficking in Persons, particularly Women and Children.
- India has ratified the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution. A Regional Task Force was constituted to implement the SAARC Convention.
- For dealing with cross border trafficking and to address the various issues relating to prevention of Trafficking, victim identification and repatriation and make the process speedy and victim-friendly between India and Bangladesh, a Task Force of India and Bangladesh was constituted.

WAY FORWARD

- Synergy between civil society, police and the government is the bottom-line. There has to be a time bound response to the rehabilitation of victims of trafficking. Until the last person is rescued and rehabilitate and perpetrators are brought to justice, the war against human trafficking is not complete.

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- Data reporting needs to be improved upon because national reporting raises the public confidence that the government going beyond its commitment and action is also happening.
- Children must be educated on the crime of trafficking through parental guidance and school education system.
- The judicial system must increase prosecutions and convictions for all forms of trafficking, including forced and bonded labour.
- The government should increase efforts to identify victims proactively to include disseminating and implementing standard operating procedures (SOPs) to harmonize victim identification and referral, and training officials on their use; cease the penalization of trafficking victims.



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